

Arizona State Board of Nursing

Janet Napolitano
Governor

Joey Ridenour
Executive Director



Board Meeting Minutes

The regular meeting of the Arizona State Board of Nursing convened at 8:32 a.m., Wednesday, September 21, 2005, in the Board of Nursing Board Room, Suite 210, 1651 East Morten Avenue, Phoenix, Arizona, with Kathy Malloch, Ph.D., M.B.A., R.N., President, presiding.

BOARD MEMBERS PRESENT:

Kathy Malloch, PhD, MBA, RN, President
Theresa Crawley, CRNA, MSHSA, Vice-President
Karen Hodges Hardy, RN, MSN, Secretary
Kathryn L. Busby, JD, Member
Trista Campbell, RN, BSN, Member
Patricia Johnson, LPN, Member
Judy Rich, RN, Member

BOARD MEMBERS ABSENT:

Gregory Harris, Member

LEGAL COUNSEL:

Daniel Christl, Assistant Attorney General
Ann Olson, Assistant Attorney General
Michelle L. Wood, Assistant Attorney General

STAFF:

Joey Ridenour, RN, MN, Executive Director
Judy Bontrager, RN, MN, Associate Director
Valerie Smith, RN, MS, Associate Director
Erica Bailey, Senior Investigator/Monitoring
Jeanne Bauer, Senior Investigator
Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings
Debra Blake, Paralegal/Hearing Department
Karen Grady, RN, MS, CS, FNP, Nurse Practice Consultant/Advanced Practice
Ron Lester, Senior Investigator
Patricia Midkiff, RN, MN, Nurse Practice Consultant
Sydney Munger, RN, MS, Nurse Practice Consultant
Betty Nelson, RN, MS, Nursing Assistant Consultant
Stephanie Nelson, RN, MSN, Nurse Practice Consultant/Monitoring
Kirk Olson, Senior Investigator
Cory Polak, Senior Investigator
Pamela Randolph, RN, MSN, Nurse Practice Consultant/Education
Mary Rappoport, RN, MN, Nurse Practice Consultant
Jeanine Sage, RN, MSN, Nursing Assistant Consultant
Suanne Smith, RN, MS, Nurse Practice Consultant/CANDO
Sister Rachel Torrez, RN, MS, Nurse Practice Consultant
Nancy Twigg, RN, MSN, Nurse Practice Consultant
Rose Wilcox, RN, M Ed, Nurse Practice Consultant/Education
James Williams, Senior Investigator
Barbara Ritenour, Legal Secretary

I. Call To Order

The meeting was called to order at 8:32 a.m., Wednesday, September 21, 2005.

The following Board members were present: Johnson, Rich, Malloch, Crawley, Hardy, Busby and Campbell.

Malloch presiding.

Malloch welcomed members of the audience and explained the procedure for addressing the Board.

VII.C.1. Introduction/Welcome New Board Member: Judy Rich, Sr. Vice President/Chief Operations Officer Tucson Medical Center & Update of Two Board Member Appointments – Malloch

Malloch introduced incoming Board member Judy Rich to Board members and staff.

II.A. Board Discussion and Decision Regarding Administrative Law Judge Recommendations

II.A.1. Mark Andrew Goodenough CNA Applicant Wood

The proceeding began at 8:38 a.m. with the following Board members present: Johnson, Rich, Malloch, Crawley, Hardy, Busby and Campbell.

All Board members answered affirmatively that they had received and read the transcript of the hearing and the Administrative Law Judge recommendation.

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Michelle Wood, Assistant Attorney General, represented the State.

Goodenough was not present and was not represented by legal counsel.

Wood addressed the Board.

Hardy moved, Crawley seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 31 with an amendment to paragraph 18 to read: “On or about September 4, 1996, in Waukegan Court case number 96CM00003922, the case was dismissed as part of a Consent Agreement resolving this matter and a pending DUI, but applicant was assessed court costs of \$83.00 which remains outstanding.”, and Conclusions of Law the alleged violations in Paragraphs 1 through 8.

Johnson moved, Crawley seconded, and it was unanimously carried to accept the Administrative Law Judge’s recommended Order to dismiss the applicant’s appeal and that prior denial of Goodenough’s application for nursing assistant certification be upheld and affirmed.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.A.2. Aum Adia Khaaladan CNA Applicant Christl

The proceeding began at 8:43 a.m. with the following Board members present: Johnson, Rich, Malloch, Crawley, Hardy, Busby and Campbell.

All Board members answered affirmatively that they had received and read the transcript of the hearing and the Administrative Law Judge recommendation.

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

Khaaladan was not present and was not represented by legal counsel.

Christl addressed the Board.

Johnson moved, Hardy seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 5, and Conclusions of Law the alleged violations in Paragraphs 1 through 3.

Johnson moved, Crawley seconded, and it was unanimously carried to accept the Administrative Law Judge's recommended Order to dismiss the applicant's appeal and that prior denial of Khaaladan's application for nursing assistant certification be upheld and affirmed.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

**II.A.3. Merrick Kotapka RN110660 Christl
(aka: Miroslaw Kotopka)**

The proceeding began at 8:46 a.m. with the following Board members present: Johnson, Rich, Malloch, Crawley, Hardy, Busby and Campbell.

All Board members answered affirmatively that they had received and read the transcript of the hearing and the Administrative Law Judge recommendation.

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

Christl addressed the Board.

Teressa Sanzio, attorney, was present and addressed the Board.

Based upon the hearing transcripts, the Administrative Law Judge's Findings of Fact, Conclusions of Law, Recommendation, and the information presented at this meeting, the Board members agreed that disciplinary action should be considered in this matter.

Johnson moved, Crawley seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 20, and Conclusions of Law the alleged violations in Paragraphs 1 through 7.

Campbell moved, Hardy seconded, and it was unanimously carried to affirm the Administrative Law Judge's decision to issue a Decree of Censure.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.E. Board Discussion and Decision Regarding Request for Rehearing or Review

II.E.1. Robbin Lavon McKinion RN108244; AP1032; AP1033 Christl

The proceeding began at 8:57 a.m. with the following Board members present: Johnson, Rich, Malloch, Crawley, Hardy, Busby and Campbell.

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

McKinion was present and available for questions. Roy Whipple, attorney, was present and addressed the Board.

Christl addressed the Board.

Busby moved, Campbell seconded, and it was unanimously carried to grant motion for review for purposes of reviewing Order.

After discussion, Busby moved, Crawley seconded, and it was unanimously carried to table Agenda Item II.E.1.

II.E.2. Kimberly Cole Gray RN108798 Christl/Olson

The proceeding began at 9:51 a.m. with the following Board members present: Johnson, Rich, Malloch, Crawley, Hardy, Busby and Campbell.

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

Gray was present, telephonically, and addressed the Board.

Christl addressed the Board.

Busby moved, Johnson seconded, and it was unanimously carried to approve request to continue to the November 2005 Board meeting.

The meeting recessed at 9:56 a.m. and reconvened at 10:11 a.m.

II.G. Board Discussion and Decision Regarding Motions to Rescind Prior Board Decision To Consider Alternative Action

**II.G.2. Jenny M. Griffin CNA714246441 Christl
(aka: Meyer)**

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

Griffin was not present and was not represented by legal counsel.

Christl addressed the Board.

Campbell moved, Crawley seconded, and it was unanimously carried to rescind prior Board decision to offer a Consent Agreement for a 60 month stayed suspension with terms and conditions, and accept the signed Consent Agreement for a 36 month stayed suspension with the attached modified terms and conditions.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.C. Board Discussion and Decision Regarding Settlement Agreements on Cases Scheduled for Hearing and/or Administrative Law Judge Recommendations Regarding Settlement

II.C.4. Amy Therese Robison RN Applicant; LP039398 Christl

The proceeding began at 10:15 a.m. with the following Board members present: Johnson, Rich, Malloch, Crawley, Hardy, Busby and Campbell.

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

Christl addressed the Board.

Robison was present and available for questions. Teresa Sanzio, attorney, was present and addressed the Board.

Johnson moved, Hardy seconded, to accept the recommendation from the settlement conference to accept the signed Consent Agreement for a 36 month probation to include the attached terms and conditions which included issuing Robison her RN license. After discussion, Johnson amended the motion to include: “rescind prior Board decision”. Hardy concurred. The motion carried unanimously.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.C.3. Carolyn Muchmore RN044096 Wood

The proceeding began at 10:19 a.m. with the following Board members present: Johnson, Rich, Malloch, Crawley, Hardy, Busby and Campbell.

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Michelle Wood, Assistant Attorney General, represented the State.

Teresa Sanzio, attorney, was present and available for questions.

Wood addressed the Board.

Busby moved, Crawley seconded, and it was unanimously carried to rescind prior Board decision to offer a Consent Agreement for 24 months probation with terms and conditions, and accept the signed Consent Agreement for 12 months probation with the attached terms and conditions.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.C.5. Elizabeth McCombs-Harrold RN047471 Wood

The proceeding began at 10:22 a.m. with the following Board members present: Johnson, Rich, Malloch, Crawley, Hardy, Busby and Campbell.

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Michelle Wood, Assistant Attorney General, represented the State.

Wood addressed the Board.

McCombs-Harrold nor her attorney were present.

Campbell moved, Hardy seconded, and it was unanimously carried to rescind prior Board decision to offer a Consent Agreement for a Decree of Censure, and issue a \$50 Civil Penalty for failing to answer the question regarding prior arrests and a letter of concern for allegedly throwing tubing in the direction of a co-worker.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.C.6. Vaughn Pivrotto Stropka RN017505 Wood

The proceeding began at 10:25 a.m. with the following Board members present: Johnson, Rich, Malloch, Crawley, Hardy, Busby and Campbell.

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Michelle Wood, Assistant Attorney General, represented the State.

Wood addressed the Board.

Teresa Sanzio, attorney, was present and addressed the Board.

Busby moved, Hardy seconded, and it was unanimously carried to rescind prior Board decision to offer a Consent Agreement for a Decree of Censure, and accept the signed Consent Agreement for \$100 Civil Penalty with the completion of a Board approved college level course in effective communications.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.C.7. Susan Louise Schilpp LP036466 Wood

The proceeding began at 10:29 a.m. with the following Board members present: Johnson, Rich, Malloch, Crawley, Hardy, Busby and Campbell.

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Michelle Wood, Assistant Attorney General, represented the State.

Wood addressed the Board.

Teressa Sanzio, attorney, was present and available for questions.

Hardy moved, Busby seconded, and it was unanimously carried to rescind prior Board decision to offer a Consent Agreement for a Decree of Censure, and issue a letter of concern for failing to have documented the low blood sugar every 30 minutes.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.F. Board Discussion and Decision Regarding Settlement Conference Cases & Decision to Accept Proposed Consent Agreements

II.F.1. Patricia Marie Glover RN082581 Christl

The proceeding began at 10:33 a.m. with the following Board members present: Johnson, Rich, Malloch, Crawley, Hardy, Busby and Campbell.

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

Neither Glover nor her attorney was present.

Christl addressed the Board.

Crawley moved, Busby seconded, and it was unanimously carried to rescind prior Board decision to offer a Consent Agreement for 24 months probation with terms and conditions, and accept the signed Consent Agreement for a \$100 Civil Penalty.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.F.2. Michelle Lea Mills RN102118 Christl

The proceeding began at 10:35 a.m. with the following Board members present: Johnson, Rich, Malloch, Crawley, Hardy, Busby and Campbell.

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

Christl addressed the Board.

Mills was present and available for questions.

Busby moved, Campbell seconded, and it was unanimously carried to rescind prior Board decision of September 12, 2002 to offer a Consent Agreement for a Decree of Censure, and issue a letter of concern for a one-time DUI and for making a threatening statement to three police officers on or about February 22, 2002.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.F.3. Frank Patrick Martino RN057440; LP018910 Christl

The proceeding began at 10:38 a.m. with the following Board members present: Johnson, Rich, Malloch, Crawley, Hardy, Busby and Campbell.

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

Christl addressed the Board.

Neither Martino nor his attorney was present.

Hardy moved, Crawley seconded, and it was unanimously carried to rescind prior Board decision to of January 21, 2005 to offer a Consent Agreement for 36 months probation, and accept signed Consent Agreement for 24 months probation with the attached modified terms.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.F.4. Sarah Vale Andrada RN091244 Christl

The proceeding began at 10:41 a.m. with the following Board members present: Johnson, Rich, Malloch, Crawley, Hardy, Busby and Campbell.

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

Christl addressed the Board.

Teresa Sanzio, attorney, was present and available for questions.

Busby moved, Crawley seconded, and it was unanimously carried to rescind prior Board decision to offer Consent Agreement for a 24 month probation with terms and conditions, and accept the signed Decree of Censure with terms and conditions.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.E. Board Discussion and Decision Regarding Request for Rehearing or Review

II.E.1. Robbin Lavon McKinion RN108244; AP1032; AP1033 Christl

Johnson moved, Crawley seconded, and it was unanimously carried to reopen Agenda Item II.E.1. The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

Christl addressed the Board.

After discussion Busby moved, Hardy seconded, and it was unanimously carried to table Agenda item II.E.1.

II.B. Board Discussion and Decision Regarding State’s Motion to Deem Allegations Admitted For Licensee/Certificate Holder’s Failure to Respond to Complaint and Notice of Hearing & Recommended Discipline

AGENA #	Respondent Name	Lic/Cert #	Board Resolution	LegalStaff
II.B.1.	Racquel Huerta	CNA999953295	Revocation	Christl
II.B.4.	Pamela Robbins	LP034374	Revocation	Christl
II.B.5.	Erin Wulf	CNA999951273	Revocation	Christl
II.B.6.	Jeri Lynn Martens	CNA999990624	Revocation	Wood

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl and Michelle Wood, Assistant Attorney General’s, represented the State.

The above listed were not present and were not represented by legal counsel.

Johnson moved, Busby seconded, and it was unanimously carried to grant the State’s Motion to Deem Allegations Admitted.

Johnson moved, Hardy seconded, and it was unanimously carried to accept the Factual Allegations and the Alleged Violations from the Complaint and Notice of Hearing as Findings of Fact and Conclusions of Law.

Hardy moved, Busby seconded, and it was unanimously carried to accept the State’s recommended discipline for Agenda Items II.B.1, and 4-6.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.B.2. Gaynor Beautilyn Hulse LP030125 Christl
 The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

Hulse nor her attorney were present.

Christl addressed the Board.

Hardy moved, Crawley seconded, and it was unanimously carried to grant the State’s Motion to Deem Allegations Admitted.

Hardy moved, Crawley seconded, and it was unanimously carried to accept the Factual Allegations and the Alleged Violations from the Complaint and Notice of Hearing as Findings of Fact and Conclusions of Law.

Johnson moved, Crawley seconded, and it was unanimously carried to accept a signed Consent Agreement for a \$250 Civil Penalty if received within 30 days. If not signed within 30 days, issue a Decree of Censure.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.B.3. Todd Shelby Parke LP033596 Christl
 The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

Park was present and addressed the Board.

Christl addressed the Board.

Johnson moved, Campbell seconded, and it was unanimously carried to grant the State’s Motion to Deem Allegations Admitted.

Johnson moved, Busby seconded, and it was unanimously carried to accept the Factual Allegations and the Alleged Violations from the Complaint and Notice of Hearing as Findings of Fact and Conclusions of Law.

After discussion, Campbell moved, Crawley seconded, and it was unanimously carried to table Agenda Item II.B.3.

II.B.7. Olivia Torres LP019024 Wood
 The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Michelle Wood, Assistant Attorney General, represented the State.

Torres was present and addressed the Board.

Wood addressed the Board.

Johnson moved, Busby seconded, and it was unanimously carried to grant the State’s Motion to Deem Allegations Admitted.

Johnson moved, Busby seconded, and it was unanimously carried to accept the Factual Allegations and the Alleged Violations from the Complaint and Notice of Hearing as Findings of Fact and Conclusions of Law.

Hardy moved, Crawley seconded, and it was unanimously carried to table Agenda Item II.B.7.

II.C. Board Discussion and Decision Regarding Settlement Agreements on Cases Scheduled for Hearing and/or Administrative Law Judge Recommendations Regarding Settlement

II.C.1. John J. Broderick CNA Applicant Wood

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Michelle Wood, Assistant Attorney General, represented the State.

Wood addressed the Board.

Broderick was not present and was not represented by legal counsel.

Busby moved, Crawley seconded, and it was unanimously carried to rescind prior Board decision to issue an Order of Denial, and accept the signed Consent Agreement for a \$50 Civil Penalty.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.C.2. Stacy Lynne Stokes RN117723 Christl

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

Christl addressed the Board.

Stokes was not present and was not represented by legal counsel.

Busby moved, Hardy seconded, and it was unanimously carried to accept the Administrative Law Judge’s recommended Order to rescind prior Board decision to issue a Notice of Charges, and accept the signed Consent Agreement for a 24 month probation with terms and conditions.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

**II.C.8. Jill Adair Anderson RN096961 Christl
(aka: Martinez)**

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

Christl addressed the Board.

Anderson was present and available for questions.

Busby moved, Hardy seconded, and it was unanimously carried to rescind prior Board decision to offer Decree of Censure, and issue a letter of concern for a 2000 pre-employment urine drug screen which was positive for amphetamines and methamphetamines.

II.D. Board Discussion and Decision Regarding State’s Motion to Deem Allegations Admitted for Licensee/Certificate Holder’s Failure to Respond to Notice of Charges & Recommended Discipline

AGENA	Respondent Name	Lic/Cert #	Board Resolution	LegalStaff
II.D.1.	Tasha Kay Blue	RN125083	Revocation	Christl
II.D.2.	Zaith W. Contreras	CNA999950335	Civil Penalty	Christl
II.D.3.	Kelli Danielle Cota (aka: Grulke	CNA100000526	Revocation	Christl
II.D.4.	Robert Sherman D’Amore	LP 019442	Revocation	Christl
II.D.5.	Benjamin M. Encinas	CNA999952400	Revocation	Christl
II.D.6.	Karen L. Fennell (aka: Burleson)	CNA367290803	Revocation	Christl
II.D.7.	Ann Fimbers	CNA1000001125	Revocation	Christl
II.D.8.	Jennifer Harris	CNA999949431	Revocation	Christl
II.D.9.	Carmen Jean Johnson	LP029439	Revocation	Christl
II.D.11.	Joldie K. Kolasinski	CNA131718641	Revocation	Christl
II.D.12.	Rosa Maria Krugh	CNA999989760	Revocation	Christl
II.D.13.	Vallie L. Moses	RN120053	Revocation	Christl
II.D.14.	Pinkie D. Ostrowski	CNA700315607	Revocation	Christl
II.D.15.	Hester Kay Pablo	LP035308; CNA386721103	Suspend license & certificate pending CD evaluation	Christl
II.D.16.	Diane K. Sierra	CNA372361803	Revocation	Christl
II.D.17.	Cherie Christine Smith	CNA999992604	Revocation	Christl
II.D.18.	Mary G. Aguilar	CNA516662803	Revocation	Wood
II.D.20.	Joanne Chesik	RN107806; CNA753513336	Revocation	Wood
II.D.21.	Frances Ann Farney	LP038128	Revocation	Wood
II.D.22.	Tiffany Marie Forrest	CNA1000000138	Revocation	Wood
II.D.23.	Maida Janet Hernandez	CNA1000000773	Revocation	Wood
II.D.24.	Kathleen Hodson	RN111871	Revocation	Wood
II.D.25.	Kathleen Kleinik	LP035581	Revocation	Wood
II.D.26.	Mary Welch Moss	RN075287; LP023662	Revocation	Wood
II.D.27.	Eleye E. McCoy	CNA1000002183	Revocation	Wood
II.D.29.	Timothy Eugene Roberts	CNA1000000424	Revocation	Wood
II.D.30.	Maria Ruiz	CNA999999379	Revocation	Wood
II.D.31.	Caren Louise Woods	RN120475	Revocation	Wood

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl and Michelle Wood and Ann Olson, Assistant Attorney General’s, represented the State.

The above listed license/certificate holders were not present and were not represented by legal counsel.

Busby moved, Crawley seconded, and it was unanimously carried to grant the State’s Motion to Deem Allegations Admitted for Agenda Items II.D.1-9, 11-18, 20-27 and 29-31.

Busby moved, Crawley seconded, and it was unanimously carried to accept the Factual Allegations as Findings of Fact and Alleged Violations as Conclusions of Law from the Notice of Charges for Agenda Items II.D.1-9, 11-18, 20-27 and 29-31.

Busby moved, Crawley seconded, and it was unanimously carried to accept the State’s recommended discipline for Agenda Items II.D.1-9, 11-18, 20-27, and 29-31.

II.D.	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.D.10. Cherilyn Kee CNA668905353 Christl

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General’s, represented the State.

Kee was present and available for questions.

Christl addressed the Board.

Busby moved, Campbell seconded, and it was unanimously carried to grant the State’s Motion to Deem Allegations Admitted.

Busby moved, Campbell seconded, and it was unanimously carried to accept the Factual Allegations as Findings of Fact and Alleged Violations as Conclusions of Law from the Notice of Charges.

Busby moved, Johnson seconded, and it was unanimously carried to impose a \$50 Civil Penalty, to include an amendment to the points and authorities to indicate there was only one 2003 DUI arrest and conviction.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.D.19. Rebecca Sue Blankenship LP022732 Wood

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Michelle Wood and Ann Olson, Assistant Attorney General, represented the State.

Rich recused herself to avoid the appearance of impropriety.

Blankenship was not present and was not represented by legal counsel.

Wood addressed the Board.

Busby moved, Campbell seconded, and it was unanimously carried to deny request for continuance.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

**II.G.3. Shannon Leray Deptula RN120655 Christl
(aka: Gerdeman; Berg)**

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

Deptula was not present and was not represented by legal counsel.

Barber addressed the Board with additional information.

Busby moved, Hardy seconded, and it was unanimously carried to accept the signed Consent Agreement for 24 months probation with the modified stipulations stated in the investigative report.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.G.4. Jane Cooley Olmstead RN124384 Christl

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

Olmstead was present and addressed the Board.

Christl addressed the Board.

Campbell moved, Crawley seconded, and it was unanimously carried to rescind prior Board decision to offer a Consent Agreement for a Decree of Censure, and accept the signed Consent Agreement for a \$250 Civil Penalty.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.G.5. Holli Hartley-Cobb RN052454 Wood

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Michelle Wood, Assistant Attorney General, represented the State.

Hartley-Cobb was not present and was not represented by legal counsel.

Wood addressed the Board.

Busby moved, Crawley seconded, and it was unanimously carried to rescind prior Board decision to offer a Consent Agreement for stayed revocation/probation for 12 months with terms and conditions, followed by a standard 24 month probation with terms and conditions, and accept the attached modified signed Consent Agreement for a stayed revocation/probation for 12 months with terms and conditions, followed by a standard 24 month probation with terms and conditions, which includes allowing Respondent to be relieved of the remaining length of standard probation if she successfully completes a total of 18 months of probation consistent with Board policy and defines actionable discipline as that which constitutes unprofessional conduct.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.B. Board Discussion and Decision Regarding State’s Motion to Deem Allegations Admitted For Licensee/Certificate Holder’s Failure to Respond to Complaint and Notice of Hearing & Recommended Discipline

II.B.7. Olivia Torres LP019024 Wood

Campbell moved, Busby seconded, and it was unanimously carried to reopen Agenda Item II.B.7. The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Michelle Wood, Assistant Attorney General, represented the State.

Torres was present and available for questions.

Busby moved, Crawley seconded, and it was unanimously carried to accept the State’s recommended order to impose a 30 month probation to include stipulations: stamping of license, nursing ethics and documentation courses, notification of practice settings, monthly performance evaluations for the first 12 months and quarterly for the remaining 18 months, direct supervision, night shift prohibited, registry/traveling nurse/float pool/home health work/on-call prohibited.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

III.H. Board Discussion and Decision Regarding License/Certificate Reinstatements

III.H.1. Terri Crissinger TRN055360 (Bontrager)

Crissinger was present and addressed the Board. Busby moved, Hardy seconded, and after discussion, unanimously carried to grant license renewal upon signing a Consent Agreement for a \$700 Civil Penalty. If not signed within 30 days, deny licensure based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting; and refer the employer to Department of Health Services for hiring an individual in a position requiring nursing licensure and who possessed a temporary license for refresher course only, allowing the individual to practice without evidence of having completed a refresher course and after the temporary license expired.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.B. Board Discussion and Decision Regarding State’s Motion to Deem Allegations Admitted For Licensee/Certificate Holder’s Failure to Respond to Complaint and Notice of Hearing & Recommended Discipline

II.B.3. Todd Shelby Parke LP033596 Christl

Busby moved, Hardy seconded, and it was unanimously carried to reopen Agenda Item II.B.3. The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

Christl addressed the Board.

Parke was present and available for questions.

Busby moved, Campbell seconded, and it was unanimously carried to impose a 12 month stayed revocation suspension to include stipulations: surrender of license, addictionist evaluation, neuropsych evaluation, rehabilitation/aftercare/relapse prevention pending evaluation recommendation; nurse recovery group, AA with sponsor, monthly drug testing, abstain from alcohol, abstain from unauthorized drug use/proof of prescription/one prescriber, one medical provider, one pharmacy/pharmacy profiles., to be followed by a 12 month stayed revocation probation followed by a standard 24 month probation to include stipulations: stamping of license, relapse prevention evaluation at 18 months, nurse recovery group, AA with sponsor, drug testing 1 time per month, abstain from alcohol, abstain from unauthorized drug use/proof of prescription/one prescriber, one medical provider, one pharmacy/pharmacy profiles, notification of practice settings, quarterly performance evaluations, direct supervision, access to drugs prohibited for the first 6 months, registry/traveling nurse/float pool/home health work/on-call prohibited, night shift prohibited. If not signed, revoke practical nurse license No. LP033596 issued to Todd Shelby Parke.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

The meeting recessed at 12:16 p.m. and reconvened at 1:07 p.m. Busby left the meeting at 12:16 p.m.

V.I.1. Tina Marie Marino RN121907 (Torrez)

Malloch knows Deb Pendergast but shows no bias. D. Jay Ryan, attorney, and Marino were present and addressed the Board. Johnson moved, Hardy seconded, and it was unanimously carried to dismiss the case.

V.G.9. Stacey Dawn Liston RN103334; LP032167 (Munger)

Munger addressed the Board and confirmed receipt of additional information. Teressa Sanzio, attorney, was present and addressed the Board. Hardy moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement for an indefinite stayed revocation/suspension pending completion of an addictionologist evaluation, rehabilitation and aftercare, and the attached stipulations, followed by 12

months stayed revocation/probation, followed by 24 months standard probation to include the attached stipulations. If not signed within 30 days, issue a Complaint and Notice of Hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	5		X	X	X	X	X		
NO	0								
ABSTAIN	0								
ABSENT	3	X						X	X

V.G.11. Sherry Smith Balzer RN024839 (Munger)

Munger addressed the Board and confirmed receipt of additional information. D. Jay Ryan, attorney, was present and addressed the Board. Balzer was present and available for questions.

Campbell returned to the meeting at 1:17 p.m.

Hardy moved, Crawley seconded, to offer a Consent Agreement for a 24 month probation with the attached stipulations, to include psychological and professional boundary evaluations, or hearing. After discussion, the motion carried with four in favor, one opposed and one abstained.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	4		X	X		X	X		
NO	1				X				
ABSTAIN	1								X
ABSENT	2	X						X	

V.H.1. Marsha Matthews Evans RN043234 (Twigg)

Malloch knows Pat Torrington but shows no bias. Ann Fulton-Cavett, attorney, was present, telephonically, and addressed the Board. Johnson moved, Crawley seconded, and it was unanimously carried to issue an Interim Order for a psychiatric evaluation to be completed by a Board approved psychiatrist, and a chemical dependency evaluation to be completed by a Board approved addictionologist, both to be scheduled within 15 days and completed within 45 days, and return to the Board.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X		X
NO	0								
ABSTAIN	0								
ABSENT	2	X						X	

V.H.2. Vicki Lynn Nelson-Black RN086546; LP022973 (Twigg)

Nelson-Black and attorney, Karen Owens were present and addressed the Board. Campbell moved, to offer a Consent Agreement for a Decree of Censure, or hearing. The motion failed. Johnson moved, Hardy seconded, to issue a letter of concern for failing to properly identify a resident resulting in a medication error on or about May 7, 2005 while working at HCR Manor Care in Tucson, Arizona. After discussion, the motion carried with five in favor and one opposed.

V.H.4. Gwenyth M. Taylor RN098345 (Twigg)

Pamela Shell, complainant, was present and addressed the Board. Teresa Sanzio, attorney, was present and addressed the Board on behalf of Taylor. Taylor was present, telephonically, and addressed the Board. Johnson moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X		X
NO	0								
ABSTAIN	0								
ABSENT	2	X						X	

V.J.2. David Paul Sachs RN107889; AP1770 (Grady)

Malloch knows Esther Reese but shows no bias. Grady addressed the Board and confirmed receipt of additional information. Sachs and attorney, Paul Giancola were present and addressed the Board. Hardy moved, Campbell seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X		X
NO	0								
ABSTAIN	0								
ABSENT	2	X						X	

V.J.6. Carol Ann Selman RN081747 (Grady)

Hardy and Malloch know Sue Hanauer, but show no bias. Grady addressed the Board and confirmed receipt of additional information. Selman and attorney, Teressa Sanzio, were present and addressed the Board. Johnson moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or hearing.

V.J.	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X		X
NO	0								
ABSTAIN	0								
ABSENT	2	X						X	

V.J.1. William Oran OBrien RN116024 (Grady)

Malloch recused herself to avoid the appearance of impropriety, and left the meeting at 2:33 p.m. Crawley presiding. OBrien was present and addressed the Board. Campbell moved, Johnson seconded, and it was unanimously carried to dismiss the case.

Malloch returned to the meeting at 2:36 p.m.

V.G.13. Jacquelyn Chrystal HartmanRN Applicant; LP039857; CNA999989575 (aka: Martinez) (Munger)

Richard Rea, attorney, was present and addressed the Board. Campbell moved, Crawley seconded, and it was unanimously carried to grant temporary license and continue the investigation.

The meeting recessed at 2:40 p.m. and reconvened at 3:00 p.m.

III. Board Discussion and Decision Regarding Case Disposition Criteria Approved, Letter of Concern Summary Report Approved, Lapsed Licenses, and Reinstatement Applications

III.A. Board Discussion and Decision Regarding Case Disposition Criteria Approved - (List Available in Board Office)

- III.A.1. RN/LPN Endorsement Applicants**
- III.A.2. RN/LPN Examination Applicants**
- III.A.3. RN/LPN Renewal Applicants**
- III.A.4. CNA Endorsement/Examination Applicants**
- III.A.5. CNA Renewal Applicants**
- III.A.6. AP/RN/LPN/CNA Respondents**
- III.A.7. School Nurse Certificate Applicants**
- III.A.8. Certified Registered Nurse Anesthetists Applying for Prescribing Authority**

Campbell moved, Crawley seconded, and it was unanimously carried to approve the applicants on the list to be dismissed by case disposition criteria and to grant licensure/certification to examination and endorsement applicants on the list pending successful completion of testing requirements, verification from original state licensure and receipt of negative state and federal criminal history.

III.B. Board Discussion and Decision Regarding Letter of Concern Summary Report Approved (List Available in Board Office)

- III.B.1. RN/LPN Endorsement Applicants**
- III.B.2. RN/LPN Examination Applicants**
- III.B.3. RN/LPN Renewal Applicants**
- III.B.4. CNA Endorsement/Examination Applicants**
- III.B.5. CNA Renewal Applicants**
- III.B.6. AP/RN/LPN/CNA Respondents**
- III.B.7. School Nurse Certificate Applicants**

Campbell moved, Crawley seconded, and it was unanimously carried to issue the Letters of Concern submitted and grant licensure/certification to examination and endorsement applicants on the list pending successful completion of testing requirements, verification from original state of licensure and receipt of no additional state and federal criminal history.

III.C. Board Discussion and Decision Regarding Investigative Reports for Dismissal, Letters of Concern & Lapsed Licenses

- III.C.1. Kathy Jean Wright CNA999991931 \$75**
- III.C.2. Eartha Latrice Adams CNA99990423 \$100**
- III.C.3. Alicia Retiguin Hubbard CNA999995800 \$250**
- III.C.4. Cheryl Perry RN044235 \$700**

Crawley moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for an Administrative Penalty in the amount stated for working on an expired license, or proceed to hearing for Agenda Items III.C.1-4. Referral of the employers will be made to DHS for licensees working on a lapsed license for three months or greater.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X		X
NO	0								
ABSTAIN	0								
ABSENT	2	X						X	

III.F. Board Information Regarding Imposters & Cease and Desist Orders

- 1. Richelle Estes LP Imposter (Berry) September 14, 2005
(aka: Darum)**
- 2. Daniel R. Fatta CNA Imposter (Berry) August 24, 2005**
- 3. Norma Garcia LP Imposter (Berry) July 28, 2005**
- 4. Anna Marie Martin Nurse Imposter (Berry) September 15, 2005
(aka: Fristgerald)**

5. Linda Diane McMahon CNA Imposter (Hurtado) September 14, 2005
6. Melinda Reyes RN Imposter (Berry) September 15, 2005
7. Cheri Suzanne Ritter RN Imposter (Berry) September 15, 2005
8. Randi Stewart RN Imposter (Hurtado) September 14, 2005
9. Felipa J. Vasquez RN Imposter (Hurtado) September 14, 2005
10. Cynthia Diane Waterman-Stockton RN Imposter (Berry) September 15, 2005
(aka: Dinielli)

Information was provided to Board members regarding Cease and Desist letters mailed to the above named on dates given.

III.D. Board Discussion and Decision Regarding Action on Felony Bar Cases

III.D.2. Notice of Charges

III.D.2.a. Daniel Alvarado Leonardo CNA999996995 (Bauer)

Hardy moved, Crawley seconded, and it was unanimously carried to adopt the attached Notice of Charges.

III.E. Board Discussion and Decision Regarding Investigative Reports and Decision to Adopt Notice of Charges

III.E.1. Deanna Rae Shugart LP038979 (Midkiff)

III.E.2. Frank Flores CNA022566103 (Sage)

III.E.3. Adella Marie Bobadilla CNA999993809 (Sage)
(aka: Sanchez; Gonzales)

III.E.4. Rosa Sandino CNA002787803 (Bauer)
(aka: Olivarez)

III.E.5. Cheryl L. McCormick CNA825557850 (B. Nelson)

Johnson moved, Crawley seconded, and unanimously carried to adopt the attached Notice of Charges for Agenda Items III.E.1-5.

III.D.1. Order of Denial

III.D.1.a. Hassan K. Fields CNA Applicant (Berry)

Hardy moved, Crawley seconded, and it was unanimously carried to adopt the attached Order of Denial.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X		X
NO	0								
ABSTAIN	0								
ABSENT	2	X						X	

III.D.2.b. Tammy T. Zealand CNA999947136 (B. Nelson)

III.D.2.c. Michele M. Stinebuck RN110078 (Berry)

Hardy moved, Crawley seconded, and it was unanimously carried to adopt the attached Notice of Charges.

VII.B. Educational Reports and Rules

VII.B.7. SEVEN Health Care Academy RN and PN Refresher Course Renewal

Regina Cotrell was present and available for questions. Johnson moved, Hardy seconded, and it was unanimously carried to approve SEVEN Health Care Academy RN and PN Refresher Courses.

VII.B.1. Nurse Assistant Programs – Approvals

Campbell moved, Crawley seconded, and it was unanimously carried to adopt the Nurse Assistant Program Survey Recommendation for 2 year approval for new and renewal programs.

VII.B.2. Revised Policy on Submission of Materials to Education Committee

Hardy moved, Crawley seconded, and it was unanimously carried to approve revisions to Policy on Submission of Materials to Education Committee.

VII.B.3. Clinical Availability Form

Crawley moved, Hardy seconded, and after discussion, it was unanimously carried to approve Health Care Facility Availability Form as part of the application process for provisional approval and program change.

VII.B.4. Baptist Health System Application for Program Change

Campbell moved, Hardy seconded, and it was unanimously carried to approve the proposed change in length of the program for Baptist Health System.

VII.B.5. Central Arizona College Application for Program Change

Campbell moved, Johnson seconded, and it was unanimously carried to approve the proposed increase in enrollment at Central Arizona College.

VII.B.6. Mohave Community College RN and PN Refresher Course Renewal

Johnson moved, Crawley seconded, and after discussion, it was unanimously carried to approve Mohave Community College RN and PN Refresher Course Renewal.

VII.B.8. Pima Community College CTD RN Refresher Course Renewal

Johnson moved, Crawley seconded, and it was unanimously carried to approve Pima Community College CTD RN Refresher Course Renewal.

VII.B.9. CNE Net RN and PN Refresher Course Renewal

Crawley moved, Hardy seconded, and it was unanimously carried to allow CNE-Net to withdraw the application for renewal of approval and do not accept completion of the program for the purposes of licensure renewal or reactivation to any nurse enrolled on or after November 1, 2005.

VII.B.10. NCLEX Quarterly Results

Randolph gave an overview of the NCLEX quarterly results and stated the overall report is average, with the lowest RN scores being Northland Pioneer at 63.64% pass rate. The Board requested that Randolph ask the program to identify measures they will employ to improve the pass rate.

VII.B.11. Case Western Reserve University Application for Approval for Clinical

Dr. Lynn Lotas was present, telephonically, and available for questions. Johnson moved, Crawley seconded, and it was unanimously carried to approve program to conduct clinical instruction in Arizona for the 2 currently scheduled students and refer to Education Committee for a recommendations on future students.

VII. Board Reports for Discussion, Information, Staff Direction and/or Decision

VII.A. Executive Director's Report

VII.A.2. Pilot Study Medication Technician Project: Curriculum Guidelines; Curriculum; Draft Minutes; Trainer Course Outline; Participation by Michigan; Criteria for Pilot Facilities – Revision; Timeline - Randolph

Information was provided to the Board regarding Pilot Study Medication Technician Project: guidelines, minutes, trainer course outline, and research participation by Michigan. Randolph gave a brief overview of the educational guidelines. Randolph stated that the program is to begin in early 2006. Campbell

moved, Hardy seconded, and it was unanimously carried to approve the Pilot Study Medication Technician Project÷ Curriculum÷ and Criteria for Pilot Facilities.

VII.A.3. New CNA Test Vendor D&S Diversified Technologies – Bontrager/Randolph

Bontrager reported that D&S Diversified Technologies is the new test vendor for CNA testing, and stated that 12 test observers and 6 test sites are presently in place. The CNA candidate handbook was provided to the Board. Campbell moved, Crawley seconded, and it was unanimously carried to approve the D&S Diversified Technologies test plan for written test and skills test for nursing assistant examination applicants.

VII.A.1. Discuss/Amend and/or Approve Board Minutes and Executive Session Minutes

Johnson moved, Hardy seconded, and it was unanimously carried to approve minutes from regular Board meeting July 20, 21 and 22, 2005; special Board meeting July 22, 2005 at 2:00 p.m.; special Summary Suspension Board meeting August 12, 2005; and Executive Session minutes from July 21, 2005.

VII.A.4. 2005 Licensure Time Frame Compliance Report/Governor’s Regulatory Review Council – Sutter/Randolph/Bontrager/Ridenour

Bontrager gave an overview of the 2005 licensure time frame compliance report, stating there were 73 applications acted upon, outside the timeframe, representing a .0002% of all applications received.

VII.A.5. Proposed Arizona State Board of Nursing Meeting Dates Calendar Year 2006 – Ridenour

Hardy moved, Malloch seconded, and it was unanimously carried to approve the proposed ASBN meeting dates calendar year 2006.

VII.A.6. Self-Directed Educational Session: NCSBN 101 – Ridenour

Ridenour provided information and direction for access regarding the self-directed educational session: NCSBN 101. The session offers a foundation on nursing regulation for all 60 Boards of Nursing.

VII.A.7. Report on New Office Location – Bontrager/Smith/Ridenour

Bontrager reported on the ASBN new office location will be 4747 N. 7th Street, and stated that the final lease agreement will ready for signature by September 26, 2005.

VII.A.8. Report on Board Performance Measures/Hearing Department/Personnel Changes & Recruitment for Researcher – Bontrager/Smith/Ridenour

Barber reported on the Hearing Department, noting that all cases from 2000 & 2001, and all but 8 from 2003 were brought to this meeting. 37 cases remain from 2004 with 18 coming to the November 2005 meeting. Barber stated there are 98 open cases and 33 in the active process. Christl introduced new staff A.A.G. Ann Olson.

VII.A.9. Update on Hurricane Katrina & Policy Changes – Bontrager/Ridenour

Ridenour reported on adjustments made for nurses seeking license coming from states affected by hurricane Katrina.

The meeting recessed at 4:04 p.m. and reconvened at 4:14 p.m.

V.K.9. Jeffrey W. Sackett RN054606 (Rappoport)

Johnson moved, Crawley seconded, and it was unanimously carried to adopt the attached Notice of Charges.

V.K.10. James C. Arthur RN110724 (Rappoport)

Rappoport addressed the Board and confirmed receipt of additional information. Campbell moved, Crawley seconded, and it was unanimously carried to deny renewal of licensure and adopt the attached Order of Denial. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X		X
NO	0								
ABSTAIN	0								
ABSENT	2	X						X	

V.A.3. Laurie Ellen Wilgers RN Applicant (S. Smith)

Smith addressed the Board with additional information. Campbell moved, Hardy seconded, and it was unanimously carried to grant licensure upon meeting all requirements and accept signed Stipulated Agreement.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X		X
NO	0								
ABSTAIN	0								
ABSENT	2	X						X	

V.A.7. Susan Lyn Garmon RN104108 (S. Smith)

Malloch knows Maria Hayes but shows no bias. Crawley recused herself to avoid the appearance of impropriety, and left the meeting at 4:21 p.m. Smith addressed the Board with additional information. Campbell moved, Johnson seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	5		X	X	X		X		X
NO	0								
ABSTAIN	0								
ABSENT	3	X				X		X	

Crawley returned to the meeting at 4:22 p.m.

**V.B.3. Anita Laura Duvall RN Applicant (Polak)
(aka: Smith; Schalow)**

Polak addressed the Board with additional information. Campbell moved, Johnson seconded, and it was unanimously carried to allow Duvall to withdraw the application.

V.D.7. Louise Bagley RN059495 (Midkiff)

Campbell knows Dr. John Battersby but shows no bias. Campbell moved, Hardy seconded, to issue a letter of concern for failing to correctly document verbal orders for a patient on September 8, 2003, while employed at Navapache Regional Medical Center. After discussion, the motion carried with five in favor and one opposed.

V.E.2. Ralph L. Parker, Jr. RN Applicant (Olson)

Olson addressed the Board and confirmed receipt of additional information. Campbell moved, Hardy seconded, and after discussion, it was unanimously carried to grant licensure upon meeting all requirements with a letter of concern for the November 19, 2003 arrest for indecent exposure and

subsequent conviction, pursuant to a guilty plea, of the amended charge of disorderly conduct, a misdemeanor, in the Birmingham Municipal Court in Birmingham, Alabama.

V.E.3. Blaine Christopher Lopez LP Applicant (Olson)

Hardy moved, Johnson seconded, and it was unanimously carried to grant licensure upon meeting all requirements and signing a Consent Agreement for a 36 month probation to include the attached stipulations. If not signed within 30 days, deny licensure based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X		X
NO	0								
ABSTAIN	0								
ABSENT	2	X						X	

V.G.1. Betty Fried Ashford LP026706 (Munger)

Campbell moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for a 36 month probation to include the attached stipulations, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X		X
NO	0								
ABSTAIN	0								
ABSENT	2	X						X	

**V.G.2. Brenda Rae Bertsch RN088670 (Munger)
(aka: Rostermundt)**

Johnson works at Banner Thunderbird, but shows no bias. Rich moved, Johnson seconded, and after discussion, it was unanimously carried to offer a Consent Agreement for indefinite suspension pending independent psychiatric and neuropsychological re-evaluations with determination of safety to practice, and the attached stipulations, to be followed by 24 months probation to include the attached stipulations, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X		X
NO	0								
ABSTAIN	0								
ABSENT	2	X						X	

**V.G.4. Sherryl Ann White LP038018 (Munger)
(aka: Burkett)**

Hardy moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement for a 12 month probation to include the attached stipulations or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X		X
NO	0								
ABSTAIN	0								
ABSENT	2	X						X	

V.G.6. Diane Elaine Pickett RN130632 (Munger)
(aka: Morrow; Smart)

Malloch knows Deb Pendergast, but shows no bias. Rich moved, Johnson seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X		X
NO	0								
ABSTAIN	0								
ABSENT	2	X						X	

V.G.7. Deena Louise Caldwell RN099838; LP030577 (Munger)

Munger addressed the Board with additional information. Campbell moved, Hardy seconded, and it was unanimously carried to table Agenda Item V.G.7.

V.G.8. Janie Mae Davis LP036929 (Munger)

Hardy moved, Rich seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X		X
NO	0								
ABSTAIN	0								
ABSENT	2	X						X	

V.G.12. Phillip Shane Cowan RN120015 (Munger)

Munger addressed the Board with additional information. Campbell moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for a 24 month probation with the attached stipulations, to include a psychiatric evaluation, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X		X
NO	0								
ABSTAIN	0								
ABSENT	2	X						X	

V.G.5. Clair Clinton RN122081 (Munger)
(aka: Mency Nicolas)

Munger addressed the Board with additional information. Hardy moved, Crawley seconded, and it was unanimously carried to issue an Interim Order for a psychological evaluation with psychometric testing to be completed by a Board approved evaluator and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days, and return to the Board.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X		X
NO	0								
ABSTAIN	0								
ABSENT	2	X						X	

IV.B.2. Justin Michael Holahan CNA Applicant (Williams)

Hardy moved, Crawley seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X		X
NO	0								
ABSTAIN	0								
ABSENT	2	X						X	

IV.B.3. Craig Kent Lawson CNA Applicant (Williams)

Campbell moved, Crawley seconded, and after discussion, it was unanimously carried to grant certification upon meeting all requirements with a letter of concern for the August 4, 1996 drug related arrest by Norwalk Sheriff’s Office in San Diego, California, and for failure to disclose on the application.

IV.B.4. Johathan Derek Neff CNA Applicant (Williams)

Hardy moved, Campbell seconded, and it was unanimously carried to grant certification upon meeting all requirements and signing a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days, deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X		X
NO	0								
ABSTAIN	0								
ABSENT	2	X						X	

IV.B.7. Janet Pena CNA Applicant (Williams)

Williams addressed the Board and confirmed receipt of additional information. Campbell moved, Crawley seconded, and after discussion, it was unanimously carried to grant certification upon signing a Consent Agreement for a 24 month stayed revocation to include the attached stipulations. If not signed within 30 days, deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X		X
NO	0								
ABSTAIN	0								
ABSENT	2	X						X	

IV.B.9. Lee Wayne Ward CNA Applicant (Williams)

Campbell moved, Johnson seconded, and after discussion, it was unanimously carried to continue the investigation to allow Ward the opportunity to obtain a psychological evaluation with emphasis on chemical dependency by a Board approved evaluator and to include any additional testing deemed necessary by the evaluator to be scheduled within 15 days and completed within 45 days, and return to the Board. If the evaluation is not completed, deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X		X
NO	0								
ABSTAIN	0								
ABSENT	2	X						X	

IV.F.1. Bonnie J. Altemier CNA999951479 (Bauer)

Campbell moved, Johnson seconded, and it was unanimously carried to adopt the attached Notice of Charges.

IV.F.2. Marella Q. Ashley CNA892580297 (Bauer)

Campbell moved, Crawley seconded, to issue a letter of concern for the September 7, 2004 arrest by Honolulu Police for driving under the influence and later conviction in Honolulu District Court. After discussion, Campbell withdrew the motion. Campbell moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for a \$50 Civil Penalty to be signed within 30 days, or adopt the attached Notice of Charges based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X		X
NO	0								
ABSTAIN	0								
ABSENT	2	X						X	

IV.F.3. Tina G. Billings CNA Applicant (Bauer)

Rich moved, Johnson seconded, and it was unanimously carried to deny certification and adopt the attached Order of Denial. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X		X
NO	0								
ABSTAIN	0								
ABSENT	2	X						X	

IV.F.5. Jeremy B. Chew CNA Applicant (Bauer)

Johnson moved, Hardy seconded, and it was unanimously carried to grant certification upon meeting all requirements and signing a Consent Agreement for a \$100 Civil Penalty. If not signed within 30 days, adopt the attached Order of Denial.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X		X
NO	0								
ABSTAIN	0								
ABSENT	2	X						X	

IV.F.7. Sherry M. Dejays CNA999990391 (Bauer)

Johnson moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for a 12 month stayed revocation to include the attached stipulations. If not signed within 30 days, issue the

attached Notice of Charges. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X		X
NO	0								
ABSTAIN	0								
ABSENT	2	X						X	

IV.F.12. John A. Keeton CNA408352213 (Bauer)

Rich moved, Johnson seconded, and it was unanimously carried to deny re-certification and adopt the attached Order of Denial. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X		X
NO	0								
ABSTAIN	0								
ABSENT	2	X						X	

**IV.F.15. Chris Oldeschulte CNA596008319 (Bauer)
(aka: Christopher Oldeschulte)**

Rich moved, Crawley seconded, and it was unanimously carried to adopt the attached Notice of Charges.

IV.F.16. Cherilyn L. Reese CNA086551680 (Bauer)

Hardy moved, Rich seconded, and it was unanimously carried to issue an Interim Order for a chemical dependency evaluation to be completed by a Board approved evaluator with a PhD having expertise in substance abuse and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days, and return to the Board. If the Interim Order is not completed, adopt the attached Notice of Charges and include the additional factual allegation and alleged violation for failure to comply with the Interim Order.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X		X
NO	0								
ABSTAIN	0								
ABSENT	2	X						X	

The meeting recessed at 5:05 p.m. and reconvened at 5:20 p.m.

VII.C. President’s Report

VII.C.2. National Council State Board of Nursing Annual Delegate Assembly Report/August 2005 – Malloch/Johnson/Ridenour/Smith/Bontrager

Ridenour reported on resolutions from the NCSBN Annual Delegate Assembly Report, which was attended by Malloch, Johnson and Ridenour. Johnson reported Arizona to be ahead of many states in the area of regulation, which include background checks, fingerprinting, and NURSIS for discipline access and verification.

VII.C.3. Review & Discuss Current Committee Chair Appointments – Malloch

Board member committee appointments were discussed, and Rich was appointed as Vice-chair of the Advanced Practice Committee.

VII.D. A.A.G. Report

VII.D.2. Updates on Complaints Submitted for Special Action in Superior Court – Christl
Christl offered an update pending lawsuits submitted for special action in Superior Court.

VII.E. Committee Reports

VII.E.1. Scope of Practice

VII.E.1.a. Draft Minutes of September 13, 2005 Meeting

Minutes of the September 13, 2005 Scope of Practice Committee meeting were provided to the Board.

VII.E.1.b.1. Electrophysiology Related Procedures by Registered Nurse’s

Rich moved, Hardy seconded, and it was unanimously carried to approve the Electrophysiology Related Procedures by Registered Nurse’s advisory opinion.

VII.E.1.b.2. Peripherally Inserted External Jugular Catheters

Hardy moved, Rich seconded, and it was unanimously carried to approve the Peripherally Inserted External Jugular Catheters advisory opinion.

VII.E.1.b.3.a. Scope of Practice Decision Tree – Current Version

VII.E.1.b.3.b. Scope of Practice Decision Tree – Draft of Revised Version

Bontrager gave an overview of the Scope of Practice Draft of the Revised Decision Tree. Johnson moved, Rich seconded, and it was unanimously carried to approve the Revised Scope of Practice Decision Tree.

VII.E.1.b.4. Dual Professions & Dual Health Care Licensing/Certification

Rich moved, Johnson seconded, and it was unanimously carried to approve Dual Profession and Dual Health Care Licensure/Certification advisory opinion.

VII.E.3. Education

VII.E.3.a. Draft Minutes of August 19, 2005

Minutes from the Education Committee Meeting of August 19, 2005 were provided to the Board.

VII.E.4. Advanced Practice

VII.E.4.b. Approval of Committee Members

Malloch moved, Hardy seconded, and after discussion, it was unanimously carried to appoint the applicants, Denise G. Link and Marianne McCarthy to serve a 2 year term on the Advanced Practice Committee.

The meeting recessed at 6:08 p.m., Wednesday, September 21, 2005.

Arizona State Board of Nursing

Janet Napolitano
Governor

Joey Ridenour
Executive Director



Board Meeting Minutes

The regular meeting of the Arizona State Board of Nursing convened at 8:33 a.m., Thursday, September 22, 2005, in the Board of Nursing Board Room, Suite 210, 1651 East Morten Avenue, Phoenix, Arizona, with Kathy Malloch, Ph.D., M.B.A., R.N., President, presiding.

BOARD MEMBERS PRESENT:

Kathy Malloch, PhD, MBA, RN, President
Theresa Crawley, CRNA, MSHSA, Vice-President
Karen Hodges Hardy, RN, MSN, Secretary
Kathryn L. Busby, JD, Member
Trista Campbell, RN, BSN, Member
Patricia Johnson, LPN, Member
Judy Rich, RN, Member

BOARD MEMBERS ABSENT:

Gregory Harris, Member

LEGAL COUNSEL:

Daniel Christl, Assistant Attorney General
Michelle L. Wood, Assistant Attorney General
Ann Olson, Assistant Attorney General

STAFF:

Joey Ridenour, RN, MN, Executive Director
Judy Bontrager, RN, MN, Associate Director
Valerie Smith, RN, MS, Associate Director
Erica Bailey, Senior Investigator/Monitoring
Jeanne Bauer, Senior Investigator
Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings
Debra Blake, Paralegal/Hearing Department
Karen Grady, RN, MS, CS, FNP, Nurse Practice Consultant/Advanced Practice
Ron Lester, Senior Investigator
Patricia Midkiff, RN, MN, Nurse Practice Consultant
Sydney Munger, RN, MS, Nurse Practice Consultant
Betty Nelson, RN, MS, Nursing Assistant Consultant
Stephanie Nelson, RN, MSN, Nurse Practice Consultant/Monitoring
Kirk Olson, Senior Investigator
Cory Polak, Senior Investigator
Pamela Randolph, RN, MSN, Nurse Practice Consultant/Education
Mary Rappoport, RN, MN, Nurse Practice Consultant
Jeanine Sage, RN, MSN, Nursing Assistant Consultant
Suanne Smith, RN, MS, Nurse Practice Consultant/CANDO
Sister Rachel Torrez, RN, MS, Nurse Practice Consultant
Nancy Twigg, RN, MSN, Nurse Practice Consultant
Rose Wilcox, RN, M Ed, Nurse Practice Consultant/Education
James Williams, Senior Investigator
Barbara Ritenour, Legal Secretary

I. Call To Order

The meeting was called to order at 8:33 a.m., Thursday, September 22, 2005.

The following Board members were present: Johnson, Rich, Malloch, Crawley, and Hardy.

Malloch presiding.

Malloch welcomed members of the audience and explained the procedure for addressing the Board.

IV. Board Discussion and Decision Regarding CNA Investigative Reports and Consent Agreements

IV.B.1. Janee Abril Adrianson CNA Applicant (Williams)

Johnson moved, Crawley seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	5		X	X	X	X	X		
NO	0								
ABSTAIN	0								
ABSENT	3	X						X	X

Campbell and Busby arrived at the meeting at 8:39 a.m.

IV.B.5. Nina Marie Nyman CNA Applicant (Williams)

Rich moved, Hardy seconded, to grant certification upon meeting all requirements with a letter of concern for the June 22, 2000 misdemeanor conviction for driving while intoxicated in St. Louis County Court in Duluth, Minnesota, and the August 17, 2001 arrest by Duluth Police Department in Duluth, Minnesota. After discussion, the motion carried with three in favor, two opposed, and two abstained.

**IV.B.6. Megan Denise Puy CNA Applicant (Williams)
(aka: Castle; Delong)**

Johnson moved, Hardy seconded, to grant certification upon meeting all requirements and signing a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days, deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting. The motion carried with six in favor and one abstained.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X		X
NO	0								
ABSTAIN	1							X	
ABSENT	1	X							

IV.B.8. Faith Smith CNA Applicant (Williams)

Williams addressed the Board with additional information. Smith was present and available for questions. Campbell moved, Busby seconded, to continue the investigation to the November 2005 Board meeting to obtain additional documents. After discussion, Campbell amended the motion to specify documents requested to be proof of the Order of name change from the applicant. Busby concurred.

After discussion, Campbell moved, Busby seconded, and it was unanimously carried to go into Executive Session on Agenda Item IV.B.8. for the purpose of reviewing confidential documents and to obtain legal advice. Executive Session convened at 9:06 a.m. and adjourned at 9:20 a.m.

Campbell amended the motion to state: continue the investigation to the November 2005 Board meeting to obtain a record of petition for name change and records for all criminal charges. Busby concurred. The motion carried with four in favor and three opposed.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	4			X			X	X	X
NO	3		X		X	X			
ABSTAIN	0								
ABSENT	1	X							

IV.B.10. Teena Severin CNA Applicant (Williams)

Severin was present and available for questions. Campbell knows Severin but shows no bias. Severin verbally acknowledged the need for an evaluation. Busby moved, Hardy seconded, and it was unanimously carried to continue the investigation to allow Severin the opportunity to obtain an evaluation with emphasis on substance abuse and anger management by a Board approved evaluator and to include any additional testing deemed necessary by the evaluator to be scheduled within 15 days and completed within 45 days, and return to the Board. If the evaluation is not completed, deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IV.C.1. Chris J. Corlis CNA Applicant (Olson)

Johnson moved, Crawley seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IV.C.2. Jena C. Crepeau CNA Applicant (Olson)

Hardy moved, Crawley seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IV.C.3. Cynthia G. Florez CNA Applicant (Olson)

Rich moved, Crawley seconded, and it was unanimously carried to deny certification and adopt the attached Order of Denial. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IV.C.4. Tina L. Grantier CNA Applicant (Olson)

Grantier was present and available for questions. Busby moved, Campbell seconded, and after discussion, it was unanimously carried to grant certification upon signing a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days, deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IV.C.5. Maggie J. Ibarra CNA Applicant (Olson)

Olson addressed the Board with additional information. Rich moved, Johnson seconded, and after discussion, it was unanimously carried to deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IV.C.6. Shannon J. Johnston CNA Applicant (Olson)

Olson addressed the Board with additional information. Johnston was present and available for questions. Johnston verbally acknowledged the need for an evaluation. Busby moved, Hardy seconded, and it was unanimously carried to continue the investigation to allow Johnston the opportunity to obtain a substance abuse evaluation by a Board approved psychologist to be scheduled within 15 days and completed within 45 days, and return to the Board. If the evaluation is not completed, deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IV.C.7. Belena G. Soliz CNA Applicant (Olson)

Olson addressed the Board and confirmed receipt of additional information. Busby moved, Crawley seconded, and it was unanimously carried to grant certification upon meeting all requirements and signing a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days, deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IV.D.1. Franki Lane CNA999995355 (B. Nelson)

Campbell moved, Crawley seconded, and it was unanimously carried to issue an Interim Order for a psychiatric evaluation to be completed by a Board approved psychiatrist with expertise in chemical dependency and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days, and return to the Board. If the Interim Order is not completed, adopt the attached Notice of Charges and include the additional factual allegation and alleged violation for failure to comply with the Interim Order.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IV.D.2. Paul Kithuka Muchoki CNA100004200 (B. Nelson)

Campbell moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for a 12 month stayed revocation to include the attached stipulations. If not signed within 30 days, adopt the attached Notice of Charges.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IV.D.3. Joseph Michael Reese CNA999999946 (B. Nelson)

Campbell moved, Busby seconded, and it was unanimously carried to offer a Consent Agreement for an indefinite suspension not to exceed 12 months pending completion of terms of CNA retraining and retesting. If not signed within 30 days, adopt the attached Notice of Charges.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IV.D.4. Cynthia Jean Teffer CNA100004088 (B. Nelson)
(aka: Gorman)

Busby moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement for an indefinite suspension not to exceed 12 months pending completion of a neuropsychiatric evaluation and recommended treatment to include the attached stipulations. If not signed within 30 days, adopt the attached Notice of Charges.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IV.D.5. Melissa L. Uesele CNA971491103 (B. Nelson)

Nelson addressed the Board with additional information. Uesele was present and addressed the Board. Busby moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for a \$50 Civil Penalty, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IV.D.6. Penny Louise Young CNA999997561 (B. Nelson)
(aka: Eatmon; Myers)

Nelson addressed the Board with additional information. Johnson moved, Hardy seconded, to adopt the attached Notice of Charges. The motion carried with six in favor and one opposed.

The meeting recessed at 9:46 a.m. and reconvened at 9:59 a.m.

IV.E.2. Bianca Dorame CNA100003805 (Sage)

Sage addressed the Board with additional information. Johnson moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement for a 24 month stayed revocation with the attached stipulations, to include a chemical dependency evaluation by a Board approved evaluator, and to include any additional testing deemed necessary by the evaluator. If not signed within 30 days, adopt the attached Notice of Charges.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IV.E.3. Kimberlie Ann Gilbreth CNA999991481 (Sage)

Campbell moved, Busby seconded, and after discussion, it was unanimously carried to offer a Consent Agreement for a \$150 Civil Penalty to be signed within 30 days or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IV.E.4. Angelica Holland CNA999951367 (Sage)

Sage noted a technical correction to the investigative report. Busby moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for a 12 month stayed revocation to include the attached stipulations, to be signed within 30 days, or adopt the attached Notice of Charges.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

**IV.E.5. Antonia Teresa Johnson LP016757 (Sage)
(aka: Catalana)**

Campbell moved, Rich seconded, and it was unanimously carried to dismiss the case.

IV.E.6. Judy L. Mayor CNA75246643 (Sage)

Johnson moved, Rich seconded, and it was unanimously carried to dismiss the case.

IV.E.7. Sharon Marie Norris CNA999992425 (Sage)

Sage addressed the Board and confirmed receipt of additional information. Hardy moved, Busby seconded, and it was unanimously carried to offer a Consent Agreement for a \$100 Civil Penalty. If not signed within 30 days, adopt the attached Notice of Charges. .

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IV.E.8. Angela Beatrice Reggiani CNA999990214 (Sage)

Hardy moved, Crawley seconded, and it was unanimously carried to issue an Interim Order for a chemical dependency evaluation to be completed by a Board approved evaluator and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days, and return to the Board. If the Interim Order is not completed, adopt the attached Notice of Charges and include the additional factual allegation and alleged violation for failure to comply with the Interim Order.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IV.E.9. Billie A. Smith CNA999949851 (Sage)

Rich moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for a 12 month stayed suspension with terms to include at least 20 hours of alcohol treatment by a Board approved professional, to be signed within 30 days or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IV.E.10. Carolyn Anne Thibodeau CNA100003111 (Sage)

Busby moved, Hardy seconded, and it was unanimously carried to issue an Interim Order for a chemical dependency evaluation to be completed by a Board approved evaluator and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days, and return to the Board. If the Interim Order is not completed, adopt the attached Notice of Charges and include the additional factual allegation and alleged violation for failure to comply with the Interim Order.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IV.E.11. Valentin Tudor CNA999998549 (Sage)

Campbell moved, Busby seconded, to issue a letter of concern for allegedly being rough in the care of a resident at La Colina Care Center on February 12, 2005 while employed as a CNA for complaint #1, and dismiss complaint #2. After discussion, the motion carried with six in favor and one opposed.

IV.E.12. Bonnie K. Vannoy CNA108002703 (Sage)

Busby moved, Campbell seconded, and it was unanimously carried to offer a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days, adopt the attached Notice of Charges.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IV.E.13. Seth Saul Villareal CNA999993871 (Sage)

Campbell knows respondent Villareal, but shows no bias. Johnson moved, Busby seconded, and it was unanimously carried to adopt the attached Notice of Charges.

**IV.F.4. Roario Castellanos CNA031732713 (Bauer)
(aka: Maria del Rosario Castellanos)**

Bauer addressed the Board and confirmed receipt of additional information. Campbell moved, Busby seconded, and it was unanimously carried to offer a Consent Agreement for a \$50 Civil Penalty to be signed within 30 days, or adopt the attached Notice of Charges. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IV.F.6. Carl W. Erickson CNA572563873 (Bauer)

Hardy moved, Busby seconded, and it was unanimously carried to offer a Consent Agreement for a 12 month stayed suspension to include the attached stipulations. If not signed within 30 days, adopt the attached Notice of Charges. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

**IV.F.8. Olga Falzon CNA Applicant (Bauer)
(aka: Matheny)**

Falzon was present and available for questions. Busby moved, Crawley seconded, and it was unanimously carried to grant certification upon meeting all requirements and signing a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days, deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

IV.F.	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

**IV.F.9. Beatriz Gonzalez CNA999991710 (Bauer)
(aka: Espino)**

Busby moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for a \$50 Civil Penalty to be signed within 30 days, or adopt the attached Notice of Charges. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

IV.F.	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IV.F.10. Mapy Del Rosario Infante CNA999987857 (Bauer)

Busby moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for a \$50 Civil Penalty to be signed within 30 days, or adopt the attached Notice of Charges. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IV.F.11. Josephine Joy

CNA595542003 (Bauer)

Campbell moved, Busby seconded, and it was unanimously carried to adopt the attached Notice of Charges.

IV.F.13. Denna C. Latimore

CNA Applicant (Bauer)

Rich moved, Johnson seconded, and it was unanimously carried to deny certification and adopt the attached Order of Denial. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IV.F.14. Angela L. North

CNA999992742 (Bauer)

Bauer addressed the Board and confirmed receipt of additional information Busby moved, Crawley seconded, and it was unanimously carried to adopt the attached Notice of Charges, amended, to include Finding of Fact: applicant refused to undergo a drug screen because she believed she would test positive for marijuana.

IV.F.17. Mary F. Romero

CNA455118513 (Bauer)

Campbell moved, Busby seconded, and it was unanimously carried to issue a letter of concern for the misdemeanor DUI conviction on January 21, 2004 in Ric County District Court in Faribault, Minnesota.

IV.F.18. Norma Jean Thunderhawk

CNA Applicant (Bauer)

Rich moved, Johnson seconded, and it was unanimously carried to deny certification and adopt the attached Order of Denial. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IV.F.19. Phillip Casey Dubravcic

LP Applicant; CNA100003054 (Bauer)

Bauer addressed the Board and stated respondent plans to be at this meeting tomorrow. Busby moved, Hardy seconded, and it was unanimously carried to table Agenda Item IV.F.19.

V.K.2. Nancy F. Eash

RN Applicant (Rappoport)

(aka: Nancy R. Firme)

Busby moved, Campbell seconded, and it was unanimously carried to grant licensure upon meeting all requirements with a letter of concern for disciplinary action, a civil penalty, issued by the Hawaii board of Nursing on or about September 20, 2004.

V.K.7. Deborah L. Dwyer RN Applicant (Rappoport)
(aka: Smith)

Campbell moved, Johnson seconded, and it was unanimously carried to deny licensure and adopt the attached Order of Denial. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

V.K.8. Patrice L. Kozloski RN066212 (Rappoport)

Busby moved, Hardy seconded, and it was unanimously carried to issue a letter of concern for raising her voice to patient M.G. on or about December 30, 2004, while employed by Phoenix Rehabilitation Hospital in Phoenix, Arizona.

V.I.2. Linda Jarman Meeker RN079906 (Torrez)

Campbell knows respondent Meeker, but shows no bias. Torrez addressed the Board with additional information. Busby moved, Johnson seconded, and it was unanimously carried to issue a letter of concern for failing to follow facility policies when documenting and wasting narcotics from on or about February 8, 2004 until March 19, 2004, while employed at Maricopa Medical Center in Phoenix, Arizona.

V.I.10. Leanne Ellen Bannon RN000099193 (Torrez)

Torrez noted a correction to the stipulations. Malloch knows Bruce Frederick but shows no bias. Johnson moved, Busby seconded, and it was unanimously carried to offer a Consent Agreement for stayed revocation for 12 months, followed by 36 months probation to include the attached stipulations, amended to delete “relapse recovery”, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

V.I.17. Colleen Kelly RN059428 (Torrez)

Torrez addressed the Board and confirmed receipt of additional information. Malloch knows Terry Landgraff, but shows no bias. Busby moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for Indefinite suspension pending completion of a rehabilitation program, followed by 24 months probation to include the attached stipulations. If not signed within 30 days, adopt the attached Notice of Charges.

V.I.	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

V.I.21. Joyce Ellen Chamberlain LP035441 (Torrez)

Campbell moved, Busby seconded, and it was unanimously carried to issue a letter of concern for making inappropriate remarks to resident M.G. on or about April 12, 2005, while assigned to work at Sun View Care Center in Youngtown, Arizona.

V.D.3. Bobbie Anne Erdmier RN076446 (Midkiff)

Campbell moved, Busby seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

V.D.4. Kelly Andrew Light RN114070; LP033966; CNA273748189 (Midkiff)

Campbell knows Lisa Malo-Detviler, but shows no bias. Busby moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

V.D.6. Robin Anne Spidle RN058748 (Midkiff)

Busby moved, Hardy seconded, to issue a letter of concern for failing to supervise LPN staff who administered medications through peripherally inserted central catheters while employed at Manzanita Manor. After discussion, the motion carried with four in favor and three opposed.

**V.L.1. Jana L. Biggs LP036310 (V. Smith)
(aka: Springer; Beck)**

Campbell moved, Busby seconded, and it was unanimously carried to offer a Consent Agreement for a stayed revocation/24 month probation followed by a 12 month probation to include the attached stipulations, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IV.D.2. Paul Kithuka Muchoki CNA1000004200 (B. Nelson)

Johnson moved, Busby seconded, and it was unanimously carried to reopen Agenda Item IV.D.2. Muchoki was present and addressed the Board. Busby moved, Campbell seconded, and it was unanimously carried to rescind prior Board motion, and offer a Consent Agreement for a 6 month stayed revocation to include the attached stipulations. If not signed within 30 days, adopt the attached Notice of Charges.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

The meeting recessed at 10:55 a.m. and reconvened at 11:03 a.m. Busby returned to the meeting at 11:05 a.m.

V.F.1. Joseph E. Kimball RN Applicant (Lester)

Lester addressed the Board with additional information. Campbell moved, Crawly seconded, and it was unanimously carried to grant licensure upon meeting all requirements with a letter of concern for the 1996 and 2003 DUI convictions in Beltrami, Minnesota County Court.

VII.A.8. Report on Board Performance Measures/Hearing Department/Personnel Changes & Recruitment for Researcher – Bontrager/Smith/Ridenour

V. Smith reported on the investigative caseload and stated there are 304 cases on the Agenda for this meeting, of which 50% are investigative cases. Cycle time for cases being brought to the Board continues to decrease with most recent figures at 6.9 months. Six Hundred Forty-Five (645) open cases remain after this meeting.

Ridenour reported on Board Performance Measures for fiscal year 2005: 6,818 RN/LP applications were received, 92% of the customers report satisfaction with services; average days from application to renewal were decreased from 13 days to 4 days with the implementation of online renewals and 7 days from receipt of application to issuance of temporary license. There are 12,000 renewals per every four years, 69,000 total RN/LPN licenses in databank. Average 4 days to acknowledge complaint received. There were 268 case dispositions; Investigations resulted in 40% dismissals and 60% of cases brought to Board resulted in discipline. Average 17 hours for a staff member to investigate a case, 7.6 months from receipt of complaint to resolution; 17 hearings and Board decisions were appealed with 13 being upheld, 400 people in monitoring with an average success rate of 75%, 150 total licenses suspended or revoked, 777 cases closed, 181 individuals in CANDO with a 50% success rate. There is a 30% increase from 2003 in individuals taking the NCLEX, 4,000 individuals took the CNA exam, 61 programs were surveyed by the education department, 11,000 applications received for endorsement or renewal, 9.5 months from completed application received to denial, 3,900 CNA certificates issued, 23,000 individuals certified, 682 CNA complaints received, 203 days from receipt of complaint to resolution, 499 CNA certifications revoked or denied, .6% of RN/LPN's were disciplined, 2% of CNA's were disciplined, 60% of RN/LPN cases end in discipline, and 70% of CNA cases end in discipline.

VII.D.1. Board Member Participation in Informal Settlement Conferences & Decision Regarding in Subsequent Board Meeting Deliberations/Voting – Christl/Smith

Christl and V. Smith offered opposing views and proposed options regarding Board member participation in Board meeting decisions when a Board member has participated in a Settlement Conference. Christl stated that Settlement Conferences are effectively used as a mechanism of resolving cases and that current policy is for two Board members to be present for each Settlement Conference. The issue is whether those Board members are required to recuse themselves from further participation in the matter when it goes to the Board because they have additional information. Christl's view was that due to statute 41-1092.06, which states that a party participating in a Settlement Conference shall waive their right to object to the participation of the agency representative in the final administrative decision, that Board member participation in the Board meeting should be acceptable unless a party

specifically requests that Board members recuse themselves. Christl argued that two Board members recusing in a case during Board meetings could create a lack of quorum. Smith offered results from polls she took at NCSBN investigator/attorney training and recent CLER (Council Licensure Enforcement Regulation) meetings, with the consensus being that it is not good to have Board members who have participated in a Settlement Conference participate in the disciplinary decision-making because of the possibility of ex parte communication. Smith further stated that, although the law states that information from the settlement conference cannot be used in subsequent disciplinary proceedings, the fact would remain that two Board members would have additional information that the remaining Board members did not have, and that although it's allowed by law it doesn't necessarily mean that's the best practice. Smith offered proposed alternative processes in which the ASBN Executive Director or designee participate in settlement conferences in lieu of Board members, or, any Board member to participate in a Settlement Conference would recuse from the proceedings during Board meeting. Smith argued that the alternative process would alleviate the problem of quorum during Board meeting hearings.

Busby moved, Crawley seconded, and it was unanimously carried to adopt the proposed process (A), amended to include: if a Board member participates in a Settlement Conference which does not settle and goes to OAH, that Board member would recuse from the disciplinary proceedings at the Board meeting.

IX. Dialogue With Nursing Students

The Board members and staff dialogued with Glendale Community College Nursing Students regarding Board functions, policy and procedure. Questions were asked on how to acquire a position on the Board and length of term.

The meeting recessed at 12:30 p.m. and reconvened at 1:17 p.m.

VI.B. Board Discussion & Decision Regarding Non-Compliance/Compliance with Board Orders

VI.B.1. Donald Randolph RN037254 (Bailey)

Crawley recused herself to avoid the appearance of impropriety, and left the meeting at 1:20 p.m. Campbell returned to the meeting at 1:21p.m. Randolph was present and addressed the Board. Busby moved, Johnson seconded, to terminate probation entered into on May 19, 2004. The motion carried with five in favor and one abstained.

Crawley returned to the meeting at 1:23 p.m.

VI.B.3. Margarita S. Pickering RN094281 (V. Smith) (aka: Sanford)

Pickering was present and available for questions. Busby moved, Hardy seconded, to offer a Consent Agreement for a stayed revocation/probation for 12 months followed by a standard probation for 12 months to include the attached stipulations, or hearing. The motion carried with six in favor and one abstained.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X		X	X	X
NO	0								
ABSTAIN	1					X			
ABSENT	1	X							

IX. Dialogue With Nursing Students

The Board members and staff dialogued with Glendale Community College Nursing Students regarding Board functions, policy and procedure. Questions were asked on probation terms and investigative processes.

The meeting recessed at 1:50 p.m., Thursday, September 22, 2005.

Arizona State Board of Nursing

Janet Napolitano
Governor

Joey Ridenour
Executive Director



Board Meeting Minutes

The regular meeting of the Arizona State Board of Nursing convened at 8:32 a.m., Friday, September 23, 2005, in the Board of Nursing Board Room, Suite 210, 1651 East Morten Avenue, Phoenix, Arizona, with Kathy Malloch, Ph.D., M.B.A., R.N., President, presiding.

BOARD MEMBERS PRESENT:

Kathy Malloch, PhD, MBA, RN, President
Theresa Crawley, CRNA, MSHSA, Vice-President
Karen Hodges Hardy, RN, MSN, Secretary
Kathryn L. Busby, JD, Member
Trista Campbell, RN, BSN, Member
Patricia Johnson, LPN, Member
Judy Rich, RN, Member

BOARD MEMBERS ABSENT:

Gregory Harris, Member

LEGAL COUNSEL:

Daniel Christl, Assistant Attorney General
Michelle L. Wood, Assistant Attorney General
Ann Olson, Assistant Attorney General

STAFF:

Joey Ridenour, RN, MN, Executive Director
Judy Bontrager, RN, MN, Associate Director
Valerie Smith, RN, MS, Associate Director
Erica Bailey, Senior Investigator/Monitoring
Jeanne Bauer, Senior Investigator
Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings
Debra Blake, Paralegal/Hearing Department
Karen Grady, RN, MS, CS, FNP, Nurse Practice Consultant/Advanced Practice
Ron Lester, Senior Investigator
Patricia Midkiff, RN, MN, Nurse Practice Consultant
Sydney Munger, RN, MS, Nurse Practice Consultant
Betty Nelson, RN, MS, Nursing Assistant Consultant
Stephanie Nelson, RN, MSN, Nurse Practice Consultant/Monitoring
Kirk Olson, Senior Investigator
Cory Polak, Senior Investigator
Pamela Randolph, RN, MSN, Nurse Practice Consultant/Education
Mary Rappoport, RN, MN, Nurse Practice Consultant
Jeanine Sage, RN, MSN, Nursing Assistant Consultant
Suanne Smith, RN, MS, Nurse Practice Consultant/CANDO
Sister Rachel Torrez, RN, MS, Nurse Practice Consultant
Nancy Twigg, RN, MSN, Nurse Practice Consultant
Rose Wilcox, RN, M Ed, Nurse Practice Consultant/Education
James Williams, Senior Investigator
Barbara Ritenour, Legal Secretary

I. Call To Order

The meeting was called to order at 8:32 a.m., Friday, September 23, 2005.

The following Board members were present: Johnson, Rich, Malloch, Crawley, Hardy, and Busby.

Malloch presiding.

Malloch welcomed members of the audience and explained the procedure for addressing the Board.

V. Board Discussion and Decision Regarding RN/LPN Investigative Reports and Consent Agreements

V.A.1. Lisa Diane Price RN Applicant (S. Smith)

Smith addressed the Board with additional information. Busby moved, Johnson seconded, and it was unanimously carried to grant licensure upon meeting all requirements and accept signed CANDO Stipulated Agreement.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X	X	
NO	0								
ABSTAIN	0								
ABSENT	2	X							X

V.A.2. Shelly Elise Stowers RN Applicant (S. Smith)

Busby moved, Crawley seconded, and it was unanimously carried to grant licensure upon meeting all requirements and accept signed CANDO Stipulation Agreement.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X	X	
NO	0								
ABSTAIN	0								
ABSENT	2	X							X

V.A.4. Jolene A. Montana LP020050 (S. Smith)

Johnson moved, Busby seconded, and it was unanimously carried to adopt the attached Notice of Charges.

V.A.5. Robert Laurence Moreno LP026650 (S. Smith)

Johnson moved, Busby seconded, and it was unanimously carried to offer a Consent Agreement for indefinite suspension pending 12 consecutive months of compliance followed by 36 months probation to include the attached stipulations, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X	X	
NO	0								
ABSTAIN	0								
ABSENT	2	X							X

Campbell arrived at the meeting at 8:41 a.m.

V.A.6. Sandra Eileen Plate RN106914 (S. Smith)

Plate was present and addressed the Board. Hardy moved, Busby seconded, and it was unanimously carried to table Agenda Item V.A.6.

The meeting recessed at 8:42 a.m. and reconvened at 8:46 a.m.

V.B.2. Emelita Junio Custodio RN Applicant (Polak)

Polak addressed the Board with additional information. Custodio was present and addressed the Board. Busby moved, Campbell seconded, to grant licensure and offer a Consent Agreement for a \$250 Civil Penalty, or hearing. If not signed, deny. After discussion, the motion failed with five opposed and two in favor.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	2							X	X
NO	5		X	X	X	X	X		
ABSTAIN	0								
ABSENT	1	X							

Johnson moved, Malloch seconded, to deny licensure based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application. The motion carried with five in favor and two opposed.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	5		X	X	X	X	X		
NO	2							X	X
ABSTAIN	0								
ABSENT	1	X							

V.B.4. Richard Galen Hicks RN Applicant (Polak)

Polak addressed the Board with additional information. Hicks was present, telephonically, and available for questions. Busby moved, Hardy seconded, and after discussion, it was unanimously carried to grant licensure upon meeting all requirements and offer a Consent Agreement for a \$250 Civil Penalty. If not signed within 30 days, deny licensure based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

V.B.6. Issoufou Abdou Niambele RN Applicant (Polak)

Polak addressed the Board with additional information. Rich moved, Johnson seconded, and it was unanimously carried to continue the investigation and request Niambele to obtain a psychological evaluation for substance abuse by a Board approved evaluator to be scheduled within 15 days and completed within 45 days, and return to the Board. If the evaluation is not completed, deny licensure based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

V.B.7. Jeffrey Lynn Nutt RN Applicant (Polak)

Hardy recused herself to avoid the appearance of impropriety, and left the meeting at 9:22 a.m. Busby moved, Crawley seconded, to grant licensure upon meeting all requirements with a letter of concern for a felony arrest on June 28, 2003 by the Yuma County Sheriff’s Office, that was subsequently dismissed, and for the April 28, 2005 misdemeanor harassment conviction in Yuma City Court. The motion carried with four in favor and two opposed.

Hardy returned to the meeting at 9:24 a.m.

V.A.6. Sandra Eileen Plate RN106914 (S. Smith)

Hardy moved, Busby seconded, and it was unanimously carried to reopen Agenda Item V.A.6. Plate was present and available for questions. Busby moved, Hardy seconded, to offer a Consent Agreement for a 24 month stayed revocation with the license suspended during the first 12 months and on probation the last 12 months followed by a 12 month probation to include the attached revised stipulations or hearing. The motion carried with six in favor and one abstained.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X	X	
NO	0								
ABSTAIN	1								X
ABSENT	1	X							

V.D.1. Terry Lane Baars LP039936 (Midkiff)

Malloch knows Cheryl Hints, but shows no bias. Midkiff addressed the Board and confirmed receipt of additional information. Rich moved, Hardy seconded, and it was unanimously carried to subpoena additional records beyond records already subpoenaed and issue an Interim Order for a chemical dependency evaluation from a Board approved addictionologist, to be scheduled within 15 days and completed within 45 days, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

V.D.2. Lynda Cassier RN111523 (Midkiff)

Midkiff addressed the Board and confirmed receipt of additional information. Cassier was present and addressed the Board. Busby moved, Crawley seconded, and it was unanimously carried to issue a letter of concern for taking one dose of Fioricet without a prescription, resulting in a positive pre-employment urine drug screen on or about May 4, 2005.

V.D.8. Kathy Barker Williams LP028430 (Midkiff)

Williams was present and addressed the Board. Busby moved, Hardy seconded, and after discussion, it was unanimously carried to offer a Consent Agreement for an indefinite suspension to include the

attached stipulations, followed by a 12 month stayed suspension/probation, followed by a 24 month probation to include the attached stipulations, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

The meeting recessed at 9:41 p.m. and reconvened at 9:54 a.m.

V.E.1. Peter R. Brooks RN Applicant (Olson)

Brooks was present and addressed the Board. Campbell moved, Johnson seconded, and it was unanimously carried to grant licensure upon meeting all requirements with a letter of concern for the October 17, 2004 booking by the Caseyville Police Department for the charge of obscenity, for which he pled guilty on November 17, 2004, to the amended charge of misdemeanor disorderly conduct, in the Twentieth Judicial District Court of St. Clair County in Belleville, Illinois, and which was dismissed after completing court supervision on December 18, 2004.

V.E.4. Phyllis G. Walters RN105226 (Olson)

Olson addressed the Board with additional information. Walters was present and addressed the Board. Busby moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement for an 18 month probation to include the attached amended stipulations to be signed within 30 days or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

V.G.3. Elizabeth Anne Smith RN130040 (Munger)

Malloch knows Deb Pendergast, but shows no bias. Smith was present, telephonically, and addressed the Board. Munger addressed the Board and confirmed receipt of additional information. Campbell moved, Johnson seconded, to offer a Consent Agreement for a Decree of Censure, or hearing. After discussion, the motion carried with four in favor and three opposed.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	4		X			X		X	X
NO	3			X	X		X		
ABSTAIN	0								
ABSENT	1	X							

V.G.7. Deena Louise Caldwell RN099838; LP030577 (Munger)

Hardy moved, Busby seconded, and it was unanimously carried to reopen Agenda Item V.G.7. Munger addressed the Board with additional information. Caldwell was present and addressed the Board. Busby moved, Hardy seconded, and it was unanimously carried to offer Consent Agreement for 36 month probation to include the attached stipulations, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

V.G.5. Clair Clinton RN122081 (Munger)
(aka: Mency Nicolas)

Hardy moved, Busby seconded, and it was unanimously carried to reopen Agenda Item V.G.5. Clinton was present and addressed the Board. Clinton acknowledged the need for an evaluation. Johnson moved, Busby seconded, and it was unanimously carried to reaffirm prior Board motion to issue an Interim Order for a psychological evaluation with psychometric testing to be completed by a Board approved evaluator and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days, and return to the Board.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

V.G.10. Jo Marie Lerner RN117295 (Munger)
(aka: Lambdin)

Munger addressed the Board with additional information. Lerner was present and addressed the Board. Busby moved, Campbell seconded, and it was unanimously carried to offer a Consent Agreement for a 24 month probation to include the attached stipulations, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IX. Dialogue With Nursing Students

The Board members and staff dialogued with Paradise Valley, Glendale Community, and Arizona State Nursing Students regarding Board functions, policy and procedure. Questions were asked on open meeting laws and guidelines for decision making.

V.H.5. Maria Berlanga Miller RN025675 (Twigg)

Busby moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for an 18 month probation to include the attached stipulations, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

V.H.6. John Theodore Millnitz III RN065595 (Twigg)

Hardy moved, Crawley seconded, and it was unanimously carried to issue a letter of concern for making inappropriate comments to nursing personnel on or about May 2, 2004, while working at Arizona Physicians Hospital at Kino in Tucson, Arizona through Arizona Home Health Care.

V.H.7. Raymond Wilbur Dunklee LP025997 (Twigg)

Twigg addressed the Board with additional information. Busby moved, Johnson seconded, and after discussion, it was unanimously carried to offer a Consent Agreement for a 24 month probation to include the attached stipulations, amended to include: delete medical evaluation; psychological evaluation to focus on anger management; delete medical treatment; add “any additional treatment recommended from the evaluation, or hearing”.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

V.H.8. Victoria Contreras RN116816 (Twigg)

Contreras was present and addressed the Board. Busby moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

V.H.9. Jennifer J. Paaina CNA999993655 (Twigg)

Johnson moved, Crawley seconded, to issue a letter of concern for failing to clock out and for leaving Manor Care during a 30 minute break on or about November 12, 2004. After discussion, the motion carried with six in favor and one opposed.

V.H.10. Amanda D. Johnson LP012321 (Twigg)

Campbell moved, Johnson seconded, to offer a Consent Agreement for a 12 month probation to include the attached stipulations, amended to include: “medication administration pharmacology course”, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

V.H.11. Katherine Spirk LP033501 (Twigg)

Busby moved, Rich seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

V.H.12. Deanne M. Stilwell RN091345 (Twigg)

Hardy moved, Johnson seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure and a \$1,000 Civil Penalty, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

V.H.13. Karen Jean Lynn RN128327; LP038607 (Twigg)

Busby moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure and a \$2,000 Civil Penalty, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

**V.H.14. Michele A. Landeros RN063812; LP12490 (Twigg)
(aka: Michele Hernandez Michaels)**

Twigg addressed the Board with additional information. Landeros was present and addressed the Board. Rich moved, Crawley seconded, and it was unanimously carried to dismiss the case.

V.H.15. Christina Marie McGorty RN132555 (Twigg)

Twigg addressed the Board with additional information. Hardy moved, Campbell seconded, and it was unanimously carried to dismiss the case.

V.H.16. Irene Regina Sheridan RN062177 (Twigg)

Twigg addressed the Board with additional information. Sheridan was present and addressed the Board. Campbell moved, Hardy seconded, and after discussion, it was unanimously carried to offer a Consent Agreement for indefinite suspension pending neuropsychological evaluation by a Board approved psychologist to determine safety to practice, followed by a 36 month probation to include the attached stipulations, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

V.H.17. Cassandra R. Johnson LP038708; CNA999995397 (Twigg)
(aka: Gutterson)

Johnson was present and addressed the Board. Campbell moved, Hardy seconded, to dismiss complaints #1 and 2, and offer a Consent Agreement for a Decree of Censure, or hearing, for complaint #3. After discussion, the motion carried with five in favor and two opposed.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	5		X	X	X		X		X
NO	2					X		X	
ABSTAIN	0								
ABSENT	1	X							

V.H.18. Susan Lynn Wienefeld RN037536 (Twigg)

Twigg addressed the Board with additional information. Campbell moved, Hardy seconded, and after discussion, it was unanimously carried to issue an Interim Order for a chemical dependency evaluation to be completed by a Board approved addictionist, to be scheduled within 30 days and completed within 60 days, and return to the Board.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

The meeting recessed at 11:20 a.m. and reconvened at 11:27 a.m.

V.H.19. Judith Ann Walker RN129503 (Twigg)
(aka: Masterson)

Twigg addressed the Board with additional information. Hardy moved, Campbell seconded, and it was unanimously carried to offer a Consent Agreement for a 36 month probation to include the attached stipulations, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

V.H.20. Roberta A. Bidgood LP015862 (Twigg)
(aka: Magyar)

Campbell moved, Busby seconded, and it was unanimously carried to offer a Consent Agreement for a 12 month stayed suspension probation followed by 24 months probation to include the attached stipulations, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

IV.F.19. Phillip Casey Dubravcic LP Applicant; CNA1000003054 (Bauer)

Busby moved, Hardy seconded, and it was unanimously carried to reopen Agenda Item IV.F.19. Bauer addressed the Board and confirmed receipt of additional information. Dubravcic was present and addressed the Board. Campbell moved, Hardy seconded, and after discussion, it was unanimously carried to grant licensure upon signing a Consent Agreement for a 24 month probation to include the attached stipulations. If not signed within 30 days, deny licensure based upon information contained in the investigative report and proceed to hearing. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

V.I.8. Forrest Monroe Suggs RN073691 (Torrez)

Torrez addressed the Board with additional information. Suggs was present and addressed the Board. Busby moved, Johnson seconded, and it was unanimously carried to offer a Consent Agreement for stayed revocation for 12 months, followed by standard probation for 36 months to include the attached stipulations, amended to delete: “relapse/recovery evaluation”, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

V.I.12. Sonia Rosalie Preuss RN0744406 (Torrez)

Preuss was present and addressed the Board. Torrez addressed the Board and confirmed receipt of additional information and noted the addition of (e) to statutes in the investigative report. Busby moved, Rich seconded, and it was unanimously carried to offer a Consent Agreement for indefinite suspension pending clearance from all treating mental health professionals, and an independent psychiatric evaluation by a Board approved psychiatrist that she is safe to practice as a nurse with stipulations to include: surrender of license, psychiatric evaluation, psychiatric treatment, nurse recovery group, AA with sponsor, drug testing 1 time per month, abstain from alcohol, abstain from unauthorized drug use-proof of prescription/one prescriber, one medical provider, one pharmacy/pharmacy profiles; followed by a 36 month probation with the attached stipulations to include: stamping of license, relapse prevention evaluation at 18 months, psychiatric treatment, relapse prevention therapy, nurse recovery group, AA with sponsor, drug testing 1 time per month, abstain from alcohol, abstain from unauthorized drug use-proof of prescription/one prescriber, one medical provider, one pharmacy/pharmacy profiles, notification of practice settings, quarterly performance evaluations, direct supervision for 12 months and on-site supervision for 24 months, registry/traveling nurse/float pool/home health work/ on-call prohibited, night shift prohibited; or accept if signed, a Consent Agreement for voluntary surrender.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

V.I.4. Kathleen Elizabeth Roarick RN118916; LP032101; CNA049332803 (Torrez)

Johnson works for Banner Thunderbird but shows no bias. Torrez addressed the Board with additional information. Roarick was present and addressed the Board. Busby moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement for a 24 month probation to include the attached stipulations, amended to read: stamping of license, rehabilitation treatment, drug testing 1 time per month, abstain from alcohol within 12 hours of duty, abstain from unauthorized drug use/proof of prescription/one prescriber, one medical provider, one pharmacy/pharmacy profiles, notification of practice settings, quarterly performance evaluations, direct supervision for 12 months and on-site supervision for 12 months, registry/traveling nurse/float pool/home health work/on-call prohibited, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

V.I.9. Deborah Bell RN059489 (Torrez)

Torrez addressed the Board with additional information. Bell was present and addressed the Board. Busby moved, Rich seconded, and it was unanimously carried to accept signed Consent Agreement for 12 months stayed revocation, followed by 36 months probation to include the attached stipulations, amended to delete: “relapse/recovery evaluation”, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

V.I.11. Judith Debra Weinberg RN107560 (Torrez)

Torrez addressed the Board with additional information. Weinberg was present and addressed the Board. Rich moved, Johnson seconded, to offer a Consent Agreement for a \$100 Civil Penalty to be signed within 30 days or adopt the attached Notice of Charges. After discussion, the motion failed with six opposed and one in favor.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	1								X
NO	6		X	X	X	X	X	X	
ABSTAIN	0								
ABSENT	1	X							

Busby moved, Crawley seconded, to issue a letter of concern for allowing a CNA to feed a resident applesauce, which contained crushed medications prepared by Weinberg on or about March 2005, while employed at Odyssey Healthcare in Peoria, Arizona. The motion carried with six in favor and one opposed.

The meeting recessed at 12:03 p.m. and reconvened at 12:37 p.m. Campbell left the meeting at 12:03 p.m.

V.I.3. Linda Rae Romine RN090488 (Torrez)

Torrez addressed the Board and confirmed receipt of additional information. Busby moved, Rich seconded, and it was unanimously carried too offer a Consent Agreement for a 36 month probation to

include the attached stipulations, as amended. If not signed within 30 days, adopt the attached Notice of Charges.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X	X	
NO	0								
ABSTAIN	0								
ABSENT	2	X							X

V.I.5. Helen Marie Hayden RN103483 (Torrez)

An attempt was made to contact Hayden, telephonically. Busby moved, Hardy seconded, and it was unanimously carried to issue an Interim Order for a chemical dependency evaluation to be completed by an addictionologist and to include any additional testing deemed necessary by the evaluator to be scheduled within 15 days and completed within 45 days, and return to the Board.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X	X	
NO	0								
ABSTAIN	0								
ABSENT	2	X							X

V.I.6. Leonard Lutes LP032151; CNA12014341 (Torrez)

Torrez addressed the Board with additional information. Rich moved, Hardy seconded, and it was unanimously carried to dismiss the case.

V.I.7. Barbara Trimble McGarry RN067348 (Torrez)

Busby moved, Crawley seconded, and it was unanimously carried to dismiss the case.

V.I.13. Angela Marie Miller RN114201; LP35305; CNA678873909 (Torrez)

Torrez addressed the Board and confirmed receipt of additional information. Miller was present and available for questions. Busby moved, Crawley seconded, and it was unanimously carried to issue an Interim Order for a psychiatric evaluation to be completed by a Board approved evaluator with expertise in addiction medicine and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days, and return to the Board.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X	X	
NO	0								
ABSTAIN	0								
ABSENT	2	X							X

V.I.14. Ronald Arthur Dolan LP033995 (Torrez)

Dolan was present and addressed the Board. Rich moved, Busby seconded, and it was unanimously carried to issue a letter of concern for failing to follow facility policy for medication documentation from on or about December 8, 2004 to December 11, 2004, while employed at Archstone Care Center in Chandler, Arizona.

Rich left the meeting at 12:52 p.m.

V.I.15. Cynthia Mannasmith Mealman RN070940 (Torrez)

Mealman was present and addressed the Board. Hardy moved, to offer a Consent Agreement for a Decree of Censure, or hearing. Hardy withdrew the motion. Busby moved, Hardy seconded, to issue a letter of concern for adjusting a Coumadin dose from 2.5mg. to 5mg. for two days for patient S.C. without a physicians order on or about April 23, 2005, while employed at Nightingale Nurses Registry in Phoenix, Arizona. After discussion, the motion carried with four in favor and one opposed.

V.I.16. Shenna Alexis Nichols RN125632 (Torrez)

Malloch knows Herb Geary and Chris Modine but shows no bias. Torrez addressed the Board with additional information and noted the addition of #9 to the potential violation of rules in the investigative report. Nichols was present and addressed the Board. Busby moved, Crawley seconded, to accept a signed Consent Agreement for a Decree of Censure, or hearing. After discussion, the motion failed with three opposed and two in favor.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	2					X		X	
NO	3		X		X		X		
ABSTAIN	0								
ABSENT	3	X		X					X

Johnson moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for 18 months probation to include the attached stipulations, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	5		X		X	X	X	X	
NO	0								
ABSTAIN	0								
ABSENT	3	X		X					X

V.I.18. Kathryn L. Johl RN115005 (Torrez)

Malloch knows Kate Ludwig but shows no bias. Busby moved, Hardy seconded, and it was unanimously carried to issue a letter of concern for leaving the ED before the end of the scheduled shift on or about March 26, 2005 in spite of the fact that a report had been given to another nurse by Johl at or about 9:45 p.m. and the shift did not end until 11:30 p.m., while assigned by American Mobile Nursing to work at Maryvale Hospital in Glendale, Arizona.

V.I.19. James Alvin Williams-Shaw LP038609 (Torrez)

Busby moved, Crawley seconded, and it was unanimously carried to issue a letter of concern for failing to follow facility policies when wasting narcotics on or about October 2004, while employed at Tempe St. Luke’s Hospital in Tempe, Arizona.

V.I.20. Jennifer Lee Culbert RN127866 (Torrez)

Culbert was present and addressed the Board. Busby moved, Hardy seconded, and it was unanimously carried to dismiss the case.

V.H.5. Maria Berlanga Miller RN025675 (Twigg)

Busby moved, Hardy seconded, and it was unanimously carried to reopen Agenda Item V.H.5. Twigg addressed the Board and confirmed receipt of additional information. Miller was present and addressed the Board. Johnson moved, Hardy seconded, and it was unanimously carried to reaffirm prior Board motion to offer a Consent Agreement for an 18 month probation to include the attached stipulations, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	5		X		X	X	X	X	
NO	0								
ABSTAIN	0								
ABSENT	3	X		X					X

Rich returned to the meeting at 1:25 p.m.

II.E. Board Discussion and Decision Regarding Request for Rehearing or Review

II.E.1. Robbin Lavon McKinion RN108244; AP1032; AP1033 Christl

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General, who was available via telephone. Daniel Christl, Assistant Attorney General, represented the State.

Christl addressed the Board.

Roy Whipple, attorney, was present and addressed the Board.

Busby moved, Hardy seconded, and after discussion, it was unanimously carried to continue the investigation to the November 2005 Board meeting.

V.J.3. Susan Glee Sdao RN122882 (Grady)

Hardy moved, Crawley seconded, and it was unanimously carried to table Agenda Item V.J.3.

V.J.4. Marian Barnett Talmon RN079039; AP0337 (Grady)

Grady addressed the Board with additional information. Talmon was present and addressed the Board. Johnson moved, Hardy seconded, and after discussion regarding the necessity to gather more information including Talmon’s records, it was unanimously carried to continue the investigation to obtain additional information and complete the investigation.

V.J.5. Foy Lewis Hastings RN101835 (Grady)

Grady addressed the Board and confirmed receipt of additional information. An attempt was made to contact Hastings, telephonically. Hardy moved, Johnson seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X	X	
NO	0								
ABSTAIN	0								
ABSENT	2	X							X

V.J.7. Susanne Marie Hauser RN098514 (Grady)

Hauser was present and addressed the Board. Johnson moved, Busby seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure and a \$1,000 Civil Penalty, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X	X	
NO	0								
ABSTAIN	0								
ABSENT	2	X							X

V.J.8. Mary Jeanne Brazier RN039180 (Grady)

Grady addressed the Board with additional information. Brazier was present and addressed the Board. Johnson moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for a 24 month practice probation to include the attached stipulations or hearing. If not signed within 30 days, adopt the attached Notice of Charges.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X	X	
NO	0								
ABSTAIN	0								
ABSENT	2	X							X

V.J.9. William Clyde Lucas RN039777; AP0388 (Grady)

Grady addressed the Board and confirmed receipt of additional information. Lucas was present and addressed the Board. Hardy moved, Rich seconded, and it was unanimously carried to issue a letter of concern for being rude to a patient and her companion on or about September 17, 2004, while employed at NextCare Urgent Care (Pinnacle Medicine), Tucson, Arizona.

V.J.3. Susan Glee Sdao RN122882 (Grady)

Hardy moved, Crawley seconded, and it was unanimously carried to reopen Agenda Item V.J.3. Malloch knows Bruce Frederick but shows no bias. Sdao was present and available for questions. Johnson moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or hearing.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X	X	
NO	0								
ABSTAIN	0								
ABSENT	2	X							X

The meeting recessed at 2:14 p.m. Busby left the meeting at 2:14 p.m.

Arizona State Board of Nursing

Janet Napolitano
Governor

Joey Ridenour
Executive Director



Board Meeting Minutes

The special meeting of the Arizona State Board of Nursing convened at 2:21 p.m., Friday, September 23, 2005, in the Board of Nursing Board Room, Suite 210, 1651 East Morten Avenue, Phoenix, Arizona, with Kathy Malloch, Ph.D., M.B.A., R.N., President, presiding.

BOARD MEMBERS PRESENT:

Kathy Malloch, PhD, MBA, RN, President
Theresa Crawley, CRNA, MSHSA, Vice-President
Karen Hodges Hardy, RN, MSN, Secretary
Kathryn L. Busby, JD, Member
Patricia Johnson, LPN, Member
Judy Rich, RN, Member

BOARD MEMBERS ABSENT:

Trista Campbell, RN, BSN, Member
Gregory Harris, Member

LEGAL COUNSEL:

Daniel Christl, Assistant Attorney General
Michelle L. Wood, Assistant Attorney General
Ann Olson, Assistant Attorney General

STAFF:

Joey Ridenour, RN, MN, Executive Director
Judy Bontrager, RN, MN, Associate Director
Valerie Smith, RN, MS, Associate Director
Erica Bailey, Senior Investigator/Monitoring
Jeanne Bauer, Senior Investigator
Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings
Debra Blake, Paralegal/Hearing Department
Karen Grady, RN, MS, CS, FNP, Nurse Practice Consultant/Advanced Practice
Ron Lester, Senior Investigator
Patricia Midkiff, RN, MN, Nurse Practice Consultant
Sydney Munger, RN, MS, Nurse Practice Consultant
Betty Nelson, RN, MS, Nursing Assistant Consultant
Stephanie Nelson, RN, MSN, Nurse Practice Consultant/Monitoring
Kirk Olson, Senior Investigator
Cory Polak, Senior Investigator
Pamela Randolph, RN, MSN, Nurse Practice Consultant/Education
Mary Rappoport, RN, MN, Nurse Practice Consultant
Jeanine Sage, RN, MSN, Nursing Assistant Consultant
Suanne Smith, RN, MS, Nurse Practice Consultant/CANDO
Sister Rachel Torrez, RN, MS, Nurse Practice Consultant
Nancy Twigg, RN, MSN, Nurse Practice Consultant
Rose Wilcox, RN, M Ed, Nurse Practice Consultant/Education
James Williams, Senior Investigator
Barbara Ritenour, Legal Secretary

I. Call To Order

The meeting was called to order at 2:21 p.m., Friday, September 23, 2005.

The following Board members were present: Johnson, Rich, Malloch, Crawley, Hardy, and Busby.

Malloch presiding.

II.A.1. Barry H. Latimer RN038469; CRNA050 (Grady)

Grady addressed the Board with additional information. Sharon Harrison, complainant, was present and addressed the Board. Latimer and his attorney, Michael Ryan were present and addressed the Board. Rich moved, Hardy seconded, and it was unanimously carried to issue a letter of concern for discussion the surgery of an individual in a health care setting for a purpose unrelated to the health care needs of the individual, on or about October 25, 2004, at Physician’s Surgery Center in Bullhead City, Arizona.

II.B.1. Melissa Sue Maddox Multi-state RN (Texas) (Munger)

Munger addressed the Board with additional information. An attempt was made to contact Maddox, telephonically. Rich moved, Johnson seconded, and it was unanimously carried to revoke the privilege to practice nursing in the State of Arizona, and issue a Cease and Desist Order.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	6		X	X	X	X	X	X	
NO	0								
ABSTAIN	0								
ABSENT	2	X							X

III. Call To The Public

A public body may make an open call to the public during a public meeting, subject to reasonable time, place and manner restrictions, to allow individuals to address the public body on any issue within the jurisdiction of the public body. The Board may ask staff to review a matter or may ask that a matter be put on a future agenda. Members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. A.R.S. § 38-431.01(G).

IV. Adjournment

Johnson moved, Hardy seconded, and it was unanimously carried to adjourn the meeting.

The Special Summary Suspension Board meeting adjourned at 2:38 p.m., Friday, September 23, 2005

Kathy Malloch, Ph.D., M.B.A., R.N., President

Hardy moved, Rich seconded, and it was unanimously carried to reopen the regular meeting of September 21, 22 and 23, 2005, which reconvened at 2:39 p.m.

Busby left the meeting at 2:39 p.m.

V.K.1. Debra Ayres RN Applicant (Rappoport)
(aka: Fish)

Rappoport addressed the Board with additional information. An attempt was made to contact Ayres, telephonically. Johnson moved, Crawley seconded, and it was unanimously carried to deny licensure and adopt the attached Order of Denial. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	5		X	X	X	X	X		
NO	0								
ABSTAIN	0								
ABSENT	3	X						X	X

V.K.3. John M. Lewis RN124785 (Rappoport)

Lewis was present and addressed the Board. Rich moved, Johnson seconded, and it was unanimously carried to issue a letter of concern for disciplinary action, a voluntary surrender of professional nurse license, by the New York State Education Department, Office of the Professions, Division of Professional Licensing service, Board of Nursing, that occurred on or about May 10, 1998, and which subsequently led to a sanction by the Health & Human Service Office of Inspector General.

V.K.4. Susan A. Youngreen TRN131707 (Rappoport)
(aka: Crayne)

Youngreen was present telephonically, and available for questions. Hardy moved, Crawley seconded, and it was unanimously carried to grant licensure upon signing a Consent Agreement for probation with the attached stipulations. If not signed within 30 days, deny licensure based upon information contained in the investigative report.

	VOTE	Harris, Greg Member	Johnson, Patricia Member	Rich, Judith Member	Malloch, Kathy President	Crawley, Theresa Vice Pres	Hardy, Karen Member	Busby Kathryn Member	Campbell Trista Member
YES	5		X	X	X	X	X		
NO	0								
ABSTAIN	0								
ABSENT	3	X						X	X

V.K.5. Kimberly Louise Stanley RN118056 (Rappoport)
(aka: Crumpton; Cox)

Malloch knows Herb Geary but shows no bias. Johnson works at Banner Thunderbird but shows no bias. Rappoport addressed the Board with additional information. Stanley was present, telephonically, and available for questions. Rich moved, Crawley seconded, and it was unanimously carried to dismiss the case.

V.K.6. Sharon L. Carter RN048880 (Rappoport)
(aka: Smith; Ball)

Malloch knows Herb Geary but shows no bias. Carter was present telephonically, and available for questions. Crawley moved, Johnson seconded, and it was unanimously carried to dismiss the case.

V.L.2. Christine M. Herman RN Applicant (V. Smith)

V. Smith addressed the Board with additional information. Herman was present and addressed the Board. Johnson moved, Crawley seconded, and it was unanimously carried to grant licensure and issue a letter of concern for a 2001 citation for minor in possession and the February 2003 DUI conviction in Tucson City Court.

VI.A. Board Discussion Regarding RN/LPN/CNA Termination of Previously Issued Board Orders After Full Compliance

Maritza Romine	CNA114585873	Immediately
Bonnie Reaves	CNA999994111	Immediately
Sally Goe	CNA999948720	Immediately
Kathleen Urban	RN105218	Immediately
Radu Timis	RN105218	Immediately
Gerald Clark	CNA999992580	Immediately
Freddy White	CNA913101353	September 30, 2005
Christina DeCosta	CNA999987677	October 4, 2005
Betty Griffith	CNA995377103	October 15, 2005
John Mejia	RN130471	October 19, 2005
Heather Kennedy	CNA757833103	October 22, 2005

Crawley moved, Johnson seconded, and it was unanimously carried to approve the full compliance list to terminate Board Order on the individual(s) listed above, on dates given, if no evidence of non-compliance with Board Order/Consent Agreement exist.

VIII. Call To The Public

A public body may make an open call to the public during a public meeting, subject to reasonable time, place and manner restrictions, to allow individuals to address the public body on any issue within the jurisdiction of the public body. The Board may ask staff to review a matter or may ask that a matter be put on a future agenda. Members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. A.R.S. § 38-431.01(G).

IX. Dialogue With Nursing Students

The Board members and staff dialogued with Grand Canyon University Nursing Students regarding Board functions, policy and procedure.

Rich left the meeting at 3:05 p.m.

X. Adjournment

Johnson moved, Hardy seconded, and it was unanimously carried to adjourn the meeting.

The meeting adjourned at 3:05 p.m., Friday, September 23, 2005.

Kathy Malloch, Ph.D., M.B.A., R.N., President