

Arizona State Board of Nursing

Janice K. Brewer
Governor

Joey Ridenour
Executive Director



Board Meeting Minutes

The regular meeting of the Arizona State Board of Nursing convened at 8:02 Monday, May 20, 2013, in the Board of Nursing Board Room, Suite 200, 4747 N. 7th Street, Phoenix, Arizona, with Randy C. Quinn, CRNA, President, presiding.

BOARD MEMBERS PRESENT:

- Randy C. Quinn, CRNA, President
- Carolyn Jo McCormies, RN, MS, FNP-BC, Vice President
- Theresa (Terri) Berrigan, LPN, C-AL, Secretary
- Leslie Dalton, MSN, RN, Member
- Lori Gutierrez, BS, RN-C, Member
- Patricia Johnson, LPN, Board Member
- Charleen L. Snider, BSN, RN, Member (Telephonic)

BOARD MEMBERS ABSENT:

LEGAL COUNSEL:

- Elizabeth Campbell, Assistant Attorney General
- Anna Finn, Assistant Attorney General
- Carrie Smith, Assistant Attorney General

STAFF DIRECTORS:

- Joey Ridenour, RN, MN, FAAN, Executive Director
- Nikki Austin, JD, RN, Associate Director of Investigations/Compliance
- Judy Bontrager, RN, MN, Associate Director of Operations
- Pamela Randolph, RN, MSN, Associate Director of Education and Evidence Based Regulation
- Kirk Olson, Lead Senior Investigator

STAFF:

<p style="text-align: center;">Katrina Alberty, Senior Investigator Frederick Arias, Senior Investigator Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings Max Barker, Senior Investigator Frannie Breed, RN, BSN, Education Consultant Stephanie Chambers, Nurse Practice Consultant Janeen Dahn, MSN, FNP, Nurse Practice Consultant/AP Diva Galan, JD, Senior Investigator Tamara Greabell, MA, BSN, RN, Nurse Practice Consultant Jan Kerrigan, RN, BSN, Nurse Practice Consultant/CANDO Kristi Hunter, MSN, FNP-C, Nurse Practice Consultant Dolores Hurtado, Senior Investigator Ruth Kish, RN, MN, Nurse Practice Consultant</p>	<p style="text-align: center;">Jennifer McWilliams, Senior Investigator Linda Monas, Senior Investigator Michelle Morton, Senior Investigator Cristina Oates, Legal Assistant Mary Rappoport, RN, MN, Nurse Practice Consultant Bonnie Richter, MSW, Senior Investigator Jeanine Sage, RN, MSN, Nursing Assistant Consultant Valerie Smith, RN, MS, FRE, Consultant to Exec Director Dirk VandenBerg, Sr., Senior Investigator Opal Wagner, RN, BSN, Nurse Practice Consultant Kristen Wilson, Nurse Practice Consultant Lisa Youtsey, Administrative Assistant</p>
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I. Call to Order

The meeting was called to order at 8:02 a.m., Monday, May 20, 2013.

The following Board members were present: Quinn, McCormies, Berrigan, Dalton, Johnson, and Gutierrez,

Quinn presided.

Quinn welcomed members of the audience, explained the procedure for addressing the Board, and stated the mission of the Board.

**VI. RN/LPN/CNA Investigative Reports
VI.D.9. Jeanne L Miller RN066860 (Greabell)**

Miller was present, telephonically and available for questions. Attorney Charlie Hover was present and addressed the Board. Gutierrez moved, McCormies seconded, and it was unanimously carried to issue of Letter of Concern for failing to notify student R.H.’s mother on or around May 9, 2012 that Respondent did not administer Hydrocortisone as scheduled to R.H. while Respondent was employed as an RN with the Flagstaff Unified School District and working at Manuel Dimiguel Elementary School in Flagstaff, AZ.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.D.10. Michelle Nicole Shepis RN129469 (Greabell)

Attorney Ken Baker was present and addressed the Board. Shepis was present and available for questions. Quinn moved, McCormies seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for a twelve (12) month probation to include the attached stipulations and allow Respondent to continue to work as a Home Health RN with Bright Star Home Health under audited supervision by one supervisor which shall include a minimum of two monthly telephonic evaluations with Respondent’s patients to assess the appropriateness of Respondent’s nursing care and conduct, as well as a minimum of two chart audits per month. If not signed within (30) days, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.D.16. Marie Paulie Simone-Shiver RN063768 (Greabell)

Graebell addressed the Board and confirmed receipt of additional information. Attorney Kelly McDonald was present and addressed the Board. Shiver was present and available for questions. Johnson moved, Berrigan seconded, and it was unanimously carried, making a finding of reasonable cause, based upon the allegations in the investigative report and at no cost to the Board, issue an Interim Order for a psychological evaluation with emphasis on ethics to be completed by a Board approved licensed psychologist and to include any additional testing deemed necessary by the evaluator, and a Nurse Practice Evaluation by a Board approved evaluator, both of which to be completed within 60 days and then return to Board. If the Interim Order is not completed within 60 days, based upon the findings

of fact and statute/rule violations identified in the investigative report, and based on the information presented at this meeting, issue Complaint/Notice of Hearing.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormics</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.F.10. Kelly Lynne Flores RN137531; AP4946 (McWilliams)

McWilliams addressed the Board with additional information. Quinn moved, Dalton seconded, and it was unanimously carried to deny Respondent's request to amend paragraph 11 of the Order.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormics</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.A.8. John Gibson RN172725 (Monas)

Attorney Robert Chelle was present and addressed the Board. Berrigan moved, Gutierrez seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report and updated investigative report, offer a Consent Agreement for a 24-month probation to include the attached stipulations. If not signed with 30 days, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormics</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.H.3. Claudette Light Meryhew RN060682; LP009027 (Kish)

Attorney Robert Chelle was present and addressed the Board. Dalton moved, Johnson seconded, and it was unanimously carried, based on the findings of fact and statute/rule violations identified in the Investigative Report, offer Respondent a Consent Agreement for a minimum of 12 months standard probation with terms and conditions. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormics</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.I.2. Rachel Sue Erdmann RN102203; AP3362 (Dahn)

Attorney Flynn Carey was present and addressed the Board. Erdman was present and available for questions. Johnson moved, Gutierrez seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure. If not signed within (30) days issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormics</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

**VI.I.1. Carol Ann Cifelli RN053355; LP017203 (Dahn)
(aka: Wilson, Galbraith)**

Dahn addressed the Board and confirmed receipt of additional information. Gena Batson was present, telephonically and available for questions. Attorney Kelly McDonald was present and addressed the

Board. Cifelli was present and available for questions. Johnson moved, Berrigan seconded, and it was unanimously carried, making a finding of reasonable cause, based upon the allegations in the investigative report and at no cost to the Board, issue an Interim Order for a psychological evaluation to be completed by a Board approved licensed psychologist with expertise in substance use disorder, and to include any additional testing deemed necessary by the evaluator, to be completed with 45 days and then return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.J.8. Lorraine Claire Schenkel RN122042; AP2214 (Hunter)

Hunter addressed the Board and confirmed receipt of additional information. Attorney Kelly McDonald was present and addressed the Board. McCormies moved, Berrigan seconded, and it was unanimously carried, on a determination of reasonable cause based on the facts alleged in the investigative report (and material presented at this Board meeting), at no cost to the Board, issue an Interim Order for a substance abuse evaluation to be completed by a Board approved evaluator who is at minimum PhD prepared, and to include any additional testing deemed necessary by the evaluator, to be completed with 45 days and then return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	5	X	X		X		X	X			
NO	1					X					
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.J.5. Jill L Bennett RN074820 (Hunter)

Anne Fulton-Cavett and Bennett were present, telephonically and available for questions. Johnson moved, Dalton seconded, and it was unanimously carried to dismiss the complaint.

VI.J.3. Judith Mary Adcox RN116240; AP3817 (Hunter)

Attorney Tosca Henry was present and addressed the Board. Gutierrez moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern-for prescribing controlled substances to family members J.A. and M.W. and failing to keep an accurate medical record for patient M.W. while working at Mojave Surgical Specialists in Kingman, Arizona.

VI.I.3. James Ray Lamb RN093041; AP229 (Dahn)

Lamb was present and addressed the Board. Johnson moved, Dalton seconded, and after discussion, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for 6 month probation to include the attached stipulations. If not signed within 30 days, issue Notice of Charges. The motion carried with four in favor and two opposed.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	4	X	X			X	X				
NO	2				X			X			
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.I.8. David Dane Ryer RN128439; AP1997 (Dahn)

Attorney Matthew Anderson was present and addressed the Board. Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for 12-month probation, and to include the attached stipulations, amended to include course work must be Board approved. If not signed within 30 days, issue Notice of Charges.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.F.10. Kelly Lynne Flores RN137531; AP4946 (McWilliams)

Gutierrez moved, McCormies seconded, and it was unanimously carried to reopen Agenda Item VI.F.10. Flores was present and addressed the Board. Dr. Pettit was present and available for questions. Quinn moved, Dalton seconded, and it was unanimously carried to approve Respondent's request to amend paragraph 11 of the Order, to allow Respondent, only while employed as a Nurse Practitioner with Comprehensive Family Care in Phoenix, Arizona, to practice under on-site supervision of Dr. Pettit for 24 hours per week at minimum. Remaining unsupervised hours must be in the presence of Vanessa Pettit who shall have read the Consent Agreement and Order. The original terms and conditions of the Order, including paragraph 11, shall remain in full force and effect unless and until Respondent signs the amended Consent Agreement and Order.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

V.B. Applicants for Reissuance and Investigative Reports

V.B.4. Robert Paul Alves, Jr. RN057915 (Richter)

Alves was present and available for questions. McCormies moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report upon meeting all licensure requirements and signing a Consent Agreement for an 18 month stayed revocation during which time the license is placed on probation, followed then by 18 month standard probation to include attached stipulations, grant temporary licensure for RN Refresher Course only, which is also under the terms of a stayed revocation. Upon successful completion of RN Refresher Course, grant RN license under applicable terms. If not signed within 30 days, deny reissuance of licensure based upon the information contained in this investigative report.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

V.B.6. Mary Joyce Huron Rauchwarter RN061146 (Richter)

Rauchwarter was present and available for questions. Dalton moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report upon meeting all licensure requirements and signing a Consent Agreement for an 18 month stayed revocation during which time the license is placed on probation, followed then by 18 month standard probation to include attached stipulations, grant temporary licensure for RN Refresher Course only, which is also under the terms of a stayed revocation. Upon successful completion of RN Refresher Course,

grant RN license under applicable terms. If not signed within 30 days, deny reissuance of licensure based upon the information contained in this investigative report.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormics V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

V.C. Non-Compliance/Compliance with Board Orders

V.C.4. Charles Alan Bennett RN109600 (Galan)

An attempt was made to contact Charles Bennett, telephonically and a message was left that the Board would move forward with the case. Quinn moved, Dalton seconded, and it was unanimously carried based upon the language of the Order and the information contained in this Monitoring Report, approve Respondent's request to amend his Order to allow him to work under the direct supervision of Dr. Dean Silver while employed at the Medical Office of Dr. Dean Silver in Scottsdale, Arizona.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormics V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

V.C.6. Janice Nelson RN045858 (Galan)

Galan addressed the Board and confirmed receipt of additional information. Nelson was present and addressed the Board. Johnson moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for your April 10, 2013 no-show for a random urine drug screen, in violation of your Board Order; and lift Respondent's stayed revocation probation and place Respondent on standard probation pursuant to her Board Order.

VI.A. RN/LPN/CNA Investigative Reports

**VI.A.2. Jodi Crouse CNA Exam (Monas)
(aka: Wiltbank)**

Crouse was present and available for questions. Quinn moved, McCormics seconded, and it was unanimously carried, based upon a determination of reasonable cause, based on the facts alleged in the investigative report, and material presented at this Board meeting, and at no cost to the Board, issue an Interim Order for a substance abuse evaluation by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and then return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification and include the factual allegations and alleged violations of statute and rule for failure to comply with the Interim Order.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormics V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

**VI.A.6. Charmaine Martinez CNA100023323; (Monas)
RN Exam**

Martinez was present and addressed the Board. McCormics moved, Dalton seconded, and it was unanimously carried, based on the finding of fact and the statute/rule violation contained in the investigative report, and at no cost to the Board, issue an Interim Order for a psychological evaluation, to include a substance abuse evaluation, to be completed by a Board approved psychologist, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within

45 days and then return to the Board. If the Interim Order is not completed, based on the information contained in the investigative report, the factual allegations and alleged violations, to include failing to comply with the Interim order, issue Notice of Charges for CNA100002332, and deny RN Licensure.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.B.3. Edwin William Armstrong CNA Exam (Richter)

Richter Addressed the Board and confirmed receipt of additional information. Armstrong was present and addressed the Board. Quinn moved, Johnson seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.B.8. Serrina Lee Daley CNA Exam (Richter)

Daley was present and addressed the Board. Johnson moved, Gutierrez seconded, and after discussion, it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all certification requirements, and signing a Consent Agreement for a Decree of Censure, grant certification. If not signed within 30 days, deny certification.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.D.7. Jeffrey Luckett RN116880; (Greabell) LP036278

Lucket was present and addressed the Board. Carrie Pitman was present and available for questions. Quinn moved, Johnson seconded, and it was unanimously carried to dismiss the complaint.

VI.D.11. Pamela Lynn Spinelli RN070408 (Greabell)

Spinelli was present and available for questions. Johnson moved, Dalton seconded, and it was unanimously carried to dismiss the complaint.

VI.E.7. Dakeitha Lashon Rivera LP041948 (Sage) (aka: Shon)

Rivera was present and available for questions. Johnson moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact, statute/rule violations identified in the Investigative Report, offer a Consent Agreement for a Decree of Censure. If not signed within 30 days issue a Notice of Charges.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.F.9. Michelle Gloria Littleman RN Exam; (McWilliams)
CNA1000014298

Quinn moved, Johnson seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all licensure requirements and signing a Consent Agreement for a 36-month Stayed Suspension, with attached stipulations, grant issuance of RN licensure. If not signed within 30 days, deny RN licensure and issue Notice of Charges for the CNA certificate.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.G.2. Kay Draheim Baylor RN070089 (Wagner)

Baylor was present and addressed the Board. Johnson moved, Dalton seconded, and it was unanimously carried, on a determination of reasonable cause based on the facts alleged in the investigative report (and material presented at this Board meeting) at no cost to the Board, issue an Interim Order for a psychological evaluation with emphasis on anger management to be completed by a Board approved evaluator who is at a minimum Ph.D. prepared, and to include any additional testing deemed necessary by the evaluator, to be completed within thirty (30) days and then return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.G.4. Samantha Dean Passalacqua RN169092 (Wagner)

Passalacqua was present and available for questions. Johnson moved, Berrigan seconded, and it was unanimously carried to dismiss the complaint.

VI.G.5. Duy Tuan Nguyen RN150265 (Wagner)

Nguyen was present and addressed the Board. Berrigan moved, Johnson seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for a Decree of Censure. If not signed within 30 days issue Notice of Charges. The motion failed with four opposed and two in favor.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	2		X		X						
NO	4	X				X	X	X			
ABSTAIN	0										
ABSENT	4			X					X	X	X

Quinn moved, Gutierrez seconded, and it was unanimously carried to issue a Letter of Concern for signing a 24-hour chart review documenting that you had verified all orders for patient E.S. for the previous 24 hours, when you had not actually done so, on or about December 19, 2011; and for failing to timely carry out an order for a “stat” chest x-ray, resulting in delay of treatment of a resident with pneumonia, on or about June 27, 2011; while employed as a registered nurse at Life Care Centers of Scottsdale in Scottsdale, Arizona.

VI.G.6. Elizabeth Christine Taylor RN154918 (Wagner)

Taylor was present and addressed the Board. McCormies moved, Dalton seconded, and it was unanimously carried, on a determination of reasonable cause based on the facts alleged in the investigative report (and material presented at this Board meeting), at no cost to the Board, issue an Interim Order for a substance abuse evaluation to be completed by a Board-approved psychiatrist and to include any additional testing deemed necessary by the evaluator, to be completed within forty-five (45) days and then return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.G.7. Susanne Patricia Schlottmann RN124529 (Wagner)

Schlottmann was present and available for questions. McCormies moved, Quinn seconded, and after discussion, it was unanimously carried, based upon the findings of fact, (amended to include finding of fact, #7: On or about April 14, 2013, Respondent completed a Nursing Performance Evaluation (NPE) at Scottsdale Community College in which she performed below a safe level in 6 out of 9 categories during one or more of the 3 testing scenarios. The evaluator recommended remediation in 6 of the 9 competencies tested) and statute/rule violations identified in the investigative report, offer a Consent Agreement for Suspension not to exceed nine (9) months pending the successful completion of a Refresher Course, which shall not be an on-line course, during which time Respondent shall be issued a temporary license for "Refresher Course Only", to be followed by an eighteen (18) month probation to include the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

**VI.H.2. Fidelite Mary Kankindi LP047982; (Kish)
CNA1000014242**

Johnson moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for failing to follow the standard of care when starting an IV as a RN student enrolled in the program at Chandler-Gilbert Community College on or about April 06, 2012 and for flushing an IV line with saline and heparin outside the presence of her preceptor or clinical instructor.

**VI.H.4. Casey Danielle Orosco RN Endorsement; (Kish)
(aka: Patton, Danielle) CNA1000012159**

Orosco was present and available for questions. McCormies moved, Dalton seconded, and it was unanimously carried to grant registered nurse license and issue a Letter of Concern for preparing medications for patient D.M., and handing them to another RN who administered them to patient M. F. in error, resulting in M.F.'s hospitalization for observation on or about June 26, 2012 at Discovery Nursing and Rehab in Vancouver, WA.

VI.P.1. Yoon Choi RN15733 (Austin)

Choi was present and addressed the Board. Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for a suspension not to exceed 12 months pending the successful completion of a Refresher Course during which time Respondent shall be issued a temporary license for Refresher Course

only, to be followed by a 24 month stayed suspension/probation to include the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

The meeting recessed at 9:35 a.m. and returned to meeting at 9:55 a.m.

IV.D. Board Staff Recommendation: Applicants for Licensure

IV.D.1. Roshera Banks LPN Endorsement Bontrager

Quinn moved, Dalton seconded, and it was unanimously carried to grant RN licensure that is “Valid in AZ only”, upon meeting all requirements.

IV.D.2. Petra Noble TRN176235 Bontrager

Quinn moved, McCormies seconded, and it was unanimously carried to grant RN licensure that is “Valid in AZ only”, upon meeting all requirements.

VII.L.3. Paul Anthony Shuma CNA Exam (Olson)

Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all requirements and signing a Consent Agreement for a 24-month Stayed Revocation, to include the attached stipulations, grant certification. If not signed within 30 days, deny certification.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.N.2. Darren L Dinubilo CNA Exam (Arias)

Quinn moved, Dalton seconded, and it was unanimously carried, upon meeting all requirements, grant certification and issue a Letter of Concern for Applicant’s criminal conviction in California on November, 19, 1999 for threaten crime with intent to terrorize, a misdemeanor and in Arizona on December 18, 2010 for the criminal conviction for DUI, a misdemeanor.

IX. Dialogue with Nursing Students

The Board members and staff dialogued with University of Phoenix nursing students regarding Board functions, policies and procedures. Questions were asked on:

- The role of Board members and the entire process
- What can be done to protect our license
- How fair is it to make a gut decision
- Define Scope of Practice
- The difference it makes when addressing the Board

VI.N.1. Juan C Bonaparte CNA999947616 (Arias)

Quinn moved, Johnson seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, issue a Letter of Concern for Respondent’s DUI misdemeanor conviction in the City of Phoenix Court on September 12, 2011, in Phoenix, Arizona.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.N.3. Sharla Johnson Meredith RN139849 (Arias)

Arias addressed the Board and confirmed receipt of additional information. Meredith was present, telephonically and available for questions. Dalton moved, Johnson seconded, and it was unanimously carried, based upon the findings of facts identified in the investigative report, upon meeting all licensure requirements, grant licensure and issue a Letter of Concern for Respondent’s conviction for Assault-Domestic Violence, a misdemeanor on June 16, 2012 in the Peoria City Court, Peoria, AZ.

VI.J.1. Rebecca Ann Hutton RN173397; AP4531 (Hunter)

Hunter addressed the Board and confirmed receipt of additional information. Hutton was present and addressed the Board. Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for 18 month Stay Suspension during which time the license will be placed on Probation to be followed by 18 months standard Probation to include the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

The meeting recessed at 12:03 p.m. and reconvened at 1:00 p.m.

V.B. Applicants for Reissuance and Investigative Reports

V.B.1. Ian A. Nixon CNA Exam (Morton)

Gutierrez moved, Johnson seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, deny re-issuance of certification.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

V.B.2. Veronica Ann Fierroz CNA Exam (Morton) (aka: Barrick)

McCormies moved, Johnson seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

V.B.3. Patricia Keams LP028441 (Monas) (aka: Yazzie)

Johnson moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, deny re-issuance of licensure.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

V.B.7. George Alexander Waltz LPN Endorsement (Richter)

Waltz was present, telephonically and addressed the Board. Quinn moved, Gutierrez seconded, and it was unanimously carried, upon meeting all licensure requirements, grant license.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

V.B.8. Sandra Mae Boertien Bode RN078224 (Morton)

Boertien Bode was present, telephonically, and available for questions. McCormies moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report upon meeting all licensure requirements and signing a Consent Agreement for an 18 month stayed revocation during which time the license is placed on probation, followed then by 18 month standard probation to include attached stipulations, grant temporary licensure for RN Refresher Course only, which is 'also under the terms of a stayed revocation. Upon successful completion of RN Refresher Course, grant RN licensure under applicable terms. If not signed within 30 days, deny licensure based upon the information contained in this investigative report.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI. RN/LPN/CNA Investigative Reports

VI.J.4. Rey Magtolis Aranas RN128773 (Hunter)

Aranas was present and available for questions. Dalton moved, Berrigan seconded, and after discussion it was unanimously carried to issue a Letter of Concern for failing to take appropriate action to safeguard a patient's welfare when or about April 26, 2012, while employed at Banner Del Webb Medical Center, in Surprise, Arizona, Respondent admitted he obtained a signature for a surgical procedure from patient R. R, though he was aware the patient had not received information about the procedure from the surgeon and on or about June 4, 2012, Respondent failed to perform a physical assessment on patient W.B. in a timely manner, resulting in a late finding of decreased oxygen saturation leading to an anoxic event which required the patient to be transferred to a higher level of care and extend his stay in the hospital.

V.C. Non-Compliance/Compliance with Board Orders

V.C.3. Andrea Parpart RN133307 (Galan)

Johnson moved, Dalton seconded, and it was unanimously carried to excuse Respondent's March 28, 2013 no-show random urine drug screen due to Respondent's attendance at her grandfather's funeral, in violation of her Board Order; and lift Respondent's stayed revocation/suspension, and place Respondent on a stayed revocation/probation, consistent with her Board Order.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

V.C.8. Linda Taylor RN123927 (Galan)

Quinn moved, Dalton seconded, and it was unanimously carried to excuse the February 5, 2013 and February 8, 2013 no-show random urine drug screens and February, 2013 missed AA/NA meetings due to Respondent’s illness and hospitalization; and allow Respondent to continue on probation, consistent with her Board Order.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

V.C.9. Mark Mueller CNA100037481 (Galan)

Johnson moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for your April 25, 2013 failure to provide a random urine drug screen, as required by your Board Order; and allow Respondent to continue with his stayed revocation/probation.

V.C.10. Rebecca Sanders Case RN069044 (Galan)

Galan addressed the Board and confirmed receipt of additional information. McCormies moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for your October 10, 2012 no-show for a random urine drug screen, in violation of your Board order; and lift Respondent's license suspension place the license on stayed revocation probation, pursuant to her Board Order.

V.C.11. Richard Jerome Biggs RN104062 (Galan)

Johnson moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for a minimum 24-month stayed revocation with the license suspended during the first 12 months and on stayed revocation/probation the second 12 months, followed by a minimum 24-month standard probation, and to include the attached terms and conditions and allow complete the terms and conditions in Indiana with the permission of the Indiana Board of Nursing. If not signed within 15 days, issue Notice of Charges.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

V.C.12. Sheryl A McGeary RN139963 (Galan)

McGeary was present telephonically, and addressed the Board. Gutierrez moved, Johnson seconded, and it was unanimously carried to issue a Letter of Concern for non-compliance with the terms and conditions of the Order, including: failure to complete the 24 month work requirement; failure to meet supervisory conditions; and failure to obtain Board approval prior to moving to Colorado in or about November 2012, and terminate Respondent from the Order.

V.C.13. Shonna Luck RN120022 (Galan)

Luck was present, telephonically, and addressed the Board. Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the monitoring non-compliance report, issue Notice of Charges.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

V.E. Notice of Charges for RN/LP/CNA Noncompliance

V.E.1. Amy Adams LP038565 (Galan)

Johnson moved, Berrigan seconded, and it was unanimously carried, based upon the language of the Order and the findings of fact and statute/rule violations identified in the monitoring non-compliance report, issue Notice of Charges.

V.D. Non-Compliance/Compliance with Board Orders

V.D.1. Melissa Palmer LP047094 (Oates)

Quinn moved, Dalton seconded, and it was unanimously carried, based upon the finding of fact and statute/rule violations identified in the investigative report, approve Respondent’s request to amend paragraph 8 of the Order and allow Respondent to practice under on site supervision, and amend paragraph 10 of the Order to allow Respondent to work any shift.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

V.D.3. Kathryn Deist RN115035 (Oates)

Quinn moved, McCormies seconded, and it was unanimously carried to offer Respondent an Amendment to the Order, to be signed within 30 days, permitting her to fulfill her practice requirement and complete her probation in Pennsylvania, with all of the remaining original terms and conditions of the Order unchanged. The Order shall remain in full force and effect unless and until Respondent signs the Amendment to the Order.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI. RN/LPN/CNA Investigative Reports

V.I.E.8. Barbara J Rivers CNA834417619 (Sage)

Complainant, Darlene Smith was present and addressed the Board. Dalton moved, Quinn seconded, and it was unanimously carried to dismiss the complaint.

V.F. CANDO Eligibility/Noncompliance & Investigative Reports

V.F.1. Robin Dale Biron RN115664; SN0560 (Kerrigan)

Quinn moved, Johnson seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, accept the signed Consent Agreement for a 12-month stayed revocation/suspension, to include a neuropsychological evaluation by a board-approved

psychologist and inpatient treatment for chemical dependency, to be completed within 12 months, followed by a 36 month stayed revocation/probation, including the attached stipulations.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

V.F.5. Lindsey Elizabeth Butler RN170144 (Kerrigan)

Johnson moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all licensure requirements, accept the signed Stipulated Agreement for at minimum, 36-month CANDO participation.

V.F.6. Jonathan Chase Coventry LPN Endorsement (Kerrigan)

Dalton moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all licensure requirements, accept the signed Stipulated Agreement for at minimum, 36-month CANDO participation and grant licensure.

V.F.7. Shelly Lynne Terrazas RN120428; CNA999988740 (Kerrigan)

Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for a 12-month stayed revocation/suspension, to include a relapse evaluation by a board-approved psychologist with expertise in substance use disorders to be completed within 60 days, followed by a 12 month stayed revocation/probation, followed by a 24 month probation, including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

V.F.10. Stacy Raebel RN Endorsement (Kerrigan)

Dalton moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all licensure requirements, accept signed CANDO stipulated agreement and grant licensure.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

V.F.9. Carolyn Joyce Mackey RN163237; LP045256 (V Smith)

Johnson moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, accept the signed stipulated agreement and addendum for at minimum, 36-month CANDO participation.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI. RN/LPN/CNA Investigative Reports

VI.A.1. James Colloca LPN Exam (Monas)

McCormies moved, Quinn seconded, and it was unanimously carried, based upon a determination of reasonable cause, based on the facts alleged in the investigative report, and material presented at this Board meeting, and at no cost to the Board, issue an Interim Order for a substance abuse evaluation by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and then return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny licensure.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.A.3. Wesley Dalton CNA1000014437 (Monas)

McCormies moved, Berrigan seconded, and it was unanimously carried to issue an Interim Order for a psychological evaluation, to include a substance abuse evaluation to be completed by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, at no cost to the Board, to be scheduled and completed within 45 days and then return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.A.4. Devrie Dimond TRN177121 (Monas)

(aka: Ridnell)

Johnson moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all licensure requirements, accept the signed stipulated agreement for at minimum, 36-month CANDO participation and grant licensure.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.A.7. Michael Scott Jones CNA Exam (Monas)

Dalton moved, McCormies seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.B.4. Nicole Lynn Bernards LP045937; (Richter)
CNA100009170

Berrigan moved, Johnson seconded, and it was unanimously carried, upon a determination of reasonable cause, based on the facts alleged in the investigative report, and material presented at this Board meeting, issue an Interim Order for a substance abuse evaluation by a Board approved PhD level licensed psychologist, and to include any additional testing deemed necessary by the evaluator, at no cost to the Board, to be completed within 45 days and then return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations of statute and rule for failure to comply with the Interim Order.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.B.5. Michael Dale Blevins CNA Exam (Richter)

Blevins was present, telephonically, and available for questions. Quinn moved, Gutierrez seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for a minimum 24 month Stayed Revocation, and to include the attached stipulations. If not signed within 30 days, deny application.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.B.6. Jennifer Anne Brewer RN Exam (Richter)

Johnson moved, Dalton seconded, and it was unanimously carried, upon meeting all licensure requirements, grant license, and issue a letter of concern for the conduct in or around June 2001 in Des Moines, Iowa, which resulted in suspended prosecution and a diversion program ordered by the Iowa District Court for Polk County in or about June 2003.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.B.7. Carren Doreen Butler RN200314 (Compact, SC) (Richter)
(aka: Couturier, Tolbert, Hurst, Winters, Bruner)

Berrigan moved, Gutierrez seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges on Respondent’s multistate privilege.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.B.9. Jason Harrison Delanty RN113407 (Richter)

McCormies moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for a decree of censure. If not signed within 30 days, issue Notice of Charges.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

**VI.B.10. Jennifer Ruth Friday RN Exam (Richter)
(aka: Savovich)**

Dalton moved, Johnson seconded, and it was unanimously carried to continue the investigation to allow Applicant the opportunity to voluntarily submit to a substance abuse evaluation by a Board approved PhD level licensed psychologist, and to include any additional testing deemed necessary by the evaluator, at no cost to the Board, to be completed within 45 days and then return to the Board. If the evaluation is not completed within 45 days, based upon the findings of fact and statute/rule violations identified in the investigative report, deny license.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.B.11. Brittany Michelle Gallegos RN Exam (Richter)

Gutierrez moved, Berrigan seconded, and it was unanimously carried to continue the investigation to allow Applicant the opportunity to voluntarily submit to a substance abuse evaluation by a Board approved PhD level licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and then return to the Board. If the evaluation is not completed within 45 days, based upon the findings of fact and statute/rule violations identified in the investigative report, deny license.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.B.12 Mary Agnes Joaquin LP019500 (Richter)

___ moved, ___ seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for a 36-month probation to include the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

**VI.B.13 Veronica Martinez CNA Exam (Richter)
(aka: Cabrera, Paredes)**

Berrigan moved, Dalton seconded, and it was unanimously carried to continue the investigation to allow applicant the opportunity to voluntarily obtain a psychological evaluation with an emphasis on substance

abuse and anger management to be completed by a Board approved psychologist who is at minimum PhD prepared, and to include any additional testing deemed necessary by the evaluator, at no cost to the Board, to be scheduled and completed with 45 days and then return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.B.15. Ashley Lynn Smyrski RN Endorsement (Richter)

Quinn moved, Berrigan seconded, and it was unanimously carried, upon a determination of reasonable cause, based on the facts alleged in the investigative report, and material presented at this Board meeting, complete an Interim Order for a substance abuse evaluation by a Board approved PhD level licensed psychologist, and to include any additional testing deemed necessary by the evaluator, at no cost to the Board, to be completed within 45 days and then return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny licensure and include the factual allegations and alleged violations of statute and rule for failure to comply with the Interim Order.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

**VI.B.17. Michael Kenneth Zarrow RN Exam; (Richter)
CNA244214713**

Dalton moved, Johnson seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges for CNA244214713, and deny licensure.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.B.18. Daniel Armando Lopez RN073488 (Richter)

Gutierrez moved, Dalton seconded, to continue the investigation to allow Respondent the opportunity to voluntarily complete a substance abuse evaluation by a Board approved PhD level licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and then return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue a Notice of Charges. The motion carried with five in favor and one opposed.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	5	X	X		X	X		X			
NO	1						X				
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.B.19. Maria Lus Monarrez CNA Endorsement (Richter)

Quinn moved, Gutierrez seconded, and it was unanimously carried to continue the investigation to allow applicant the opportunity to voluntarily obtain a psychological evaluation with an emphasis on substance abuse to be completed by a Board approved evaluator who is a licensed psychologist, and to include any additional testing deemed necessary by the evaluator, at no cost to the Board, to be scheduled and completed with 45 days and then return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.B.20. Michael Rufino CNA Endorsement (Richter)

Dalton moved, Johnson seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, and upon meeting all certification requirements, offer a Consent Agreement for a Decree of Censure, grant certification. If not signed within 30 days, deny certification. The motion carried with five in favor and one opposed.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	5	X	X			X	X	X			
NO	1				X						
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.C.1. Arnold Thomas Smith RN075335 (Morton)

Johnson moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, issue a Notice of Charges.

VI.C.2. Taylor Catherine Wilson RN156335 (Morton)

Dalton moved, McCormies seconded, and it was unanimously carried, upon a determination of reasonable cause, based on the facts alleged in the investigative report, and material presented at this Board meeting, and at no cost to the Board, issue an Interim Order for a psychologist evaluation, to include a substance abuse evaluation by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and then return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations of statute and rule for failure to comply with the Interim Order.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.C.5. Aaron Eugene Shilling RN Exam (Morton)

Shilling was present, telephonically and available for questions. Quinn moved, Dalton seconded, and it was unanimously carried, upon a determination of reasonable cause, based on the facts alleged in the investigative report, and material presented at this Board meeting, and at no cost to the Board, issue an Interim Order for a substance abuse evaluation by a Board approved (PhD level) licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and then return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations of statute and rule for failure to comply with the Interim Order.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.D.1. Christine Marie Brandt LP043760 (Greabell)

McCormies moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern to Respondent for disclosing on an employment application to Mi Casa Nursing Center in Mesa, AZ dated April 27, 2012 that she left Springdale Village in Mesa, AZ due to administration reasons and turnover when actually Respondent was terminated from Springdale Village on April 11, 2012.

VI.D.2. Debra Ann Herd RN155907 (Greabell)

Herd was present, telephonically, and addressed the Board. Quinn moved, Johnson seconded, and it was unanimously carried to accept signed Consent Agreement for a Decree of Censure.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.D.3. Jessica Johnson Hudon RN165032; LP045827; CNA1000011138 (Greabell)

Johnson moved, Berrigan seconded, and it was unanimously carried, making a finding of reasonable cause, based upon the allegations in the investigative report and at no cost to the Board, issue an Interim Order for a psychological evaluation to be completed by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within (45) days and then return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and included the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.D.5. Karen R Layaw RN138514 (Greabell)

Quinn moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges.

VI.D.6. Kenneth Alan Laube RN152955 CNA1000003782 (Greabell)

Quinn moved, McCormies seconded, and it was unanimously carried to dismiss the complaint.

VI.D.12. Rebecca L Terry RN114982 (Greabell)

Terry was present telephonically, and addressed the Board. Quinn moved, Berrigan seconded, upon a determination of reasonable cause based on the facts alleged in the investigative report (and material presented at this Board meeting), at **NO** cost to the Board, issue an Interim Order for a substance use disorder evaluation to be completed by a Board approved Psychiatrist, and to include any additional

testing deemed necessary by the evaluator, to be completed within (45) days and then return to the Board. If the Interim Order is not completed within (45) days, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	5		X		X	X	X	X			
NO	1	X									
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.D.13. Wayne Lee Williamson RN161561 (Greabell)

Johnson moved, Gutierrez seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for a Decree of Censure. If not signed with (30) days, issue Notice of Charges. The motion carried with five in favor and one opposed.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	5	X	X		X	X		X			
NO	1						X				
ABSTAIN	0										
ABSENT	4			X					X	X	X

**VI.D.14. Amy Louise Wright RN107718 (Greabell)
(aka: Woolard, Ortiz) (Compact, NC)**

Quinn moved, Gutierrez seconded, and it was unanimously carried, based upon the finding of fact and statute/rule violations identified in the investigative report, issue Notice of Charges on the privilege to practice pursuant to Respondent’s North Carolina multistate compact nursing license..

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

**VI.D.15. Jacqueline Ann Van Nest RN164739 (Greabell)
(aka: Maynard)**

Van Nest was present telephonically, and available for questions. Quinn moved, McCormies seconded, and it was unanimously carried, on a determination of reasonable cause based on the facts alleged in the investigative report, at no cost to the Board, issue an Interim Order for a substance use disorder evaluation to be completed by a Board approved Psychiatrist and to include any additional testing deemed necessary by the evaluator, to be completed within (45) days and then return to the Board. If the Interim Order is not completed within (45) days, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.D.17. Tera Jean Edison RN172798 (Greabell)

Johnson moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges.

VI.D.18. Kelli Anne Roth RN159519 (Greabell)

Quinn moved, Dalton seconded, and it was unanimously carried to accept signed Consent Agreement for a Probation at a minimum of 24 months.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

**VI.D.14. Amy Louise Wright RN107718 (Greabell)
(aka: Woolard, Ortiz) (Compact, NC)**

Johnson moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item VI.D.14. Austin addressed the Board with additional information. Quinn moved, Gutierrez seconded, and it was unanimously carried to amend the prior Board decision to read: Based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges on the privilege to practice pursuant to Respondent’s North Carolina multistate compact nursing license.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

The meeting recessed at 2:55 p.m. and reconvened at 3:18 p.m.

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Brown Mackey School nursing students regarding Board functions, policies and procedures. Questions were asked on:

- Do all Board members have different background nursing specialties
- How do you determine discipline
- The consequences if there is disagreement with the Board decision
- Is there a consensus between all Board members
- Define Decree of Censure

VI. RN/LPN/CNA Investigative Reports

VI.E.5. Marcus Ernest Konyi Kometa CNA1000029239 (Sage)

McCormies recused herself from the meeting at 3:50 p.m. Snyder was present, telephonically, and was available for questions. Kometa was present and available for questions. Johnson moved, Gutierrez seconded, and it was unanimously carried to issue a Letter of Concern for advising a student CNA who could not count a resident’s respiration to just write down “18”, the rate you had counted earlier while employed as a CNA at Sunset Hills Care and Rehabilitation in Safford, Arizona on November 17, 2012, and for not reporting to the Board your arrest on July 7, 2011 for misdemeanor hit and run and failure to remain at the scene in Flagstaff, AZ.

VI.E.2. Janice Shonkoff Corwin LP020384 (Sage)

Quinn moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact, statute/rule violations identified in the Investigative Report, offer a Consent Agreement for a Decree of Censure to be signed within 30 days or issue a Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormics</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.E.3. Clarence Cornelius Hawthorne CNA999996694 (Sage)
 Quinn moved, Johnson seconded, and it was unanimously carried to dismiss the complaint.

VI.E.4. Amy Johnson Kolb CNA1000026345 (Sage)
 (aka: Drake)

Gutierrez moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact, statute/rule violations identified in the Investigative Report, issue a Notice of Charges.

VI.E.9. Luis Fernando Ruano CNA1000027933 (Sage)
 Johnson moved, Dalton seconded, and it was unanimously carried to dismiss the complaint.

VI.E.10. Anat Shmueloff CNA1000028549 (Sage)

Gutierrez moved, Berrigan seconded, and it was unanimously carried, based on the findings of fact, statute/rule violations identified in the Investigative report, offer a Consent Agreement for a Civil Penalty of \$250.00 to be signed within 30 days or issue a Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormics</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.E.11. Nicole Marie Skinner CNA1000033185 (Sage)
 (aka: Nicole Richard)

Dalton moved, Berrigan seconded, and it was unanimously carried, on a determination of reasonable cause based on the facts alleged in the investigative report (and material presented at this Board meeting), at no cost to the Board, issue an Interim Order for a substance abuse evaluation to be completed by a Board-approved psychologist and to include any additional testing deemed necessary by the evaluator, to be completed within forty-five (45) days and then return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormics</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.E.12. Melissa L Uesele CNA971491103 (Sage)
 (aka: Kimberly L. Toomey, Poyner)

Johnson moved, Berrigan seconded, and it was unanimously carried, based on the findings of fact, statute/rule violations identified in the Investigative Report, offer a Consent Agreement for a Decree of Censure, to be signed within 30 days or issue a Notice of Charges.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.E.13. Stephanie Michelle Valdez CNA1000025080 (Sage)

Gutierrez moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for failing to check a resident’s brief during your shift and neglecting to report a change of the resident’s condition to your charge nurse on December 23, 2012 while employed as a CNA at Desert Haven Care Center in Phoenix, AZ.

**VI.E.14. Teresa Lynn Young CNA1000031606 (Sage)
(aka: Socha)**

Quinn moved, Dalton seconded, and it was unanimously carried to dismiss the complaint.

VI.E.15. Justin Underwood CNA1000008174 (Sage)

McCormies moved, Dalton seconded, and it was unanimously carried, based on the findings of facts, statute/rule violations identified in the Investigative Report, issue a Notice of Charges.

VI.F.1. Tara Lea Peterson LP045119 (McWilliams)

Johnson moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for a minimum 18 month probation, and to include the attached terms. If not signed within 30 days, issue Notice of Charges.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.F.2. Jennifer Grace Roy RN149753 (McWilliams)

Dalton moved, Johnson seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a consent agreement for a 36 month probation, and to include the attached terms. If not signed within 30 days, issue Notice of Charges.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.F.4. Cassandra Joy Hauber CNA1000017110 (McWilliams)

McCormies moved, Dalton seconded, and it was unanimously carried, upon a determination of reasonable cause, based on the facts alleged in the investigative report, and material presented at this Board meeting, and at no cost to the Board, issue an Interim Order for a substance use evaluation by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within 60 days and then return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations of statute and rule for failure to comply with the Interim Order.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.F.5. S Brienne MacLellan RN148288 (McWilliams)
(aka: Sara)

Dalton moved, Johnson seconded, and it was unanimously carried, upon a determination of reasonable cause, based on the facts alleged in the investigative report, and material presented at this Board meeting, and at no cost to the Board, issue an Interim Order for a psychological evaluation to include a substance use evaluation, to be completed by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and then return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations of statute and rule for failure to comply with the Interim Order.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.F.6. Happiness Mbali Mthembu CNA100009946 (McWilliams)

Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.F.7. Melissa Geneieve Paul CNA100024934 (McWilliams)

McCormies moved, Quinn seconded, and it was unanimously carried, upon a determination of reasonable cause, based on the facts alleged in the investigative report, and material presented at this Board meeting, and at no cost to the Board, issue an Interim Order for a substance use/abuse evaluation, to be completed by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and then return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations of statute and rule for failure to comply with the Interim Order.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.F.8. Lynna Heather Griffin LP038678; CNA137643641 (McWilliams)

Quinn moved, McCormies seconded, and it was unanimously carried, upon a determination of reasonable cause, based on the facts alleged in the investigative report, and material presented at this

Board meeting, and at no cost to the Board, issue an Interim Order for a psychological evaluation to include a substance use evaluation to be completed by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and then return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations of statute and rule for failure to comply with the Interim Order.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormics</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.G.1. Kristen Lynn Abalos RN119241 (Wagner)

Abalos was present, telephonically, and addressed the Board. Quinn moved, Berrigan seconded, and it was unanimously carried, based on the Findings of Fact and Statute/Rule violations identified in the investigative report, offer a Consent Agreement for Decree of Censure. If not signed within thirty (30) days, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormics</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

VI.G.3. Stanley L Ossman RN078406 (Wagner)

Ossman was present, telephonically, and available for questions. Johnson moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for removing dead skin from patient T.K.’s wound without documented training or demonstrated proficiency in wound debridement, while employed as a registered nurse at Intrepid USA Healthcare Services in Tucson, Arizona, on or about January 28, 2012; and for entering documentation on a patient who had not yet arrived at the facility, while employed as a registered nurse at Life Care Center of Tucson, dba La Canada Care Center, Tucson, AZ, on or about July 9, 2010.

The meeting recessed at 4:20 p.m.

Arizona State Board of Nursing

Janice K. Brewer
Governor

Joey Ridenour
Executive Director



Board Meeting Minutes

The regular meeting of the Arizona State Board of Nursing convened at 8:05 a.m., Tuesday, May 21, 2013, in the Board of Nursing Board Room, Suite 200, 4747 N. 7th Street, Phoenix, Arizona, with Randy C. Quinn, CRNA, President, presiding.

BOARD MEMBERS PRESENT:

Randy C. Quinn, CRNA, President
Carolyn Jo McCormies, RN, MS, FNP-BC, Vice President
Theresa (Terri) Berrigan, LPN, C-AL, Secretary
Leslie Dalton, MSN, RN, Member
Lori Gutierrez, BS, RN-C, Member
M. Shawn Harrell, RN, MS, Member
Patricia Johnson, LPN, Board Member
Charleen L. Snider, BSN, RN, Member (Telephonic)

BOARD MEMBERS ABSENT:

LEGAL COUNSEL:

Elizabeth Campbell, Assistant Attorney General
Anna Finn, Assistant Attorney General
Carrie Smith, Assistant Attorney General

STAFF DIRECTORS:

Joey Ridenour, RN, MN, FAAN, Executive Director
Nikki Austin, JD, RN, Associate Director of Investigations/Compliance
Judy Bontrager, RN, MN, Associate Director of Operations
Pamela Randolph, RN, MSN, Associate Director of Education and Evidence Based Regulation
Kirk Olson, Lead Senior Investigator
Emma Mamaluy, JD, Chief Counsel (Telephonic)

STAFF:

<p style="text-align: center;">Katrina Alberty, Senior Investigator Frederick Arias, Senior Investigator Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings Max Barker, Senior Investigator Frannie Breed, RN, BSN, Education Consultant Stephanie Chambers, Nurse Practice Consultant Janeen Dahn, MSN, FNP, Nurse Practice Consultant/AP Diva Galan, JD, Senior Investigator Tamara Greabell, MA, BSN, RN, Nurse Practice Consultant Jan Kerrigan, RN, BSN, Nurse Practice Consultant/CANDO Kristi Hunter, MSN, FNP-C, Nurse Practice Consultant Dolores Hurtado, Senior Investigator Ruth Kish, RN, MN, Nurse Practice Consultant</p>	<p style="text-align: center;">Jennifer McWilliams, Senior Investigator Linda Monas, Senior Investigator Michelle Morton, Senior Investigator Cristina Oates, Legal Assistant Mary Rappoport, RN, MN, Nurse Practice Consultant Bonnie Richter, MSW, Senior Investigator Jeanine Sage, RN, MSN, Nursing Assistant Consultant Valerie Smith, RN, MS, FRE, Consultant to Exec Director Dirk VandenBerg, Sr., Senior Investigator Opal Wagner, RN, BSN, Nurse Practice Consultant Kristen Wilson, Nurse Practice Consultant Lisa Youtsey, Administrative Assistant</p>
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I. Call to Order

The meeting was called to order at 8:05 a.m., Tuesday, May 21, 2013.

The following Board members were present: Quinn, McCormies, Berrigan, Dalton, Harrell, Johnson, and Gutierrez.

Quinn presided.

Quinn welcomed members of the audience, explained the procedure for addressing the Board, and stated the mission of the Board.

II.A. Administrative Law Judge (ALJ) Recommendations

II.A.1. Luann Marie Coogan RN165063 Campbell

The proceeding began at 8:07 a.m., with the following Board members present: Quinn, McCormies, Berrigan, Dalton, Harrell, Johnson, and Gutierrez,

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 Diana Rasner, Assistant Attorney General, Division of Solicitor General. Elizabeth Campbell, Assistant Attorney General, represented the State.

Campbell addressed the Board and requested the Board accept the Administrative Law Judge’s recommended findings of fact and conclusions of law and to order revocation of RN License.

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

Johnson moved, Berrigan seconded, and it was unanimously carried to accept as Findings of Fact the findings contained in Paragraphs 1 through 18.

Johnson moved, Dalton seconded, and it was unanimously carried, to accept as Conclusions of Law the violations in Paragraphs 1 through 6.

Johnson moved, Berrigan seconded, and it was unanimously carried to accept the Administrative Law Judge’s recommended Order to revoke professional nurse license No. RN165063 previously issued to Luann Marie Coogan.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

**II.A.2. Maria Lu Perez RN129188; LP038660 Campbell
(aka: Maria Lourdes)**

The proceeding began at 8:10 a.m., with the following Board members present: Quinn, McCormies, Berrigan, Dalton, Harrell, Johnson, and Gutierrez.

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 Diana Rasner, Assistant Attorney General, Division of Solicitor General. Campbell, Assistant Attorney General, represented the State.

Campbell addressed the Board and requested the Board accept the Administrative Law Judge’s recommended findings of fact and conclusions of law.

Attorney David Williams was present, telephonically, and addressed the Board.

McCormies moved, Gutierrez seconded, and it was unanimously carried to accept as Findings of Fact the findings contained in Paragraphs 1 through 37.

Quinn moved, Dalton seconded, and it was unanimously carried to modify the Conclusions of Law the violations in Paragraphs 1 through 9, and modify #7, to delete the word “not” paragraph 7 line 1 and delete last sentence, lines 5-8. Rationale for modifying ALJ recommended order: The Respondent demonstrated poor nursing practice, judgment and possible narcotic diversion on two separate occasions and at two separate facilities left her patients for long periods of time abandoning them leaving them at risk to not obtain proper nursing care. This absence could have caused patient harm. Respondent also found to have the medications morphine and Benadryl in her purse, enough evidence that the medications were in the purse because respondent placed them there. The medications could have been part of a possible medication diversion. Due to the issues of poor practice decision involving abandoning patients and a strong suspicion of drug diversion, the only way to assure the public safety is to order Respondent be placed on probation. With probation the monitoring department can evaluate and monitor the Respondent to ensure that she has changed her practice of abandoning her patients and is not diverting medications.

Quinn moved, Johnson seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the Administrative Law Judge Conclusions of Law and Findings of Fact, and as modified by the Board, issue an Order placing Respondent on probation to include the attached terms and conditions. If the Respondent is found to have a substance abuse disorder, probation will be at minimum 36 months with terms and conditions. If not found to have a substance use disorder, probation will be at minimum 18 months to include the attached terms and conditions.

II.B. Motion to Deem Allegations Admitted for Failure to Respond to Complaint and Notice of Hearing & Recommended Discipline

AGENA #	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.B.1.	Brandi Nicole McCormick	CNA1000019209	Revoke	C Smith

An attempt was made to contact Brandi Nicole McCormick, telephonically and a message was left that the Board would move forward with the case.

The Board was represented by Diana Rasner, Assistant Attorney General, Division of Solicitor General. Carrie Smith and Anna Finn, Assistant Attorney General, represented the State.

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

Johnson moved, Dalton 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, Gutierrez seconded, and it was unanimously carried to accept the State’s recommended discipline.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

II.C. Settlement Conference Cases and Proposed Consent Agreements

II.C.1. Julie Bernarda Sarmiento CNA100003901 Campbell

The Board was represented by Diana Rasner, Assistant Attorney General, Division of Solicitor General. Campbell Assistant Attorney General, represented the State.

Campbell addressed the Board and recommended the Board accept proposed Consent Agreement.

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

Quinn moved, Johnson seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, accept a Consent Agreement for a 36-month stayed revocation to include the attached stipulations. For the first 12 months, the certificate will be placed on suspension. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	7	X	X		X	X	X	X	X		
NO											
ABSTAIN											
ABSENT	3			X						X	X

II.C.2. Melayne Theroux Mills RN121300 Finn

The Board was represented by Diana Rasner, Assistant Attorney General, Division of Solicitor General. Anna Finn, Assistant Attorney General, represented the State.

Attorney Teresa Sanzio was present and addressed the Board.

McCormies moved, Quinn seconded, and it was unanimously carried to issue a Letter of Concern for documenting medications not yet given and assessments not yet done, while employed at John C. Lincoln Hospital, Deer Valley, Arizona, in or about July 2007.

II.C.4. Ethel Jane Morante Ramos RN154614 (Finn)

The Board was represented by Diana Rasner, Assistant Attorney General, Division of Solicitor General. Anna Finn, Assistant Attorney General, represented the State.

Finn addressed the Board and recommended the Board adopt signed Consent Agreement.

Attorney Teresa Sanzio was present and addressed the Board.

Johnson moved, Berrigan seconded, and it was unanimously carried to accept a Consent Agreement for a Decree of Censure, or hearing.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	7	X	X		X	X	X	X	X		
NO											
ABSTAIN											
ABSENT	3			X						X	X

II.D. Motion to Deem Allegations Admitted for Failure to Respond to Notice of Charges & Recommended Discipline

AGENA	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.D.1.	Brittany Blake	CNA1000002727	Revocation	Finn
II.D.2.	Elaine Bystrom (aka: Elwood)	CNA999993306	Revocation	Finn
II.D.4.	Nancy Ellen Coche (aka: Reid)	RN132943	Revocation	Finn
II.D.5.	Kimberly Nicole Davis	CNA999995123	Revocation	Finn
II.D.7.	Deborah Lynne Finks (aka: Walter)	RN119208	Revocation	Finn
II.D.8.	Robin Elaine Gray (aka: Weaver)	RN155668	Revocation	Finn
II.D.9.	None		Revocation	
II.D.11.	Kachyto Jacobi	CNA1000034548	Revocation	Finn
II.D.12.	Charlotte Harper Capin	RN083253	Revocation	Campbell
II.D.13.	Connie Sue Tolbert-Ulloa (aka: Tolbert)	LP022227	Revocation	Campbell
II.D.14.	Erin Nocki	CNA1000012626	Revocation	Campbell
II.D.15.	Katherine Scroggins	RN081946	Revocation	Campbell
II.D.16.	Donna Lou Stack	RN110459	Revocation	Campbell
II.D.17.	Madelynn Thomas	LP023539	Revocation	Campbell
II.D.18.	Fatima Maria Ramos	CNA1000016136	Revocation	Campbell
II.D.19.	Victoria Whatley	CNA1000022978	Revocation	Campbell

The Board was represented by Diana Rasner, Assistant Attorney General, Division of Solicitor General. Anna Finn, Elizabeth Campbell, and Carrie Smith, Assistant Attorneys General, represented the State.

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

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

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

Johnson moved, Dalton seconded, and it was unanimously carried to accept the State’s recommended discipline for Agenda Items II.D.1,2, 4,.5, 7 - 9, and 11-19.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormics</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

II.D. Motion to Deem Allegations Admitted for Failure to Respond to Notice of Charges & Recommended Discipline

AGENA	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.D.3	Domingo Caballes	CNA455357061	Revocation	Finn

The Board was represented by Diana Rasner, Assistant Attorney General, Division of Solicitor General. Anna Finn and Elizabeth Campbell and Carrie Smith, Assistant Attorney General represented the State.

Domingo Caballes was present and addressed the Board.

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

Johnson moved, Berrigan 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.

Finn addressed the Board and recommended the Board accept the State’s recommended discipline.

Quinn moved, Berrigan seconded, and it was unanimously carried to accept the State’s recommended discipline for revocation.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormics</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

II.D. Motion to Deem Allegations Admitted for Failure to Respond to Notice of Charges & Recommended Discipline

AGENA	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.D.6	Teresa Engels	RN095688	Revocation	Finn

The Board was represented by Diana Rasner, Assistant Attorney General, Division of Solicitor General. Anna Finn, Elizabeth Campbell, and Carrie Smith, Assistant Attorney General represented the State.

Teresa Engels was not present and was not represented by legal counsel

Campbell addressed the Board and recommended the Board accept the State’s recommended discipline.

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

Johnson moved, Quinn 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.

Johnson moved, Gutierrez seconded, and it was unanimously carried to accept the State’s recommended discipline.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

II.D. Motion to Deem Allegations Admitted for Failure to Respond to Notice of Charges & Recommended Discipline

AGENA	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.D.10	Magdalena Holmes	CNA1000027564	Revocation	Finn

Magdalena Holmes was present and addressed the Board.

The Board was represented by Diana Rasner, Assistant Attorney General, Division of Solicitor General. Anna Finn, Elizabeth Campbell, and Carrie Smith, Assistant Attorney General represented the State.

Finn addressed the Board and recommended the Board accept the State’s recommended discipline.

Harrell left the meeting at 9:00 a.m.

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

Johnson moved, Berrigan 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.

Johnson moved, Berrigan seconded, and it was unanimously carried to accept the State’s recommended discipline.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6	X	X		X	X	X	X			
NO	0										
ABSTAIN	0										
ABSENT	4			X					X	X	X

Harrell returned to the meeting at 9:08.

VI.R. APRN/RN/LPN/CNA Investigative Report/Potential Summary Suspension Pursuant to A.R.S. § 41-1092.11(B) and/or Acceptance of a Consent Agreement and/or Adoption of Complaint & Notice of Hearing

VI.R.1. Mia Danielle Bergstrom RN Endorsement; (Greabell) (Compact, Tx)

Johnson moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, deny licensure.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

VI.R.2. Dawn E Witek RN177125 (Grealbell)
(Compact WI)

Quinn moved, Berrigan seconded, and it was unanimously carried to table Agenda Item VI.R.2.

IV.B.2. Felony Bar Cases

IV.B.2. Board Staff Recommendation: Notice of Charges for RN/LPN/CNA

Agenda #	Name	License/Certificate #	Staff
IV.B.2.a.	Derek Raygon Springfield	RN117400	Richter

Quinn recused himself at 9:14 a.m. McCormies presided. Attorney Robert Chelle was present and addressed the Board. Johnson moved, Dalton seconded, and it was unanimously carried to adopt the Notice of Charges for Agenda Item IV.B.2.a.

Quinn returned to the meeting at 9:20 a.m.

VI.D.4. Courtney Diel Jackson RN161584 (Greabell)

Attorney Teresa Sanzio was present and addressed the Board. Gutierrez moved, Johnson seconded, and it was unanimously carried, on a determination of reasonable cause based on the facts alleged in the investigative report (and material presented at this Board meeting) at no cost to the Board, issue an Interim Order for an Addictionologist evaluation to be completed by a Board approved Addictionologist and to include any additional testing deemed necessary by the evaluator, to be completed within sixty (60) days and then return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

VI.J.7. Allen Earl Stout RN170748 (Hunter)

Hunter addressed the Board with technical corrections to the investigative report. Attorneys Teresa Sanzio and Barry Mitchell were present and addressed the Board. Stout was present and addressed the Board. Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Complaint/Hearing.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

VI.I.4. April Joanna Evans RN108023; AP3792 (Dahn)

Complainant Natalie Perkins was present, telephonically and available for questions. Attorney Jay Ryan was present and addressed the Board. Evans was present and available for questions. Quinn moved, McCormies seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for 12 month probation to include the attached stipulations, attached stipulations, amended to delete on site supervision. 25% of charts reviewed monthly. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

The meeting recessed at 10:03 a.m. and reconvened at 10:15 a.m.

II.B. Motion to Deem Allegations Admitted for Failure to Respond to Complaint and Notice of Hearing & Recommended Discipline

AGENA #	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.B.1.	Brandi Nicole McCormick	CNA1000019209	Revoke	C Smith

McCormick was present, telephonically and addressed the Board. Berrigan moved, McCormies seconded, and it was unanimously carried to reopen Agenda Item II.B.1 for the purpose to allow respondent to address the Board. No further action taken by the Board. Quinn moved, Berrigan seconded, and it was unanimously carried to re-affirm prior Board decision for revocation.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

VI.I.5. Ida Mary Heath RN086039; AP0229; (Dahn) AP0008

Heath was present and addressed the Board. McCormies moved, Quinn seconded, and after discussion, it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for 12-month probation, and to include the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

VI.I.7. Dana Lillestol Rosdahl RN057911; AP313 (Dahn)

McCormies recused herself from the meeting at 10:46 a.m. Attorney Rick Carter was present and addressed the Board. Rosdahl was present and available for questions. Berrigan moved, Dalton seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Complaint Notice of Hearing. The motion carried with five in favor and one opposed.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	5	X	X		X	X		X			
NO	1								X		
ABSTAIN	0										
ABSENT	4			X			X			X	X

McCormies returned to meeting at 11:00 a.m.

V.F. CANDO Eligibility/Noncompliance & Investigative Reports

V.F.2. Gabriel David Wharton RN Exam (Kerrigan)

Kerrigan addressed the Board and confirmed receipt of additional information. Attorney Amy Cotton was present and addressed the Board. Wharton was present and available for questions. Johnson moved,

Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all licensure requirements, accept the signed Stipulated Agreement for at minimum, 36-month CANDO participation and grant licensure.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

V.C.15. Taryn Elizabeth Dreyer Joyner RN159659 (Galan)

Galan addressed the Board and confirmed receipt of additional information. Attorney Kathy Lambert was present and addressed the Board. Joyner was present and available for questions. Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for a twelve (12) month Stayed Suspension/Probation with terms and conditions, to include a substance abuse evaluation and completion of all recommendations, including the psychological counseling recommended by Dr. Brunner, to be followed by a Standard Probation for twelve (12) months with the attached terms and conditions. If not signed within 30 days, issue Notice of Charges. Current Consent Agreement will remain in effect pending signature of proposed Consent Agreement.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

V.C.2. Brian Estavillo RN079722; CRNA0411 (Galan)

Estavillo was present and available for questions. Quinn moved, McCormies seconded, and it was unanimously carried to issue a Letter of Concern for the April 26, 2013 no-show random urine drug screen, allow Respondent to continue on with the Order and all related Amendments, and revert Respondent to standard probation.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

V.F.4. Alexandra Barrier Kent RN141693 (Kerrigan)

Kent was present and available for questions. Quinn moved, Dalton seconded, and it was unanimously carried, based on the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for a 12-month stayed revocation/suspension to be followed by 24 month stayed revocation/probation and 12 months of probation and to include the attached stipulations. Allow Respondent’s stipulated agreement, signed December 28, 2010 and effective January 26, 2011 to remain in effect until the matter is resolved. If not signed within 30 days, issue Complaint/Notice of Hearing.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	7	X	X		X	X	X	X	X		
NO											
ABSTAIN											
ABSENT	3			X						X	X

VI. RN/LPN/CNA Investigative Reports
VI.L.5 Traci Jo Kujath RN Endorsement (Olson)
(aka: Leak)

Olson addressed the Board and confirmed receipt of additional information. Kujath was present and addressed the Board. Dalton moved, Johnson seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all licensure requirements and signing a Consent Agreement for a 24-month probation, to include the attached stipulations, grant licensure. If not signed within 30 days, deny licensure.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

VI.R.2. Dawn E Witek RN177125 (Grealbell)
(Compact WI)

Berrigan moved, McCormies seconded, and it was unanimously carried to reopen Agenda Item VI.R.2. Quinn moved, Berrigan seconded, and it was unanimously carried to accept the signed Consent Agreement for a minimum (12) month stayed revocation/suspension of the privilege to practice.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

Dalton left the meeting at 11:25 a.m.

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Chamberlain College and Mesa Community College nursing students regarding Board functions, policies and procedures. Questions were asked on:

Dalton returned to the meeting at 11:30 a.m.

- Following the Nurse Practice Act
- How often do we get the Journal
- Process to become a Board member

Berrigan left the meeting at 11:35

- Can we vote against Board options
- Define Motion to Deem Allegations
- Referring to Nurse Practice Act and Journal for principle-based ethics

Berrigan returned to the meeting at 11:39

The meeting recessed at 12:00 p.m. and reconvened at 12:30 p.m.

VII.A.5. Board Educational Session: Professional Licensure Report & Cases Related to Nursing Regulation – Ridenour

Ridenour commented on Professional Licensure Report & Cases Related to Nursing Regulation.

VII.B.1. Nurse Assistant Programs Approved by the Executive Director

Information was provided to the Board regarding Nurse Assistant Programs approved by the Executive Director.

VII.B.2. Education Updates (Information) Arizona College Resignation of College of Nursing Director; Gateway Community College-Maricopa Skill Center Site Notification; Everest College Phoenix Promotion of Campus Nursing; Chamberlain College of Nursing Administrator Change; University of Phoenix Notification; Yavapai College Administration Change.

Administrative changes were provided for the following schools: Arizona College, Gateway Community College-Maricopa Skill Center, Everest College, Chamberlain College, University of Phoenix, and Yavapai College.

VII.B.3. Case Dismiss RCB Medical Arts Academy

Quinn moved, Johnson seconded, and it was unanimously carried to case dismiss the complaint against RCB Medical Arts Academy.

VII.B.4. Yavapai 2013 Site Visit Report

Quinn moved, Johnson seconded, and it was unanimously carried, Yavapai College shall submit a written report in six months which either contains evidence of remedy of all potential deficiencies or reports progress on remedying potential deficiencies. If deficiencies are not all remedied, return to the Board for a decision.

VII.B.5. Pima Medical Institute Site Visit Report

Johnson moved, Berrigan seconded, and it was unanimously carried to approve the Associate Degree RN with Practical Nurse Option Program at Pima Medical Institute—Mesa for a period of 5 years.

VII.B.6. Gateway Community College Refresher Extension

VII.B.7. Seven Health Care Academy Refresher Extension

VII.B.8. Northland Pioneer College Refresher Extension

Quinn moved, Berrigan seconded, and it was unanimously carried to grant a one year extension of approval to all refresher programs due to renew approval in 2013.

VII.B.9. Grand Canyon University Advanced Practice Nursing Programs Request for Program Change

VII.B.9.a. Post-Master’s Degree Certificate – Acute Care Nurse Practitioner

VII.B.9.b. Master of Science in Nursing – Acute Care Nurse Practitioner

VII.B.9.c. Master of Science in Nursing – Adult Clinical Nurse Specialist

VII.B.9.d. Post-Master’s Degree Certificate – Adult Clinical Nurse Specialist

VII.B.9.e. Master of Science in Nursing – Family Nurse Practitioner

VII.B.9.f. Post-Master’s Degree Certificate – Family Nurse Practitioner

McCormies moved, Johnson seconded, and it was unanimously carried to approve Grand Canyon University Advanced Practice Nursing Programs Request for Program Change.

VII.B.10. Fortis LPN Program Investigative Report

Quinn moved, Dalton seconded, and it was unanimously carried to dismiss the complaint against Fortis LPN Program.

VII.B.12. Brookline Nursing Program Case Dismiss

Quinn moved, Berrigan seconded, and it was unanimously carried to case dismiss the complaint against Brookline Nursing Program.

VII.B.13. Report of Refresher Course Meeting

The Board received for information.

VII.B.14. Summary of Rule Changes

Information was provided on recent rule changes.

VII.B.15. Notice of Docket Opening and Notice of Proposed Rulemaking R4-19-311

The Board was informed that the Notice of Docket Opening and Notice of Proposed Rulemaking R4-19-311 was filed with the Secretary of State’s office.

VII.B.16. Launch Event Arizona Action Coalition

Information was provided on the Launch event of the Arizona Action Coalition.

VII.B.17. Pima Community College Accreditation Status

Information was provided on Pima Community College Accreditation Status.

III. Board Reports Regarding Executive Director/Designee Delegated Duties: Cases Dismissed, Letters of Concern, Cases Closed Through Settlement, Imposters and Court Ordered Revocations

III.A. Board Information Regarding Cases Dismissed Pursuant to ARS 32-1605.01 (C) 1

Information was provided to the Board regarding cases dismissed pursuant to ARS 32-1605.01 (C) 1

III.B. Board Information Regarding Letters of Concern Issued Pursuant to ARS 32-1605.01 (C) 4

Information was provided to the Board regarding Letters of Concern issued pursuant to ARS 32-1605.01 (C) 4.

IV.A. Lapsed Licenses & Certificates: Possible Administrative Penalty

IV.A.1. Board Staff Recommendation: Offer Consent Agreement (Lohsandt)

Agenda #	Name	License/Certificate #	Penalty Amount
IV.A.1.a.	Jennifer Donovan	CNA999999656	\$25
IV.A.1.b.	Talisha Walker	CNA999992687	\$25
IV.A.1.c.	Shannon Belk	CNA1000029593	\$25
IV.A.1.d.	Martha Knudsen	CNA1000017548	\$25
IV.A.1.e.	Diane Olivarria	CNA1000012390	\$25
IV.A.1.f.	Loretta Paiz	CNA999991962	\$25
IV.A.1.g.	Gifty Akuoko	CNA1000016860	\$50
IV.A.1.h.	Lydia Teneyuque	CNA1000025989	\$50
IV.A.1.i.	Jean Trevil	CNA1000001002	\$50
IV.A.1.j.	Elizabeth Davis	CNA1000023613	\$75

Dalton moved, Johnson seconded, and it was unanimously carried, based on the Finding of Fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for an Administrative Penalty for the amount stated for working on an expired license/certificate. If the Administrative Penalty is not paid within 6 months of the effective date of the order, issue Notice of Charges; and referral of the employer will be made to the Department of Health Services for certificate holders working on a lapsed certificate for three months or greater.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

IV.A.2. Board Staff Recommendation: Accept Signed Consent Agreement (Lohsandt)

Agenda #	Name	License/Certificate #	Penalty Amount
IV.A.2.a.	Jasmin De San Pedro	CNA999996500	\$25
IV.A.2.b	Billie Jo Lucas	CNA1000012343	\$25
IV.A.2.c	Denise Valenzuela	CNA396883333	\$25
IV.A.2.d.	Megan Villegas	CNA1000028782	\$25

McCormies moved, Berrigan seconded, and it was unanimously carried, based on the Finding of Fact and statute/rule violations identified in the investigative report, to accept the signed Consent Agreement and paid Administrative Penalty for the amount stated for working on an expired certificate; and referral of the employer will be made to the Department of Health Services for certificate holders working on a lapsed certificate for three months or greater.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	7	X	X	X		X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3				X					X	X

IV.B.2. Felony Bar Cases

IV.B.2. Board Staff Recommendation: Notice of Charges for RN/LPN/CNA

Agenda #	Name	License/Certificate #	Staff
IV.B.2.b.	Lisa Ann Coste	RN154261	Olson

Quinn moved, McCormies seconded, and it was unanimously carried to adopt the attached Notice of Charges for Agenda Items IV.B.2.b.

V.A. Board Staff Recommendation: Terminate Previously Issued Board Orders after Full Compliance, RN/LP/CNA – (Oates) (List available in Board office)

Quinn moved, Harrell seconded, and it was unanimously carried to approve the full compliance list to terminate Board Order if no evidence of non-compliance with Board Order/Consent Agreement exists.

V.C. Non-Compliance/Compliance with Board Orders

V.C.1. Amanda Lucia Trujillo RN137552 (Galan)

Johnson recused herself from the meeting at 1:15 p.m. An attempt was made to contact Amanda Trujillo, telephonically and a message was left that the Board would move forward with the case. Galan addressed the Board. Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the Consent Agreement and Order (attached hereto), and the information contained in this Monitoring Report, deny Respondent’s request to amend the Order.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

Johnson returned to the meeting at 1:20 p.m.

V.C.14. Stephanie Ann Lynch RN172980 (Galan)

An attempt was made to contact Stephanie Lynch, telephonically and a message was left that the Board would move forward with the case. Quinn moved, Berrigan seconded, and it was unanimously carried to table Agenda Item V.C.14.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

VII.A.3. Update on 2013 Legislative Session/Bills Impacting Nursing Regulation; HB 2076 & NCSBN Analysis of Military LPN/LVN Equivalency & Grant Opportunities; Update on FY 2014 Budget Appropriation – Harris/Randolph/Orchard/Ridenour

Harris gave a brief overview on House Bill 2076 relating to licensure requirements for applicants trained in the military. Ridenour spoke about NCSBN Analysis of Military LPN/LVN Equivalency & Grant Opportunities. Updates were noted on FY 2014 Budget Appropriation.

VII.B.11. Breckinridge @ ITT Nursing Program Investigative Report

Attorney Brian Gottfredson was present and did not address the Board. Attorney Roxann Gallager and Debra Colbert were present and addressed the Board. Emma Mamaluy was present, telephonically, and addressed the Board. Pam Randolph was present and addressed the Board. Quinn moved, Johnson seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges.

V.C.14. Stephanie Ann Lynch RN172980 (Galan)

Berrigan moved, Quinn seconded, and it was unanimously carried to reopen Agenda Item, V.C.14 Lynch was present, telephonically and addressed the Board. Val Smith was present and addressed the Board with additional information. Johnson moved, Berrigan seconded, and it was unanimously carried, upon a determination of reasonable cause, based on the facts alleged in the investigative report, and material presented at this Board meeting, and at no cost to the Board, issue an Interim Order for a psychological evaluation to include a substance use evaluation to be completed by a Board approved license psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and then return to the Board, and allow respondent to complete the Interim Order with Dr. Swithart. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations of statute and rule for failure to comply with the Interim Order.

Harrell left the meeting at 2:42 p.m.
Harrell returned to the meeting at 2:46 p.m.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	7	X	X		X	X	X	X	X		
NO											
ABSTAIN											
ABSENT	3			X						X	X

The meeting recessed at 2:48 p.m. and reconvened at 3:02 p.m.

VI.H.1. Errol St Albans Jones RN145784 (Kish)

Johnson moved, Gutierrez seconded, and it was unanimously carried to issue a Letter of Concern for failing to follow facility policy regarding transcription of physician orders on or about November 9,

2011, while employed as a RN at Connections Arizona in Phoenix, Arizona, resulting in an overdose of antipsychotic medications to patient L. A.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

VI.H.5. Erlinda Aurora Pastor RN167634; LP41424 (Kish)

McCormies moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for failing to enter handwritten student assessments in the electronic medical record from on or around January 23, 2012 through on or around March 02, 2012, while employed as an RN with Dependable Staffing Services, Phoenix, Arizona, and working as an RN at Lowell Elementary, Phoenix Elementary School District in Phoenix, Arizona.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

VI.H.6. William E Ray RN000099458 (Kish)

Johnson moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

VI.H.7. Joyce Betts Roberts LP021754 (Kish)

Kish was present and addressed the Board with additional information. Gutierrez moved, Johnson seconded, and after discussion, it was unanimously carried to issue a Letter of Concern for falsifying the medical record for patient B.W. by documenting that she conducted a home health visit at 1430 on January 14, 2012 and 1300 on January 21, 2012, when Respondent had not actually conducted home health visits with B.W. on those dates/times while employed at a LPN at Arrowhead Home Health, Phoenix, Arizona.

After further discussion, Gutierrez moved, Johnson seconded, it was unanimously carried to rescind motion and dismiss the case.

**VI.H.8. Muriel Rosenfield RN051184 (Kish)
(aka: Solomon)**

Rosenfield was present, telephonically, and addressed the Board. Quinn moved, McCormies seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue Notice of Charges. The motion failed with five opposed and two in favor.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	2					X	X				
NO	5	X	X		X			X	X		
ABSTAIN	0										
ABSENT	3			X						X	X

Johnson moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for accessing fellow employee’s personal records in the health care record system in violation of agency

policy intermittently since 1995 at Southern Arizona Veteran’s Administration Health Center, Tucson, Arizona.

VI.H.9. Loretta Jane Xenos RN111990 Kish
(aka: Cessna, Demarlie)

Quinn moved, Berrigan seconded, and it was unanimously carried, making a finding of reasonable cause, based upon the information in the update investigative report, allow the Respondent to comply with the March 29,2013 Interim Order for a Nurse Practice Evaluation no later than June 15,2013. The Nurse Practice Evaluation shall be completed by a Board approved evaluator, and shall include any additional testing deemed necessary by the evaluator.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

VI.H.10. Tammy Jo Storms RN149561 (Kish)
(aka: Lambert)

Johnson moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

VI.H.11. Erikka Lynette Crooms LPN Endorsement (Kish)

Crooms was present, telephonically and available for questions. Quinn moved, Berrigan seconded, and it was unanimously carried Based upon the findings of fact and statute/rule violations identified in the investigative report, deny licensure.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

V.F. CANDO Eligibility/Noncompliance and Investigative Reports

V.F.3. Jennifer Susan Arnett RN158233 (Kerrigan)

Arnett was present, telephonically and available for questions. McCormies moved, Gutierrez seconded, and it was unanimously carried to accept the signed CANDO stipulated agreement Addendum to extend the term of CANDO participation by six months, allowing Respondent the opportunity to remain in CANDO.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

VI.M.1. Stephanie Jean Smith RN148284 (Kerrigan)

Smith was present, telephonically and addressed the Board. Quinn moved, McCormies seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for Probation for 12 months with attached terms and conditions to include the attached stipulations.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	4		X		X	X	X				
NO	3	X						X	X		
ABSTAIN	0										
ABSENT	3			X						X	X

VI.J.2. Crystal Marie Adams RN144663 (Hunter)

Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

VI.J.6. Kimberly Bellamy LP041527 (Hunter)

McCormies left the meeting at 3:42 p.m. Bellamy was present, telephonically and addressed the Board. McCormies returned to the meeting at 3:43 p.m. Quinn moved, Berrigan seconded, and it was unanimously carried, upon a determination of reasonable cause, based on the facts alleged in the investigative report, and material presented at this Board meeting, and at no cost to the Board, issue an Interim Order for a psychological evaluation to include a substance use evaluation to be completed by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within 60 days. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue a Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

VI.K.1. Ricardo Dacayo Adamos RN052346 (Wilson)

McCormies moved, Gutierrez seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for a Degree of Censure. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

VI.L.1. Jared William Demeyer CNA Exam (Olson)

Johnson moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all certification requirements and signing a Consent Agreement for a Decree of Censure, grant certification. If not signed within 30 days, deny certification.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

VI.L.2. Kalyn Nichole Hovey CNA Exam (Olson)

Gutierrez moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all certification requirements, and signing a Consent Agreement for a 24-month Stayed Revocation, to include the attached stipulations, grant certification. If not signed within 30 days, deny certification.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

VI.L.4. Audra Elizabeth Jones RN164544 (Olson)

Gutierrez moved, McCormies seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

VI.L.6. Bradley David Slade RN125901 (Olson)

McCormies moved, Quinn seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for 18-month probation to include the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

VI.L.7. Leslie Lynn Williams CNA Exam (Olson)

Dalton moved, Johnson seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all certification requirement and signing a Consent Agreement for a Decree of Censure, grant certification. If not signed within 30 days, deny certification.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

VI.O.1. David Espinoza CNA Exam (Barker)

Johnson moved, Berrigan seconded, and it was unanimously carried to grant certification upon meeting all requirements, and issue a Letter of Concern for Applicant's September 18, 2008, conviction in Verde Valley Justice Court, Cottonwood, Arizona, of a person under the age of 21 driving with liquor in body, a misdemeanor, in Verde Valley Justice Court in Cottonwood, Arizona, and his failure to cooperate with the Board's investigation.

VI.O.2. Tameka Mitchell TRN170432 (Barker)

Johnson moved, Dalton seconded, upon meeting all requirements, grant licensure with a Letter of Concern for her February 21st, 2013 conviction of assault, a misdemeanor, in Albany City Court, in Albany, NY. The motion failed with 4 opposed and three in favor. McCormies moved, Harrell

seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all licensure requirements and signing Consent Agreement for a Decree of Censure, grant licensure. If not signed within 30 days, deny licensure.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	6		X		X	X	X	X	X		
NO	1	X									
ABSTAIN	0										
ABSENT	3			X						X	X

VI.O.3. Yvette Scott-Garrett CNA Endorsement (Barker)

Dalton moved, Quinn seconded, and after discussion it was unanimously carried to continue the investigation to allow Applicant the opportunity to obtain a psychological evaluation, to include a substance relapse evaluation, by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and then return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

VI.O.4. Mariah Wallace RN143343 (Barker)

Johnson moved, Gutierrez seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for a \$250 Civil Penalty. If not signed within 30 days and payment not received within 60 days, issue a Notice of Charges.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

VI.O.5. Elaine Williams LPN Exam (Barker)

Gutierrez moved, Johnson seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, deny licensure.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

VI.R.5. Nwadiuto Jane Nwaohia LP0467358 (V Smith)

_____ moved, _____ seconded, and it was unanimously carried,

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

The proceeding began at 4:03 p.m., with the following Board members present: Quinn, McCormies, Berrigan, Dalton, Harrell, Johnson, and Gutierrez.

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

Based upon the information presented at this meeting, all Board members verbally agreed that a showing of extraordinary circumstances or the possibility of irreparable harm has been made supporting the need for a Summary Suspension.

Johnson moved, Quinn seconded, and it was unanimously carried, based upon the information presented at this meeting and the information contained in the investigative report, to accept and adopt the proposed preliminary Findings of Fact and Conclusions of Law of the Findings set forth in the draft Order attached to the investigative report.

All Board members verbally agreed that the foregoing conduct poses an immediate threat to the public health, safety, or welfare and requires emergency action pursuant to A.R.S. § 41-1092.11(B).

Johnson moved, Dalton seconded, and it was unanimously carried, based upon the information presented at this meeting, the findings of fact and statute/rule violations identified in the investigative report, and make a finding that public health safety and welfare imperatively requires emergency action and issue an Order summarily suspending the license of Nwadiuto Jane Nwaohia pending further hearing. The administrative hearing shall be promptly instituted and determined.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

It was therefore ordered that the license of LP046735 be suspended effective with the service of the written Order, and that Nwadiuto Jane Nwaohia will immediately cease practice as a nurse/LPN. This suspension shall remain in effect pending a public hearing and final decision by the Arizona State Board of Nursing pursuant to A.R.S. § 32-1664.

VI.R.6. Melissa Beth Olson RN143665 (V Smith)

_____ moved, _____ seconded, and it was unanimously carried,

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

The proceeding began at 4:08 p.m., with the following Board members present: Quinn, McCormies, Berrigan, Dalton, Harrell, Johnson, and Gutierrez

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

Based upon the information presented at this meeting, all Board members verbally agreed that a showing of extraordinary circumstances or the possibility of irreparable harm has been made supporting the need for a Summary Suspension.

Johnson moved, Dalton seconded, and it was unanimously carried, based upon the information presented at this meeting and the information contained in the investigative report, to accept and adopt the proposed preliminary Findings of Fact and Conclusions of Law of the Findings set forth in the draft Order attached to the investigative report.

All Board members verbally agreed that the foregoing conduct poses an immediate threat to the public health, safety, or welfare and requires emergency action pursuant to A.R.S. § 41-1092.11(B).

Johnson moved, Dalton seconded, and it was unanimously carried, based upon the information presented at this meeting, the findings of fact and statute/rule violations identified in the investigative report, and make a finding that public health safety and welfare imperatively requires emergency action and issue an Order summarily suspending the license of Melissa Beth Olson pending further hearing. The administrative hearing shall be promptly instituted and determined.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	7	X	X		X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	3			X						X	X

It was therefore ordered that the license of RN143665 be suspended effective with the service of the written Order, and that Melissa Beth Olson will immediately cease practice as a nurse/RN. This suspension shall remain in effect pending a public hearing and final decision by the Arizona State Board of Nursing pursuant to A.R.S. § 32-1664.

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

VII.A. Executive Directors Report – Ridenour

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

VII.A.1.a. March 25-26, 2013, Regular Board Meeting Minutes

Dalton moved, Johnson seconded, and it was unanimously carried to approve minutes of March 25-26, 2013, regular Board meeting.

VII.A.1.b. March 26, 2013, Special Board Meeting

Dalton moved, Johnson seconded, and it was unanimously carried to approve minutes of March 26, 2013, special Board meeting.

VII.A.2. 5 year Review Report-Progress Report 2012 - Randolph

Johnson moved, Berrigan seconded, and it was unanimously carried to approve 5 year Review Report-Progress Report 2012.

VII.A.4. Proposed Revisions to CANDO & Monitoring Guidelines for Non-Compliance with Drug Testing - V Smith/N Austin

Johnson moved, Berrigan seconded, and it was unanimously carried to approve Proposed Revisions to CANDO & Monitoring Guidelines for Non-Compliance with Drug Testing.

VII.A.6. Update on Hearing Department: Cycle Times, Aging of Cases, Recommendations-Campbell/Finn/C. Smith/V. Smith/Mamaluy (Information)

Information was provided on Hearing Department. Susan Barber offered information on information regarding Cycle Times, Aging of Cases, Recommendations.

VII.A.7. Nurse Practitioner & Certified Nurse Midwife Workforce Study Bontrager

Bontrager addressed the Board. After discussion, Quinn requested Nurse Practitioner & Certified Nurse Midwife Workforce Study be updated and return to the Board.

VII.A.8. Proposed Draft Substantive Policy Executive Director Closing Cases Resolved Via Settlement – V Smith/Austin/Ridenour/Mamaluy

Quinn moved, McCormies seconded, and it was unanimously carried to approve policy minus #4 and #6. Updates on the Proposed Draft Substantive Policy will be brought to the July 2013 Board Meeting.

VII.A.9. Upcoming Visit by Washington BoN – Ridenour (Information)

Ridenour offered information on the upcoming visit by Washington BoN.

VII.D.2. Superior Court of Arizona, Maricopa County, CV2013-003763, Phillip Wayne Clark v Arizona State Board of Nursing; Order to Dismiss Granted-Campbell/C Smith/Finn

Information provided on Superior Court of Arizona, Maricopa County, CV2013-003763, Phillip Wayne Clark v Arizona State Board of Nursing; Order to Dismiss Granted.

VII.E. Committee Reports

VII.E.1. Scope of Practice – Gutierrez/Berrigan/Bontrager/Greabell

VII.E.1.b. Scope of Practice Committee Memberships

Quinn moved, McCormies seconded, and it was unanimously carried to approve the Scope of Practice Committee Memberships for the 2013-2015 term.

VII.E.2. Education – Dalton/McCormies/Harrell/Randolph/McGinty

VII.E.2.a. Draft Minutes of Education Committee Meeting -

Education Advisory Committee meeting draft minutes of April 19, 2013 were provided to the Board.

VII.E.3. Advanced Practice – Quinn/Busby/Randolph/Dahn

VII.E.3.a. Draft Minutes of Advanced Practice Committee Meeting – 2013–2015 Advanced Practice Advisory Committee

Berrigan moved, Quinn seconded, and it was unanimously carried to approve Draft Minutes of Advanced Practice Committee Meeting.

VII.C.2. Report on 2013 NCSBN Midyear Meeting, San Jose, CA- Dalton/ Gutierrez-

Information was offered regarding the Report on 2013 NCSBN Midyear Meeting, San Jose, California.

VII.C.3. Report on 2013 Long-Term Care Conference, San Diego, CA- Gutierrez

Information was offered regarding the Report on 2013 Long-Term Care Conferences, San Diego, California.

VII.C. President’s Report – Quinn

VII.C.1. Debriefing on Board Processes and Suggested Changes - All

Suggestions were made on the process of an investigation. When and at what point do respondents find out the finding of facts? Why is it confidential? Is IR available after it goes to Board?

Gutierrez left the meeting at 5:39 p.m.

VIII. Call to the Public

No members of the public requested to speak

X. Adjournment

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

The meeting adjourned at 5:48 p.m., Tuesday, May 21, 2013.

A handwritten signature in black ink that reads "Randy C. Quinn" followed by "MSN CRNA" in a smaller, less cursive font.

Randy C. Quinn, CRNA, President

