

**BOARD MEETING
ARIZONA STATE BOARD OF NURSING**

The regular meeting of the Arizona State Board of Nursing convened at 9:01 a.m., Wednesday, July 21, 2004, in the Board of Nursing Board Room, Suite 210, 1651 East Morten Avenue, Phoenix, Arizona, with Alice Gagnaire, R.N., M.H.S.A., President, presiding.

BOARD MEMBERS PRESENT:

Alice Gagnaire, R.N., M.H.S.A., President
Kathy Malloch, Ph.D., M.B.A., R.N., Vice-President
Beverly Ogden, Secretary
Trista Campbell, R.N., B.S.N., Member
Theresa Crawley, C.R.N.A., M.S.H.S.A., Member
Karen Hodges Hardy, R.N., M.S.N., Member
Gregory Harris, Member
Sharon M. Molle, L.P.N., Member
Barbara O'Connor, L.P.N., Member

LEGAL COUNSEL:

Daniel Christl, Assistant Attorney General
Melissa Cornelius, Assistant Attorney General
Michelle L. Wood, Assistant Attorney General

STAFF:

Joey Ridenour, R.N., M.N., Executive Director
Judy Bontrager, R.N., M.N., Associate Director
Valerie Smith, R.N., M.S., Associate Director
Jim Ball, Senior Investigator
Jeanne Bauer, Senior Investigator
Susan Barber, R.N., M.S.N., Nurse Practice Consultant/Hearings
Lorraine Brown, Senior Investigator
Vicky Driver, Administrative Assistant
Karen Grady, R.N., M.S., C.S., F.N.P., Nurse Practice Consultant/Advanced Practice
Vicki Johansen, Senior Investigator
Patricia Midkiff, R.N., M.N., Nurse Practice Consultant
Sydney Munger, R.N., M.S., Nurse Practice Consultant
Betty Nelson, R.N., M.S., Nursing Assistant Consultant
Stephanie Nelson, R.N., M.S.N., Nurse Practice Consultant/Monitoring
Kirk Olson, Senior Investigator
Patricia Pavlina, R.N., B.S., Senior Investigator
Pamela Randolph, R.N., M.S.N., Nursing Practice Consultant/Education
Mary E. Rappoport, R.N., M.N., Nurse Practice Consultant
Jeanine Sage, R.N., M.S.N., Nursing Assistant Consultant
Suanne Smith, R.N., M.S., Nurse Practice Consultant/CANDO
Patricia Staten, M.S.R.N., Nurse Practice Consultant
Sister Rachel Torrez, R.N., M.S., Nurse Practice Consultant
Nancy Twigg, R.N., M.S.N., Nurse Practice Consultant
Melissa Vannier, Paralegal
Barbara Ritenour, Legal Secretary

I. Call to Order

The meeting was called to order at 9:01 a.m., Wednesday, July 21, 2004.

The following Board members were present: Gagnaire, Malloch, Ogden, Campbell, Crawley, Hardy, Harris, Molleo, O'Connor.

Gagnaire presiding.

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

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

VII.A.1. Delores Leigh Evans RN113119 Cornelius

Malloch and Harris recused themselves to avoid the appearance of impropriety. Malloch and Harris left the meeting at 9:04 a.m.

The proceeding began at 9:05 a.m. with the following Board members present: Hardy, Gagnaire, Ogden, O'Connor, Molleo, Campbell and Crawley. All Board members answered affirmatively that they had received and read the transcript of the hearing and the Administrative Law Judge recommendation.

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

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

Cornelius addressed the Board.

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

O'Connor moved, Campbell seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 51, and Conclusions of Law the alleged violations in Paragraphs 1 through 7.

O'Connor moved, Campbell seconded, and it was unanimously carried to accept the Administrative Law Judge's recommended Order to revoke professional nurse No. RN113119, issued to Delores Leigh Evans.

| VII.A.1. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | X | | | | | | |

Malloch and Harris returned to the meeting at 9:09 a.m.

VII.A.2. Amber J. Duncan CNA Applicant Christl

The proceeding began at 9:10 a.m. with the following Board members present: Harris, Hardy, Gagnaire, Malloch, Ogden, O'Connor, Molleo, Campbell and Crawley. All Board members answered

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

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

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

Christl addressed the Board.

Campbell moved, Ogden seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 23, and Conclusions of Law the alleged violations in Paragraphs 1 through 5, as amended.

Campbell moved, O'Connor seconded, and it was unanimously carried to accept the Administrative Law Judge's recommended Order to dismiss the applicant's appeal and that the prior denial of Amber J. Duncan's application for nursing assistant certification be upheld and affirmed.

| VII.A.2. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

VII.A.3. Kari Mette McCain RN087183; LP015858 Wood

Hardy recused herself to avoid the appearance of impropriety. Hardy left the meeting at 9:14 a.m.

The proceeding began at 9:15 a.m. with the following Board members present: Harris, Gagnaire, Malloch, Ogden, O'Connor, Molleo, Campbell and Crawley. All Board members answered affirmatively that they had received and read the transcript of the hearing and the Administrative Law Judge recommendation.

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

McCain and Larry Kenworthy, attorney, were present, telephonically, and Kenworthy addressed the Board.

Wood addressed the Board.

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

Ogden moved, Malloch seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 44, and Conclusions of Law the alleged violations in Paragraphs 1 through 5.

Malloch moved, Campbell seconded, to accept the Administrative Law Judge’s recommended Order. After discussion, Malloch amended the motion to read: accept the Administrative Law Judge’s recommended Order to revoke professional nurse No. RN087183 and practical nurse No. LP015858 issued to Kari Mette McCain. Campbell concurred. After further discussion, the motion carried unanimously.

| VII.A.3. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O’Connor, Barbara Member | Molloe, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | X | | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 1 | | X | | | | | | | |

Hardy returned to the meeting at 9:36 a.m.

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

VII.G.12. Judith Marie Colby-Nielsen RN044665 Wood

Gagnaire knows Herb Geary, but shows no bias. Harris and Malloch recused themselves to avoid the appearance of impropriety. Harris and Malloch left the meeting at 9:37 a.m.

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

Wood addressed the Board.

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

Ogden moved, O’Connor seconded, and after discussion, it was unanimously carried to, in lieu of a formal hearing, accept the signed consent agreement for a 36 month probation with the attached stipulations, amended to add finding of fact to paragraph 9, that: “Respondent completed the TASC diversion program, and the criminal matter was dismissed”.

| VII.G.11. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O’Connor, Barbara Member | Molloe, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|-----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | X | | | | | | |

Harris and Malloch returned to the meeting at 9:45 a.m.

**VII.G.9. Jaime S. Gidley RN094970 Cornelius
(aka: Frankhauser)**

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

Cornelius and Barber addressed the Board.

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

Malloch moved, O'Connor seconded, to offer a Consent Agreement for a 12 month chemical dependency probation for the purpose of monitoring. After discussion, the motion failed, with seven opposed and two in favor.

| VII.G.9. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 2 | | | X | | | X | | | |
| NO | 7 | X | X | | X | X | | X | X | X |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

Ogden moved, Campbell seconded, to accept signed consent agreement for a decree of censure. The motion carried with seven in favor and two opposed.

| VII.G.9. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | | X | X | | X | X | X |
| NO | 2 | | | X | | | X | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

VII.D. Board Discussion and Decision Regarding Request for Rehearing or Review

VII.D.3. Ysenia M. Zaragoza CNA999995466 Christl

The proceeding began at 10:04 a.m. with the following Board members present: Harris, Hardy, Gagnaire, Malloch, Ogden, O'Connor, Molleo, Campbell and Crawley.

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

Zaragoza was present and available for questions.

Christl addressed the Board.

Ogden moved, Campbell seconded, and it was unanimously carried to deny request for rehearing for failure to provide adequate grounds for rehearing.

VII.B. Board Discussion and Decision Regarding Motions to Deem Allegations Admitted For Licensee/Certificate Holder's Failure to Respond to Complaint and Notice of Hearing & Recommended Discipline

| AGENDA # | Respondent Name | Lic/Cert # | Board Resolution | LegalStaff |
|-----------|------------------------|--------------|--------------------|------------|
| VII.B.1. | Beverly Hill | CNA022341346 | Revocation | Cornelius |
| VII.B.2. | Nicholas Francis James | RN103708 | Revocation | Cornelius |
| VII.B.3. | Richard Elling Bruce | RN084397 | Revocation | Wood |
| VII.B.4. | Lupe M. Grajeda | CNA808426803 | Revocation | Wood |
| VII.B.5. | Russalle M. Perkins | RN039768 | Revocation | Wood |
| VII.B.6. | Elaine F. Weise | LP017673 | Revocation | Wood |
| VII.B.7. | Joseph M. Cammiso | CNA208641179 | Revocation | Christl |
| VII.B.9. | Janie Belinda Hoefert | RN079731 | Revocation | Christl |
| VII.B.10. | Rebecca A. Smith | CNA999947214 | Revocation | Christl |
| VII.B.11. | Marilyn Szalkowski Ham | LP024985 | | Christl |
| VII.B.12. | Wayne F. Poland | RN092337 | Revocation | Wood |
| VII.B.13. | Heather Ann Brock | RN094826 | 24 month Probation | Wood |
| VII.B.15. | Tammy M. Skaggs | CNA999950886 | Revocation | Wood |

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Michelle Wood, and Melissa Cornelius, Assistant Attorney General's, represented the State. Gagnaire knows Dee Patrick, but shows no bias.

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

Ogden moved, Malloch seconded, and it was unanimously carried to accept the Factual Allegations as Findings of Fact and Alleged Violations as Conclusions of Law from the Complaint and Notice of Hearing for Agenda Items VII.B.1-7, 9-13, and 15.

Ogden amended the motion to pull Agenda Item VII.B.11. from the list, for discipline to be imposed later in this proceeding. Malloch concurred.

Ogden moved, Malloch seconded, and it was unanimously carried to accept the State's recommended discipline for Agenda Items VII.B.1-7, 9, 10, 12, 13 and 15 with Agenda Item VII.B.11. removed, for individual discipline to be imposed.

| VII.B. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

VII.B.11. Marilyn Szalkowski Ham LP024985 Christl

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

Christl addressed the Board.

Ham was present and addressed the Board.

Campbell moved, Malloch seconded, and after discussion, it was unanimously carried to impose a 24 month probation with the attached terms, amended to delete: allowed to work for Maxim in hospitals, specialty hospitals, with direct RN supervision, but prohibits home health.

| VII.B.11. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|-----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

VII.B.13. Heather Ann Brock RN094826 Wood

Campbell moved, Crawley seconded, and it was unanimously carried to reopen, and rescind prior Board motion for Agenda Item VII.B.13.

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

Brock was present and addressed the Board.

Wood addressed the Board.

Malloch moved, Ogden seconded, to grant the State’s Motion to Deem Allegations Admitted.

The meeting recessed at 10:44 a.m. and reconvened at 10:57 a.m.

Malloch moved, Ogden seconded, and it was unanimously carried to table Agenda Item VII.B.13.

VII.B.8. Carla Evans CNA999947005 Christl
Malloch and Harris recused themselves to avoid the appearance of impropriety. Malloch and Harris left the meeting at 10:59 a.m.

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

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

Christl addressed the Board.

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

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

O’Connor moved, Campbell seconded, and it was unanimously carried to revoke certified nursing assistant No. CNA999947005 issued to Carla Evans.

| VII.B.8. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O’Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | X | | | | | | |

Malloch and Harris returned to the meeting at 11:03 a.m.

VII.I. Board Discussion and Decision Regarding RN Investigative Report and Potential Summary Suspension pursuant to A.R.S. § 41-1092.11(B), 32-1601(D)(G)(H)(J), A.A.C. R4-19-402 (1)(2)(3)(5)(24a)(25) and Potential Adoption of Complaint & Notice of Hearing 0205036

VII.I.1. Steven Joe McCall CNA769933803; LP028910 Cornelius

The proceeding began at 11:04 a.m. with the following Board members present: Harris, Hardy, Malloch, Gagnaire, Ogden, O’Connor, Molleo, Campbell, and Crawley.

Cornelius and Barber addressed the Board.

McCall was not present and was not represented by legal council.

Harris moved, Malloch seconded, and it was unanimously carried to adopt the attached Complaint and Notice of Hearing, with the hearing to be held within 60 days.

| VII.I.1. | VOTE | Harris, Greg Member | Hardy, Karen Member | Malloch, Kathy Vice-Pres | Gagnaire Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|---------------------------|--------------------------------|--------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

VII.C. Board Discussion and Decision Regarding State's Motion to Deem Allegations Admitted For Licensee/Certificate Holder's Failure to Respond to Notice of Charges and Recommended Discipline

| AGENA # | Respondent Name | Lic/Cert # | Board Resolution | LegalStaff |
|-----------|--------------------------|--------------|---------------------|------------|
| VII.C.1. | Dennisse J. Andrade | CNA633071441 | \$100 Civil Penalty | Cornelius |
| VII.C.2. | David W. Blair | CNA723074333 | Revocation | Cornelius |
| VII.C.3. | Georgia I. Bostwick | CNA724917406 | Revocation | Cornelius |
| VII.C.4. | Rachelle Marie Cain | CNA999992193 | \$100 Civil Penalty | Cornelius |
| VII.C.5. | Glenda A. Copas | CNA097331803 | Revocation | Cornelius |
| VII.C.6. | Kimberly Corene Evans | LP021970 | Revocation | Cornelius |
| VII.C.7. | Verna Marie Evensen | RN117815 | Revocation | Cornelius |
| VII.C.8. | Lydia Graves | LP036388 | Revocation | Cornelius |
| VII.C.10. | Stephen Weede Martin | RN040343 | Revocation | Cornelius |
| VII.C.12. | Anna Parra | CNA321567803 | Revocation | Cornelius |
| VII.C.13. | Gary Ruffin | CNA999950121 | Revocation | Cornelius |
| VII.C.15. | Timothy Scott Waitley | CNA999994750 | Revocation | Cornelius |
| VII.C.16. | Dawn Scheffel Bredenkamp | RN030030 | Revocation | Wood |
| VII.C.17. | Robin E. Buchanan | CNA724553039 | Revocation | Wood |
| VII.C.18. | Mary Lou Carbone | CNA638866803 | Revocation | Wood |
| VII.C.21. | Jorge Alberto Mendivil | CNA999991565 | Revocation | Wood |
| VII.C.22. | Timothy A. Parker | CNA718058173 | Revocation | Wood |
| VII.C.23. | Michele Anne Vesbach | CNA999950451 | Revocation | Wood |
| VII.C.24. | Deanna Sedory Beaupre | LP017263 | Revocation | Christl |
| VII.C.25. | Shirley L. Countryman | RN114443 | Revocation | Christl |
| VII.C.26. | Sharon Ann Dan | RN111200 | Revocation | Christl |
| VII.C.27. | Danya Catrine Hand | CNA999995245 | Revocation | Christl |
| VII.C.28. | Susan M. Harter | CNA006679783 | Revocation | Christl |
| VII.C.29. | Crystal Hunt | CNA058341034 | Revocation | Christl |
| VII.C.30. | Nubia L. Romo | CNA999999257 | Revocation | Christl |
| VII.C.31. | Sara Mae Rumbolz | CNA999992170 | Revocation | Christl |
| VII.C.32. | Jennifer Pablo | CNA827837103 | Revocation | Christl |
| VII.C.33. | Fred B. Sorensen | CNA460053463 | Revocation | Christl |
| VII.C.34. | Betty J. Turner | CNA022575103 | Revocation | Christl |

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

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

Malloch moved, Harris seconded, and it was unanimously carried to grant the State's Motion to Deem Allegations Admitted for Agenda Items VII.C. 1-8, 10, 12, 13, 15-18, 21-34.

Malloch moved, Ogden seconded, and it was unanimously carried to accept the Factual Allegations as Findings of Fact and Alleged Violations as Conclusions of Law from the Notice of Charges for Agenda Items VII.C. 1-8, 10, 12, 13, 15-18, 21-34.

Ogden moved, Malloch seconded, and it was unanimously carried to accept the State’s recommended discipline for Agenda Items VII.C. 1-8, 10, 12, 13, 15-18, 21-34.

| VII.C. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O’Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

VII.C.9. Naomi C. Guzman CNA706065103 Cornelius

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

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

Cornelius addressed the Board.

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

Malloch moved, O’Connor 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.

Ogden moved, O’Connor seconded, and it was unanimously carried to revoke certified nursing assistant No. CNA706065103 issued to Naomi C. Guzman.

| VII.C.9. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O’Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

VII.C.11. AnnJessica Faye Messina CNA999992172 Cornelius

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

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

Cornelius addressed the Board.

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

O’Connor moved, Ogden 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.

O’Connor moved, Ogden seconded, and it was unanimously carried to revoke certified nursing assistant No. CNA999992172.

| VII.C.11. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|-----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

VII.C.14. Darla J. Scholl CNA999947699 Cornelius

Malloch and Harris recused themselves to avoid the appearance of impropriety. Malloch and Harris left the meeting at 11:29 a.m.

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

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

Cornelius addressed the Board.

O'Connor moved, Campbell seconded, and it was unanimously carried to grant the State's Motion to Deem Allegations Admitted.

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

O'Connor moved, Crawley seconded, and it was unanimously carried to revoke certified nursing assistant No. CNA999947699 issued to Darla J. Scholl.

| VII.C.14. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|-----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | X | | | | | | |

Malloch and Harris returned to the meeting at 11:31 a.m.

VII.C.19. Julie Haskie CNA532142803 Wood

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

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

Wood addressed the Board.

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

Malloch moved, Harris 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.

Harris moved, Crawley seconded, and after discussion, it was unanimously carried to revoke certified nursing assistant No. CNA532142803.

| VII.C.19. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|-----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

VII.C.20. Eric W. Jones CNA531182803 Wood

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

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

Wood addressed the Board.

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

O’Connor moved, Harris 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.

Ogden moved, Campbell seconded, and it was unanimously carried to revoke certified nursing assistant No. CNA531182803.

| VII.C.20. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|-----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

VII.C.35. Jacquelin D. Clements CNA186855990 Christl

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

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

Christl addressed the Board.

Malloch moved, O’Connor seconded, and it was unanimously carried to grant the State’s Motion to Deem Allegations Admitted.

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

Malloch moved, Crawley seconded, and it was unanimously carried to revoke certified nursing assistant No. CNA186855990 issued to Jacquelin D. Clements.

| VII.C.35. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|-----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

VII.D. Board Discussion and Decision Regarding Request for Rehearing or Review

VII.D.1. Eileen Erin Craig RN073699; LP020980 Cornelius

Malloch and Harris recused themselves to avoid the appearance of impropriety. Malloch and Harris left the meeting at 11:42 a.m.

The proceeding began at 11:42 a.m. with the following Board members present: Hardy, Gagnaire, Ogden, O'Connor, Molleo, Campbell and Crawley.

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

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

Cornelius addressed the Board.

O'Connor moved, Campbell seconded, and it was unanimously carried to deny request for rehearing.

Malloch and Harris returned to the meeting at 11:45 a.m.

VII.D.2. Lilly Delgarito CNA983151103 Christl

The proceeding began at 11:45 a.m. with the following Board members present: Harris, Hardy, Gagnaire, Malloch, Ogden, O'Connor, Molleo, Campbell and Crawley.

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

Delgarito was present and addressed the Board.

Christl addressed the Board.

O'Connor moved, Campbell seconded, to deny request for rehearing. After discussion, O'Connor withdrew the motion. After further discussion, O'Connor moved, Campbell seconded, and it was unanimously carried to deny request for rehearing.

VII.B. Board Discussion and Decision Regarding Motions to Deem Allegations Admitted For Licensee/Certificate Holder's Failure to Respond to Complaint and Notice of Hearing & Recommended Discipline

VII.B.13. Heather Ann Brock RN094826 Wood

Malloch moved, O'Connor seconded, and it was unanimously carried to reopen Agenda Item VII.B.13.

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

Wood addressed the Board.

Ogden moved, O'Connor seconded, and after discussion, it was unanimously carried to accept the signed consent agreement for a 24 month probation to include the attached terms, as modified.

| VII.B.13. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|-----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

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

VII.G.1. Lorraine Littlejohn Walden RN063254 Wood

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

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

Wood addressed the Board.

Malloch moved, Harris seconded, and it was unanimously carried to accept the attached signed amended consent agreement for indefinite suspension pending successful completion of a refresher course followed by 24 months probation.

| VII.G.1. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

VII.G.6. David W. Chadderdon RN Applicant Wood
(voluntary withdrawal of application)

VII.G.8. Julie Marie Fernandez RN047484 Wood
(stayed suspension probation of 12 months followed by a standard chemical dependency probation of 24 months with the attached stipulations)

VII.G.10. Rose Marie Weaver RN093868 Wood
(18 months probation with the attached stipulations)

Campbell moved, Crawley seconded, and it was unanimously carried to accept the signed consent agreement for Agenda Items VII.G.6,8, and 10, with O'Connor recusing herself to avoid the appearance of impropriety on Agenda Item VII.G.8.

| VII.G.10. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|-----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

VII.G.2. Barry Allan Simpson RN063242 Christl

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

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

Christl addressed the Board.

Ogden moved, Crawley seconded, and it was unanimously carried to rescind the Board decision of December 13, 2002 to offer a consent agreement for 36 months probation, and accept the signed consent agreement for 24 months probation with the attached stipulations.

| VII.G.2. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

**VII.G.3. Jill Maureen Labrie CNA982903726 Christl
(aka: Suydam)**

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

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

Christl addressed the Board.

Malloch moved, O'Connor seconded, and it was unanimously carried to accept the signed consent agreement for a 12 month stayed revocation with the attached stipulations.

| VII.G.3. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

VII.G.4. Sheri Kay Knoettgen LP037292 Christl

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

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

Christl addressed the Board.

Malloch moved, O'Connor seconded, and it was unanimously carried to accept the signed consent agreement for a 6 month stayed revocation probation, to be followed by a standard chemical dependency probation of 24 months with attached stipulations.

| VII.G.4. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

VII.G.5. Patricia Southwood CNA999948360 Cornelius

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

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

Cornelius addressed the Board.

Ogden moved, Campbell seconded, to accept the signed consent agreement for a \$100 civil penalty. After discussion, Ogden amended the motion to include: civil penalty to be paid by July 31, 2004. Campbell concurred. The motion carried unanimously

| VII.G.5. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

VII.G.7. Jane E. Heng CNA250842843 Christl

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

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

Christl addressed the Board.

Malloch moved, Crawley seconded, and it was unanimously carried to offer a consent agreement for a 12 month stayed revocation with terms and conditions submitted in the packet, amended to include: abstain from drugs, proof of prescription, abstain from alcohol within 12 hours of duty, individual counseling for depression, or hearing.

| VII.G.7. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

VII.G.11. Graciela V. Garcia CNA483982803 Cornelius

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

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

Cornelius addressed the Board.

Campbell moved, Crawley seconded, and it was unanimously carried to accept the signed consent agreement for an indefinite suspension pending the Board's receipt of a chemical dependency evaluation by a Board approved evaluator to be followed by a stayed suspension for 36 months with the attached stipulations.

| VII.G.11. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molloe, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|-----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

The meeting recessed at 12:33 p.m. and reconvened at 1:15 p.m.

IV.D.1. Leslie Rochelle Liska CNA999952757 (Ball)
(aka: Sedges)

Gagnaire recused herself to avoid the appearance of impropriety. Gagnaire left the meeting at 1:20 p.m. Malloch presiding.

Liska was present and available for questions. Harris moved, Crawley seconded, and after discussion, it was unanimously carried to issue a letter of concern for the felony arrest on February 20, 2002 that was subsequently dismissed on March 1, 2004 after completing deferred adjudication probation in Flagstaff, Arizona.

Gagnaire returned to the meeting at 1:25 p.m. Gagnaire presiding.

V.B.1. Shellee Elizabeth Brown LP Exam Applicant (Ball)

O'Connor knows Renee Marty, but shows no bias. Brown was present and addressed the Board. Ball addressed the Board and confirmed receipt of additional information. O'Connor moved, Campbell seconded, and it was unanimously carried to grant licensure upon signing a consent agreement for a 24-month probation to include the attached stipulations or hearing.

| V.B.1. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molloe, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

V.B.6. Larry M. Thompson RN Renewal/Refresher (Ball)

Thompson was present and addressed the Board. Malloch moved, Campbell seconded, and it was unanimously carried to issue an Interim Order for respondent to submit to fingerprinting and to a psychological/chemical dependency evaluation to be completed by a Board approved evaluator and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days and return to the Board. If the Interim Order is not completed, adopt the attached Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

| V.B.6. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

V.B.7. Joe Anthony Tolliver LP Exam Applicant (Ball)

Tolliver was present and addressed the Board. Campbell moved, Molleo seconded, and it was unanimously carried to continue investigation and request applicant to obtain a psychological/chemical dependency evaluation and psychometric testing by a Board approved addictionist to be scheduled within 15 days and completed within 45 days, or deny licensure.

| V.B.7. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

V.D.3. Kathryn Jeanine Hall RN038799 (Midkiff) (aka: Brantley)

Hall was present and addressed the Board. Midkiff addressed the Board and confirmed receipt of additional information. Malloch moved, O'Connor seconded, and after discussion, it was unanimously carried to issue an Interim Order for an evaluation by a Board approved evaluator credentialed in addiction medicine, and to include all testing as indicated, to be scheduled with 15 days and completed within 45 days or hearing

| V.D.3. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

V.H.1. Rebecca Sue Blankenship LP022732 (Twigg)

Blankenship was present and addressed the Board. Twigg addressed the Board and confirmed receipt of additional information. Campbell moved, Ogden seconded, and it was unanimously carried to offer consent agreement for indefinite suspension pending a relapse/recovery evaluation by a Board approved evaluator and a neuropsychological evaluation by a Board approved psychologist followed by a 36 month probation with attached stipulations. If consent agreement is not signed within 30 days, adopt the attached Notice of Charges.

| V.H.1. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

V.H.2. Sara Bryant-DeConcini RN053547 (Twigg)

Bryant-DeConcini was present and addressed the Board. Campbell moved, Harris seconded, to offer a consent agreement for 36 months probation with the attached stipulations, amended to delete: psychiatric evaluation for depression and PMS symptoms and treatment with antidepressants as indicated, or hearing. After discussion, the motion carried with eight in favor and one opposed.

| V.H.2. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | X | X | X | X | X | X | X | X | |
| NO | 1 | | | | | | | | | X |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

V.H.4. Robyn Lynn Corwin RN091585 (Twig)

Mark Langley, attorney, was present and addressed the Board. Corwin was present and available for questions. Malloch moved, O'Connor seconded, and it was unanimously carried to offer a consent agreement for a decree of censure or hearing.

| V.H.4. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

**V.H.10. Maureen Ellen Tuohy RN108532 (Twig)
(aka: Hurt)**

Gagnaire knows Marty Dorgan, but shows no bias. Paul Forrest, attorney, and Tuohy were present and available for questions. Ogden moved, Malloch seconded, and it was unanimously carried to dismiss the case.

V.H.5. Candance R. Ginsburg RN070888 (Twig)

Harris recused himself to avoid the appearance of impropriety. Harris left the meeting at 2:26 p.m.

Ginsburg was present and available for questions. Malloch moved, Molleo seconded, and it was unanimously carried to issue a letter of concern for failing to accurately document the nursing care and treatment provided to patient M.B. on July 14, 2003 while working at Tucson Medical Center in Tucson, Arizona.

III.D.1.b. Tendai Henry CNA Exam Applicant (Johansen)

Henry was present and addressed the Board. Johansen addressed the Board with additional information. Henry requested the Board allow her to withdraw the application. Ogden moved, Campbell seconded, and it was unanimously carried to allow Henry to withdraw the application.

VIII.A.1. Approve Endorsement Applicant Victoria Choudri for licensure – Bontrager/Randolph

Choudri addressed the Board with a brief history of her education and work history. Bontrager addressed the Board and stated that the Director of Clinical Services at Choudri's present place of employment reports that Choudri is doing well. O'Connor moved, Crawley seconded, and after discussion, it was unanimously carried to grant licensure.

The meeting recessed at 2:56 p.m. and reconvened at 3:06 p.m.

Harris returned to the meeting at 3:10 p.m.

V.J.1. Rajaa Ali Ridha RN079354 (Grady)

Dora Cagnetto, attorney was present and addressed the Board. Ridha was present and available for questions. Malloch moved, O'Connor seconded, to offer a Consent Agreement for a decree of censure or hearing. The motion carried with eight in favor and one abstained.

| V.J.1. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 1 | X | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

V.D.6. Holly Lynn Martinell RN117479 (Midkiff)

Gagnaire knows Herb Geary, but shows no bias. Harris and Malloch recused themselves to avoid the appearance of impropriety. Harris and Malloch left the meeting at 3:20 p.m.

Teressa Sanzio, attorney, was present telephonically, and addressed the Board. O'Connor moved, Crawley seconded, and it was unanimously carried to offer a consent agreement for a decree of censure or hearing.

| V.D.6. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | X | | | | | | |

Malloch returned to the meeting at 3:22 p.m. and Harris returned at 3:23 p.m.

V.D.4. Regina Latrice Harris LP031529 (Midkiff)

D. Jay Ryan, attorney, was present and addressed the Board. Regina Harris was present and available for questions. Midkiff addressed the Board with additional information. Malloch moved, Harris seconded, and it was unanimously carried to issue a letter of concern for a DUI arrest on April 20, 2001 and subsequent conviction.

VIII.B.13. Northland Pioneer College Nursing Program Investigative Report

Gagnaire has spoken with Swarthout, but shows no bias. Karen Jones, Dr. Jeanne Swarthout, and Dr. Penny Fairman were present. Jones addressed the Board and gave a summary of the strides made to address issues regarding the summer "recapture" effort, and also for previous issues which include hiring, appropriate funding, professional development, mentoring, assessment strategies for new and continuing faculty, and strategies for addressing student issues. Randolph stated that the program sent materials that demonstrated improvement since the site visit. O'Connor moved, Campbell seconded, to offer a consent agreement for one- year probation to be signed by the NPC VP of Instruction and Director of the Nursing Program include the following terms:

- Quarterly program reports to the Board regarding student progress within the program, faculty performance evaluation, program changes, faculty decisions regarding admission, retention, and progression of students, and faculty coverage of clinical/classroom sessions;
- That program not hire new clinical or didactic faculty or an administrator without confirmation from Board staff that potential faculty members or administrator meet Board requirements; and
- That further violations of AAC, Title 4, Chapter 19, Article 2 may cause the Board to limit admissions to the program.

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

| VIII.B.13. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|------------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | X | X | X | | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 1 | | | | X | | | | | |
| ABSENT | 0 | | | | | | | | | |

V.H.11. Denise J. Walker RN059885 (Twig)

An attempt was made to contact Margaret Summerly, complainant, telephonically. Campbell moved, Molleo seconded, and it was unanimously carried to dismiss the case.

VI.B.4. Lisa A. Friedman RN095695 (S. Nelson)

Malloch knows Maria Hayes, but shows no bias. Crawley recused herself to avoid the appearance of impropriety. Friedman and Michelle Moran, co-worker, were present and addressed the Board. Nelson addressed the Board with additional information. Malloch moved, Ogden seconded, to offer an amended consent agreement for a stayed revocation/suspension for 12 months and stayed revocation/probation for 12 months, followed by 24 months standard probation or hearing. The motion carried with eight in favor and one abstained.

| VI.B.4. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | X | X | X | X | X | X | X | X | |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 1 | | | | | | | | | X |
| ABSENT | 0 | | | | | | | | | |

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

1. William C. Voss RN036688 (S. Nelson)

Voss was present and addressed the Board. Nelson addressed the Board with additional information. Campbell moved, Malloch seconded, and after discussion, it was unanimously carried to grant reinstatement of license upon signing a consent agreement for a 36 month chemical dependency probation. If not signed within 30 days, deny reinstatement of license. If an informal settlement conference is requested, the authority to settle is limited to the terms of the consent agreement offered at this meeting.

| III.H.1. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

VI.B.9. Joan E. Pearlman LP030406; CNA574417099 (S. Nelson)

O'Connor knows Pearlman, but shows no bias. Nelson addressed the Board with additional information. Pearlman was present and available for questions. Campbell moved, Malloch seconded, and after discussion, it was unanimously carried to deny request and amend consent agreement entered into on November 2, 1999, to extend the terms of probation for 6 additional months.

| VI.B.9. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

**VI.B.1. Angelica P. Bazua
(aka: Angelica C. Palma)**

RN070040; LP022828 (S. Nelson)

Malloch and Gagnaire know Diana McBroom, but show no bias. Bazua was present and addressed the Board. Nelson addressed the Board with additional information. Malloch moved, Campbell seconded, and it was unanimously carried to offer an amended consent agreement for a 12-month stayed revocation/suspension to be followed by 12-months probation, to be followed by 24-months standard probation and to include the attached stipulations or hearing.

| VI.B.1. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

VI.B.5. Nora L. Gregoire

RN082587; LP015732 (S. Nelson)

Gregoire was present and addressed the Board. O'Connor moved, Ogden seconded, and it was unanimously carried to offer an amended consent agreement for 18 months stayed revocation/probation followed by 18 months standard probation or hearing.

| VI.B.5. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

The meeting recessed at 4:15 p.m. and reconvened at 4:23 p.m.

VIII.A.3. Update on Nursing Workforce Information System (NWIS) Analysis of Qualitative Data and Contract with Arizona Hospital & Healthcare Association – Dr. Dave Hrabe (ASU)/Adda Alexander/Ridenour

Dr. Dave Hrabe, Director of Continuing and Extended Education, Arizona State University, gave a presentation of the findings from a 2001 pilot commissioned by ASBN to examine nursing workforce trends and needs of Arizona’s nurses, a joint effort between ASBN and Health Care Institute. Hrabe stated that the focus of this report is the analysis of narrative responses to two items from the survey. 1. “If you are not employed in nursing, what would it take to get you to return to the nursing work force.” and 2. “Please identify your top three dis-satisfiers in nursing and solutions for making improvements to each area.” Hrabe said that, as a result of the screening criteria, most responses used for the survey are from non-hospital settings, and that of the 2000 responses, 798 were used. Hrabe listed the top 20 dis-satisfiers, with the top two being poor salaries and inadequate staffing. Other significant dis-satisfiers were poor benefits package, overwhelmed by paperwork/regulations scheduling, lack of respect, workload and ineffective immediate supervisor. Lower items on the list were work intensity, lack of growth opportunities, inadequate resources, high stress/burnout, co-worker competence, ineffective administration, nurse/physician relationships, 12 hour (or lengthy) shifts, nurse/nurse relationships, tuition/workshop funding, long work hours, childcare issues. Hrabe said that solutions offered were not especially helpful suggestions, and closed by saying that, based on the exhaustive review of the data from 798 returned surveys, further analysis of the remaining surveys submitted using the same methodology may be of limited value. Malloch stated that results of the survey should be published in the newsletter, and that regular questionnaires included in license renewals would allow continuing feedback. Malloch also said that future surveys or data analysis should have a timeline attached in order to receive results in a timelier manner. Ridenour noted that the survey’s top dis-satisfiers were about salaries and benefits, but that the top solutions listed were about receiving more education.

VIII.A.9. Update on Arizona Governor’s Task Force on the Nursing Shortage: Strategic Plan for Nursing in Arizona & Recommendations Regarding Nursing Center – Malloch/Ridenour

Malloch reported that the Governor’s Task Force on the Nursing Shortage is due to expire in October 2004, and recommended requesting a Governor’s Mandate to create a Center for Nursing for the State of Arizona which would have a panel of the key stakeholders for nursing, to understand who nurses are, and what their satisfaction is. Malloch suggested the proposed Nursing Center should be located at the Board, because the Board has access to data for all nurses, computer support and office support. Malloch suggested using the Board’s fund balance dollars to fund the position. Malloch also suggested that the Center would submit a report to the Governor on a yearly basis, as to the state of nursing in Arizona. Marla Weston, AzNA, stated that the Governor’s Task Force is in the process of writing a strategic plan for a Center for Nursing. Weston reported that some challenges of the Task Force are, that members have full time jobs/ commitments/responsibilities and don’t have time to manage the work completed. Weston further stated that follow-through with ongoing commitment and coordination of the work is necessary, whether there is a nursing shortage, or not. Ridenour stated that data collected and passed on to stakeholders, to help them make better decisions, would be one purpose of the center. Ridenour said there are nursing centers in other states, with Nebraska being the only one to be imbedded in another organization, from which the Board can draw knowledge. Board members discussed and agreed that a full time equivalent would be needed, along with staff support. Harris commented that the statute that authorizes the Board to create advisory committees might provide the umbrella for a center for nursing to be established without it being necessary to go to the legislature for its creation. Malloch suggested having one person take 3-6 months to figure out the design, and then present a proposal. Weston stated that the first step should be to find out if a change in statute is necessary. Harris inquired whether some organizations might decline participation if an authoritative statute is not in place. Ridenour stated that, before forward steps can be taken, it is necessary for the Board to decide if a center for nursing is mission based, if it can be supported in the budget package, and if the Board feels that it will be a contribution to addressing the nursing shortage. Ogden moved, Malloch seconded, and it was unanimously carried to proceed with a budget request for one staff person and other supporting resources identified.

IX. Call To The Public

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

V.B.2. Christopher Dennis Dec RN Endorsement Applicant (Ball)

Malloch moved, Molleo seconded, and it was unanimously carried to approve request to withdraw application for licensure.

V.B.3. Kimberly Ann Marcario LP Endorsement Applicant (Ball)

Ball addressed the Board with additional information. Malloch moved, O’Connor seconded, and after discussion, it was unanimously carried to deny licensure based on information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to denial of the application.

| V.B.3. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

V.B.4. Monica Lee McGill RN Endorsement Applicant (Ball)

Harris moved, Campbell seconded, and it was unanimously carried to approve request to withdraw application for licensure.

V.B.5. James Edward McGruder LP Endorsement Applicant (Ball)

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

| V.B.5. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

V.B.8. Rosemary Douglas RN Endorsement Applicant (Ball)

Harris moved, O'Connor seconded, and it was unanimously carried to approve request to withdraw application for licensure.

V.B.9. Wayne Selmer Grant RN Endorsement Applicant (Ball)

Malloch moved, Ogden seconded, and after discussion, it was unanimously carried to deny licensure based on information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to denial of the application.

| V.B.9. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

V.E.1. Susana S. Grant TLP039252 (Olson)

Olson addressed the Board with additional information. Campbell moved, Malloch seconded, and it was unanimously carried to deny licensure based upon the information in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

| V.E.1. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

V.H.3. Dennis Gail Carter LP026991; CNA574303327 (Twigg)

Twigg addressed the Board with additional information. Malloch moved, Ogden seconded, and after discussion, it was unanimously carried to offer a consent agreement for a decree of censure or hearing.

| V.H.3. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

V.H.6. Judy A. Krasher LP019143 (Twig)
(aka: Hebert; Maxwell)

Ogden moved, Harris seconded, and it was unanimously carried to issue letter of concern for failing to assure caregivers consistently document medications given to residents while working as an Assistive Living clinical coordinator at The Place at Tanque Verde in Tucson, AZ, and refer complaint to Nursing Home Administration Board.

V.H.7. Elizabeth Ann Melson LP000032892 (Twig)

Twig addressed the Board and confirmed receipt of additional information. Malloch moved, O'Connor seconded, and it was unanimously carried to offer a consent agreement for a decree of censure or hearing.

| V.H.7. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

V.H.8. April Diane Moon RN071493 (Twig)

Ogden knows Ron Barber, but shows no bias. Hardy is on the Board for Catholic Community Services in Yuma, Arizona, but shows no bias. Campbell moved, Gagnaire seconded, to dismiss the case. After discussion, the motion carried with six in favor and three opposed.

V.H.9. Jennifer Louise Ostroski LP034986 (Twig)
(aka: Trincherro; Alvarado)

Gagnaire knows Marty Dorgan, but shows no bias. Malloch moved, Ogden seconded, to offer consent agreement for 12 month probation with attached stipulations, or hearing. After discussion, Malloch amended the motion to include in the consent agreement and Notice of Charges, rule #13. Ogden concurred. The motion carried unanimously.

| V.H.9. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

V.H.12. Linda W. Zalnerowitz RN027696 (Twig)

Ogden moved, Campbell seconded, and after discussion, it was unanimously carried to offer a consent agreement for a decree of censure or hearing.

| V.H.12. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

V.H.13. Barbara R. Schaffner LP025201 (Twig)

Campbell moved, O'Connor seconded, to offer a consent agreement for a decree of censure or hearing. After discussion, the motion failed with six opposed, and three in favor.

| V.H.13. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|------------------------|-----------------------|-----------------------------|------------------------------|----------------------------|-----------------------------|--------------------------|----------------------------|----------------------------|
| YES | 3 | | X | X | | | X | | | |
| NO | 6 | X | | | X | X | | X | X | X |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

Ogden moved, Harris seconded, and it was unanimously carried to issue a letter of concern for allowing a CNA to perform blood sugar fingersticks and for failing to supervise the CNA perform fingersticks on or about October 26, 2003 while employed at Villa Campana Health Care Center in Tucson, AZ. The motion carried with eight in favor and one opposed.

V.H.14. Sara Rene Golden CNA999997465 (Twig)

Harris moved, Malloch seconded, and it was unanimously carried to offer a consent agreement for revocation of nursing assistant certification or hearing.

| V.H.14. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|------------------------|-----------------------|-----------------------------|------------------------------|----------------------------|-----------------------------|--------------------------|----------------------------|----------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

The meeting recessed at 5:59 p.m. and reconvened at 6:07 p.m.

VI.B.2. Alberta Begay CNA999947883 (S. Nelson)

Gagnaire recused herself to avoid the appearance of impropriety. Gagnaire left the meeting at 6:07 p.m. Malloch presiding.

O'Connor moved, Harris seconded, and it was unanimously carried to terminate consent agreement and order No. 0211062 entered into on December 26, 2003.

Gagnaire returned to the meeting at 6:08 p.m. Gagnaire presiding.

Hardy returned to the meeting at 6:09 p.m.

VI.A. Board Discussion Regarding RN/LPN/CNA Termination of Previously Issued Board Orders After Full Compliance (List Available In Board Office) (S. Nelson)

| | | |
|----------------------------|---------------------|------------------------|
| Lilly N. Barlow | CNA189458353 | Immediately |
| Missy J. Jennings | CNA066129110 | Immediately |
| Jennifer L. Newman | RN115285 | Immediately |
| Cecelia Shotwell | CNA999991649 | Immediately |
| Shannon M. Kovalcik | RN111951 | August 13, 2004 |

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

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

VI.B.3. Kelly K. Ely RN063864 (S. Nelson)

Gagnaire moved, O'Connor seconded, and after discussion, it was unanimously carried to deny request and continue with the terms and conditions of consent agreement and order No. 0203028 entered into on April 11, 2003.

| VI.B.3. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|------------------------|-----------------------|-----------------------------|------------------------------|----------------------------|-----------------------------|--------------------------|----------------------------|----------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

VI.B.6. Holli Hartley-Cobb RN052454 (S. Nelson)

Nelson addressed the Board with additional information. O'Connor moved, Ogden seconded, and it was unanimously carried to offer to amended consent agreement and order No. 0105159, entered into on July 11, 2002, to extend the terms of probation for six additional months to include submitting time schedules with her quarterly reports or hearing.

| VI.B.6. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|------------------------|-----------------------|-----------------------------|------------------------------|----------------------------|-----------------------------|--------------------------|----------------------------|----------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

VI.B.7. Brenda M. Johnson RN057354 (S. Nelson)

Harris and Malloch recused herself to avoid the appearance of impropriety. Harris and Malloch left the meeting at 6:15 p.m.

O'Connor moved, Ogden seconded, and it was unanimously carried to amend consent agreement to allow Johnson to enter into step-down early.

Harris and Malloch returned to the meeting at 6:16 p.m.

VI.B.8. Nancy L. Neeper RN087537; LP022002 (S. Nelson) (aka: Jimenez)

O'Connor moved, Malloch seconded, and it was unanimously carried to allow Neeper to complete the terms of probation of consent agreement and order No. 0202010 in the state of Idaho and allow Neeper to submit the quarterly reports approved by the Idaho Board of Nursing.

VI.B.10. Marie T. Shaikh RN088227; LP028572 (S. Nelson)

Nelson addressed the Board with additional information. O'Connor moved, Ogden seconded, and after discussion, it was unanimously carried to deny request and continue with consent agreement for indefinite suspension until Shaikh is declared safe to return to nursing practice.

| VI.B.10. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|------------------------|-----------------------|-----------------------------|------------------------------|----------------------------|-----------------------------|--------------------------|----------------------------|----------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

**VI.B.11. Kimberly A. Thomas
(aka: Becker)**

LP033839 (S. Nelson)

Malloch moved, Hardy seconded, and it was unanimously carried to offer an amended consent agreement for indefinite suspension pending completion of an evaluation and recommended treatment followed by 36-months probation with the attached terms or hearing.

| VI.B.11. | VOTE | Harris, <u>Greg</u> Member | Hardy <u>Karen</u> Member | Malloch, <u>Kathy</u> Vice-Pres | Gagnaire, <u>Alice</u> President | Ogden <u>Beverly</u> Secretary | O'Connor, <u>Barbara</u> Member | Molleo, <u>Sharon</u> Member | Campbell, <u>Trista</u> Member | Crawley, <u>Theresa</u> Member |
|----------|------|----------------------------------|---------------------------------|---------------------------------------|--|--------------------------------------|---------------------------------------|------------------------------------|--------------------------------------|--------------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

The meeting recessed at 6:22 p.m., Wednesday, July 21, 2004.

**BOARD MEETING
ARIZONA STATE BOARD OF NURSING**

The regular meeting of the Arizona State Board of Nursing convened at 8:30 a.m., Thursday, July 22, 2004, in the Board of Nursing Board Room, Suite 210, 1651 East Morten Avenue, Phoenix, Arizona, with Alice Gagnaire, R.N., M.H.S.A., President, presiding.

BOARD MEMBERS PRESENT:

Alice Gagnaire, R.N., M.H.S.A., President
Kathy Malloch, Ph.D., M.B.A., R.N., Vice-President
Beverly Ogden, Secretary
Trista Campbell, R.N., B.S.N., Member
Theresa Crawley, C.R.N.A., M.S.H.S.A., Member
Karen Hodges Hardy, R.N., M.S.N., Member
Gregory Harris, Member
Sharon M. Molleo, L.P.N., Member
Barbara O'Connor, L.P.N., Member

LEGAL COUNSEL:

Daniel Christl, Assistant Attorney General
Melissa Cornelius, Assistant Attorney General
Michelle L. Wood, Assistant Attorney General

STAFF:

Joey Ridenour, R.N., M.N., Executive Director
Judy Bontrager, R.N., M.N., Associate Director
Valerie Smith, R.N., M.S., Associate Director
Jeanne Bauer, Senior Investigator
Susan Barber, R.N., M.S.N., Nurse Practice Consultant/Hearings
Lorraine Brown, Senior Investigator
Vicky Driver, Administrative Assistant
Karen Grady, R.N., M.S., C.S., F.N.P., Nurse Practice Consultant/Advanced Practice
Vicki Johansen, Senior Investigator
Patricia Midkiff, R.N., M.N., Nurse Practice Consultant
Sydney Munger, R.N., M.S., Nurse Practice Consultant
Betty Nelson, R.N., M.S., Nursing Assistant Consultant
Stephanie Nelson, R.N., M.S.N., Nurse Practice Consultant/Monitoring
Kirk Olson, Senior Investigator
Patricia Pavlina, R.N., B.S., Senior Investigator
Pamela Randolph, R.N., M.S.N., Nursing Practice Consultant/Education
Mary E. Rappoport, R.N., M.N., Nurse Practice Consultant
Jeanine Sage, R.N., M.S.N., Nursing Assistant Consultant
Suanne Smith, R.N., M.S., Nurse Practice Consultant/CANDO
Patricia Staten, M.S.R.N., Nurse Practice Consultant
Sister Rachel Torrez, R.N., M.S., Nurse Practice Consultant
Nancy Twigg, R.N., M.S.N., Nurse Practice Consultant
Melissa Vannier, Paralegal
Barbara Ritenour, Legal Secretary

The meeting was called to order at 8:30 a.m., Thursday, July 22, 2004.

The following Board members were present: Gagnaire, Malloch, Ogden, Crawley, Hardy and O'Connor.

Gagnaire presiding.

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

Campbell arrived at the meeting at 8:31 a.m.

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

V.A.2. Dawn M. Falk RN093939 (S. Smith)

Smith addressed the Board with additional information. O'Connor moved, Malloch seconded, and it was unanimously carried to offer a consent agreement for a decree of censure to be signed within 30 days or hearing. If an informal settlement conference is requested, the authority to settle is limited to the terms of the consent agreement offered at this meeting.

| V.A.2. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | X | X | X | X | | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | | | | | X | | |

Molleo arrived at the meeting at 8:37 a.m.

V.A.1. Denise Rena Constantine RN066106 (S. Smith)

Ogden moved, Crawley seconded, to issue letter of concern for the 1994 revocation of RN licensure by falsifying an employment application and submitting false documents indicating she had a Bachelor of Science degree from the University of Oklahoma by the California Board of Registered Nurses in Sacramento, California. After discussion, Ogden withdrew the motion. Malloch moved, Campbell seconded, to offer a consent agreement for a decree of censure or hearing. The motion carried with seven in favor and one abstained.

| V.A.1. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | X | X | X | X | | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 1 | | | | | | | X | | |
| ABSENT | 1 | X | | | | | | | | |

V.A.3. Stacey Ann Geier RN098154 (S. Smith)

Geier and Dr. Luis Gonzales were present and addressed the Board. Smith addressed the Board and confirmed receipt of additional information. Malloch moved, Molleo seconded, to offer a consent agreement for a decree of censure to be signed within 30 days or hearing. After discussion, the motion carried with six in favor and two opposed.

| V.A.3. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 6 | | X | X | X | | X | X | X | |
| NO | 2 | | | | | X | | | | X |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 1 | X | | | | | | | | |

V.A.4. Roxanne Marie McClure RN Endorsement Applicant (S. Smith)

Smith addressed the Board and confirmed receipt of additional information. Malloch moved, Crawley seconded, and it was unanimously carried to continue the investigation and request McClure to obtain a chemical dependency evaluation by a Board approved addictionist to be scheduled within 15 days and completed within 45 days, or deny licensure.

| V.A.4. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

V.A.5. Lynda Gaye Scott TRN118455 (S. Smith)

Scott was present, telephonically, and addressed the Board. Smith addressed the Board and confirmed receipt of additional information. Malloch moved, Hardy seconded, and it was unanimously carried to continue the investigation and request applicant to obtain a chemical dependency evaluation by a Board approved addictionist, to be scheduled within 15 days and completed within 45 days, or deny licensure.

| V.A.5. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

V.A.6. Lynn Dekow Swartz RN Endorsement Applicant (S. Smith)

Malloch moved, O'Connor seconded, and after discussion, it was unanimously carried to deny licensure based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

| V.A.6. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

V.A.7. Lisa Francine Ulrich RN Endorsement Applicant (S. Smith)

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

| V.A.7. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

V.A.8. Christine Walenkamp RN Endorsement Applicant (S. Smith)

Smith addressed the Board with a technical correction to the investigative report. Malloch moved, Ogden seconded, and after discussion, it was unanimously carried to, upon meeting all requirements, grant licensure and accept signed CANDO stipulated agreement.

| V.A.8. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

V.A.9. James Patrick Castillo RN093848 (S. Smith)

Gagnaire recused herself to avoid the appearance of impropriety. Gagnaire left the meeting at 9:11 a.m. Malloch presiding.

Castillo was present and addressed the Board. Campbell moved, Ogden seconded, and it was unanimously carried to offer a consent agreement for a 24 month stayed revocation with the license suspended during the first 12 months and on probation the second 12 months, followed by a 24 month probation and to include the attached stipulations, or hearing.

| V.A.9. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | X | | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | | X | | | | | |

Gagnaire returned to the meeting at 9:12 a.m. Gagnaire presiding.

V.A.10. Betty Lou Medders LP038076 (S. Smith)

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

| V.A.10. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

V.A.11. Megan Susan Mytczynsky RN123625 (S. Smith)

Mytczynsky was present and addressed the Board. Campbell moved, Molleo seconded, and it was unanimously carried to offer a consent agreement for a 24 month stayed revocation with the license suspended during the first 12 months and on probation the second 12 months, followed by a 24 month probation and to include the attached stipulations, or hearing.

| V.A.11. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

V.A.12. Darlene Mae Slater RN109791 (S. Smith)

Campbell moved, Crawley seconded, and it was unanimously carried to offer a consent agreement for a 24-month stayed revocation with the license suspended during the first 12-months and on probation the second 12-months, followed then by a 24-month probation and to include the attached stipulations, or hearing.

| V.A.12. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

V.A.13. Frank Bidwell Worthington III RN048087 (S. Smith)

Smith addressed the Board and confirmed receipt of additional information. Campbell moved, Crawley seconded, and it was unanimously carried to offer a consent agreement for a 24-month stayed revocation with the license suspended during the first 12-months and on probation the second 12-months, followed then by a 24-month probation and to include the attached stipulations, or hearing

| V.A.13. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

V.C.1. Cynthia Gorum Guerrero LP021982 (Bauer)

Malloch moved, Crawley seconded, and it was unanimously carried to issue a letter of concern for a misdemeanor assault conviction on September 25, 2002 in Maricopa County Superior Court, in Phoenix, Arizona.

V.D.1. Roberta Ellen Collins RN102179 (Midkiff)

Malloch recused herself to avoid the appearance of impropriety. Malloch left the meeting at 9:20 a.m.

O'Connor moved, Crawley seconded, to issue a letter of concern for a DUI arrest on or about May 6, 2003. After discussion, O'Connor withdrew the motion. Ogden moved, Hardy seconded, and after discussion, it was unanimously carried to offer a consent agreement for a \$100 civil penalty or hearing.

| V.D.1. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | X | | | | | | |

Malloch returned to the meeting at 9:25 a.m.

V.D.2. Sheri Lynn Hidenfelter RN108679 (Midkiff)

O'Connor knows Meredith Rivers, but shows no bias. Malloch moved, O'Connor seconded, and it was unanimously carried to offer a consent agreement for a decree of censure or hearing.

| V.D.2. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

V.D.5. Janice K. Mead LP033114 (Midkiff)

Midkiff addressed the Board with additional information. Malloch moved, O'Connor seconded, and after discussion, it was unanimously carried to offer a consent agreement for a 24-month probation to include the attached stipulations or hearing.

| V.D.5. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

**V.E.2. Kelli A. Garrett LP Exam Applicant (Olson)
(aka: Whitcomb)**

Garrett was present and addressed the Board. Lee Garrett, husband, was present and available for questions. Olson addressed the Board with additional information, and offered an amendment to the potential violations of law in the investigative report, to delete: A.R.S.§ 32-1601(j), and the potential violation of rules. Malloch moved, O'Connor seconded, to grant licensure upon meeting all requirements and signing a consent agreement for a \$250 civil penalty. If not signed within 30 days, deny licensure based upon the information contained in this investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at the Board meeting. After discussion, Malloch amended the motion to change the civil penalty to \$100. O'Connor concurred. The motion carried unanimously.

| V.E.2. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

V.E.3. Jamie J. Villasenor RN Exam Applicant (Olson)

Villasenor was present and addressed the Board. Alisha Villasenor was present and available for questions. Olson addressed the Board with additional information. Campbell moved, Molleo seconded, and after discussion, it was unanimously carried to grant licensure upon meeting all requirements and signing a consent agreement for a \$250 civil penalty. If not signed within 30 days, deny licensure based upon the information contained in this investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

| V.E.3. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

V.E.4. Tracy N. Thompson LP011295 (Olson)

Olson addressed the Board and stated that evaluation results have not been received. O'Connor moved, Malloch seconded, and it was unanimously carried to continue the investigation until the September 2004 Board meeting.

V.E.5. Rebecca T. Dohm RN125661 (Olson)

Campbell moved, O'Connor seconded, and it was unanimously carried to adopt the attached Notice of Charges (from the May 2004 Board meeting), as amended.

V.F.1. Michelle Nicole Shepis RN Exam Applicant (Brown)
(aka: Pelles)

Malloch moved, Campbell seconded, and it was unanimously carried to, upon meeting all licensure requirements, and signing a consent agreement for a 6 month probation, with the attached stipulations grant licensure. If not signed within 30 days, deny licensure based upon the information contained in this investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms of the consent agreement offered at this Board meeting.

| V.F.1. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

V.F.2. Russanne Perrone RN106044 (Brown)
(aka: Day)

Campbell moved, Crawley seconded, and it was unanimously carried to offer a consent agreement for a 24 month stayed revocation with the license suspended during the first 12 months and on probation the second 12 months, followed by a 24 month probation and to include the attached stipulations. If not signed within 30 days, adopt the attached Notice of Charges.

| V.F.2. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

V.F.3. Phyllis Ann Karns RN060769 (Brown)
(aka: Reimer)

Brown addressed the Board and confirmed receipt of additional information. Malloch moved, O'Connor seconded, and it was unanimously carried to offer a consent agreement for a decree of censure or hearing.

| V.F.3. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

V.F.4. Robert William O'Brien RN Endorsement Applicant (Brown)

Brown addressed the Board with additional information. Campbell moved, Crawley seconded, to continue the investigation for 60 days to allow O'Brien to resolve license issues with the Minnesota Board, and return to the September 2004 Board meeting. After discussion, Campbell withdrew the motion. Malloch moved, O'Connor seconded, and it was unanimously carried to grant licensure upon meeting all requirements and signing a consent agreement for a 12 month probation to include the attached stipulations, amended to include: 6 months direct supervision and 6 months on site supervision. If not signed within 30 days, deny licensure based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms of the consent agreement offered at this meeting.

| V.F.4. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

V.F.5. Cheryl Denise Robinson RN104684 (Brown)
(aka: Smith; Spradlin; Everett)

Brown addressed the Board with additional information. Campbell moved, O'Connor seconded, and it was unanimously carried to table Agenda Item V.F.5.

V.F.6. Iona L. Jones RN058205 (Brown)
(aka: Bentley; Delphous)

Gagnaire recused herself to avoid the appearance of impropriety. Gagnaire left the meeting at 9:58 a.m. Malloch presiding.

Jones was present and addressed the Board. O'Connor moved, Hardy seconded, and it was unanimously carried to offer a consent agreement for a 24 month stayed revocation with the license suspended during the first 12 months and on probation the second 12 months, followed by a 24 month probation and to include the attached stipulations or hearing.

| V.F.6. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | X | | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | | X | | | | | |

Gagnaire returned to the meeting at 10:06 a.m. Gagnaire presiding.

V.F.7. Tamela Jean Pugh RN125745 (Brown)

Ogden moved, Hardy seconded, and it was unanimously carried to dismiss the case.

V.F.8. John Daniel Davis RN Exam Applicant (Brown)

Davis was present and addressed the Board. Brown addressed the Board and confirmed receipt of additional information. Malloch moved, Campbell seconded, and it was unanimously carried to grant licensure upon meeting all requirements and signing a consent agreement for a \$250 civil penalty. If not signed within 30 days, deny licensure based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

| V.F.8. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

Nikki Austin, attorney for Chandler Regional Hospital, was present and addressed the Board. The Board directed staff to refer Chandler Regional Hospital to DHS for hiring a new graduate as an RN when he did not have an RN license, and to open a complaint on Troy Garland RN098923 for allowing an unlicensed individual to perform duties and use the title required by a licensed person.

V.F.9. Audrey Denise Harman RN Endorsement Applicant (Brown)

Harman was present and addressed the Board. Malloch moved, Ogden seconded, to grant licensure upon meeting all requirements and signing a consent agreement for a 36 month chemical dependency probation, to include the attached stipulations. If not signed within 30 days, deny licensure based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms of the consent agreement offered at this meeting. After discussion, Malloch amended the motion to include as stipulations: allowed to continue employment with current travel registry, limited to block assignments of no less than 6 months in length, with 1 identified supervisor, and if she leaves current place of employment agency, the standard stipulation paragraph will apply. Ogden concurred. The motion carried with seven in favor and one abstained.

| V.F.9. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 1 | | X | | | | | | | |
| ABSENT | 1 | X | | | | | | | | |

The meeting recessed at 10:38 a.m. and reconvened at 10:53 a.m.

**V.G.1. Therese Joan Cummings (Munger)
(aka: Adamski; Foley; Corbin)**

Malloch and Gagnaire know Sue Hanauer, but show no bias. Malloch moved, Campbell seconded, and it was unanimously carried to offer a consent agreement for a 24 month probation, with the attached stipulations. If not signed within 30 days, adopt the attached Notice of Charges.

| V.G.1. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

**V.G.2. Cynthia L. Perry LP035799; CNA323308727 (Munger)
(aka: Wibbenmayer; Lawson)**

Malloch moved, O'Connor seconded, and after discussion, it was unanimously carried to offer a consent agreement for a decree of censure or hearing.

| V.G.2. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

**V.G.3. Michelle L. Fuss RN114239 (Munger)
(aka: Kick)**

D. Jay Ryan, attorney, was present and addressed the Board. Fuss was present and available for questions. Campbell moved, Ogden seconded, to issue a letter of concern for striking a handcuffed patient on the side of the head to get his attention on February 20, 2004, while working at Hu Hu Kam Hospital in Sacaton, Arizona. After discussion, Campbell amended the motion to change the word "striking" to "slapping". Ogden concurred. The motion carried with six in favor and one opposed.

V.G.5. Mark Gregory Moran RN125050 (Munger)

Malloch recused herself to avoid the appearance of impropriety. Malloch left the meeting at 11:06 a.m.

Gagnaire knows Herb Geary, but shows no bias. Ogden moved, Hardy seconded, to offer a consent agreement for a decree of censure or hearing. After discussion, Ogden withdrew the motion. Gagnaire moved, Campbell seconded, to offer a consent agreement for a 12 month practice probation with stipulations to include: stamping of license, documentation course, notification of practice settings, quarterly performance evaluations, direct supervision, registry/traveling nurse/float pool/home health work/on-call prohibited, night shift prohibited, and allow Moran to fulfill terms of probation in Illinois. The motion carried unanimously.

| V.G.5. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | X | | | | | | |

Malloch returned to the meeting at 11:11 a.m.

V.G.6. Tammy Lambert Compact (Munger)

Munger addressed the Board with additional information. An attempt was made to contact Lambert, telephonically. Malloch moved, O'Connor seconded, and it was unanimously carried to revoke the privilege to practice nursing in the State of Arizona, and issue a cease and desist order.

| V.G.6. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

V.G.7. Andrea Sue Peltz RN057428 (Munger)

Malloch recused herself to avoid the appearance of impropriety. Malloch left the meeting at 11:15 a.m.

Gagnaire knows Kathy Scott, but shows no bias. O'Connor and Gagnaire know Debra Pendergast, but show no bias. Peltz was present and addressed the Board. O'Connor moved, Ogden seconded, and it was unanimously carried to offer a consent agreement for a 12 month stayed suspension probation to include the attached stipulations, to be followed by a standard 24 month probation with the attached stipulations, to include: rehabilitation and addictionologist evaluation. If not signed within 30 days, adopt the attached Notice of Charges.

| V.G.7. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | X | | | | | | |

Malloch returned to the meeting at 11:20 a.m.

V.G.8. Nancy Lee Riviotta RN095171; LP030644 (Munger)

Campbell moved, Molleo seconded, and it was unanimously carried to offer a consent agreement for a 36 month probation with the attached stipulations or hearing.

| V.G.8. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|------------------------|-----------------------|-----------------------------|------------------------------|----------------------------|-----------------------------|--------------------------|----------------------------|----------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

**V.G.9. Melissa Lynn Eastman LP032540 (Munger)
(aka: Smith)**

O'Connor moved, Malloch seconded, and it was unanimously carried to issue an Interim Order for a relapse evaluation to be scheduled to start within 15 days and to be completed within 45 days, and return to the Board.

| V.G.9. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|------------------------|-----------------------|-----------------------------|------------------------------|----------------------------|-----------------------------|--------------------------|----------------------------|----------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

V.G.11. Leacia Smith Compact (Munger)

Gagnaire and Malloch know Diana McBroom, but show no bias. Malloch moved, O'Connor seconded, and it was unanimously carried to revoke the privilege to practice nursing in the State of Arizona, and issue a cease and desist order.

| V.G.11. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|------------------------|-----------------------|-----------------------------|------------------------------|----------------------------|-----------------------------|--------------------------|----------------------------|----------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

V.G.12. Ronald P. Cavage RN095558 (Munger)

Malloch moved, Ogden seconded, and after discussion, it was unanimously carried to rescind the Notice of Charges adopted on May 19, 2004 and issue a letter of concern for speaking to a patient in a manner that made her feel threatened in October of 2003, and on November 19, 2003, while working through Aloha Registry at Phoenix Memorial Hospital.

**V.F.5. Cheryl Denise Robinson RN104684 (Brown)
(aka: Smith; Spradlin; Everett)**

O'Connor moved, Ogden seconded, and it was unanimously carried to reopen Agenda Item V.F.5. Robinson was present and addressed the Board. Mustaffa Maine was present and available for questions. Malloch moved, Molleo seconded, to offer a consent agreement for an indefinite suspension pending the completion of a psychiatric evaluation and the successful completion of treatment and any recommendations made by the evaluator, to be followed by a 36-month probation and to include the attached stipulations, to be signed within 10 days, or adopt the attached complaint and Notice of Hearing. After discussion, Malloch withdrew the motion. Brown addressed the Board with additional information. Campbell moved, Malloch seconded, and it was unanimously carried to offer a consent agreement for an indefinite suspension pending the completion of a psychiatric evaluation and the successful completion of treatment and any recommendations made by the evaluator to be followed by a

36-month probation and to include the attached stipulations, to be signed within 10 days or adopt the attached complaint and Notice of Hearing, to include additional information obtained at this meeting.

| V.F.5. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

V.I.9. Jacqueline Grochowski RN040221 (Torrez)

Grochowski was present and addressed the Board. Torrez addressed the Board with additional information. Malloch moved, Gaganire seconded, and it was unanimously carried to offer consent agreement for a decree of censure or hearing.

| V.I.9. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

V.I.10. Carolyn Livingston Vavra RN041944 (Torrez)

O'Connor knows Sarah Byrd, but shows no bias. Vavra was present and addressed the Board. Charles Vavra was present and available for questions. Malloch moved, Ogden seconded, and after discussion, it was unanimously carried to dismiss the case.

V.I.12. Gail A. Koch LP031548 (Torrez)

Kich was present and addressed the Board. Crawley knows Dr. Herro, but shows no bias. Malloch moved, Hardy seconded, and it was unanimously carried to issue an Interim Order for neuropsych evaluation to be completed by a Board approved evaluator and to include any additional testing deemed necessary by the evaluator, to be scheduled in 15 days and completed in 45 days, and return to the Board.

| V.I.12. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

III.E.7. Kathleen Marie Brokop RN071417 (Torrez)

Campbell recused herself to avoid the appearance of impropriety. Campbell left the meeting at 11:58 a.m.

Broko was present and available for questions. Torrez addressed the Board with additional information. Malloch moved, O'Connor seconded, to issue an Interim Order for a relapse evaluation to be completed by a Board approved evaluator to include any additional testing deemed necessary by the evaluator to be scheduled within 15 days and completed within 45 days and return to the Board. If not completed, adopt the attached Notice of Charges and include the factual allegation and alleged violations for failure to comply with the Interim Order. The motion carried unanimously.

| V.E.7. | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member | Harris, Greg Member |
|---------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|---------------------------|
| YES | 7 | | X | X | X | X | X | | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | | | | | X | | |

Campbell returned to the meeting at 11:58 a.m.

**V.K.2. Susan Marie Dallman LP Endorsement Applicant (Rappoport)
(aka: Hogue)**

Dallman was present and addressed the Board. O'Connor moved, Ogden seconded, and after discussion, it was unanimously carried to grant a "refresher course/single state only" temporary license upon meeting all requirements and signing a consent agreement for a 12 month stayed suspension/probation followed by a 24 month probation to include the attached stipulations. If not signed within 30 days, deny licensure based upon the information contained in the investigative report. Upon successful completion of a refresher course, grant single-state licensure and notify Nebraska. If an informal settlement conference is requested, the authority to settle is limited to the terms of the consent agreement offered at this meeting.

| V.K.2. | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member | Harris, Greg Member |
|---------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|---------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 1 | X | | | | | | | | |

X. Dialogue With Nursing Students

Dialogue with Arizona State University Nursing Students regarding Board functions, policy and procedure. Questions were asked on the investigative process and what duties the staff have. Board staff and Board members introduced themselves.

The meeting recessed at 12:26 p.m. and reconvened at 1:31 p.m. Campbell left the meeting at 12:26 p.m.

V.I.5. Dianne Elizabeth Rodgers RN120630 (Torrez)

Malloch recused herself to avoid the appearance of impropriety. Gagnaire knows Kathy Scott, but shows no bias. Rodgers was present and available for questions. O'Connor moved, Crawley seconded, to accept signed consent agreement for a decree of censure. The motion carried with six in favor and one abstained.

| V.I.5. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 6 | | X | | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 1 | | | X | | | | | | |
| ABSENT | 2 | X | | | | | | | X | |

V.I.6. Laura Sue Lee LP030473; CNA431525103 (Torrez)

O'Connor moved, Hardy seconded, and it was unanimously carried to accept signed consent agreement for a decree of censure.

| V.I.6. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | | | | | | X | |

V.I.11. Lezlie A. Kennedy LP037615; CNA468956441 (Torrez)

Malloch moved, Ogden seconded, and it was unanimously carried to offer a consent agreement for a decree of censure, or hearing.

| V.I.11. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | | | | | | X | |

V.I.14. Shannon Jean Chandler RN103364 (Torrez)

Ogden moved, O'Connor seconded, and it was unanimously carried to offer a consent agreement for a decree of censure or hearing.

| V.I.14. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | | | | | | X | |

V.I.15. Mary Jane Renna RN096659; LP030969 (Torrez)

Malloch moved, O'Connor seconded, and it was unanimously carried to offer a consent agreement for a decree of censure or hearing.

| V.I.15. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | | | | | | X | |

V.I.16. Linda Herridge Medina RN036742 (Torrez)

Malloch moved, Molleo seconded, to dismiss the case. The motion carried with six in favor and one opposed.

V.I.17. Susan Patricia McCann LP037921 (Torrez)

Malloch moved, Ogden seconded, to offer a consent agreement for 12 month probation with the attached stipulations or hearing. After discussion, Malloch amended the stipulations to include: ethics course to include boundary issues. Ogden concurred. After further discussion, Malloch amended the stipulations to include: nursing ethics class to be taken, which includes boundary issues, such as the online course provided by NCSBN. Ogden concurred. The motion carried unanimously.

| V.I.17. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | | | | | | X | |

V.I.18. Karin L. Hill-Killian LP028473 (Torrez)

Torrez addressed the Board with additional information. O'Connor moved, Malloch seconded, and it was unanimously carried to offer a consent agreement for indefinite suspension pending the completion of a refresher course and a psychological evaluation, followed by a 24 month probation with the attached stipulations. If not signed in 15 days, adopt the attached Notice of Charges.

| V.I.18. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | | | | | | X | |

V.J.2. Joy M. Curdo RN082994 (Grady)

Grady addressed the Board with additional information. Malloch moved, O'Connor seconded, and it was unanimously carried to offer a consent agreement for a decree of censure or hearing.

| V.J.2. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | | | | | | X | |

V.J.3. Johanna Elizabeth Borsellega RN074190; AP0122 (Grady)

Tony Langan, attorney, was present and addressed the Board. Borsellega was present and available for questions. Grady addressed the Board and confirmed receipt of additional information. Crawley moved, Ogden seconded, to dismiss the case. After discussion, the motion failed with five opposed and two in favor. Malloch moved, O'Connor seconded, to offer a consent agreement for a decree of censure or hearing. After further discussion, the motion carried with five in favor and two opposed.

| V.J.3. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 5 | | X | X | X | | X | X | | |
| NO | 2 | | | | | X | | | | X |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | | | | | | X | |

**V.J.4. Patricia Ann White RN097209; AP1776 (Grady)
(aka: Perry)**

Grady addressed the Board and confirmed receipt of additional information. Malloch moved, Hardy seconded, and it was unanimously carried to offer a consent agreement for a 36-month probation with the attached amended stipulations or hearing.

| V.J.4. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | | | | | | X | |

Campbell returned to the meeting at 2:30 p.m.

V.J.5. David Burleigh Foster RN048673; AP0370 (Grady)

Grady addressed the Board with additional information. Cynthia Butts, complainant, was present and addressed the Board. Foster was present and addressed the Board. Raquel Dartt and Brad Burke were present and addressed the Board on behalf of Foster. Malloch moved, Hardy seconded, to offer a consent agreement for a decree of censure and successful completion of counseling in professional boundary issues within 6 months or hearing. The motion carried with seven in favor and one abstained.

| V.J.5. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 1 | | | | | | | | X | |
| ABSENT | 1 | X | | | | | | | | |

V.J.6. Melissa Davis RN102422; AP1193 (Grady)

Gagnaire, Malloch and O'Connor know Peggy Riley, Kathy Gibson, Pat Dobson, and Cindy Cheney but show no bias. Grady addressed the Board with additional information. Davis was present and available for questions. Malloch moved, Gagnaire seconded, and it was unanimously carried to offer a consent agreement for a 24 month practice probation with the attached stipulations and \$1000 civil penalty or hearing.

| V.J.6. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | X | | | | | | | | |

V.J.7. Andrea Mary White-Collins RN049632; AP0225 (Grady)

Sherle Flaggman, attorney, was present and available for questions. White-Collins was present and addressed the Board. Malloch moved, Crawley seconded, and after discussion, it was unanimously carried to dismiss the case.

The meeting recessed at 2:56 p.m. and reconvened at 3:08 p.m.

Harris arrived at the meeting at 3:08 p.m.

**V.K.10. Karen L. Rebel RN078320; LP024669 (Rappoport)
(aka: Hogue)**

Malloch and Harris recused themselves to avoid the appearance of impropriety. Malloch and Harris left the meeting at 3:09 p.m.

Gagnaire knows Herb Geary, but shows no bias. Michael Yucvicius, attorney, was present and addressed the Board. Rebel was present and available for questions. Rappoport addressed the Board with

additional information. Campbell moved, O'Connor seconded, to offer consent agreement for a 12-month practice probation to include the attached stipulations or hearing. After discussion, Campbell amended the motion to include as a stipulation: therapeutic communication course. O'Connor concurred. After further discussion, Campbell amended the stipulations to include: completion of a communication/interpersonal skills course. O'Connor concurred. The motion carried unanimously.

| V.K.10. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 6 | | X | X | | | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 3 | X | | | X | X | | | | |

Harris and Malloch returned to the meeting at 3:20 p.m.

Ogden returned to the meeting at 3:26 p.m.

V.K.9. Jeffrey Joseph Grogan RN078302 (Rappoport)

Grogan was present and addressed the Board. Terrance Dunmire, attorney, David Hony, Carla Ebright, and Steven Laitin were present and addressed the Board on behalf of Grogan. Malloch moved, O'Connor seconded, to offer consent agreement for a decree of censure or hearing. After discussion, the motion failed with five opposed, three in favor, and one abstained.

| V.K.9. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 3 | X | | X | | | X | | | |
| NO | 5 | | X | | X | | | X | X | X |
| ABSTAIN | 1 | | | | | X | | | | |
| ABSENT | 0 | | | | | | | | | |

Campbell moved, Molleo seconded, to issue a letter of concern for failing to call a time out before a surgical incision was made on or about August 13, 2003, while employed by Peri-Operative Staffing Solutions, LLC and assigned to Biltmore Surgical Center in Phoenix, Arizona. After discussion, the motion carried with five in favor, three opposed, and one abstained.

The Board directed staff to refer Dr. Graves to the Medical Board regarding Agenda Item V.K.9.

V.I.1. Brian Howard Baldwin RN092706 (Torrez)

Hardy recused herself to avoid the appearance of impropriety. Hardy left the meeting at 3:50 p.m.

Teressa Sanzio, attorney, was present and addressed the Board. Baldwin was present, telephonically, and available for questions. O'Connor moved, Crawley seconded, and it was unanimously carried to accept signed consent agreement for decree of censure.

| V.I.1. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | X | | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 1 | | X | | | | | | | |

Hardy returned to the meeting at 3:57 p.m.

**V.I.2. Gwen Helen Holmes
(aka; Kriegel)**

RN107378 (Torrez)

Gagnaire knows Dr. Lundquist, but shows no bias. Teresa Sanzio, attorney, was present and addressed the Board. Campbell moved, Crawley seconded, and after discussion, it was unanimously carried to offer consent agreement for 36 months probation with the attached stipulations, if not signed in 30 days, adopt the attached Notice of Charges.

| V.I.2. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 9 | X | X | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

V.I.3. Suzanne P. Ross Feeley

RN071694 (Torrez)

Hardy recused herself to avoid the appearance of impropriety. Hardy left the meeting at 4:04 p.m.

Teresa Sanzio, attorney, was present and addressed the Board. Malloch moved, O'Connor seconded, to offer consent agreement for indefinite suspension followed by 36 months probation with the attached stipulations, and if not signed in 15 days adopt the attached Notice of Charges. After discussion, Malloch amended the motion to include as a stipulation: on site supervision for 36 months. O'Connor concurred. After further discussion, Malloch amended the motion to delete from the Notice of Charges: page 3, lines 2-7. O'Connor concurred. After further discussion, the motion carried unanimously.

| V.I.3. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | X | | X | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 1 | | X | | | | | | | |

Hardy returned to the meeting at 4:09 p.m.

V.I.4. Janice H. Diserens

RN030261 (Torrez)

Richard Rea, attorney, was present and addressed the Board. Diserens was present and available for questions. Malloch moved, Crawley seconded, to dismiss the case. The motion carried with eight in favor and one opposed.

V.G.10. George T. Cooper

RN050434 (Munger)

Harris and Malloch recused herself to avoid the appearance of impropriety. Harris and Malloch left the meeting at 4:26 p.m.

Teresa Sanzio, attorney, was present and available for questions. O'Connor moved, Ogden seconded, and it was unanimously carried to offer a consent agreement for an 18 month probation with the attached stipulations or hearing.

| V.G.10. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | | X | X | X | X | X | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | X | | | | | | |

Malloch and Harris returned to the meeting at 4:28 p.m.

V.G.4. Pamela Ann Lang RN065793 (Munger)

Gagnaire has spoken with Ronald Palmer, but shows no bias. Richard Rea, attorney, was present and addressed the Board. Lang was present and available for questions. Malloch moved, Hardy seconded, to issue a letter of concern for failing to document the notification of the physician about late decelerations on a fetal monitoring strip on October 10, 1996 while working at Arrowhead Community Hospital. The motion carried with eight in favor and one abstained.

V.I.7. Mechelle Lee Davis RN119724; LP036795; CNA999988268 (Torrez)

Robert Goldwater, attorney for the complainant, was present and addressed the Board regarding Agenda Items V.I.7. and V.I.8. Davis and Margaret Bergen, attorney, were present and addressed the Board on behalf of Davis. Campbell moved, O'Connor seconded, to offer consent agreement for a decree of censure or hearing. The motion carried with eight in favor and one opposed.

| V.I.7. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | X | | X | X | X | X | X | X | X |
| NO | 1 | | X | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

V.I.8. Angel Shirley RN115427; LP035915; CNA310942033 (Torrez)

Shirley, and Margaret Bergen, attorney, were present and addressed the Board. Campbell moved, Gagnaire seconded, to offer a consent agreement for a decree of censure or hearing. The motion carried with six in favor and three opposed.

| V.I.8. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 6 | X | X | | X | | X | X | X | |
| NO | 3 | | | X | | X | | | | X |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 0 | | | | | | | | | |

V.I.13. Eloise Furgerson Hembise LP017050 (Torrez)

Gagnaire, O'Connor, and Malloch know Debra Pendergast, but show no bias. Steve Myers, attorney, was present and addressed the Board. Hembise was present and available for questions. Malloch moved, O'Connor seconded, and after discussion, it was unanimously carried to letter of concern for failing to follow facility policies related to medical record documentation, following physician instructions, and providing patients with incorrect information while employed at Mayo Hospital Clinic in Scottsdale, Arizona from on or about May 2003 to September 2003.

V.A.14. Li Li RN121923 (S. Smith)

Malloch moved, O'Connor seconded, and it was unanimously carried to table Agenda Item V.A.14.

The meeting recessed at 5:17 p.m. and reconvened at 5:25 p.m.

Campbell left the meeting at 5:17 p.m.

V.K.3. Gilberto Arzate Munoz LP027181 (Rappoport)

O'Connor recused herself to avoid the appearance of impropriety for Agenda Items V.K.3, 4 and 5. O'Connor left the meeting at 5:26 p.m.

Munoz was present and available for questions. Malloch moved, Harris seconded, and it was unanimously carried to dismiss the case.

V.K.4. Brian D. Johnson CNA999946984 (Rappoport)

Johnson was present and available for questions. Rappoport addressed the technical corrections to the investigative report. Malloch moved, Gagnaire seconded, and after discussion, it was unanimously carried to offer a consent agreement for a \$200 civil penalty or hearing.

| V.K.4. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | X | | X | |

V.K.5. James J. Heffernan RN053164 (Rappoport)

Heffernan was present and addressed the Board. Crawley moved, Molleo seconded, and it was unanimously carried to dismiss the case.

O'Connor returned to the meeting at 5:32 p.m.

**V.K.12. Caroline Rose Anne Maloney TRN119251 (Rappoport)
(aka: Collins)**

Malloch and Harris recused themselves to avoid the appearance of impropriety. Malloch and Harris left the meeting at 5:32 p.m.

Maloney was present and available for questions. Rappoport addressed the Board and confirmed receipt of additional information. Gagnaire moved, Hardy seconded, and it was unanimously carried to grant licensure upon meeting all requirements and signing a consent agreement for a \$1000 civil penalty and a decree of censure. If not signed within 30 days, deny licensure based upon the information contained in this investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

| V.K.12. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 6 | | X | | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 3 | X | | X | | | | | X | |

Malloch and Harris returned to the meeting at 5:35 p.m.

**V.K.1. Darlene Anderson Bouchier RN020962 (Rappoport)
(aka: Hintz)**

Malloch recused herself to avoid the appearance of impropriety. Rappoport addressed the Board with additional information. An attempt was made to contact Bouchier, telephonically. Crawley moved, Gagnaire seconded, dismiss the case. After discussion, the motion carried with seven in favor and one abstained.

V.K.6. Eva Caroline Walsh TLP039138 (Rappoport)
(aka: Eva Upton; Eva Carolina Diliello)

Malloch moved, Harris seconded, and it was unanimously carried to approve request to withdraw application for licensure.

V.K.7. Joseph Olufemi Babalola TRN126804 (Rappoport)

Rappoport addressed the Board with an amendment to the investigative report, under potential violation of rules, section 8, strike #13, and change (14) to (16). O'Connor moved, Malloch seconded, and it was unanimously carried to deny licensure based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

| V.K.7. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | X | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 1 | | | | | | | | X | |

V.K.8. Elizabeth Ann Findley LP Endorsement Applicant (Rappoport)
(aka: Boyle)

Rappoport addressed the Board and confirmed receipt of additional information. Findley was present, telephonically, and addressed the Board. Malloch moved, Harris seconded, and it was unanimously carried to rescind prior Board motion of May 2004 to deny licensure, and grant licensure with a letter of concern for the prior disciplinary action by the Missouri Board in February 2000.

V.K.11. Mary Lois Benjamin RN077767 (Rappoport)
(aka: Rahming)

Harris moved, O'Connor seconded, and it was unanimously carried to offer a consent agreement for a 24 month probation to include the attached stipulations, which may be fulfilled in South Carolina, to be signed within 30 days or hearing.

| V.K.11. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | X | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 1 | | | | | | | | X | |

VII.J. Executive Session to Confer with Legal Council on Possible Settlement Options for the Gaspard Judicial Review Appeal

VII.J.1. Robert N. Gaspard RN105934 Cornelius

Harris moved, Malloch seconded, and it was unanimously carried to go into Executive Session on Agenda Item VII.J.1. for the purpose of obtaining legal advice. Executive Session convened at 6:00 p.m. and adjourned at 6:30 p.m. Harris moved, Malloch seconded, and it was unanimously carried to table Agenda Item VII.J.1.

V.A.14. Li Li RN121923 (S. Smith)

Malloch moved, O'Connor seconded, and it was unanimously carried to reopen Agenda Item V.A.14. Malloch moved, Molleo seconded, to offer a consent agreement for a 12 month probation to include the attached stipulations or hearing. The motion carried with seven in favor and one opposed.

| V.A.14. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | X | X | X | X | X | | X |
| NO | 1 | X | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 1 | | | | | | | X | | |

II. Discuss/Amend and/or Approve Minutes

Board Minutes of May 19, 20, 21, 2004; May 21, 2004 at 11:00 a.m.; June 23, 2004; and Executive Session Minutes of May 19 & 21, 2004

Harris moved, Malloch seconded, and it was unanimously carried to approve the minutes of June 23, 2004. O'Connor moved, Harris seconded, and it was unanimously carried to approve the minutes of May 19, 20, 21, 2004, and May 21, 2004 at 11:00 a.m. Ogden moved, O'Connor seconded, and it was unanimously carried to approve the Executive Session Minutes of May 19 & 21, 2004.

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

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

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

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

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

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

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

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

III.D.1. Order of Denial

III.D.1.a. Kenneth Shadowvine CNA Endorsement Applicant (Johansen)

III.D.2. Notice of Charges

III.D.2.a. Kim R. Mejia CNA563102641 (Pavlina)

(aka: Johnson)

III.D.2.b. Monica L. Booker CNA999949784 (Pavlina)

Malloch moved, Harris seconded, and it was unanimously carried to adopt the attached recommended discipline for Agenda Items III.D.1.a, and III.D.2.a&b.

| III.D. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | X | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 1 | | | | | | | | X | |

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

III.E.1. Dorothy Melissa Duncan RN116655 (Munger)
(aka: Rogers)

III.E.2. Pamela Marie Svendsen RN125500 (Munger)

III.E.3. Diane Elaine Young RN068784 (Munger)

III.E.4. Rikki D. Mauldin CNA999997319 (Pavlina)

III.E.5. Joanne Marshall Switala RN092146 (Munger)

III.E.6. Joanne Marie Price RN114750 (Midkiff)

III.E.8. Melissa H. Cook RN070956 (Twigg)
(aka: Wallewein)

III.E.11. Jeanette M. Palanek RN093834 (Twigg)

III.E.12. Shane A. Bushaw LP028085 (Staten/S.Nelson)

III.E.13. Mary P. Cahail LP022508 (Staten/S.Nelson)

III.E.14. Ellen P. Cups LP033049 (Staten/S.Nelson)

III.E.15. Pamela J. Hearne RN079145 (Staten/S.Nelson)

III.E.16. Brenda H. Ketterer LP006781 (Staten/S.Nelson)

III.E.17. Jeanne M. Lingvai RN101015 (Staten/S.Nelson)

III.E.18. Catherine R. Maki LP029241 (Staten/S.Nelson)

III.E.21. Efraim Ruiz Segovia CNA999991254 (B. Nelson)

III.E.22. Shonna Lynn Gonzales CNA999991108 (B. Nelson)
(aka: Robertson)

Gagnaire, Malloch and Harris recused themselves to avoid the appearance of impropriety for Agenda Items III.E.1. and 21. Hardy recused herself to avoid the appearance of impropriety for Agenda Item III.E.3. Gagnaire knows Rhonda Anderson, but shows no bias. O'Connor moved, Molleo seconded, and unanimously carried to adopt the attached Notice of Charges.

III.E.19. Amy Lynn Balfany CNA999953203 (B. Nelson)

Harris moved, Malloch seconded, and unanimously carried to table Agenda Item III.E.19.

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

1. Joseph Tinelli (S. Smith)

A Cease and Desist letter was mailed to Joseph Tinelli on June 18, 2004.

III.G. Board Information Regarding Court Ordered Revocations

III.G.1. Rene Santamarie CNA999992125 (B. Nelson)

A Notice of Revocation has been issued in this case.

The meeting recessed at 6:55 p.m., Thursday, July 22, 2004.

**BOARD MEETING
ARIZONA STATE BOARD OF NURSING**

The regular meeting of the Arizona State Board of Nursing convened at 8:30 a.m., Friday, July 23, 2004, in the Board of Nursing Board Room, Suite 210, 1651 East Morten Avenue, Phoenix, Arizona, with Alice Gagnaire, R.N., M.H.S.A., President, presiding.

BOARD MEMBERS PRESENT:

Alice Gagnaire, R.N., M.H.S.A., President
Kathy Malloch, Ph.D., M.B.A., R.N., Vice-President
Beverly Ogden, Secretary
Theresa Crawley, C.R.N.A., M.S.H.S.A., Member
Karen Hodges Hardy, R.N., M.S.N., Member
Gregory Harris, Member
Sharon M. Molleo, L.P.N., Member
Barbara O'Connor, L.P.N., Member

BOARD MEMBERS ABSENT:

Trista Campbell, R.N., B.S.N., Member

LEGAL COUNSEL:

Daniel Christl, Assistant Attorney General
Melissa Cornelius, Assistant Attorney General
Michelle L. Wood, Assistant Attorney General

STAFF:

Joey Ridenour, R.N., M.N., Executive Director
Judy Bontrager, R.N., M.N., Associate Director
Valerie Smith, R.N., M.S., Associate Director
Jeanne Bauer, Senior Investigator
Susan Barber, R.N., M.S.N., Nurse Practice Consultant/Hearings
Lorraine Brown, Senior Investigator
Vicky Driver, Administrative Assistant
Karen Grady, R.N., M.S., C.S., F.N.P., Nurse Practice Consultant/Advanced Practice
Vicki Johansen, Senior Investigator
Patricia Midkiff, R.N., M.N., Nurse Practice Consultant
Sydney Munger, R.N., M.S., Nurse Practice Consultant
Betty Nelson, R.N., M.S., Nursing Assistant Consultant
Stephanie Nelson, R.N., M.S.N., Nurse Practice Consultant/Monitoring
Kirk Olson, Senior Investigator
Patricia Pavlina, R.N., B.S., Senior Investigator
Pamela Randolph, R.N., M.S.N., Nursing Practice Consultant/Education
Mary E. Rappoport, R.N., M.N., Nurse Practice Consultant
Jeanine Sage, R.N., M.S.N., Nursing Assistant Consultant
Suanne Smith, R.N., M.S., Nurse Practice Consultant/CANDO
Patricia Staten, M.S.R.N., Nurse Practice Consultant
Sister Rachel Torrez, R.N., M.S., Nurse Practice Consultant
Nancy Twigg, R.N., M.S.N., Nurse Practice Consultant
Melissa Vannier, Paralegal
Barbara Ritenour, Legal Secretary

The meeting was called to order at 8:30 a.m., Friday, July 23, 2004.

The following Board members were present: Gagnaire, Malloch, Ogden, Crawley, Hardy, Harris, Molleo and O'Connor.

Gagnaire presiding.

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

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

VIII.A. Executive Director's Report

VIII.A.2. Approve Proposed FY 2005 Certified Nursing Assistant Budget – Serra/Bontrager/Ridenour

Ridenour gave an overview of the proposed Certified Nursing Assistant Budget. Legislature passed a special appropriation for the CNA budget this year because of an error by GAO last year. Special recognition was given to Diane Serra and Norma Salter for the additional work created. The revenue increased \$50,000 from last year as DHS increased the allocation for the past two years. 67% of the CNA's are requesting documents. Seven temporary positions were eliminated as of June 2004. Ogden expressed concern over the loss of 7 staff members, and Ridenour stated that a reorganization of present staff members has helped to cover the workload and that additional funding will be requested in the upcoming budget proposal. Ridenour expressed appreciation to DHS for the \$50,000 funding and said that it made a significant difference in the CNA budget. Board members recognized staff, Ridenour and Mary Wiley from DHS, for the accomplishments they have made in the budget process. Malloch moved, O'Connor seconded, and it was unanimously carried to approve the Certified Nursing Assistant Budget.

VIII.A.4. Proposed Board Meeting Dates for 2005 Calendar Year & Discuss Potential Change of September 2004 Board Meeting Dates – Wiemann/Ridenour

A potential change in dates for the September Board meeting was considered. September 22, 23 and 24, 2004 were reaffirmed. Malloch moved, Harris seconded, and it was unanimously carried to approve the proposed Board meeting dates for 2005 calendar year.

VIII.A.5. Update on ASBN Strategic Initiatives 2004-2006 & Overview of 2006-2007 Budget Proposal – Serra/Ridenour

Ridenour presented an overview of the 2006-2007 budget, and asked Board members for direction regarding certain budget items for consideration, such as the proposed Center for Nursing, resources for the FTE, and making the Board meetings accessible via webcam. Harris inquired about the timeline for testing of a webcam approach. Ridenour stated that the expense has not been investigated, and therefore, it would be difficult to give a timeline. Harris asked if other State Board's are doing webcasting, and Ridenour said she was not aware of any. Ogden asked if there were a way to explore how much interest there would be in placing the Board meetings on webcam. Ridenour stated that there is interest and questions asked by those attending the Board meetings, and that webcasting would allow more opportunity for the public to observe the Board process without taking the time to attend an onsite meeting. Malloch stated that Board meetings on the webcam would be helpful instruction to students as part of their orientation.

VIII.A.6. Summary of Recommendations to the 2004 NCSBN Delegate Assembly with Rationale & 2004 Slate of Candidates & Logical Job Analysis for President/Executive Officers – Harris/Ridenour

VIII.A.7. Update on NCSBN Policy on Currently Licensed Nurses to take NCLEX to Fulfill Visa Screen Immigration Requirements – Harris

VIII.A.6. - Harris gave a summary of recommendations to the NCSBN 2004 Delegate Assembly with Rationale. NCSBN has done well in assisting Executive Directors of State Boards of Nursing in doing their jobs, with the understanding that additional training for Board staff is also very important. Harris said that the ASBN has been actively involved in making presentations, both from attorneys and staff members, in helping to bring their expertise to the rest of the National Council. Harris also stated that another focus is in the stakeholders beyond the nurse regulators. There are institutions in this country and other countries in which there need to be connections.

VIII. A. 7. – Harris stated that the Visa Screen immigration requirements involves a number of states who permitted nurses from Canada to become licensed in the United States, having taken the Canadian Nursing Exam. Harris stated that since September 11, 2001 and changes to the immigration laws, which stated that nurses from Canada that had not passed NCLEX couldn't stay in this country or work in the United States on a VISA. Harris said that, though controversial, he supports the decision of NCSBN to allow currently licensed nurses to sit for NCLEX in order to fulfill the Visa Screen immigration requirements. Harris said there might be related discussion at the Delegate Assembly about exploring the study of offering the NCLEX in a language other than English.

VIII.A.8. Approval of Proposed Revisions to ASBN Position Statement on Theft, Fraud/Deceit & Falsification – V. Smith

Smith gave an overview of the proposed revisions to the ASBN Position Statement on Theft, Fraud/Deceit & Falsification, stating that it includes response from the community, staff, and other Boards that have adopted similar positions. Malloch stated that one important improvement to the revision is the addition of the technology clarification because of the increase in computerization and software, that the sharing of sign-in codes is becoming problematic. Malloch moved, Hardy seconded, and it was unanimously carried to approve the Theft, Fraud/Deceit & Falsification Policy, as revised.

VIII.A.10. Update on Web Site/Phone System/Hearing Department/Investigative Cases/Personnel Changes –Henricksen/Davitt/Barber/V.Smith/Bontrager/Ridenour

Ridenour deferred an update on web site/phone system until the September 2004 Board meeting. Smith gave an update on the investigative cases, noting that 270 new cases were brought to the Board at this meeting, with 39 of them being 2002 cases. Smith stated that 76% of the remaining cases remaining in the agency are 6 months old, or less, with 21% being 17-18 months old, and 3% being more than 19 months old. Smith stated that a large number of new cases have been opened since the May 2004 Board meeting, due to many new graduate applications this time of year. The Board commended the staff for their diligent work to bring cases to the Board in a timely manner, and for the quality of the investigative reports. Malloch suggested placing the percentages on the website. Barber reported on the hearing department, stating that there were 167 cases coming into this meeting, and following the meeting, there will be 129 cases. Barber said that in 2004 there have been 144 motions to deem, with 44 cases being settled without the need to bring them back to the Board. Barber reported that the hearing department has scheduled 65 hearings so far this year, which is almost double the amount in all of last year. Barber stated that about 14 new cases per month are being received in the hearing department. Barber also noted that the three assistant attorney general's caseloads are approximately 50 cases each. Harris inquired if targets have been set for cases to be set for hearing, after the Board makes a decision and the Respondent fails to sign a consent agreement within the 30 day timeframe. Christl stated that a

settlement is offered within 30 days, and if that fails, the hearing is set for 60 days, when possible. Ridenour stated that 18 months is the target goal for cases in the hearing department.

VIII.A.11. Update on Legislation Passed Allowing Nurse Practitioners to Sign Death Certificate & Proposed Educational Plan Developed by Subcommittee with Implementation Target Date of September 2004 – Grady/Randolph

Grady reported on the first Advisory Committee meeting held July 7, 2004 to discuss the curriculum requirements, with representatives from the Maricopa County Medical Examiner's Office, Maricopa County Department of Public Health, ADHS and representatives of nurse practitioners, physicians, and osteopathic physicians in attendance. Grady stated that curriculum was reviewed from the Oregon Board website including links to CDC information and a tutorial by the National Association of Medical Examiners. Grady stated that those in attendance were supportive that the Nursing Board was establishing the Educational Program, with input expected from the ME's office and the ADHS vital records department, with September 1, 2004 as a target date for implementation.

VIII.A.12. Approve Endorsement Applicant; Dorothy Doolittle for Certification – Bontrager/Grady

Malloch moved, Molleo seconded, and it was unanimously carried to grant certification as NP if all requirements (other than a nine-month Nurse Practitioner course) are met.

VIII.B. Educational Reports and Rules

VIII.B.1. Nurse Assistant Programs – Approvals (List available in Board office)

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

VIII.B.2. Grand Canyon University Application for Clinical Nurse Specialist Program

O'Connor moved, Harris seconded, and it was unanimously carried to approve the proposed clinical nurse specialist program at Grand Canyon University.

VIII.B.4. Arizona Western College Request for Program Change (Decision)

Malloch moved, Molleo seconded, and it was unanimously carried to approve the increase in program enrollment and the awarding of the practical nursing certificate of completion after the 3rd semester as proposed by Arizona Western College Nursing Program.

VIII.B.5. Arizona Western College Correction of Deficiency

Randolph stated that Arizona Western College has provided evidence that their deficiency has been remedied. O'Connor moved, Ogden seconded, and it was unanimously carried to continue approval of the program.

VIII.B.6. Mohave Community College Sit Visit Report

Randolph reported on a follow-up site visit. Malloch moved, O'Connor seconded, and it was unanimously carried to approve the program for a period of 3 years. A Board representative may re-visit the program at the time of the NLNAC site visit and may modify the length of approval following the visit. (If the program gains national accreditation, it remains approved for the duration of the accreditation period unless a complaint or rule violation occurs).

VIII.B.7. Requiring Students to Pass NCLEX Before Graduation – Report from Education Committee

The Board reviewed the report from the Education Committee, and decided not to initiate regulatory changes requiring students to pass the NCLEX before graduation at this time.

VIII.B.8. Competency Model by Educational Level

Randolph reported on the project undertaken by the Education Advisory Committee, delineating the competencies for the levels of education. Randolph stated that members of the committee formulated the document, that it was reviewed by the Committee, and changes were made based on the Committee's feedback, and that the outcome is the Competency Model for Arizona. Randolph stated the desire of the Committee is to place the Competency Model in the newsletter and on the website, and noted that it will be used as a resource for upcoming meetings. Malloch commended the Education Committee for being able to articulate between the different levels of education. Malloch suggested having it placed in the NCSBN newsletter. O'Connor moved, Crawley seconded, and it was unanimously carried to adopt the Competency Model by Education Level.

VIII.B.9. Estrella Mountain Community College/SouthWest Skill Center New Coordinator

Information was provided to the Board regarding the appointment of Rose Wilcox as Coordinator of the Estrella Mountain Community College/SouthWest Skill Center Nursing Program.

VIII.B.10. Maricopa Skill Center Interim Coordinator

Information was provided to the Board regarding the resignation of Barbara K. Miholich, and the appointment of Dottie Pennington, as Maricopa Skill Center's Practical Nursing and Nursing Assistant programs interim coordinator.

VIII.B.11. 5-Year Rule Report

Information was provided to the Board regarding the Arizona State Board of Nursing Five-Year Progress Report.

VIII.B.12. Exterior Changes – Randolph/Bontrager

Information was provided to the Board regarding Exterior Assessments, the contracted testing service for the Arizona State Board of Nursing, which has merged with Capstar, a corporation from New Jersey. It was noted that all local administrative operations have been transferred from the Tempe, Arizona office, to the corporate office in New Jersey, with testing to continue to be conducted in Tempe and the rural areas as needed.

VIII.B.14. Article 2 Notice of Proposed Rulemaking

Randolph requested that the Board file the Notice of Proposed Rulemaking Article 2 and schedule the open public hearing, in October 2004. Randolph stated that the Rule package committee, was reviewed by the Education Committee, and has been sent to directors of nursing programs. The rulemaking will be published on the website in the future. Harris moved, Malloch seconded, and it was unanimously carried to approve the Notice of Proposed Rulemaking.

VIII.B.15. Prescott Valley Samaritan CNA Program Case Dismiss

Malloch moved, O'Connor seconded, and it was unanimously carried to dismiss the case.

VIII.B.17. NCLEX Quarterly Reports

Randolph stated that the RN NCLEX pass rates posted were the highest in Arizona in recent history, which was 93.61%, being the 2nd highest in the nation for the current quarter, and 5th highest year-to-date. Malloch suggested that the pass rates be published in the newsletter.

VIII.E.3.b. Appointment of Committee Members for 2004-2006 Term

O'Connor moved, Hardy seconded, and it was unanimously carried to approve list for new committee members for the 2004-2006 term of office.

VIII.B.16. Baptist Health Systems School of Health Professions Nursing Program: Exploring Requirements to Comply with R4-19-201 & 2004 Legislation Regarding National Accreditation; Didactic Provided Out-of-State/Distance Learning with Arizona Clinical Experience – Randolph

Randolph offered a summary of the request for a program in Arizona, currently operating in Texas, which does not have institutional accreditation, which is required in Arizona with the enactment of the new statute. Randolph stated, with advice from the Board's A.A.G.'s, and the attorney's in the Attorney General's office, that to operate fully in Arizona, the program must have National accreditation as an institution. Randolph said that it would be possible for the program to deliver the didactic portion and run a skills lab, but not do the clinicals until institutional accreditation was granted. The program is not to advertise to students that they are operating a nursing program in Arizona. Dr. Weymouth Spence was present, telephonically, and stated that approval is being sought to do a distance-learning program using Phoenix as a distance site. He stated that they have applied for National accreditation by the accrediting Bureau of Health Education Schools with a site visit scheduled in February 2005, and an expectation of accreditation in June 2005. Spence stated that long-range plans are to transition from a diploma program, to a 2 plus 2 baccalaureate program.

VIII.C. President's Report

VIII.C.1. ASBN Board Member 2004 Summary of Self Assessment Questionnaire – All

Gagnaire stated that, since the 2003 Board self assessment, ten areas have improved, six went down, and four remained the same. Comments and suggestions were made to improve the areas that were low, although Malloch commented that overall, the numbers are good.

VIII.C.2. Introduction of New Board Member Karen Hodges Hardy RN, MSN – Gagnaire

Gagnaire welcomed new Board Member, Karen Hardy. Hardy introduced herself to Board members and staff with a brief summary of her life, education, and career.

The meeting recessed at 10:25 a.m. and reconvened at 10:43 a.m.

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

IV.A.1. Tom Forman CNA Exam Applicant (Johansen)

Forman was present, telephonically, and addressed the Board. Malloch moved, Harris seconded, and it was unanimously carried to grant certification upon signing a consent agreement for \$50.00 civil penalty within 30 days or deny certification. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at the Board meeting.

| IV.A.1. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | X | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 1 | | | | | | | | X | |

IV.A.2. Gary M. Edwards CNA Endorsement Applicant (Johansen)

Edwards was present, telephonically, and addressed the Board. Malloch moved, Crawley seconded, and after discussion, it was unanimously carried to continue the investigation to allow Edwards the opportunity to obtain a psychological evaluation with emphasis on substance abuse/dependency by a Board approved evaluator to be scheduled within 30 days and completed within 60 and include any additional tests deemed necessary by the evaluator and return to the Board. If the evaluation is not completed, deny certification based upon the information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

| IV.A.2. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | X | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 1 | | | | | | | | X | |

IV.A.3. Jeff P. Jesson CNA Exam Applicant (Johansen)

An attempt was made to contact Jesson, telephonically. Malloch moved, Molleo seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

| IV.A.3. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | X | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 1 | | | | | | | | X | |

IV.A.4. Nancy McCarty CNA Exam Applicant (Johansen)

Johansen addressed the Board with additional information. McCarty was present, telephonically, and addressed the Board. Malloch moved, Ogden seconded, and it was unanimously carried to, continue the investigation to allow McCarty the opportunity to obtain a psychological evaluation with emphasis on anger management/stress issues, by a Board approved evaluator, to be scheduled within 30 days and completed within 60 days, or deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

| IV.A.4. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | X | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 1 | | | | | | | | X | |

IV.A.5. Susan Williams CNA Exam Applicant (Johansen)

Gagnaire knows Dr. Sarah Gibson, but shows no bias. Williams was present, telephonically, and available for questions. Malloch moved, O'Connor seconded, and it was unanimously carried to grant certification upon meeting all requirements and signing a consent agreement for a 24 month stayed suspension with the attached stipulations. If not signed within 30 days, deny certification based upon the information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at the Board meeting.

| IV.A.5. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | X | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 1 | | | | | | | | X | |

**IV.A.6. Jennifer J. Saldivar CNA Exam Applicant (Johansen)
(aka: Resing)**

Hardy recused herself to avoid the appearance of impropriety. Hardy left the meeting at 11:13 a.m.

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

| IV.A.6. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | X | | | | | | X | |

Hardy returned to the meeting at 11:14 a.m.

IV.A.7. James L. Townsend CNA Exam re-certification (Johansen)

Gagnaire recused herself to avoid the appearance of impropriety. Gagnaire left the meeting at 11:14 a.m.

Malloch presiding. Townsend was present, telephonically, and addressed the Board. Johansen addressed the Board with an amendment to the potential violation of rules to include: (11) and (14). O'Connor moved, Ogden seconded, to continue the investigation to allow Townsend the opportunity to obtain a chemical dependency evaluation by a Board approved evaluator, to be scheduled within 30 days and completed within 60 days. If not completed, deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting. After discussion, the motion carried with six in favor and one opposed.

| IV.A.7. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 6 | X | X | | | X | X | X | | X |
| NO | 1 | | | X | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | X | | | | X | |

Gagnaire returned to the meeting at 11:22 a.m. Gagnaire presiding.

IV.A.9. Tony Halona

CNA Endorsement re-certification (Johansen)

Halona was present and addressed the Board. Johansen addressed the Board with additional information. Malloch moved, Crawley seconded, and it was unanimously carried to continue the investigation to allow Halona the opportunity to obtain a relapse prevention/recovery evaluation with a Board approved evaluator and to include any additional testing deemed necessary by the evaluator to be scheduled within 30 days and completed within 60 days, or deny certification. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at the Board meeting.

| IV.A.9. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | X | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 1 | | | | | | | | X | |

IV.A.10. Vivian E. Robinson

CNA Exam Applicant (Johansen)

Robinson was present and addressed the Board. Johansen addressed the Board with an amendment to the potential violation of law, to delete (j). Harris moved, O'Connor seconded, and it was unanimously carried to grant certification upon meeting all requirements and signing a consent agreement for a \$100 civil penalty. If not signed within 30 days, deny certification based upon the information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at the Board meeting.

| IV.A.10. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | X | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 1 | | | | | | | | X | |

IV.A.12. Tiffany L. Pettit

CNA Exam Applicant (Johansen)

Pettit was present and addressed the Board. Malloch moved, Hardy seconded, and it was unanimously carried to grant certification upon meeting all requirements and signing a consent agreement for a \$50.00 civil penalty. If not signed within 30 days, deny certification based upon the information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at the Board meeting.

| IV.A.12. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | X | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 1 | | | | | | | | X | |

IV.A.16. Shelly Dane

CNA Exam Applicant (Johansen)

Dane was present, telephonically, and addressed the Board. Johansen addressed the Board with additional information. Ogden moved, Crawley seconded, and it was unanimously carried to grant certification upon meeting all requirements and signing a consent agreement for a \$250 civil penalty. If not signed within 30 days, deny certification based upon the information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at the Board meeting.

| IV.A.16. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | X | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 1 | | | | | | | | X | |

IV.A.23. Lisa M. Nash CNA Exam re-certification (Johansen)

Nash was present and addressed the Board. Nash requested to withdraw her application. Ogden moved, Harris seconded, and after discussion, it was unanimously carried to allow Nash to withdraw her application.

IV.A.24. Sherry L. Robertson TRN127274 (Johansen)

Harris and Malloch recused themselves to avoid the appearance of impropriety. Harris and Malloch left the meeting at 11:53 a.m.

Robertson was present and addressed the Board. Johansen addressed the Board with additional information. Ogden moved, O'Connor seconded, to continue the investigation until the September 2004 Board meeting to allow Robertson the opportunity to provide a completed investigative questionnaire, including police reports, court records, proof that she has not been convicted of a felony, and proof of compliance with any probation order or proof of discharge within 120 days or deny licensure. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at the Board meeting. After discussion, Ogden amended the motion to delete: "within 120 days". O'Connor concurred. The motion carried unanimously.

| IV.A.24. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 6 | | X | | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 3 | X | | X | | | | | X | |

Harris and Malloch returned to the meeting at 12:07 p.m.

IV.A.28. Lori L. DuFault CNA827875057 (Johansen)

DuFault was present and addressed the Board. Johansen addressed the Board and confirmed receipt of additional information. Malloch moved, O'Connor seconded, and it was unanimously carried to grant certification upon meeting all requirements and signing a consent agreement for a 24 month stayed suspension to include the attached stipulations. If not signed within 30 days, deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms of the consent agreement offered at this meeting.

| IV.A.28. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | X | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 1 | | | | | | | | X | |

IV.B.1. Vanda A. Alexander CNA Exam Applicant (Olson)

Alexander was present and addressed the Board. Malloch moved, Crawley seconded, and it was unanimously carried to continue the investigation to allow Alexander to obtain a chemical dependency evaluation by a Board approved relapse/recovery evaluator within 30 days, and return to Board. If not

completed, deny certification based on the information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

| IV.B.1. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | X | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 1 | | | | | | | | X | |

IV.B.7. Raymond Collins Sr. CNA Endorsement Applicant (Olson)

Collins, Pastor Collins, and Sadao Brown were present and addressed the Board. Olson addressed the Board and confirmed receipt of additional information. Crawley moved, Molleo seconded, and after discussion, it was unanimously carried to continue the investigation to allow Collins to obtain a psychological evaluation to include anger management and chemical dependency, by a Board approved evaluator, to be scheduled within 15 days and completed within 45 days. If not completed, deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

| IV.B.7. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 8 | X | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 1 | | | | | | | | X | |

The meeting recessed at 12:28 p.m. and reconvened at 1:32 p.m.

Harris left the meeting at 12:28 p.m.

IV.B.9. Anthony S. Maryboy CNA Exam Applicant (Olson)

Malloch moved, O'Connor seconded, and it was unanimously carried to table Agenda Item IV.B.9.

IV.B.11. Doreida Qendraj CNA Exam Applicant (Olson)

Qendraj was present and addressed the Board. Malloch moved, Molleo seconded, and it was unanimously carried to grant certification upon signing a consent agreement for a \$50 civil penalty within 30 days. If not signed, deny certification based upon the information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

| IV.B.11. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | | | | | | X | |

IV.B.9. Anthony S. Maryboy CNA Exam Applicant (Olson)

O'Connor moved, Ogden seconded, and it was unanimously carried to reopen Agenda Item IV.B.9. Maryboy was present and addressed the Board. Olson addressed the Board with additional information. O'Connor moved, Hardy seconded, and it was unanimously carried to continue the investigation to allow Maryboy the opportunity to obtain a psychological evaluation to include anger management and chemical dependency, by a Board approved evaluator, to be scheduled within 15 days and completed

within 45 days, and return to the Board. If not completed, deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

| IV.B.9. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | | | | | | X | |

IV.B.13. Carlene R. Valentine CNA Endorsement Applicant (Olson)

Malloch moved, O'Connor seconded, and it was unanimously carried to continue the investigation to allow Valentine to obtain a relapse/recovery evaluation by a Board-approved evaluator within 30 days, and return to Board. If not completed within 30 days, deny certification based on the information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

| IV.B.13. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | | | | | | X | |

IV.B.14. Thomas D. Slemmer CNA Exam Applicant (Olson)

Slemmer was present and addressed the Board. Malloch moved, O'Connor seconded, and after discussion, it was unanimously carried to continue the investigation to allow Slemmer the opportunity to obtain a chemical dependency/relapse recovery evaluation by a Board approved evaluator, to be scheduled within 15 days and completed within 45 days, and return to the Board. If not completed, deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

| IV.B.14. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | | | | | | X | |

IV.E.2. Lee Ann Billie CNA515397803 (B. Nelson)

Billie was present and available for questions. Malloch moved, Ogden seconded, and it was unanimously carried to offer a consent agreement for a 6 month suspension pending completion of her sexual misconduct evaluation. If not signed within 30 days, or completed within 6 months, adopt the attached Notice of Charges.

| IV.E.2. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | | | | | | X | |

IV.E.3. Lydia N. Bungay CNA809248219 (B. Nelson)
(aka: Blomgren; Bentley)

O'Connor knows Cindy Sackett, but shows no bias. Bungay was present and addressed the Board. Malloch moved, O'Connor seconded, and after discussion, it was unanimously carried to issue an Interim Order for a chemical dependency evaluation to be completed by a Board approved evaluator and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days and return to the Board.

| IV.E.3. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | | | | | | X | |

IV.E.7. Ruben Rodriguez, Jr. CNA771951619 (B. Nelson)

Rodriguez was present and addressed the Board. Malloch moved, Hardy seconded, to adopt the attached Notice of Charges. The motion carried with six in favor and one opposed.

IV.F.8. Ruthena Trujillo CNA710593103 (Sage)
(aka: Lomayaktewa)

Trujillo was present and addressed the Board. O'Connor moved, Malloch seconded, and it was unanimously carried to grant re-certification upon signing a consent agreement for a stayed suspension of 12 months, to include the attached stipulations. If not signed within 30 days, deny re-certification based upon the information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at the Board meeting.

| IV.F.8. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | | | | | | X | |

IV.G.3. Mary E. Gantala CNA546613420 (Pavlina)
(aka: Swartz)

Crawley works at Phoenix Baptist Hospital, but shows no bias. Gantala was present and addressed the Board. Pavlina addressed the Board with additional information. Malloch moved, Hardy seconded, and it was unanimously carried to adopt the attached Notice of Charges.

IV.G.8. Shawna Hubbell CNA569933103 (Pavlina)

Hubbell was present and addressed the Board. Pavlina addressed the Board with additional information. Ogden moved, Molleo seconded, and it was unanimously carried to offer a consent agreement for a \$50 civil penalty or hearing.

| IV.G.8. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | | | | | | X | |

IV.G.12. Martin O. Ybarra CNA842061803 (Pavlina)

Ybarra was present and addressed the Board. Pavlina addressed the Board with additional information. O'Connor moved, Ogden seconded, and it was unanimously carried to issue an Interim Order for a chemical dependency evaluation to be completed by a Board approved evaluator and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days completed within 45 days and then return to the Board. If the Interim Order is not completed, adopt the attached Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

| IV.G.12. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | | | | | | X | |

IX. Call To The Public

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

Staff members from Banner Estrella Hospital were recognized as guests at this meeting.

IV.A.17. Yvette D. Gloria CNA Exam Applicant (Johansen)

Gloria was present and addressed the Board. Malloch moved, O'Connor seconded, and it was unanimously carried to continue the investigation to allow Gloria the opportunity to obtain a psychological evaluation with emphasis on substance abuse and anger management issues with a Board approved evaluator to be scheduled within 30 days and completed within 45 days. If the evaluation is not completed, deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

| IV.A.17. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | | | | | | X | |

IV.A.8. Jennifer T. Erdmann CNA Exam Applicant (Johansen)

Malloch recused herself to avoid the appearance of impropriety. Johansen addressed the Board with additional information. Gagnaire moved, O'Connor seconded, to grant certification upon meeting all requirements and signing a consent agreement for a \$100 civil penalty. If not signed within 30 days, deny certification based upon the information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at the Board meeting. The motion carried with six in favor and one abstained.

| IV.A.8. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 6 | | X | | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 1 | | | X | | | | | | |
| ABSENT | 2 | X | | | | | | | X | |

IV.A.11. Cynthia M. Rood CNA Exam Applicant (Johansen)

Johansen addressed the Board with additional information. Ogden moved, Hardy seconded, and it was unanimously carried to grant certification upon signing a consent agreement within 30 days for an indefinite suspension pending a chemical dependency evaluation and completion of any recommended treatment followed by a 12 month stayed suspension with the attached stipulations or deny certification. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at the Board meeting.

| IV.A.11. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | | | | | | X | |

IV.A.13. Phillip D. Burnside CNA Exam Applicant (Johansen)

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

| IV.A.13. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | | X | X | X | X | X | X | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | X | | | | | | | X | |

IV.A.14. Jennifer D. Champagne CNA Exam Applicant (Johansen)

Johansen addressed the Board with additional information. Ogden moved, Hardy seconded, and it was unanimously carried to continue the investigation pending receipt of proof of completion of anger management classes and return to the September 2004 Board meeting.

The meeting recessed at 3:04 p.m. and reconvened at 3:15 p.m.

Molleo left the meeting at 3:04 p.m.

**IV.E.6. Corinne Denise Mendenhall CNA999996421 (B. Nelson)
(aka: Cottrell, Duhamel, Hyatt)**

Mendenhall was present and addressed the Board. Nelson addressed the Board with additional information. Malloch moved, O'Connor seconded, and it was unanimously carried to issue an Interim Order for a psychiatric evaluation by a Board approved evaluator and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days and return to the Board. If not completed, issue Complaint and Notice of Hearing based upon information contained in the investigative report.

| IV.E.6. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 6 | | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 3 | X | | | | | | X | X | |

VIII.B.18. Estrella Mountain Community College/SouthWest Skill Center Investigative Report
 Kathleen Ellis and Rose Wilcox were present and available for questions. Hardy moved, O'Connor seconded, and it was unanimously carried for the program to submit documentation to the Board describing faculty changes including the impact on students within 10 days of the change in faculty and Board staff conduct a focused site visit in October 2004 to follow-up on findings identified in this report.

Harris returned to the meeting at 3:22 p.m.

VIII.B.3. Estrella Mountain Community College/SouthWest Skill Center Request for Program Change

Kathleen Ellis and Rose Wilcox were present and available for questions. O'Connor moved, Crawley seconded, and it was unanimously carried to approve the application for an increase in program length at Estrella Mountain Community College/SouthWest Skill Center practical nursing program.

VII.J. Executive Session to Confer with Legal Counsel on Possible Settlement Options for the Gaspard Judicial Review Appeal

VII.J.1. Robert N. Gaspard RN105934 Cornelius

Malloch moved, O'Connor seconded, and it was unanimously carried to reopen Agenda Item VII.J.1. and to go into Executive Session for the purpose of obtaining legal advice. Executive Session convened at 3:25 p.m. and adjourned at 4:01 p.m.

VII.K.1. Board Discussion and Direction to Legal Counsel for Possible Settlement in the Gaspard Judicial Review Appeal

VII.K.1. Robert N. Gaspard RN105934 Cornelius

Harris moved, Crawley seconded, and it was unanimously carried for the Board's attorney to take action consistent with the discussions held in Executive Session regarding this pending litigation.

| VII.K.1. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

IV.A.15. Adam M. Baca CNA Exam Applicant (Johansen)

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

| IV.A.15. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

IV.A.18. Gloria V. Gonzalez CNA Exam Applicant (Johansen)

Johansen addressed the Board with additional information. Malloch moved, Harris seconded, and it was unanimously carried to administratively withdraw the deficiency notice and deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

| IV.A.18. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

IV.A.19. Lydia M. Guy CNA Exam Applicant (Johansen)

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

| IV.A.19. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

IV.A.20. Charlene J. Jeffreys CNA Endorsement Applicant (Johansen)

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

| IV.A.20. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

IV.A.21. Michelle L. Kirkham CNA Endorsement Applicant (Johansen)

Johansen addressed the Board with additional information. Malloch moved, O'Connor seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

| IV.A.21. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

IV.A.22. Bernice McGee CNA Exam Applicant (Johansen)

Harris moved, O'Connor seconded, and it was unanimously carried to administratively withdraw the deficiency notice and deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

| IV.A.22. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

IV.A.25. Lesa M. Bryan CNA Exam re-certification (Johansen)

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

| IV.A.25. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

IV.A.26. Jennifer J. Crawford CNA262797373 (Johansen)

Johansen addressed the Board with an amendment to the potential violations of law to include: 32-1646(B). Ogden moved, O'Connor seconded, and it was unanimously carried to adopt the attached Notice of Charges, as amended.

IV.A.27. Veronica Y. Anderson CNA Exam Applicant (Johansen)

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

| IV.A.27. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

IV.B.2. Carol L. Bahe CNA Exam Applicant (Olson)

Olson addressed the Board with additional information. Malloch moved, Hardy seconded, and it was unanimously carried to grant certification upon signing a consent agreement for an indefinite suspension, pending completion of a 36-hour alcohol treatment program, followed by a 12-month stayed suspension, and the attached stipulations. If not signed within 30 days, deny certification based upon the information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

| IV.B.2. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

IV.B.3. John J. Barnes CNA Exam Applicant (Olson)

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

| IV.B.3. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

IV.B.4. Alberta M. Cardenas CNA Exam Applicant (Olson)

Malloch moved, Crawley seconded, to continue the investigation to allow Cardenas to obtain a chemical dependency evaluation by a Board approved relapse/recovery evaluator within 30 days, and return to the Board. If not completed, deny certification based upon the information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting. After discussion, Malloch amended the motion to read: Allow Cardenas to withdraw her application if requested within 30 days, or, continue the investigation to allow Cardenas to obtain a chemical dependency evaluation by a Board approved relapse/recovery evaluator within 30 days, and return to the Board. If not completed, deny certification based upon the information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting. Crawley concurred. The motion carried unanimously.

| IV.B.4. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

**IV.B.5. Genevieve L. Carmichael CNA Exam Applicant (Olson)
(aka: Baca)**

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

| IV.B.5. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

**IV.B.6. Alicia L. Cisneros CNA Endorsement Applicant (Olson)
(aka: Lewis)**

O'Connor moved, Ogden seconded, and it was unanimously carried to continue the investigation to allow Cisneros to obtain a psychological evaluation by a Board approved evaluator, to be scheduled within 15 days and completed within 45 days, and return to Board. If not completed, deny certification based on the information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

| IV.B.6. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

IV.B.8. Leif N. Gustad CNA Endorsement Applicant (Olson)

Malloch moved, Hardy seconded, and it was unanimously carried to grant certification upon signing a consent agreement for a \$50 civil penalty to be signed in 30 days or deny certification. If an informal settlement conference is requested the authority to settle is limited to the terms of the consent agreement or denial.

| IV.B.8. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

IV.B.10. Kenneth P. Penton CNA Exam Applicant (Olson)

O'Connor moved, Hardy seconded, and it was unanimously carried to grant certification upon meeting all requirements, with issue a letter of concern for the February 02, 1994 felony conviction for 2 counts of theft of government property in U.S. District Court for the Eastern District of Louisiana, in New Orleans, Louisiana.

IV.B.12. Rebecca A. Sauter CNA Endorsement Applicant (Olson)

Harris and Malloch recused themselves to avoid the appearance of impropriety. Harris and Malloch left the meeting at 4:42 p.m.

Gagnaire moved, O'Connor seconded, and it was unanimously carried to grant certification upon signing a consent agreement for a \$50 civil penalty to be signed in 30 days or deny certification. If an informal settlement conference is requested the authority to settle is limited to the terms of the consent agreement or denial.

| IV.B.12. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 5 | | X | | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 4 | X | | X | | | | X | X | |

Malloch returned to the meeting at 4:44 p.m.

IV.E.1. Jennifer M. Antone CNA944191803 (B. Nelson)

O'Connor moved, Hardy seconded, and it was unanimously carried to offer a consent agreement for a 12-month suspension followed by a 12-month stayed suspension pending the completion of an intensive chemical dependency treatment program and to include the attached terms. If not signed within 30 days, adopt the attached Notice of Charges.

| IV.E.1. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 6 | | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 3 | X | | | | | | X | X | |

Harris returned to the meeting at 4:46 p.m.

IV.E.4. Elton Dos Santos Correa CNA999995156 (B. Nelson)

Nelson addressed the Board with additional information. Ogden moved, O'Connor seconded, to adopt the attached Notice of Charges, amended to include additional finding of fact: "on or about October 31, 2002, adult protective services investigated the incident and substantiated the allegation of abuse." The motion carried unanimously.

IV.E.5. Catherine Harris CNA999946935 (B. Nelson)

Nelson addressed the Board with additional information. Malloch moved, O'Connor seconded, and it was unanimously carried to issue a letter of concern for speaking inappropriately to residents in or about January of 2002, while employed at Santa Rosa Clinical Care Center in Tucson, Arizona.

**IV.E.8. Ida Marie Sanchez CNA999995243 (B. Nelson)
(aka: Reyes)**

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

IV.F.1. Olga B. Almodova CNA953489803 (Sage)

Hardy recused herself to avoid the appearance of impropriety. Hardy left the meeting at 4:51 p.m.

Sage addressed the Board with additional information. Malloch moved, O'Connor seconded, and it was unanimously carried to issue an Interim Order for a psychological and anger management evaluation to be completed by a Board approved evaluator(s) and to include any additional testing deemed necessary by the evaluator(s), to be scheduled in 15 days and completed in 45 days. If the Interim Order is not completed, adopt the attached Notice of Charges and include the additional factual allegation and alleged violation for failure to comply with the Interim Order.

| IV.F.1. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 6 | X | | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 3 | | X | | | | | X | X | |

Hardy returned to the meeting at 4:54 p.m.

IV.F.2. Sibylle Clanton CNA765414930 (Sage)

Sage addressed the Board with technical corrections to the investigative report. Malloch moved, Hardy seconded, and it was unanimously carried to offer a consent agreement for a 12 month stayed suspension with attached terms. If not signed within 30 days, adopt attached Notice of Charges.

| IV.F.2. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

IV.F.3. Brigitte Evon Collins CNA999994039 (Sage)

Malloch moved, O'Connor seconded, and it was unanimously carried to offer a consent agreement for a \$100 civil penalty. If not signed in 30 days, adopt attached Notice of Charges.

| IV.F.3. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

IV.F.4. Julia Margret Craig CNA99999817 (Sage)

Malloch moved, Harris seconded, and it was unanimously carried to offer a consent agreement for a \$50 civil penalty to be signed within 30 days or adopt attached Notice of Charges.

| IV.F.4. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

**IV.F.5. Rosa M. Perez CNA698849561 (Sage)
(aka: Mendoza)**

Gagnaire moved, Hardy seconded, and it was unanimously carried to offer a consent agreement for a \$50 civil penalty to be signed within 30 days or adopt the attached Notice of Charges.

| IV.F.5. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

IV.F.6. Patricia Ann Quan CNA Exam Applicant (Sage)

Malloch moved, Hardy seconded, and it was unanimously carried to grant certification upon meeting all requirements and signing a consent agreement for a \$50 civil penalty. If not signed within 30 days deny certification based upon the information in the investigative file. The authority to settle is limited to the consent agreement offered at this meeting.

| IV.F.6. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

**IV.F.7. Irene Rosas CNA999991818 (Sage)
(aka: Irene Reyes; Delfina Irene Rosas Martinez)**

Sage addressed the Board with additional information. Ogden moved, O'Connor seconded, and it was unanimously carried to adopt the attached Notice of Charges.

IV.F.9. Margaret E. Turner CNA637071329 (Sage)

Malloch and Harris recused themselves to avoid the appearance of impropriety. Malloch and Harris left the meeting at 5:00 p.m.

Gagnaire moved, O'Connor seconded, and it was unanimously carried to offer a consent agreement for a \$50 civil penalty. If not signed in 30 days, adopt attached Notice of Charges.

| IV.F.9. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 5 | | X | | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 4 | X | | X | | | | X | X | |

Harris returned to the meeting at 5:02 p.m.

Malloch returned to the meeting at 5:03 p.m.

IV.F.10. Amy Jane White CNA999993543 (Sage)
(aka: Freyer)

Sage addressed the Board with an amended Board option. Ogden moved, Crawley seconded, to offer a consent agreement for a 12 month indefinite suspension with the attached stipulations, followed by a 12 month stayed suspension. If not signed in 30 days, adopt attached Notice of Charges. The motion carried with six in favor and one abstained.

| IV.F.10. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 6 | X | X | | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 1 | | | X | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

IV.G.1. Loyde R. Denham CNA999992552 (Pavlina)

Pavlina addressed the Board and confirmed receipt of additional information. Malloch moved, Hardy seconded, to issue a letter of concern for a misdemeanor DUI conviction on February 25, 2003, in Chandler Magistrate Court, Chandler, AZ. The motion carried with six in favor and one opposed.

IV.H.1. Shannon Marie Reyes CNA Exam Applicant (Bauer)

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

| IV.H.1. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

IV.G.2. Doyle J. Flory CNA999996721 (Pavlina)

Malloch moved, Harris seconded, to issue a letter of concern for verbally abusing a resident on November 4, 2003, by demeaning her and making her cry while employed as a CNA by Posada del Sol in Tucson, Arizona, and for his "overall lacking in safety awareness," while working at Health South as a CNA on December 10, 2003, and employed by Dependable Nurses. After discussion, the motion carried with six in favor and one opposed.

IV.G.4. Christina I. Garcia CNA999992100 (Pavlina)

O'Connor moved, Ogden seconded, and after discussion, it was unanimously carried to issue an Interim Order for a sexual misconduct/boundary violation evaluation to be completed by a Board approved evaluator, and to include any additional testing deemed necessary by the evaluator, to be scheduled

within 15 days and completed within 45 days and return to the Board. If the Interim Order is not completed, adopt the attached Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order

| IV.G.4. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

IV.G.5. Kathleen M. Geisto-Dunlevy CNA911218529 (Pavlina)
(aka: Kathleen M. Geist; Kitty Geist-Dunlevy)

Malloch moved, Harris seconded, and it was unanimously carried to offer a consent agreement for a \$100 civil penalty, or adopt the attached Notice of Charges.

| IV.G.5. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

IV.G.6. Tamara L. Hardy CNA999949127 (Pavlina)

Pavlina addressed the Board with additional information. Malloch moved, Harris seconded, and after discussion, it was unanimously carried to offer a consent agreement for a \$100 civil penalty, or hearing.

| IV.G.6. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

IV.G.7. Robert L. Hicks CNA143547574 (Pavlina)

Pavlina addressed the Board with additional information. Harris moved, Hardy seconded, and it was unanimously carried to offer a consent agreement for a \$100 civil penalty or adopt the attached Notice of Charges.

| IV.G.7. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

IV.G.9. Heather M. Kennedy CNA757833103 (Pavlina)
(aka: Bondy)

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

| IV.G.9. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|---------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

IV.G.10. Barbara J. Maxwell CNA863659641 (Pavlina)
(aka: Pulliam; Waggoner)

Harris and Malloch recused themselves to avoid the appearance of impropriety. Harris and Malloch left the meeting at 5:20 p.m.

Gagnaire knows Rhonda Anderson, but shows no bias. Pavlina addressed the Board with additional information. Hardy moved, Crawley seconded, and it was unanimously carried to offer a consent agreement for a 12-month stayed suspension to include the attached stipulations, or adopt the attached Notice of Charges.

| IV.G.10. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 5 | | X | | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 4 | X | | X | | | | X | X | |

Harris and Malloch returned to the meeting at 5:21 p.m.

IV.G.11. Raymond P. Surrell CNA403313899 (Pavlina)

Pavlina addressed the Board with additional information. Malloch moved, Ogden seconded, and it was unanimously carried to offer a consent agreement for a \$50 civil penalty or hearing.

| IV.G.11. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

IV.G.13. Teresa R. Young CNA999996041 (Pavlina)

Malloch moved, O'Connor seconded, to issue an Interim Order for a psychological evaluation with psychometric testing to be scheduled within 15 days and completed within 45 days and return to the Board. If the Interim Order is not completed, adopt the attached Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order. After discussion, Malloch amended the motion to include: adopt the attached Notice of Charges, "as amended". O'Connor concurred.

| IV.G.13. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

IV.G.14. Freddy H. White CNA913101353 (Pavlina)

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

| IV.G.14. | VOTE | Harris, Greg Member | Hardy Karen Member | Malloch, Kathy Vice-Pres | Gagnaire, Alice President | Ogden Beverly Secretary | O'Connor, Barbara Member | Molleo, Sharon Member | Campbell, Trista Member | Crawley, Theresa Member |
|----------|------|---------------------------|--------------------------|--------------------------------|---------------------------------|-------------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|
| YES | 7 | X | X | X | X | X | X | | | X |
| NO | 0 | | | | | | | | | |
| ABSTAIN | 0 | | | | | | | | | |
| ABSENT | 2 | | | | | | | X | X | |

III.E.19. Amy Lynn Balfany CNA999953203 (B. Nelson)

Malloch moved, O'Connor seconded, and it was unanimously carried to reopen Agenda Item III.E.19. Malloch moved, O'Connor seconded, to adopt the attached Notice of Charges. After discussion, the motion carried with four in favor and three opposed.

III.E.20. Rebecca Ann Seefeldt CNA999987288 (B. Nelson)

Hardy moved, O'Connor seconded, to adopt the attached Notice of Charges. The motion carried with four in favor and three opposed.

VII.H. Board Discussion and Decision Regarding Hearing Department Investigative Reports

VII.H.1. Judy Ann Brady RN051088 Barber

VII.H.2. Spicie Webb Larson LP035057 Barber
(aka: Spicie Ann Webb)

Harris moved, O'Connor seconded, and it was unanimously carried to adopt the attached Notice of Charges for Agenda Items VII.H.1 and 2.

VIII.C.2. Introduction of New Board Member Karen Hodges Hardy RN, MSN – Gagnaire

Harris moved, O'Connor seconded, and it was unanimously carried to reopen Agenda Item VIII.C.2. Gagnaire presented Hardy with a plaque as official notice of appointment from the Governor.

VIII.E. Committee Reports

VIII.E.1. Scope of Practice

VIII.E.1.a. SOP Committee Appointment for 2003-2005 – Bontrager

Ogden moved, Harris seconded, and it was unanimously carried to appoint Marla Moore, RN, to serve on the Scope of Practice Committee for the remainder of the 2003-2005 term.

VIII.E.1.b. Draft Minutes of June 8, 2004 Meeting

The minutes of the June 8, 2004 Scope of Practice Committee meeting were provided to the Board.

VIII.E.1.c. Advisory Opinion for Board approval – Registered Nurse First Assistant (RNFA) – Bontrager

O'Connor offered an update on the RNFA Advisory Opinion. O'Connor moved, Ogden seconded, and it was unanimously carried to approve Registered Nurse First Assistant Advisory Opinion.

VIII.E.3. Education

VIII.E.3.a. Minutes of April 21, 2004

Minutes of the April 21, 2004 Education Committee meeting were provided to the Board.

VIII.E.4. Advanced Practice

VIII.E.4.a. Draft Minutes of July 16, 2004 Meeting

Minutes of the July 16, 2004 Advanced Practice Committee meeting were provided to the Board.

VIII.E.5. Certified Nursing Assistant

VIII.E.5.a. Minutes of April 16, 2004 Meeting

Minutes of the April 16, 2004 Certified Nursing Assistant Committee meeting were provided to the Board.

VIII.C.3. Debriefing on Board Processes & Suggested Changes – All

Board members agreed they are ready to transition to electronic Board packet, and to begin this process at the September 2004 meeting. Board members commended all investigators for the work they are doing, and for the clarity of the investigative reports. The Board discussed when it is proper for a Board member to abstain/recuse. Harris requested asking DHS for a presentation on clarification of their allegation of abuse, and procedure for investigating those cases.

XI. Adjournment

Harris moved, O'Connor seconded, and it was unanimously carried to adjourn the meeting.

The meeting adjourned at 6:18 p.m., Friday, July 23, 2004

Alice Gagnaire, R.N., M.H.S.A., President