

BOARD MEETING
ARIZONA STATE BOARD OF NURSING

The regular meeting of the Arizona State Board of Nursing convened at 9:00 a.m., Wednesday, May 19, 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:

Kathy Malloch, Ph.D., M.B.A., R.N., Vice-President
Beverly Ogden, Secretary
Trista Campbell, R.N., B.S.N., Member
Gregory Harris, Member
Sharon M. Molle, L.P.N., Member
Marla Moore, R.N., B.S.N., M.A., Member
Barbara O'Connor, L.P.N., Member

BOARD MEMBERS ABSENT:

Alice Gagnaire, R.N., M.H.S.A., President
Theresa Crawley, C.R.N.A., M.S.H.S.A., 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 9:00 a.m., Wednesday, May 19, 2004.

The following Board members were present: Malloch, Ogden, Campbell, Harris, Molleo, Moore and O'Connor.

Malloch presiding.

The meeting recessed at 9:01 a.m. and reconvened at 9:03 a.m. in order for Board members to review and place additional information into their Board packet.

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

VIII.C.3. Introduction of New Board Member Sharon M. Molleo, LPN Appointed April 2004 & Karen Hodges Hardy, RN, MSN Appointed July 2004

Malloch welcomed new Board member, Sharon Molleo to the Board. Molleo introduced herself and offered a brief history of her nursing career. Malloch stated that Karen Hodges Hardy has been appointed to the Board and will begin serving her term at the July 2004 meeting.

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

VII.A.1. Timothy Rowley German RN080898 Wood

The proceeding began at 9:07 a.m. with the following Board members present: Moore, Malloch, Ogden, O'Connor, Molleo, Campbell and Harris. 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.

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

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.

O'Connor moved, Moore seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 12, and Conclusions of Law the alleged violations in Paragraphs 1 through 6.

O'Connor moved, Ogden seconded, and it was unanimously carried to accept the Administrative Law Judge's recommended Order to revoke professional nurse No. RN080898 issued to Timothy Rowley German.

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

VII.A.2. Eileen Erin Craig RN037699; LP020980 Cornelius

Malloch and Harris recused themselves to avoid the appearance of impropriety.

Ogden presiding.

The proceeding began at 9:13 a.m. with the following Board members present: Moore, Malloch, Ogden, O'Connor, Molleo, Campbell and Harris. All Board members with the exception of Malloch and Harris 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.

Craig 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, Moore seconded, to accept as Findings of Fact the allegations contained in Paragraphs 1 through 56, as amended, and Conclusions of Law the alleged violations in Paragraphs 1 through 7. The motion carried with five in favor and two abstained.

O'Connor moved, Moore seconded, to accept the Administrative Law Judge's recommended Order to impose a 36 month Stayed Revocation Probation to include the attached amended stipulations for professional nurse No. RN037699, and practical nurse No. LP020980. The motion carried with five in favor and two abstained.

VII.A.2.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	5	X				X	X	X	X	
NO	0									
ABSTAIN	2			X						X
ABSENT	2		X		X					

Malloch presiding.

VII.A.3. Benjamin B. Tiede RN093484 Cornelius

The proceeding began at 9:17 a.m. with the following Board members present: Moore, Malloch, Ogden, O'Connor, Molleo, Campbell and Harris. 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.

Tiede 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.

Moore moved, Ogden seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 66 and Conclusions of Law the alleged violations in Paragraphs 1 through 7.

Moore moved, Ogden seconded, and it was unanimously carried to accept the Administrative Law Judge’s recommended Order to impose a 36 month Chemical Dependency Probation to include the attached amended stipulations upon nursing assistant No. CNA804730103.

VII.A.3.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O’Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	7	X		X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	2		X		X					

VII.A.4. Patricia Diane Hairston CNA804730103 Christl

The proceeding began at 9:23 a.m. with the following Board members present: Moore, Malloch, Ogden, O’Connor, Molleo, Campbell and Harris. 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.

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

Christl 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, Moore seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 20 and Conclusions of Law the alleged violations in Paragraphs 1 through 5.

O’Connor moved, Ogden seconded, and it was unanimously carried to accept the Administrative Law Judge’s recommended Order to revoke nursing assistant No. CNA804730103 issued to Patricia Diane Hairston.

VII.A.4.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O’Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	7	X		X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	2		X		X					

VII.A.5. Henry Gilbert Ortiz LP022420 Christl

Campbell recused herself to avoid the appearance of impropriety.

Campbell left the meeting at 9:26 a.m.

The proceeding began at 9:26 a.m. with the following Board members present: Moore, Malloch, Ogden, O'Connor, Molleo, and Harris. 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.

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

Christl addressed the Board and stated that attorney, Gary Rohlwing would be available later in this meeting to appear and address the Board.

Moore moved, Harris seconded, and it was unanimously carried to table Agenda Item VII.A.5. until May 20, 2004, to follow 3:30 p.m. appearances.

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

AGENA #	Respondent Name	Lic/Cert #	Board Resolution	LegalStaff
VII.B.1.	John Andrew Krause	CNA999990142	Revocation	Cornelius
VII.B.2.	Christina S. Martinez	CNA230461103	Revocation	Cornelius
VII.B.3.	Michelle Bailey	CNA999952235	Revocation	Christl
VII.B.4.	Ysenia M. Zaragoza	CNA999995466	Revocation	Christl
VII.B.5.	Wendy Heinsen	CNA838938803	Revocation	Cornelius
VII.B.6.	Arthur Daniels, Sr.	CNA529472710	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 Generals, represented the State.

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

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

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

Moore moved, Campbell seconded, and it was unanimously carried to adopt the State's recommended discipline for revocation, as noticed on the Agenda and listed above.

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

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.	Toni M. Demara	CNA335617441	Revocation	Wood
VII.C.2.	Linda Evelyn Lester	RN115200	Revocation	Wood
VII.C.5.	Shawna Rene Pulbratek	CNA999991886	Civil Penalty	Wood
VII.C.6.	Janice L. Remmers	LP029569; CNA464112103	Revocation	Wood
VII.C.7.	Mary Gail Wright	LP000033006	Revocation	Wood
VII.C.9.	John W. Byrd	CNA591777640	Revocation	Cornelius
VII.C.12.	Megan M. Leyva	CNA375218999	Revocation	Cornelius
VII.C.13.	Lavon M. Oles	CNA999991991	Revocation	Cornelius
VII.C.14.	Bonnie L. Read	RN038550	Revocation	Cornelius
VII.C.15.	Sheryl V. Schreck	LP011748	Revocation	Cornelius
VII.C.17.	Amy S. Dahl	CNA725615773	Revocation	Christl
VII.C.19.	Jeffrey Robert Maloney	RN095109	Stayed Revocation/Indefinite Suspension	Christl
VII.C.20.	Leticia Rios Smith	CNA999952933	Revocation	Christl
VII.C.21.	Shelia M. Villalplando	CNA051731103	Revocation	Christl
VII.C.22.	John David Yarbrough	RN119167	Revocation	Christl

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

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

Moore moved, Ogden seconded, and it was unanimously carried to grant the State’s Motions to Deem Allegations Admitted for Agenda Items VII.C. 1, 2, 5-7, 9, 12-15, 17, 19-22.

Moore 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 for Agenda Items VII.C. 1, 2, 5-7, 9, 12-15, 17, 19-22.

Ogden moved, Harris seconded, and it was unanimously carried to accept the State’s recommended discipline for revocation for Agenda Items VII.C.1, 2, 6, 7, 9, 12-15, 17, 20-22; a Civil Penalty for Agenda Item VII.C.5; and a Stayed Revocation/Indefinite Suspension for Agenda Item VII.C.19.

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

VII.C.3. Linda Ann Meisse LP037981 Wood

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

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

Wood addressed the Board.

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

Harris 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.

Harris moved, Ogden seconded, to issue a Decree of Censure and a \$100 Civil Penalty. After discussion, Harris amended the motion to include: Civil Penalty to be paid within 30 days. Ogden concurred. The motion carried with six in favor and one opposed.

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

VII.C.16. Loretta S. Tillman CNA941123103 Cornelius

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

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

Cornelius addressed the Board.

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

Harris 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.

Harris moved, Moore seconded, and it was unanimously carried to revoke nursing assistant certificate No. CNA941123103 issued to Loretta S. Tillman.

VII.C.16.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	7	X		X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	2		X		X					

VII.C.8. Kimberly Ann Benniger RN115729 Cornelius

Malloch and Harris recused themselves to avoid the appearance of impropriety for Agenda Items VII.C.8. and VII.C.10.

Malloch and Harris left the meeting at 9:57 p.m.

Ogden presiding.

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

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

Cornelius addressed the Board.

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

Moore 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.

Moore moved, O’Connor seconded, and it was unanimously carried to revoke professional nurse license No. RN115729 issued to Kimberly Ann Benniger.

VII.C.8.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O’Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	5	X				X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	4		X	X	X					X

VII.C.10. Kelley M. Hall CNA999991876 Cornelius

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

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

Cornelius addressed the Board.

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

O’Connor moved, Moore 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.

Moore moved, Campbell seconded, and it was unanimously carried to impose a \$100 Civil Penalty to be paid within 30 days, upon nursing assistant certificate No. CNA999991876 issued to Kelley M. Hall.

VII.C.11.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O’Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	5	X				X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	4		X	X	X					X

Malloch returned to the meeting at 10:00 a.m.

Malloch presiding.

VII.C.18. Carol Jean Hubner RN088320 Christl

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

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

Christl addressed the Board.

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

Moore 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, as amended, to include technical a correction.

Moore moved, O'Connor seconded, and it was unanimously carried to revoke professional nurse license No. RN088320 issued to Carol Jean Hubner.

VII.C.18.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	6	X		X		X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	3		X		X					X

Harris returned to the meeting at 10:08 a.m.

VII.C.19. Jeffrey Robert Maloney RN095109 Christl

Moore moved, Campbell seconded, and it was unanimously carried to reopen Agenda Item VII.C.19. Christl addressed the Board. Campbell moved, Moore seconded, and it was unanimously carried to rescind prior Board motion for Stayed Revocation/Indefinite Suspension, and revoke professional nurse license No. RN095109 issued to Jeffrey Robert Maloney.

VII.C.19.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	7	X		X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	2		X		X					

VII.H.12. Mickey Lynn May RN086443 Bauer

Moore recused herself to avoid the appearance of impropriety.

Moore left the meeting at 10:12 a.m.

Teresa Sanzio, attorney, was present and addressed the Board on behalf of May.

O'Connor moved, Ogden seconded, to adopt the Complaint and Notice of Hearing. After discussion, O'Connor amended the motion to include: "based upon information contained in the Investigative Report". Ogden concurred. After further discussion, Ogden moved, O'Connor seconded, and it was unanimously carried to table Agenda Item VII.H.12.

The meeting recessed at 10:17 a.m. and reconvened at 10:30 a.m.

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

VII.D.1. Heidi B. Dooley RN100963 Wood

The proceeding began at 10:31 a.m. with the following Board members present: Moore, Malloch, Ogden, O'Connor, Molleo, Campbell and Harris.

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

Dooley was present and addressed the Board.

Wood addressed the Board.

Moore moved, Ogden seconded, and after discussion, it was unanimously carried to deny request for rehearing.

VII.E. Board Discussion and Decision Regarding Settlement Conference Cases & Decision To Accept Proposed Consent Agreements

VII.E.1. Kay McBee RN038467; AP0058 Wood

Wood addressed the Board. Teresa Sanzio, attorney, was present and addressed the Board on behalf of McBee. O'Connor moved, Ogden seconded, and after discussion, it was unanimously carried to rescind prior Board motion of June 2002 to revoke the AP certificate and place the RN license on 24 months Probation, and accept the signed Consent Agreement inactivating the AP certificate for 3 years, and placing the RN license on Indefinite Probation to include the attached terms and conditions.

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

VII.E.2. Lorraine LittleJohn Walden RN063254 Wood

Wood addressed the Board. Ogden moved, O'Connor seconded, to rescind prior Board motion of July 2003, to offer a Consent Agreement for Indefinite Suspension pending successful completion of a refresher course followed by a 24 month Probation, and accept the signed Consent Agreement for 24 months Probation. Ogden moved, Harris seconded, and it was unanimously carried to table Agenda Item VII.E.2.

VII.E.3. Donald Randolph RN037254 Wood

Wood addressed the Board. Donna Hamilton, attorney, was present and available for questions on behalf of Randolph. Harris moved, Ogden seconded, and it was unanimously carried to accept the attached signed Consent Agreement.

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

VII.E.2. Lorraine LittleJohn Walden RN063254 Wood

Moore moved, O'Connor seconded, and it was unanimously carried to reopen Agenda Item VII.E.2. Wood addressed the Board. The motion to rescind prior Board motion of July 2003, to offer a Consent Agreement for Indefinite Suspension pending successful completion of a refresher course followed by a 24 month Probation, and accept the signed Consent Agreement for 24 months Probation, the motion was carried unanimously.

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

VII.E.4. Carla Sue Corrington**RN069700****Wood**

Wood addressed the Board. Moore moved, O'Connor seconded, and it was unanimously carried to accept the attached signed Consent Agreement for 24 months Probation.

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

VII.E.5. Kimberly Wohead**RN107542****Cornelius**

Cornelius addressed the Board. Campbell knows Lisa Sparks, but shows no bias. Moore moved, Ogden seconded, and it was unanimously carried to rescind prior Board motion of June 2001 for a 24 month Probation, and accept the signed Consent Agreement for 12 months Probation with the attached stipulations.

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

VII.G. Board Discussion and Decision Regarding Motions to Rescind Prior Board Decision To Consider Alternative Action**VII.G.1. Ann Stevens****RN022456****Wood**

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

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

Wood addressed the Board.

Ogden moved, Campbell seconded, to rescind prior Board motion of a Consent Agreement for a Decree of Censure, and issue a Letter of Concern for failing to assure that a patient was turned and repositioned appropriately on January 29, 2002, in Chandler, Arizona. After discussion, Ogden amended the motion to read: issue a Letter of Concern for failing to assess patient D.K. and remove the bedpan within an acceptable period of time on January 29, 2002 in Chandler, Arizona. Campbell concurred. The motion carried unanimously.

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

VII.G.2. Socorro T. Tautimez**CNA373537803****Wood**

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

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

Wood addressed the Board.

Campbell moved, O'Connor seconded, and it was unanimously carried to accept the signed Consent Agreement to include the attached stipulations.

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

VII.G.3. Ma Elena Rodriquez CNA234731033 Christl

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

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

Christl addressed the Board.

Moore moved, Ogden seconded, to reject the signed Consent Agreement for a \$100 Civil Penalty, and move forward with the Notice of Charges.

Moore moved, Ogden seconded, and it was unanimously carried to go into Executive Session on Agenda Item VII.G.3. for the purpose of reviewing confidential documents and to obtain legal advice. Executive Session convened at 11:40 a.m. and adjourned at 11:45 a.m.

Moore moved, Ogden seconded, and it was unanimously carried to table Agenda Item VII.G.3.

VII.G.4. Gina B. Mason RN053230 Cornelius

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

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

Cornelius addressed the Board.

Harris moved, Ogden seconded, and it was unanimously carried to rescind prior Board motion of June 2002 to offer a Consent Agreement for 18 months Probation, and accept the signed Consent Agreement for Decree of Censure.

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

VII.G.5. Ruth Lillie Franks CNA025781803 Christl

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

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

Christl addressed the Board.

Harris moved, O'Connor seconded, and it was unanimously carried to accept the attached signed Consent Agreement for a 6 month Stayed Revocation to include the terms and conditions.

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

**III.E.15. Charmaine Marsha Brown LP032552 (Ball)
(aka: Bapiste)**

Ball addressed the Board and confirmed receipt of additional information. Otilla King, complainant, was present and addressed the Board. Teressa Sanzio, attorney, and Brown were present and addressed the Board. Ogden moved, Campbell seconded, to adopt the attached Notice of Charges. After discussion, Ogden amended the motion to include in the Notice of Charges that the June 14, 2001 theft as a class 6 undesignated felony offense was reduced to a misdemeanor on January 7, 2002. Campbell concurred. The motion carried unanimously.

The meeting recessed at 12:08 p.m. and reconvened at 1:12 p.m.

VII.H. Board Discussion and Decision Regarding Hearing Department Investigative Reports

VII.H.1. Dennisse J. Andrade CNA633071441 (Barber)

O'Connor moved, Moore seconded, and it was unanimously carried to adopt the attached Notice of Charges, and accept a signed Consent Agreement for a \$50 Civil Penalty if received before the Notice of Charges deem.

VII.H.1.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	6	X		X		X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	3		X		X					X

Harris returned to the meeting at 1:13 p.m.

VII.H.2. Georgia I. Bostwick CNA724917406 (Barber)

Moore moved, O'Connor seconded, to adopt the attached Notice of Charges, and accept a signed Consent Agreement for Voluntary Revocation if received before the Notice of Charges deem. The motion carried with six in favor and one abstained.

VII.H.2.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	6	X		X		X	X	X	X	
NO	0									
ABSTAIN	1									X
ABSENT	2		X		X					

VII.H.3. Rachele Marie Cain CNA999992193 (Barber)
(aka: Shelly Cain)

Ogden moved, Moore seconded, and it was unanimously carried to adopt the attached Notice of Charges and accept a signed Consent Agreement for a \$50 Civil Penalty if received before the Notice of Charges deem.

VII.H.3.	VOTE	Moore, <u>Marla</u> Member	Crawley, <u>Theresa</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	Harris, <u>Greg</u> Member
YES	7	X		X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	2		X		X					

VII.H.5. Jessica F. Messina CNA999992172 (Barber)

Moore moved, Ogden seconded, and it was unanimously carried to adopt the attached Notice of Charges, and accept a signed Consent Agreement for a \$150 Civil Penalty if received before the Notice of Charges deem.

VII.H.5.	VOTE	Moore, <u>Marla</u> Member	Crawley, <u>Theresa</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	Harris, <u>Greg</u> Member
YES	7	X		X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	2		X		X					

VII.H.6. Anna Parra CNA321567803 (Barber)

Campbell moved, Ogden seconded, and it was unanimously carried to adopt the attached Notice of Charges, and accept a signed Consent Agreement for Revocation if received before the Notice of Charges deem.

VII.H.6.	VOTE	Moore, <u>Marla</u> Member	Crawley, <u>Theresa</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	Harris, <u>Greg</u> Member
YES	7	X		X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	2		X		X					

VII.H.7. Darla J. Scholl CNA999947699 (Barber)

Harris recused himself to avoid the appearance of impropriety. Malloch has a financial arrangement with Banner Health, but shows no bias. Moore moved, O'Connor seconded, adopt the attached Notice of Charges, and accept a signed Consent Agreement for a 12 month Stayed Suspension if received before the Notice of Charges deem. The motion carried with six in favor and one abstained.

VII.H.7.	VOTE	Moore, <u>Marla</u> Member	Crawley, <u>Theresa</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	Harris, <u>Greg</u> Member
YES	6	X		X		X	X	X	X	
NO	0									
ABSTAIN	1									X
ABSENT	2		X		X					

VII.H.6. Anna Parra CNA321567803 (Barber)

Campbell moved, Moore seconded and it was unanimously carried to reopen Agenda Item VII.H.6. Parra was present and addressed the Board. Moore moved, O'Connor seconded, and it was unanimously carried to table Agenda Item VII.H.6.

VII.H.9. Shaunice Davis CNA477987713 (Bauer)

Moore moved, O'Connor seconded, and it was unanimously carried to rescind the Notice of Charges adopted at the June 2003 Board meeting and accept the attached Consent Agreement for a \$100 Civil Penalty.

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

VII.H.10. Marilyn Lee CNA571218803 (Bauer)

Moore moved, Ogden seconded, and it was unanimously carried to adopt the attached Complaint and Notice of Hearing.

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

VII.H.11. James E. Maffit CNA227305357 (Bauer)

Barber addressed the Board and stated that Maffit had intended to be present at this meeting. Moore moved, O'Connor seconded, and it was unanimously carried to table Agenda Item VII.H.11.

IV.D.1. Mattop Akok Wieu CNA999993375 (Ball)

Moore moved, Harris seconded, and it was unanimously carried to issue a Letter of Concern for the misdemeanor arrest on March 8, 2003 for domestic violence, and July 1, 2003 for criminal damage in Tucson, Arizona.

V.B.1. Thomas Eugene Ah Yee LP Endorsement Applicant (Ball)

Ball addressed the Board with additional information. Moore moved, Ogden seconded, to grant licensure upon meeting all requirements and signing a Consent Agreement for a 24 month Practice Probation with the attached stipulations. If not signed within 30 days, deny licensure. If an informal settlement conference is requested, the authority to settle is limited to the terms of the Consent Agreement offered at this meeting and upon meeting all requirements for LP licensure. After discussion, Moore amended the motion to include as a stipulation: quarterly performance evaluations. Ogden concurred. The motion carried unanimously.

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

V.B.2. Jerry Leslie Brock RN Endorsement Applicant (Ball)

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

V.B.3. Susan Marie Griffin LP Endorsement Applicant (Ball)

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

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

V.B.4. Carol Louise Hodges LP Endorsement Applicant (Ball)

Hodges was present and addressed the Board. Moore moved, Campbell seconded, and it was unanimously carried to grant temporary Refresher Course Only license upon meeting all requirements, with a Letter of Concern for the November 2, 1995 conviction for simple battery on a police officer and resisting arrest in East Baton Rouge, Louisiana; and upon successful completion of refresher course, grant permanent license.

V.B.5. Arthur Kellogg Marvin RN Endorsement Applicant (Ball)

Campbell moved, Moore 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	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	7	X		X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	2		X		X					

**V.B.6. Stacey Williams LP Endorsement Applicant (Ball)
(aka: Reese)**

Moore moved, Ogden seconded, and it was unanimously carried to deny licensure based upon information contained in the Investigative Report, and forward the non-sufficient check to the County Attorney bad Check Program for consideration. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

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

**V.B.7. Kenneth T. Wright LP037077 (Ball)
(aka: Jamie L. Stottlemeyer)**

Wright was present and addressed the Board. Moore 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, amended to include: stamping of license, and night shift prohibited. If not signed within 30 days, proceed to hearing.

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

III.E.14. Chad Ryan Dixon CNA999993597 (Sage)

Sage addressed the Board with an amended Board option. Dixon was present and available for questions. Moore moved, Ogden seconded, and it unanimously carried to issue an Interim Order for a Anger Management and Boundary Evaluation to be completed by a Board approved evaluator and to include any additional testing deemed necessary by the evaluator(s), to be scheduled within 30 days and completed within 60 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.

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

Harris left the meeting at 2:06 p.m. and returned at 2:07 p.m.

V.B.8. Roderick Ellington LP Endorsement Applicant (Ball)

O'Connor moved, Moore seconded, to deny licensure based upon information contained in the Investigative Report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application. The motion carried with six in favor and one abstained.

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

V.B.9. Glenn Scott Adams LP Exam Applicant (Ball)

Moore moved, Campbell 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 terms offered at this meeting.

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

**III.E.16. Christine E. Marquez CNA194614703 (Ball)
(aka: Edwina Hall; Edwina Snow)**

Moore moved, Campbell seconded, and after discussion, unanimously carried to adopt the attached Notice of Charges.

Molleo left the meeting at 2:18 p.m. and returned at 2:19 p.m.

V.H.4. Hyesook Kim LP030890 (Twigg)

Kim was present and addressed the Board. Veronica Thomas, Kim’s co-worker, was present and addressed the Board. Moore moved, O’Connor seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or proceed to hearing.

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

III.D.1.b. Sarah E. Rodriguez CNA825694441 (Johansen)

Rodriguez was present and addressed the Board. Moore moved, O’Connor seconded to adopt the Order of Denial. After discussion, Moore amended the motion to read: deny the request for withdrawal and adopt the Order of Denial. O’Connor concurred. The motion carried unanimously.

III.D.1.b.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O’Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	7	X		X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	2		X		X					

The meeting recessed at 2:48 p.m. and reconvened at 3:06 p.m.

Campbell left the meeting at 2:48 p.m.

VIII.B. Educational Reports and Rules

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

Moore moved, O’Connor seconded, and it was unanimously carried to adopt the Nurse Assistant Program Survey Recommendation for 2 year approval for renewal programs.

VIII.B.2. International Institute of the Americas Proposal for Nursing Program

Randolph gave an overview of Senate Bill 1248 statute change, which allows Nationally accredited nursing schools to apply for approval. Joseph Brickman and Sandra Gallo from the International Institute of the Americas Phoenix main campus were present and available for questions. Moore moved, O’Connor seconded, and it was unanimously carried to approve International Institute of the Americas proposal for a Nursing Program.

VIII.B.3. Central Arizona College Site Visit Report

Moore moved, Harris seconded, and it was unanimously carried to continue approval of the program.

VIII.B.4. Credential Evaluation Service Application for World Evaluation Service (WES)

Randolph stated that, due to changes in Article 3, the Board is seeking applications for credential evaluation services in order to provide foreign-educated nurses with options to obtain educational credential evaluations. Randolph further stated that the application received from WES did not address several requested areas of the rule, and that other Boards of Nursing which WES stated they provided services to, could not be verified. O’Connor moved, Moore seconded, and after discussion, it was unanimously carried to deny approval at this time.

VIII.B.5. Credential Evaluation Service Application for International Education Research Foundation (IERF)

Randolph stated that IERF met the rule requirements, has been cooperative, and that the Oregon Board of Nursing uses their services and has reported it to be a positive experience. Ogden moved, Moore seconded, and after discussion, it was unanimously carried to approve IERF for a period of three years.

VIII.B.6. SouthWest Skills Center PN Program Interim Report

The Board reviewed the Interim Report provided by SouthWest Skills Center. Moore moved, Harris seconded, and it was unanimously carried to accept the Interim Report as evidence of remedying potential deficiencies and continue provisional approval of the program.

VIII.B.7. Pima CTD PN Program Interim Report

The Board reviewed the Interim Report provided by Pima CTD. O'Connor moved, Ogden seconded, and it was unanimously carried to accept the Interim Report as evidence of substantial progress toward remedying deficiencies.

VIII.B.8. University of Wisconsin/Oskosh Request to Conduct Clinical in Arizona

Moore moved, O'Connor seconded, and it was unanimously carried to approve the program's request to conduct clinical rotations in Arizona under the following conditions: That the program notify the Board before placing students in clinical experiences in Arizona; that the program furnish the Board with copies of any reports submitted to the Wisconsin Board of Nursing; and that Arizona students participate in required clinical experiences in pediatrics, maternity, and psych-mental health instead of being able to choose among these experiences.

VIII.B.9. Northland Pioneer College Investigative Report

Moore moved, O'Connor seconded, and it was unanimously carried to approve the program for a period of 2 years, and issue a Letter of Concern for failing to secure clinical faculty before the start of the semester in Spring 2004, and ineffective evaluation plan to identify and resolve student concerns and high attrition on the Show Low campus.

VIII.B.10. NCLEX Quarterly Reports

Randolph gave a brief summary of the NCLEX quarterly pass rate reports. She noted that NCLEX pass rates remained high overall, except for two BSN programs which have decreased to 75% and 79% for the first quarter. Malloch asked if action plans had been requested from the schools. Randolph stated that action plans have not been particularly beneficial in the past. It was noted that the meeting ASBN had with the schools regarding NCLEX pass rate was held in October, 2002. Randolph indicated she would add NCLEX pass rates to the Agenda for the upcoming meeting planned for October 2004, between ASBN and the schools.

VIII.B.11. Northern Arizona University Request for Extension

Ogden moved, Moore seconded, and it was unanimously carried to approve a 3 month time frame extension. The extension was regarding a technical issue in the contract which does not have an affect on the program.

VIII.B.13. Mesa Community College Foreign Educated Nurse Program

Randolph provided information regarding a Mesa Community College program for foreign nurses to help them prepare for NCLEX and become licensed. Board members and staff discussed the possibility of the issue of cultural bias in the NCLEX as being part of the Governor's Task Force discussion. Randolph noted the difficulty for foreign graduates to prepare for NCLEX. Harris stated that the NCSBN Board recently discussed the possibility of administering NCLEX in Spanish, and how this

could be implemented. Randolph noted that the psychometrics evaluation aspect would present a real challenge.

VIII.B.14. Apollo College Letter of Intent

Information was provided to the Board regarding Apollo College’s intent to seek approval of an associate degree nursing program. Randolph noted further inquiries have been made for additional nursing programs.

VIII.B.15. Board Sponsored/Cosponsored Educator Conferences

Randolph provided information regarding the CNA Conference, which will be held in January 2005, and the Practical and Associate Council of Nurse Educators will be held in November 2004.

VIII.B.16. SouthWest Skills Center/Estrella Mountain Community College Case Disposition

Moore moved, O’Connor seconded, and it was unanimously carried to approve SouthWest Skills Center/Estrella Mountain Community College as a case disposition. Randolph noted that persons who had complaints voiced concerning them, had left the program.

**V.H.1. Diana Marie Antrim LP038791; CNA999995672 (Twigg)
(aka: Miranti)**

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

V.H.1.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O’Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	6	X		X		X	X	X		X
NO	0									
ABSTAIN	0									
ABSENT	3		X		X				X	

V.H.2. Cathy Rose Tadena Favor LP036229; RN Exam Applicant (Twigg)

Twigg addressed the Board with additional information. O’Connor moved, Moore seconded, and after discussion, it was unanimously carried to grant licensure upon meeting all requirements and signing a Consent Agreement for a Decree of Censure. If not signed within 30 days, proceed to hearing on the practical nurse license and deny registered nurse 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.H.2.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O’Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	6	X		X		X	X	X		X
NO	0									
ABSTAIN	0									
ABSENT	3		X		X				X	

V.H.3. Stephen Jay Kemling LP038757; CNA999994806 (Twigg)

Twigg addressed the Board with additional information. Moore moved, O’Connor seconded, and it was unanimously carried to issue a Letter of Concern for failing to personally report to the Board a licensed practical nurse who said she was a registered nurse and who gave him a photocopy of a license that appeared to be altered.

V.H.5. Mary Ellen Lipski RN000099141 (Twigg)

Twigg addressed the Board with additional information. Moore moved, O’Connor seconded, and it was unanimously carried to offer a Consent Agreement for a 36 month Probation to include the attached stipulations, or proceed to hearing.

V.H.5.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	6	X		X		X	X	X		X
NO	0									
ABSTAIN	0									
ABSENT	3		X		X				X	

V.H.6. Bareana I. Soulik LP032393 (Twigg)

Twigg addressed the Board with additional information. Moore moved, O'Connor seconded, and it was unanimously carried to table Agenda Item V.H.6.

V.H.7. Karen Jean Oberg LP031505 (Twigg)

O'Connor moved, Moore seconded, and it was unanimously carried to adopt the attached Notice of Charges.

**V.H.8. Catherine Alene Alvarez LP034070 (Twigg)
(aka: Docoster)**

Moore moved, O'Connor seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or proceed to hearing.

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

V.H.9. Elizabeth Brunell LP032299 (Twigg)

Twigg addressed the Board with additional information. O'Connor and Malloch know Lynn Maschner, but show no bias. Moore moved, O'Connor seconded, and it was unanimously carried to offer a Consent Agreement for an Indefinite Suspension pending completion of refresher course and psychological evaluation followed by 24 months Probation to include the attached stipulations, or proceed to hearing.

V.H.9.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	6	X		X		X	X	X		X
NO	0									
ABSTAIN	0									
ABSENT	3		X		X				X	

V.H.6. Bareana I. Soulik LP032393 (Twigg)

Moore moved, O'Connor seconded, and it was unanimously carried to reopen Agenda Item V.H.6. V. Smith provided updated information. Moore moved, O'Connor seconded, to offer a Consent Agreement for a 24 month Probation to include the attached stipulations, or proceed to hearing. After discussion, Moore amended the motion to include as a Finding of Fact, that there is no record that Soulik followed through with Board staff's request for a May 3, 2004 request for a urine drug screen. O'Connor concurred. The motion carried unanimously.

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

The meeting recessed at 4:02 p.m. and reconvened at 4:14 p.m.

Campbell returned to the meeting at 4:14 p.m.

II. Discuss/Amend and/or Approve Minutes

O'Connor moved, Ogden seconded, and it was unanimously carried to approve the Board minutes of March 24, 25 and 26, 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, Ogden 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.7. School Nurse Certificate Applicants**

O'Connor moved, Moore 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.B.6. AP/RN/LPN/CNA Respondents

Ogden moved, Campbell seconded, and it was unanimously carried to dismiss the case for Agenda Item III.B.6, Angela Miguala Acosta.

Moore moved, Ogden 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, with the exception of Angela Miguela Acosta, and with an amendment to the Letter of Concern for Terry E. Bingham to read: Letter of Concern for leaving a resident who required one to one care and observation for more than 20 minutes on May 15, 2001 while working at Life Care Center and employed by Celestial Care, and for failing to cooperate with the investigation; and an amendment to Ellen Peterson Bernstein's Letter of Concern, to change 2001 to 2004.

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

III.C.1. Angela Soto LP038801 \$100.00

Ogden moved, Moore seconded, and it was unanimously carried to offer a Consent Agreement for an Administrative Penalty in the amount stated for working on an expired license, or proceed to hearing. Referral of the employers will be made to DHS for licensees working on a lapsed license for three months or greater.

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

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

III.D.1. Order of Denial

III.D.1.a. Katherine S. Durnez CNA999994818 (Johansen)

Moore moved, Harris seconded, and it was unanimously carried to adopt the attached Order of Denial

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

III.D.1.c. Gallette Board CNA Exam Applicant (Johansen)

Johansen addressed the Board with additional information. Ogden moved 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 denial of the application; and issue a Cease and Desist letter, for the use of “CNA” on her resume. After discussion, Ogden withdrew the motion. Ogden moved, Moore seconded, and it was unanimously carried to deny certification and adopt the attached amended Order of Denial, and to issue a Cease and Desist letter for using “CNA” on her resume.

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

III.D.2. Notice of Charges

III.D.2.a. Andrew Foster CNA987767803 (Johansen)

III.D.2.d. Victoria Mendez CNA999952369 (Pavlina)

Moore moved, Ogden seconded, and it was unanimously carried to adopt the attached Notice of Charges for Agenda Items III.D.2.a and c.

III.D.2.b. Jill N. Sanders CNA709564641 (Johansen)

Harris moved, Moore seconded, and it was unanimously carried to adopt the attached Notice of Charges, as amended, to include the factual allegation, that Sanders failed to report charges.

III.D.2.c. Susan M. Harter CNA006679783 (Pavlina)

Harris moved, Moore seconded, and it was unanimously carried to adopt the attached Notice of Charges amended, to include: page 3 of the Notice of Charges, item e. to be changed to paragraph 10 with renumbering of paragraphs thereafter.

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

- III.E.1. Joan Badour (aka: Wright) CNA366241034 (Sage)**
- III.E.2. Joana Fenske (aka: Masiku) CNA999988737 (Sage)**
- III.E.3. Melissa A. Addison (aka: Quast) CNA999987915 (Johansen)**
- III.E.5. Robert Lewis Driver RN050753 (Munger)**
- III.E.6. Joyce A. Bird CNA474611790 (Pavlina)**
- III.E.8. Emma Romero (aka: Alvarez; Rivera) CNA524820513 (Pavlina)**
- III.E.9. Ronald P. Cavage RN095558 (Munger)**
- III.E.11. Brenda J. Schunk CNA487980803 (Sage)**
- III.E.12. Yolanda J. Reid CNA999987986 (Sage)**
- III.E.13. Virginia Elizabeth Juhl CNA999995948 (Sage)**
- III.E.17. William J. Rogers (aka: Bill Rogers) CNA845715803 (Pavlina)**

Moore moved, O'Connor seconded, and unanimously carried to adopt the attached Notice of Charges for Agenda Items III.E.1-3, 5, 6, 8, 9, 11-13, and 17.

III.E.4. Jason Derek Lovesy RN098343; CNA402592803 (Munger)

Malloch and Harris recused themselves to avoid the appearance of impropriety.

Ogden presiding.

Moore moved, O'Connor seconded, to adopt the attached Notice of Charges. The motion carried with five in favor and two abstained.

Malloch presiding.

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

- 1. DeeDee Hicks (CNA Imposter) April 15, 2004 (Sage)**
- 2. Cindy Parish-Tamayo (RN/CNA Imposter) April 21, 2004 (Berry)**
- 3. Neda T. Rodriquez (RN Imposter) April 21, 2004 (Berry)**
- 4. Colette Carpenter Bigler (RN Imposter) April 9, 2004 (Berry)**
- 5. Darnell Williams (LP Imposter) April 9, 2004 (Berry)**
- 6. Melissa A. Addison (LP Imposter) March 17, 2004 (Berry)**
- 7. Michael D. Ryan (RN Imposter) May 12, 2004 (Berry)**
- 8. Veronica Lee Botello (CNA Imposter) May 7, 2004 (Berry)**

A Cease and Desist letter was mailed to the above named on the dates listed.

IV.A.1. Colleen D. Dillard Exam Applicant (Johansen)

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

IV.A.3. Zuilma Hernandez CNA955916441 (Johansen)

O'Connor moved, Ogden seconded, and it was unanimously carried to deny re-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	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	7	X		X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	2		X		X					

IV.A.4. Rita K. Patterson CNA Endorsement Applicant (Johansen)

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

IV.A.6. Misty M. Rivera CNA Exam Applicant (Johansen)

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

**IV.A.7. Bambi J. Roy CNA Exam Applicant (Johansen)
(aka: Russell)**

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

IV.A.9. Robin C. Sternberger CNA Endorsement Applicant (Johansen)

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

IV.A.14. Julie Ann McKay CNA Exam Applicant (Johansen)

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

IV.A.17. Yvonne M. Hallman CNA Endorsement Applicant (Johansen)

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

IV.A.18. Ruth Martinez CNA Exam Applicant (Johansen)

Moore moved, Campbell seconded, and it was unanimously carried to deny certification based upon information contained in the Investigative Report, and at this meeting. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

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

IV.A.19. Virginia Ann Stone CNA Endorsement Applicant (Johansen)

Johansen addressed the Board with additional information. Moore moved, Ogden seconded, and it was unanimously carried to grant certification upon signing a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days, deny certification based upon information contained in the Investigative Report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

IV.A.19.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	7	X		X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	2		X		X					

IV.A.23. Verna Ann Tsosie CNA391705353 (Johansen)

Moore moved, O'Connor seconded, and it was unanimously carried to table Agenda Item IV.A.23.

The meeting recessed at 5:05 p.m., Wednesday, May 19, 2004.

**BOARD MEETING
ARIZONA STATE BOARD OF NURSING**

The regular meeting of the Arizona State Board of Nursing convened at 8:31 a.m., Thursday, May 20, 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
Gregory Harris, Member
Sharon M. Molleo, L.P.N., Member
Marla Moore, R.N., B.S.N., M.A., Member
Barbara O'Connor, L.P.N., Member

BOARD MEMBERS ABSENT:

Theresa Crawley, C.R.N.A., M.S.H.S.A., 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

I. Call To Order

The meeting was called to order at 8:31 a.m., Thursday, May 20, 2004.

The following Board members were present: Gagnaire, Malloch, Campbell, Harris, Molle, Moore 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.1. Update on Legislation Signed by Governor: House Bill 2256 – Nursing Assistant Pilot Program for Certified Medication Technician & Proposed Membership for Committee to Develop Program Criteria & Recommendations –

Randolph/Ridenour

Senate Bill 1248 – Approval of Post Secondary Nursing Programs Signed by Governor – Randolph

House Bill 2200 – Vital Records/Nurse Practitioners Signing Death Certificates & Proposed Membership for Committee to Develop Recommendations Regarding Competencies – Grady

Ridenour reported that the Governor signed House Bill 2256 – Nursing Assistant Program for Certified Medication Technician. Randolph provided an overview of information from 19 other states that have unlicensed personnel to administer medications, and her analysis. Jane Black, Southern Arizona Nurses Coalition, was present and indicated an interest in participation as a committee member, and stated some of the coalition's concerns. Malloch noted the challenge to obtain good evaluative measures for the program. Vicki McAllister, Arizona Association of Homes & Housing for the Aging, was present and reported plans for AzAHA to organize a group of stakeholders to discuss implementation, and welcomed suggestions from the Board. Ridenour offered committee recommendation guidelines for proposed membership for a committee to develop program criteria & recommendations. The Board discussed groups to be considered for placement on the committee. Kathleen Pagle, Arizona Healthcare Association, was present and addressed the Board, regarding plans for funding of the program. Marla Weston, Arizona Nurses Association, was present and commented on committee charges. Ridenour emphasized the need for the committee to remain focused for this pilot. Campbell moved, Molle seconded, and it was unanimously carried to appoint Ridenour and Randolph to co-chair the committee to develop program criteria for Certified Medication Technician.

Ridenour reported that the Governor signed Senate Bill 1248 – Approval of Post Secondary Nursing Programs.

Ridenour offered an update on the signing of House Bill 2200 – Vital Records/Nurse Practitioners Signing Death Certificates & Proposed Recommendations Regarding Competencies.

Ogden arrived at the meeting at 9:15 a.m.

VIII.A.2. Update on A.R.S. § 32-3208 – Crime Reporting Bill – Christl/Ridenour

Harris moved, Campbell seconded, to open a rulemaking package to adopt by rule, the list of crimes/misdemeanor offenses that this agency believes should be reported as a crime potentially affecting public health as directed by A.R.S. § 32-3208. After discussion, Harris amended the motion to read: open a new rulemaking package or to include in the existing Article 5 rule package to adopt by

rule, the list of crimes/misdemeanor offenses that this agency believes should be reported as a crime potentially affecting public health as directed by A.R.S. § 32-3208. Campbell concurred. After discussion, the motion failed. Malloch moved, Moore seconded, to accept the recommend policy on A.R.S. § 32-3208 Reporting of Criminal Charges Mandatory Reporting Requirements. After discussion, Malloch amended the motion to include definitions and examples. Moore concurred. The motion carried.

VIII.A.4. Phone System Management Report – Cobb/Ridenour

Cobb gave a summary of the of phone calls received and their distribution to various departments. Data showed that an average of 1,215 calls received per day, with 29% of those calls going to the main telephone number and 16% going to the operator. Cobb stated that with the new system, there is considerably more information to help focus on where calls are going. Cobb noted concern relating to public complaints about the phone system, and discussed how future surveys of callers can be conducted to assess customer satisfaction.

VIII.A.5. Update on Launching/Changes to New Web Site – Henriksen

Henriksen gave an update on the new Web Site, and emphasized his intent to make it more dynamic and interactive for public use. A graph was provided, showing an average of 70,000 page views per month from December 2003 to March 2004, which increased to 334,000 page views during the first three weeks of May 2004. Henriksen contributed this increase to recent publication of the ASBN Newsletter with information about the Web page, applications now available for downloading, and interest in disciplinary actions taken.

Moore moved, Ogden seconded, and it was unanimously carried to table the remainder of Agenda Item VIII.A.

The meeting recessed at 9:55 a.m. and reconvened at 10:09 a.m.

III.E.7. Shawn E. McFadden CNA602791033 (Pavlina)

Pavlina addressed the Board with additional information. McFadden was present and addressed the Board. Malloch moved, Moore seconded, and it was unanimously carried to issue an Interim Order for a Psychological Evaluation by a Board approved evaluator with psychometric testing and to include any additional testing deemed necessary by the evaluator, to be scheduled within 30 days and completed within 60 days, and return to the Board. If the Interim Order is not completed, adopt the Notice of Charges, amended, to include McFadden’s employment history at Gentiva Health Services, Phoenix, Arizona factual allegation and alleged violation for failure to comply with the Interim Order.

III.E.7.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O’Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	8	X		X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1		X							

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

IV.A.2. Tracy L. Black CNA Exam Applicant (Johansen)

An attempt was made to contact Black telephonically. Moore moved, Malloch 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.2.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	8	X		X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1		X							

**IV.A.5. Jennifer M. Pettigrew CNA Exam Applicant (Johansen)
(aka: Barker)**

Johansen addressed the Board with additional information. Moore moved, O'Connor seconded, and after discussion, it was unanimously carried to allow Pettigrew to withdraw the application.

IV.A.8. Charles E. Russell CNA Exam Applicant (Johansen)

An attempt was made to contact Russell telephonically. Malloch moved, Campbell seconded, and it was unanimously carried to deny certification based upon information contained in the Investigative Report and at this meeting. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

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

IV.A.10. Jennifer A. Lewis CNA Exam Applicant (Johansen)

Lewis was present, telephonically, and addressed the Board. Ogden moved, Moore 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.10.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	8	X		X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1		X							

IV.A.11. Michael D. Kearns, Sr. CNA Endorsement Applicant (Johansen)

An attempt was made to contact Kearns telephonically. Malloch moved, O'Connor seconded, and it was unanimously carried to grant certification upon signing a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days, deny certification based upon information contained in the Investigative Report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

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

IV.A.12. Nina M. Fuller CNA Exam Applicant (Johansen)

Johansen addressed the Board with additional information. Malloch moved, Ogden 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.12.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	8	X		X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1		X							

IV.A.13. Marcinda Galindo CNA Exam Applicant (Johansen)

Gagnaire recused herself to avoid the appearance of impropriety.

Gagnaire left the meeting at 10:32 a.m.

Malloch presiding.

Johansen addressed the Board with additional information. Moore moved, Molleo 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; and issue a Cease and Desist letter.

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

Gagnaire returned to the meeting at 10:34 a.m.

Gagnaire presiding.

**IV.A.15. Brenda Lee Eells CNA Endorsement Applicant (Johansen)
(aka: Walters; Lawrence)**

Eells was present, telephonically, and available for questions. Moore moved, O'Connor seconded, and after discussion, it was unanimously carried to grant certification with a Letter of Concern for the January 18, 1991 misdemeanor conviction for contributing to the neglect of a child in Green County Circuit Court in Wisconsin.

IV.A.16. Jacquelyn S. Latham CNA Exam Applicant (Johansen)

Johansen addressed the Board with a correction to the Investigative Report under potential violations of law, to delete (h) and (j). Malloch moved, Moore seconded, and after discussion, it was unanimously carried to grant certification upon meeting all requirements and signing a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days, deny certification based upon information contained in the Investigative Report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

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

IV.A.20. Shawn D. Bell CNA Exam Applicant (Johansen)

An attempt was made to contact Bell telephonically. Johansen addressed the Board with additional information. Moore moved, O’Connor seconded, and after discussion, it was unanimously carried to grant certification upon meeting all requirements and signing a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days, deny certification based upon information contained in the Investigative Report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

IV.A.20.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O’Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	8	X		X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1		X							

IV.A.22. Katie M. Orth CNA Endorsement Applicant (Johansen)

Malloch recused herself to avoid the appearance of impropriety.

Malloch left the meeting at 10:50 a.m.

Orth was present and addressed the Board. Johansen addressed the Board with additional information. Ogden moved, Moore seconded, and it was unanimously carried to grant certification upon meeting all requirements and signing a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days, deny certification based upon information contained in the Investigative Report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

IV.A.22.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O’Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	7	X			X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	2		X	X						

Malloch returned to the meeting at 10:56 a.m.

IV.A.23. Verna Ann Tsoie CNA391705353 (Johansen)

Malloch moved, O’Connor seconded, and it was unanimously carried to reopen Agenda Item IV.A.23. Johansen addressed the Board with additional information. Moore moved, Ogden seconded, and it was unanimously carried to grant re-certification upon meeting all requirements and signing a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days, deny certification based upon information contained in the Investigative Report and at this meeting. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

IV.A.23.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O’Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	8	X		X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1		X							

IV.A.24. Sarah K. Cooke CNA Exam Applicant (Johansen)

Gagnaire recused herself to avoid the appearance of impropriety.

Gagnaire left the meeting at 10:59 a.m.

Malloch presiding.

Cooke was present, telephonically, and available for questions. O'Connor moved, Campbell seconded, and it was unanimously carried to grant certification upon signing a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days, deny certification. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

IV.A.24.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	7	X		X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	2		X		X					

Gagnaire returned to the meeting at 11:00 a.m.

Gagnaire presiding.

IV.B.1. Dawn Begay CNA Exam Applicant (Vannier)

Gagnaire recused herself to avoid the appearance of impropriety.

Gagnaire left the meeting at 11:00 a.m.

Malloch presiding.

O'Connor moved, Moore seconded, and it was unanimously carried to grant certification upon meeting all requirements, with a Letter of Concern for the June 3, 2003 misdemeanor conviction for illegal consumption in Flagstaff Justice Court in Flagstaff, Arizona, and for failing to cooperate with the Board during an investigation.

Gagnaire returned to the meeting at 11:03 a.m.

Gagnaire presiding.

IV.B.2. Hallie Campbell CNA Exam Applicant (Vannier)

Campbell was present and addressed the Board. Vannier addressed the Board with additional information. Moore moved, O'Connor seconded, and after discussion, it was unanimously carried to grant certification upon signing a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days, deny certification. If an informal settlement conference is requested, the authority to settle is limited to the terms of the Consent Agreement, or denial.

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

IV.B.3. Victoria Chavez CNA999949017 (re-certification by Exam)(Vannier)

Gagnaire recused herself to avoid the appearance of impropriety.

Gagnaire left the meeting at 11:05 A.M.

Malloch presiding.

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

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

Gagnaire returned to the meeting at 11:06 a.m.

Gagnaire presiding.

IV.B.4. Sarah Chesshir CNA Exam Applicant (Vannier)

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

IV.B.5. Vincent Hall CNA Exam Applicant (Vannier)

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

IV.B.6. Theresa Jones CNA Endorsement Applicant (Vannier)

Vannier addressed the Board with additional information. Malloch moved, O'Connor seconded, and it was unanimously carried to grant certification upon signing a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days, deny certification based upon information contained in the Investigative Report. If an informal settlement conference is requested, the authority to settle is limited to the terms of the Consent Agreement or denial.

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

IV.B.7. Randi Kindrick CNA Exam Applicant (Vannier)

Moore moved, Malloch seconded, and it was unanimously carried to grant certification with a Letter of Concern for the November 26, 2002 misdemeanor conviction for 2 counts of underage consumption and 1 count of contributing to the delinquency of a minor in Payson Justice Court, Payson, Arizona.

IV.B.8. Regina Lively CNA Exam Applicant (Vannier)

Malloch moved, O'Connor seconded, to grant certification upon signing a Consent Agreement for a \$100 Civil Penalty. If not signed within 30 days, deny certification. If an informal settlement conference is requested, the authority to settle is limited to the terms of the Consent Agreement or denial. After discussion, the motion failed with seven opposed and one in favor.

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

Ogden moved, Moore seconded, 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. After discussion, the motion carried with seven in favor and one opposed.

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

IV.B.9. Matthew McAlpin CNA Endorsement Applicant (Vannier)

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

IV.B.10. Phyllis Parra CNA Exam Applicant (Vannier)

Moore moved, Malloch seconded, to grant certification with a Letter of Concern for the October 19, 2001 felony conviction for obtaining aid by misrepresentation - over \$400 in Tulare County Superior Court, Visalia, California, which was reduced to a misdemeanor and the complaint was dismissed on November 14, 2003. After discussion, the motion carried with seven in favor and one opposed.

IV.B.11. Donato Robles Jr. CNA Exam Applicant (Vannier)

Malloch moved, O'Connor seconded, and it was unanimously carried to grant certification upon signing a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days, deny certification. If an informal settlement conference is requested, the authority to settle is limited to the terms of the Consent Agreement or denial.

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

IV.B.12. Sonia Sharma CNA Exam Applicant (Vannier)

Moore moved, Malloch seconded, and it was unanimously carried to grant certification upon signing a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days, deny certification. 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	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	8	X		X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1		X							

Harris left the meeting at 11:18 a.m. and returned at 11:19 a.m.

Moore left the meeting at 11:19 a.m. and returned at 11:20 a.m.

IV.E.4. Shirley Jean Parshall CNA999951673 (B. Nelson)

Parshall was present and addressed the Board. B. Nelson addressed the Board with additional information. Moore moved, O'Connor seconded, to offer a Consent Agreement for a \$50 Civil Penalty to be signed within 30 days, or proceed to hearing. The motion carried with seven in favor and one opposed.

IV.E.4.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	7	X			X	X	X	X	X	X
NO	1			X						
ABSTAIN	0									
ABSENT	1		X							

IV.E.5. Cassandra Jolyn Whitman CNA999999202; RN Exam Applicant (B. Nelson)

Moore recused herself to avoid the appearance of impropriety.

Moore left the meeting at 11:26 a.m.

Whitman was present and addressed the Board. O'Connor moved, Campbell seconded, and it was unanimously carried to grant licensure upon meeting all requirements and signing a Consent Agreement for a Decree of Censure. 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, for complaint #1, and dismiss the case, for complaint #2.

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

Moore returned to the meeting at 11:28 a.m.

IV.F.1. Elsa R. Baltierrez CNA999988794 (Sage)

Baltierrez was present and addressed the Board. Moore moved, O'Connor seconded, and after discussion, it was unanimously carried to issue an Interim Order for a Boundary Evaluation to be completed by 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. 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	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	8	X		X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1		X							

IV.F.5. Celia Larson CNA999988066 (Sage)

O'Connor knows Jean Stockton, but shows no bias. Larson was present and addressed the Board. Sage addressed the Board with additional information. Malloch moved, Moore seconded, and it was unanimously carried to offer a Consent Agreement for a 12 month Stayed Suspension to include the attached terms. If not signed within 30 days, adopt the attached Notice of Charges.

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

IV.F.6. Dawn Mault CNA Exam Applicant (Sage)

Mault was present and available for questions. Moore moved, Malloch seconded, to issue an Interim Order for a Boundary Evaluation to be completed by 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. If the Interim Order 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 denial of the application. After discussion, Moore withdrew the motion. Moore moved, Malloch seconded, and after discussion, it was unanimously carried to continue the investigation to allow Mault the opportunity to obtain a Boundary Evaluation by a Board approved evaluator, to be scheduled within 30 days and completed within 60 days, and return to the July 2004 Board meeting. 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 denial of the application.

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

Ogden left the meeting at 11:44 a.m. and returned at 11:46 a.m.

IV.F.12. Augusta D. Crater CNA827889003 (Sage)

Crater was present and addressed the Board. Sage addressed the Board with additional information. Malloch moved, O'Connor seconded, to rescind the Interim Order and accept, if signed, a \$50 Civil Penalty to be signed within 30 days, or proceed to hearing. After discussion, the motion carried with seven in favor and one abstained.

IV.F.12.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	7	X		X	X		X	X	X	X
NO	0									
ABSTAIN	1					X				
ABSENT	1		X							

IV.G.4. Patricia C. Negroni CNA999993569 (Pavlina) (aka: Green)

Negroni was present and addressed the Board. Pavlina addressed the Board with additional information. Malloch moved, Moore seconded, and after discussion, it was unanimously carried to issue a Letter of Concern for the alleged use of inappropriate language when speaking to a resident and for slapping the hand of another resident on December 8, 2003 while employed as a CNA by Desert Sky and Rehabilitation in Glendale, Arizona, for complaint #1, and offer a Consent Agreement for a \$50 Civil Penalty to be signed within 30 days, or proceed to hearing, for complaint #2.

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

IV.G.9. Jolene M. Stemper CNA999999848 (Pavlina) (aka: Grace; Blom)

Stemper was present and addressed the Board. Pavlina addressed the Board with additional information. Malloch moved, Molleo seconded, and it was unanimously carried to adopt the attached Notice of Charges.

IV.G.11. Tiffany L. Moore CNA999996964 (Pavlina)

Moore was present and addressed the Board. Pavlina addressed the Board with additional information. Moore moved, O'Connor seconded, and after discussion, it was unanimously carried to offer a Consent Agreement for an 18 month Stayed Suspension to include the attached stipulations, amended, to delete rehabilitation and add aftercare. If not signed within 30 days, adopt the attached Notice of Charges.

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

IV.G.13. Judith M. Chaidez CNA999991068 (Pavlina)

Moore knows Sue Robertson, but shows no bias. Chaidez was present and addressed the Board. Moore moved, Molleo seconded, and it was unanimously carried to offer a Consent Agreement for a \$250 Civil Penalty. If not signed within 30 days, adopt the attached Notice of Charges.

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

**IV.G.14. Rochelle S. Jarrett LP000032942 (Pavlina)
(aka: Hansen)**

Pavlina addressed the Board with additional information. Moore moved, O'Connor seconded, and it was unanimously carried to table Agenda item IV.G.14.

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).

The meeting recessed at 12:37 p.m. and reconvened at 1:41 p.m.

IV.C.1. Teresa A. Quihuis CNA Exam Applicant (Olson)

Olson addressed the Board with additional information and an updated Board option. Malloch moved, O'Connor seconded, and after discussion, it was unanimously carried to continue the investigation to allow Quihuis to successfully complete a 16 hour chemical dependency education class to be completed within 30 days, or deny certification. If the chemical dependency education class is completed, grant certification upon signing a Consent Agreement for a \$50 Civil Penalty within 30 days of the completion of the class, 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 denial.

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

IV.C.2. Willie Clarke CNA Endorsement Applicant (Olson)

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

IV.C.3. Arthur L. Ingoldsby CNA Exam Applicant (Olson)

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

IV.C.4. Ramona C. Poolaw CNA Endorsement Applicant (Olson)

Olson addressed the Board with additional information. Moore 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.C.4.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	8	X		X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1		X							

IV.C.5. Anthony Tilley CNA Endorsement Applicant (Olson)

Olson addressed the Board with additional information. Malloch moved, Campbell 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.C.5.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	8	X		X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1		X							

IV.C.6. Antionette S. Welch CNA Exam Applicant (Olson)

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

IV.C.7. Michelle D. Proudfoot CNA Exam Applicant (Olson)

Olson addressed the Board and confirmed receipt of additional information. Moore moved, Ogden seconded, and it was unanimously carried to grant certification upon signing a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days, deny certification based upon information contained in the Investigative Report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

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

IV.E.1. Abel Federico Cisneros CNA999987356 (B. Nelson)

Cisneros was present, telephonically, and addressed the Board. Moore moved, Ogden seconded, and after discussion, it was unanimously carried to issue a Letter of Concern for using inappropriate language in dealing with a client while employed at Posada Del Sol in Tucson, Arizona on or about July 29, 2003.

IV.E.2. Sara Covarrubias CNA999989960 (B. Nelson)

B. Nelson addressed the Board with additional information. Moore moved, Malloch seconded, and it was unanimously carried to adopt the attached Notice of Charges.

IV.E.3. Joldie K. Kolasinski CNA131718641 (B. Nelson)

Malloch moved, Moore seconded, and it was unanimously carried to offer a Consent Agreement for a \$100 Civil Penalty to be signed within 30 days, or adopt the attached Notice of Charges.

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

**IV.F.2. Debra Ann Campbell CNA999997708 (Sage)
(aka: Trzechieski; Liddle; Wright)**

Sage addressed the Board with additional information. Malloch moved, Campbell 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.2.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	8	X		X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1		X							

IV.F.3. Sibylle Clanton CNA765414930 (Sage)

Moore moved, Malloch seconded, and after discussion, it was unanimously carried to issue an Interim Order for a Psychiatric Evaluation to be completed by 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. 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.3.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	8	X		X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1		X							

IV.F.4. John Robert Hamlin CNA99999054 (Sage)

Campbell moved, Malloch seconded, and it was unanimously carried to offer a Consent Agreement for a 12 month Stayed Suspension with terms to include an Addictionist Evaluation by a Board approved addictionist and to include any additional testing deemed necessary by the evaluator, to be scheduled within 30 days and completed within 60 days. If not signed within 30 days, adopt the attached Notice of Charges.

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

IV.F.7. Rose M. Miranda CNA999950297 (Sage)

Harris recused himself to avoid the appearance of impropriety.

Harris left the meeting at 2:13 p.m.

Moore moved, O'Connor seconded, and it was unanimously carried to offer a Consent Agreement for a 12 month Stayed Suspension to include the attached terms. If not signed within 30 days, adopt the attached Notice of Charges.

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

Harris returned to the meeting at 2:14 p.m.

IV.F.8. Lyndi Marie Oddonetto CNA999996510 (Sage)

Gagnaire recused herself to avoid the appearance of impropriety.

Gagnaire left the meeting at 2:14 p.m.

Malloch presiding.

Moore 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 30 days and completed within 60 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.8.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	7	X		X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	2		X		X					

Gagnaire returned to the meeting at 2:15 p.m.

Gagnaire presiding.

**IV.F.9. Karleen Gail Prosser
(aka: Penrod)**

CNA100000342

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 30 days and completed within 60 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.9.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	8	X		X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1		X							

IV.F.10. Thelma Karina Quintana

CNA999999854 (Sage)

Campbell 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 30 days and completed within 60 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.10.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	8	X		X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1		X							

IV.F.11. Clinton T. Williams

CNA077007179 (Sage)

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

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

**IV.G.1. Adora Canlas
(aka: Wills)**

CNA763682233 (Pavlina)

Malloch moved, Harris seconded, and it was unanimously carried to offer a Consent Agreement for a \$100 Civil Penalty, or proceed to hearing.

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

IV.G.2. Kathleen M. Donegan

CNA999993817 (Pavlina)

Moore moved, O'Connor seconded, and it was unanimously carried to offer a Consent Agreement for an Indefinite Suspension to include the attached stipulations. If not signed within 30 days, adopt the attached Notice of Charges.

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

IV.G.3. Kristine Esmay CNA999993456 (Pavlina)

Moore moved, O'Connor seconded, and it was unanimously carried to adopt the attached Notice of Charges.

IV.G.5. Arlene Powell CNA222208857 (Pavlina)

Malloch moved, Campbell seconded, and it was unanimously carried to issue an Interim Order for a Psychological Evaluation to include psychometric testing to be completed by a Board approved evaluator and to include any additional testing deemed necessary by the evaluator, to be scheduled within 30 days and completed within 60 days, and return to the Board. If the Interim Order is not completed, adopt the attached Notice of Charges and include the additional factual allegation and alleged violation for failure to comply with the Interim Order.

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

**IV.G.6. Beatriz G. Ramos CNA707108154 (Pavlina)
(aka: Pizarro; Granados)**

Moore moved, O'Connor seconded, and it was unanimously carried to offer a Consent Agreement for a \$100 Civil Penalty, or proceed to hearing.

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

**IV.G.7. Shannon M. Richardson CNA999946771 (Pavlina)
(aka: Sova)**

Gagnaire recused herself to avoid the appearance of impropriety.

Gagnaire left the meeting at 2:26 p.m.

Malloch presiding.

Pavlina addressed the Board with additional information. Moore moved, Campbell seconded, and it was unanimously carried to adopt the attached Notice of Charges.

Gagnaire returned to the meeting at 2:27 p.m.

Gagnaire presiding.

IV.G.8. Erica Wise CNA999950977 (Pavlina)

Campbell moved, Harris seconded, and it was unanimously carried to issue a Letter of Concern for an allegation of shoving a resident in the back who was in a wheelchair, causing pain that required medication, and for using inappropriate language on January 30, 2003, while employed by Sunbridge Park Villa Care and Rehabilitation in Tucson, Arizona.

IV.G.10. Donna R. Brown CNA999952697 (Pavlina)

Gagnaire recused herself to avoid the appearance of impropriety.

Gagnaire left the meeting at 2:28 p.m.

Malloch presiding.

Pavlina addressed the Board with additional information. O'Connor moved, Ogden seconded, and it was unanimously carried to adopt the attached Notice of Charges.

Gagnaire returned to the meeting at 2:29 p.m.

Gagnaire presiding.

IV.G.12. Shannon L. Worman CNA156208009 (Pavlina)

Pavlina addressed the Board with additional information. Campbell moved, Moore seconded, to offer a Consent Agreement for a \$100 Civil Penalty, or proceed to hearing. The motion carried with seven in favor and one abstained.

IV.G.12.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	7	X		X	X		X	X	X	X
NO	0									
ABSTAIN	1					X				
ABSENT	1		X							

IV.G.14. Rochelle S. Jarrett LP000032942 (Pavlina) (aka: Hansen)

Moore moved, Harris seconded, and it was unanimously carried to reopen Agenda Item IV.G.14. Moore moved, O'Connor seconded, to issue an Interim Order for a Psychiatric Evaluation to include psychometric testing to be completed by a Board approved evaluator and to include any additional testing deemed necessary by the evaluator within 30 days, and return to the Board. If the Interim Order is not completed, adopt the attached Notice of Charges and include the additional factual allegation and alleged violation for failure to comply with the Interim Order. After discussion, Moore withdrew the motion. Harris moved, Campbell seconded, and after discussion, it was unanimously carried to offer a Consent Agreement for an 18 month Probation with the attached stipulations to include: on site supervision, and to include a \$500 Civil Penalty, to be signed within 30 days, or adopt the attached Notice of Charges.

IV.G.14.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	8	X		X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1		X							

**IV.G.15. Michele M. Williams
(aka: Jordan)**

CNA168218659 (Pavlina)

Moore moved, Harris seconded, and it was unanimously carried to offer a Consent Agreement for a \$50 Civil Penalty, or proceed to hearing.

IV.G.15.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	8	X		X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1		X							

**IV.H.1. Patrick Michael Greene
(aka: Mike Green)**

CNA Exam Applicant (Bauer)

Olson addressed the Board with corrections to the Investigative Report under potential violations of law and the Order of Denial under conclusion of law, to read: A.R.S. § 32-1646 (A)(4) and A.R.S. § 32-1663 (A), as defined in A.R.S. § 32-1601 (14)(d), (h) and (j), now cited as A.R.S. § 32-1601 (16)(d), (h) and (j); and in the Findings of Fact in the Order of Denial, the Applicant’s name and the word “Respondent” should be replaced with the word, “Applicant”. Malloch moved, Moore seconded, and it was unanimously carried to deny certification and adopt the attached Order of Denial, as amended. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

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

IV.H.2. Karen Elizabeth King

CNA Exam Applicant (Bauer)

Olson addressed the Board with an amendment to the Order of Denial: The citations in potential violations of law in the Investigative Report and the conclusions of law in the Order of Denial to read: “A.R.S. § 32-1646(A)(4) and A.R.S. § 32-1663(A), as defined in A.R.S. § 32-1601(14)(b), (d),(h) and (j), now cited as A.R.S. § 32-1601(16)(b), (d),(h) and (j)”; and in the findings of fact in the Order of Denial, the applicant’s name and the word “Respondent” should be replaced with the word, “Applicant”. Moore moved, Ogden seconded, 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. After discussion, Moore amended the motion to include the amendments to the Order of Denial and Investigative Report. Ogden concurred. The motion carried unanimously.

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

V.A.3. Karen Kim Marinello

TLP037073 (S. Smith)

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

V.A.6. Priscilla Marie Mullen LP034798 (S. Smith)

Moore moved, Harris seconded, and after discussion, 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 to include the attached stipulations, or adopt the attached Notice of Charges.

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

The meeting recessed at 2:47 p.m. and reconvened at 3:02 p.m.

VIII.B.12. Article 5 Revisions

Board members and staff reviewed the latest draft of Article 5 Revisions following the feedback from the Governor’s Regulatory Review Council. Malloch moved, Harris seconded, and it was unanimously carried to continue development and review of Article 5, post it on the Website, and begin to plan for a statewide workshop to gain input from the public.

Harris left the meeting at 4:02 p.m. and returned at 4:03 p.m.

IV.A.21. Arturo Vargas Garcia CNA Exam Applicant (Johansen)

Johansen addressed the Board with additional information. Malloch moved, Moore 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	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	8	X		X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1		X							

IV.F.13. Amy Colleen Trawally CNA999994297 (Sage)

Teressa Sanzio, attorney, and Trawally were present and available for questions. Ruth Faultner, complainant, and Liz Vaillencourt were present and addressed the Board. Sage addressed the Board with a correction to the Notice of Charges, page 2, alleged violations, line 25 to add: 32-1601 (16). Malloch moved, O’Connor seconded, and it was unanimously carried to offer a Consent Agreement for a \$100 Civil Penalty to be signed within 30 days, or adopt the attached, amended, Notice of Charges.

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

IV.A.25. Taiana Lee Matheny CNA Exam Applicant (Johansen)

Matheny was present, telephonically, and addressed the Board. Moore moved, Ogden seconded, and it was unanimously carried to grant certification upon signing a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days, deny. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

IV.A.25.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	8	X		X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1		X							

VII.A.5. Henry Gilbert Ortiz LP022420 Christl

Malloch moved, Harris seconded, and it was unanimously carried to reopen Agenda Item VII.A.5. Campbell recused herself to avoid the appearance of impropriety.

Campbell left the meeting at 4:20 p.m.

The proceeding began at 4:21 p.m. with the following Board members present: Moore, Gagnaire, Malloch, Ogden, O'Connor, Molleo, and Harris. 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, who was available telephonically. Daniel Christl, Assistant Attorney General, represented the State.

Ortiz was not present. An attempt was made to contact attorney, Gary Rohlwing, telephonically.

Christl 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 32 and Conclusions of Law the alleged violations in Paragraphs 1 through 8.

Ogden moved, Moore seconded, and after discussion, it was unanimously carried to accept the Administrative Law Judge's recommended Order to impose a 24 month Probation to include the attached amended stipulations on practical nurse No. LP022420.

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

VII.G.3. Ma Elena Rodriquez**CNA234731033****Christl**

Malloch moved, Harris seconded, and it was unanimously carried to reopen Agenda Item VII.G.3. The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General, who was available telephonically. Daniel Christl, Assistant Attorney General, represented the State.

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

Christl addressed the Board.

After discussion, the motion of May 19, 2004, made by Moore, and seconded by Ogden, to reject the Consent Agreement for a \$100 Civil Penalty, and move forward with the Notice of Charges, failed with four opposed and three in favor.

VII.G.3.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	3	X				X		X		
NO	4			X	X		X			X
ABSTAIN	0									
ABSENT	2		X						X	

Harris moved, O'Connor seconded, to accept the signed Consent Agreement for a \$100 Civil Penalty.

After discussion, the motion carried with four in favor and three opposed.

VII.G.3.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	4			X	X		X			X
NO	3	X				X		X		
ABSTAIN	0									
ABSENT	2		X						X	

VII.H.12. Mickey Lynn May**RN086443****Bauer**

Malloch moved, O'Connor seconded, and it was unanimously carried to reopen Agenda Item VII.H.12. Moore and Gagnaire recused themselves to avoid the appearance of impropriety.

Gagnaire left the meeting at 4:37 p.m.

Malloch presiding.

Cornelius addressed the Board. Ogden moved, O'Connor seconded, and it was unanimously carried to table Agenda Item VII.H.12.

VIII.A.6. Update on ASBN Strategic Initiatives 2004-2006 – Smith/Bontrager/Ridenour

Moore moved, Ogden seconded, and it was unanimously carried to reopen Agenda Item VIII.A., beginning at VIII.A.6. Ridenour gave an update on ASBN Strategic Initiatives 2004-2005. Ridenour stated that the CORE report would be brought to Board members at the July 2004 Board meeting. Ridenour noted that the Board member self assessment survey is normally done in May. The goal in May 2003 was for the Board to improve values in four of the twenty questions. Ridenour asked for Board members to comment on whether they wish to change the types of questions they completed. Ridenour noted that the previous survey tool was not comparative with other State Boards of Nursing noted in the CORE Report. Ridenour complimented the Board for being the second highest Board in the area of governance, and noted the three lowest scores (although still good scores), were: working relations between Board members, relations with Health Care Community, and priorities for Board development.

- VIII.A.7. a. Update on National Council State Board of Nursing Annual Meeting & Discussion of Delegate Assembly Agenda/Strategic Initiatives/Action Items – Harris**
- b. Reports of Area I Director – Harris & Chairpersons/Members of National Council Committees; Practice Breakdown – Malloch; Discipline Advisory Group – V. Smith; Examination Committee – Randolph; Member Board Leadership Group – Ridenour**

Harris reported on the National Council State Board of Nursing Annual Meeting & Discussion of Delegate Assembly Agenda/Strategic Initiatives/Action Items. Harris listed 6 initiatives as the focus of attention for upcoming meeting.

Ogden left the meeting at 5:03 p.m. and returned at 5:07 p.m.

Malloch reported on the National Council Practice Breakdown Committee. V. Smith reported on the National Council Discipline Advisory Group, and workshop agenda for a workshop to be held in June 2004. Moore reported on the National Council Expert Panel on the research on nursing competence and meeting to be held May 22 & 23, 2004. Randolph reported on the National Council Examination Committee and their involvement in International testing. Ridenour reported on National Council Member Board Leadership Group and the Executive Director Retreat held in April 2004. Moore moved, O'Connor seconded, and it was unanimously carried to table the remainder of Agenda Item VII.A.

The meeting recessed at 5:21 p.m., Thursday, May 20, 2004.

**BOARD MEETING
ARIZONA STATE BOARD OF NURSING**

The regular meeting of the Arizona State Board of Nursing convened at 8:31 a.m., Friday, May 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
Gregory Harris, Member
Sharon M. Molleo, L.P.N., Member
Marla Moore, R.N., B.S.N., M.A., Member
Barbara O'Connor, L.P.N., Member

BOARD MEMBERS ABSENT:

Theresa Crawley, C.R.N.A., M.S.H.S.A., 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

I. Call To Order

The meeting was called to order at 8:31 a.m., Friday, May 21, 2004.

The following Board members were present: Gagnaire, Malloch, Campbell, Molleo, and O'Connor.

Gagnaire presiding.

Ogden and Harris arrived at the meeting at 8:32 p.m.

Moore arrived at the meeting at 8:35 a.m.

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

VIII.A.3. Board Member Bi-Monthly Educational Topic: Monitoring of Probationers, Consent Agreement Recommendations – Nelson/Smith

Moore moved, Malloch seconded, and it was unanimously carried to reopen Agenda Item VIII.A. S. Nelson presented the Board Member Bi-Monthly Educational Topic on Monitoring of Probationers, and Consent Agenda Recommendations. Nelson reported that success rate for CNA's in monitoring is problematic. In conversations with CNA's, Nelson found they end up in suspension due to lack of understanding the Consent Agreement, lack of monetary resources, and lack of recovery commitment. Nelson recommended we look at other ways to enhance Consent Agreements, and will obtain ideas from staff members and bring specific suggestions to the July 2004 Board meeting. Issues most frequently addressed by Respondents regarding Consent Agreements are: number of scheduled hours they can work, difficulty in obtaining RN supervision for LPN's in long term care facilities, supervisors not understanding the language of Consent Agreements, and non-compliance in urine drug screens. When Respondent is non-compliant in more than 3 areas, Nelson reported that she returns them to the Board for further Board review. Malloch reported that new research by Dr. Ann Rogers, is showing a level of impairment/fatigue, if nurses work more than 12 ½ hours at a time. Malloch encouraged Nelson to review the research and how it may impact nurses in monitoring.

VIII.A.8. Update on Arizona Governor's Task Force on the Nursing Shortage: Strategic Plan for Nursing in State of Arizona, Sprint 2004 – Suggestions for Regulatory Barriers – Malloch/Ridenour

Ridenour gave an update on Arizona Governor's Task Force on the Nursing Shortage: Strategic Plan for Nursing in the State of Arizona, and a summary of the early draft for the Reconstituted Task Force and the strategic themes and plans. Lynn Maschner was present and reported on the Task Force meeting held on May 19, 2004. Ridenour stated that suggestions from the Board regarding Regulatory Barriers are welcomed.

VIII.A.9. Update of Budget/Hearing Department/Investigative Cases/Personnel Changes – Barber/Smith/Ridenour

Ridenour reported on the budget and expected timeframe for approval by the Legislature. Because of a technical glitch in last year's budget, it has been necessary to borrow from the RN/LPN funds to help pay for CNA expenses. This has made a significant impact in the coding of expenses. It is anticipated that this technical aspect will be corrected before the Legislative session ends. V. Smith gave an update on the Investigative and Hearing Department caseloads. 90% of the open cases are from calendar year 2003 and 2004. Approximately 680 cases remain open. Gagnaire suggested a goal for having the open caseload reduced to 500 by the end of 2004. Smith noted that we have an average of 125 new complaints per month, 150 cases to the Board per month, and are working toward 6 month turnaround

time, with high-priority cases already meeting the 6 month timeframe. Malloch suggested we publicize the low backlog of cases and the improved turn around times, in the Newsletter. Ridenour reported that Thereasa Berry is preparing data for the Newsletter. Harris requested that statistics on hearing cases, be prepared for the Board, on a regular basis. Ridenour noted that the hearing department has tripled its caseload, and has brought more cases to completion than in prior years. Ridenour emphasized the need for investigators to do more negotiating prior to cases being transferred to the hearing department. Christl concurred with the request to track hearing cases. He noted the hearing department is trying to triage easier cases to be set for hearing right away. Christl is also prioritizing older cases, for resolution.

Moore left the meeting at 9:27 a.m. and returned at 9:28 a.m.

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

V.A.4. Laura Dorothy Michael RN113397 (S. Smith)

Michael was present and addressed the Board. Moore moved, Malloch seconded, and it was unanimously carried to offer a Consent Agreement for a \$250 Civil Penalty, or proceed to hearing.

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

V.A.5. August Joseph Budnick RN083231; LP026980 (S. Smith)

Budnick was present and addressed the Board. Campbell moved, Malloch seconded, to offer a Consent Agreement for a 24 month Stayed Revocation with the license suspended during the first 6 months and on probation the following 18 months, followed by a 24 month Probation to include the attached stipulations, or proceed to hearing. After discussion, Malloch withdrew the second. After further discussion, Harris seconded the motion. The motion failed with six opposed and two in favor.

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

Moore moved, O'Connor 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 to include the attached stipulations, or proceed to hearing.

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

V.A.7. Kristi Ann Pranke RN071157 (S. Smith)

Harris and Malloch recused themselves to avoid the appearance of impropriety.

Harris and Malloch left the meeting at 9:52 a.m.

Pranke was present and addressed the Board. Campbell knows Martha Teeman, but shows no bias. S. Smith addressed the Board with additional information. Ogden moved, Moore 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 to include the attached stipulations, or proceed to hearing.

V.A.7.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg 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 9:56 a.m.

V.A.8. Randy Clay Wilson RN Endorsement Applicant (S. Smith)

Wilson was present and available for questions. S. Smith addressed the Board with additional information. Malloch moved, O'Connor seconded, and it was unanimously carried to grant licensure upon meeting all requirements and accept the signed CANDO Stipulated Agreement.

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

The meeting recessed at 9:58 a.m. and reconvened at 10:09 a.m.

V.C.1. Kimberly Rebecca Bowman RN Endorsement Applicant (Bauer)

Alan Larkin, attorney, and Donna Melton, mother of Respondent, were present and addressed the Board. Moore moved, Malloch seconded, and it was unanimously carried to grant licensure upon 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 and the updated reports. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

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

V.D.1. Martha Merrill Jones RN059962 (Midkiff)

Campbell knows Shannon Mayer, but shows no bias. Midkiff addressed the Board and confirmed receipt of additional information. Jones was present and addressed the Board. Cristy Brewer, mother of a patient identified in the complaint, was present and addressed the Board. Malloch moved, Moore seconded, and after discussion, it was unanimously carried to issue Complaint and Notice of Hearing.

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

V.D.2. Joelle Sue Barden RN094761; LP028054; CNA643102357 (Midkiff)

O'Connor knows Jean Stockton, Dr. Jill Hamilton and Dr Terpstra, and Campbell knows Piedad Blake, but show no bias. Barden was present and addressed the Board. Moore moved, O'Connor seconded, and it was unanimously carried to issue an Interim Order for an Evaluation by a Board approved psychiatrist with expertise in addiction medicine to be scheduled within 30 days and completed within 60 days, or adopt the attached, amended, Notice of Charges.

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

V.D.11. Lori Denise Mitchell RN100156 (Midkiff)

Gagnaire recused herself to avoid the appearance of impropriety.

Gagnaire left the meeting at 10:37 a.m.

Malloch presiding.

Midkiff addressed the Board with additional information. Mitchell was present and available for questions. O'Connor moved, Moore seconded, and it was unanimously carried to issue an Interim Order for an Evaluation by a Board approved addictionologist to be scheduled within 15 days and completed within 45 days of the order, or adopt the attached Notice of Charges and include the additional factual allegation and alleged violation for failure to comply with the Interim Order.

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

V.D.15. Kimberly Rae Kennedy RN119727 (Midkiff)

O'Connor knows Judy Pundy, but shows no bias. Kennedy was present and addressed the Board. Midkiff addressed the Board with additional information. Moore moved, O'Connor seconded, and it was unanimously carried to issue an Interim Order for a Psychological and Chemical Dependency Evaluation to be completed by a Board approved addictionist and to include any additional testing deemed necessary by the evaluator to be scheduled within 15 days and completed within 45 days, or proceed to hearing.

V.D.15.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	8	X		X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1		X							

V.E.3. Greg A. Hawkins RN Exam Applicant (Olson)

Hawkins was present and available for questions. Olson addressed the Board with additional information. Malloch moved, Moore seconded, and it was unanimously carried to grant licensure upon meeting all requirements and signing a Consent Agreement for a \$250 Civil Penalty within 30 days, or deny licensure based upon information contained in the Investigative Report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

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

V.E.5. Tracy N. Thompson LP Exam Applicant

Thompson was present and addressed the Board. Moore moved, Malloch seconded, and after discussion it was unanimously carried to issue an Interim Order to obtain a Psychological Evaluation to include a Chemical Dependency Evaluation by a Board approved evaluator, to be scheduled within 30 days and completed within 60 days, and return to Board. If not completed, issue a Notice of Charges based upon the information contained in the Investigative Report to include her failure to comply with the Interim Order.

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

V.F.2. Stephanie L. Page RN090090 (Brown)

Page was present and addressed the Board. Brown addressed the Board with additional information. Malloch moved, Ogden seconded, to offer a Consent Agreement for an Indefinite Suspension pending the completion of an Addiction Evaluation by a Board approved evaluator, and the successful completion of any treatment recommendations resulting from the evaluation, to be followed by a 36 month Probation, to include the attached stipulations, or adopt the attached Notice of Charges. After discussion, Malloch amended the motion to delete paragraph three from the Notice of Charges. Ogden concurred. After further discussion, the motion carried unanimously.

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

The May 19, 20 and 21, 2004 regular Board meeting recessed at 11:08 a.m.

**SPECIAL BOARD MEETING
ARIZONA STATE BOARD OF NURSING**

The special 11:00 a.m. meeting of the Arizona State Board of Nursing convened at 11:09 a.m. Friday, May 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
Gregory Harris, Member
Sharon M. Molleo, L.P.N., Member
Marla Moore, R.N., B.S.N., M.A., Member
Barbara O'Connor, L.P.N., Member

BOARD MEMBERS ABSENT:

Theresa Crawley, C.R.N.A., M.S.H.S.A., 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

I. Call To Order

The meeting was called to order at 11:09 a.m., Friday, May 21, 2004.

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

Gagnaire presiding.

II. Board Discussion and Decision Regarding RN Investigative Reports and Potential Summary Suspension

II.A. Melissa Ann Mruskovich RN091432; AP1271 (Grady)

The proceeding began at 11:12 a.m. with the following Board members present: Moore, Malloch, Gagnaire, Ogden, O'Connor, Molleo, Campbell and Harris. Michelle Wood, Assistant Attorney General, represented the State.

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

Grady addressed the Board with an amendment to the Board option. Grady also stated that correspondence mailed to Mruskovich was not returned to the Board office.

Wood addressed the Board.

Harris moved, Campbell seconded, and it was unanimously carried to go into Executive Session on Agenda Item II.A. for the purpose of reviewing confidential documents and to obtain legal advice. Executive Session convened at 11:00 a.m. and adjourned at 11:20 a.m.

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

Ogden moved, Campbell seconded, and it was unanimously carried to move to a Summary Suspension.

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

Moore moved, Campbell seconded, and it was unanimously carried to accept proposed Findings of Fact the allegations contained in Paragraphs 1-15 and Conclusions of Law the alleged violations in Paragraph 1.

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

Ogden moved, Campbell seconded, and after discussion, it was unanimously carried to Summarily Suspend professional nursing license No. RN091432, and advanced practice certificate No. AP1271, issued to Melissa Ann Mruskovich.

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

It was therefore ordered that the professional license No. RN091432, and advanced practice certificate No. AP1271, be suspended, effective with the service of the written Order, and that Melissa Ann Mruskovich will immediately cease practice as a nurse and advanced practice nurse. This suspension shall remain in effect pending a public hearing and final decision by the Arizona State Board of Nursing pursuant to A.R.S. § 32-1664.

IV. Adjournment

Ogden moved, Malloch seconded, and it was unanimously carried to adjourn the 11:00 a.m., May 21, 2004, Special Board meeting.

The meeting adjourned at 11:37 a.m.

Ogden moved, Campbell seconded, and it was unanimously carried to reconvene the May 19, 20, and 21, 2004, Regular Board meeting.

Gagnaire left the meeting at 11:37 a.m.

Malloch presiding.

Moore left the meeting at 11:38 a.m. and returned at 11:39 a.m.

**V.F.3. Lynda Elizabeth Chaprnka RN114563 (Brown)
(aka: Koehler)**

Brown addressed the Board with additional information. Chaprnka, and Debbie Owens were present and addressed the Board. Campbell moved, Ogden seconded, to offer a Consent Agreement for a 24 month Stayed Revocation, with the license suspended during the first 12 months, and on probation the second 12 months, followed by a 24 month probation to include the attached stipulations, or proceed to hearing. The motion carried with six in favor and one abstained.

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

**V.F.4. Kelsi D. Pate RN Exam Applicant (Brown)
(aka: Davis)**

Brown addressed the Board with additional information. Tom Mitton, Pate’s husband, was present and addressed the Board. Pate was present and available for questions. Moore moved, Campbell seconded, and after discussion, it was unanimously carried to grant licensure upon meeting all requirements and signing a Consent Agreement for a 36 month Probation, to include the attached stipulations. If not signed within 30 days, deny licensure based upon information contained in the Investigative Report. If an informal settlement conference is requested, the authority to settle is limited to the terms of the Consent Agreement offered at this meeting.

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

V.G.2. Janice C. Davis RN084886 (Munger)

Campbell recused herself to avoid the appearance of impropriety.

Campbell left the meeting at 11:57 a.m.

O'Connor and Malloch know Linda Maschner, but show no bias. Davis was present and addressed the Board. Rebecca Woodbury and Linda Maschner were present and addressed the Board. Ogden moved, Moore seconded, to issue a Letter of Concern for stashing a box of medications in the ceiling in November 2003 and for setting medications for others to pass, as well as passing medication which other nurses have set up, while working at the Arizona Department of Corrections from July of 1996 to the present; the Board to direct staff to write a letter to Linda Maschner, Nursing Program Manager,

ADOC, expressing the Board’s concern regarding ADOC’s process of setting up and passing medications. The motion carried with five in favor and one opposed.

Campbell returned to the meeting at 12:13 p.m.

The meeting recessed at 12:13 p.m. and reconvened at 1:24 p.m.

Gagnaire returned to the meeting at 1:24 p.m.

Gagnaire presiding.

V.G.3. Sharon Wozniak Haney LP022274 (Munger)

Haney was present and addressed the Board. Malloch moved, O’Connor seconded, to offer a Consent Agreement for a Decree of Censure, or proceed to hearing. After discussion, Malloch withdrew the motion. Ogden moved, Campbell seconded, and it was unanimously carried to issue a Letter of Concern for failing to document a patient’s complaint of discomfort at her intravenous (IV) site, the discontinuation of the IV, and the time a new IV was started, and for incorrectly documenting the time an IV antibiotic was administered on February 24, 2002, while working as a licensed practical nurse at Boswell Hospital.

Harris returned to the meeting at 1:33 p.m.

Moore returned to the meeting at 1:35 p.m.

V.G.7. Andrea Lea Fisher RN086939 (Munger)

Fisher was present and addressed the Board. Malloch moved, Campbell seconded, to offer a Consent Agreement for Indefinite Suspension pending a neuropsychological re-evaluation, with the determination of safety to practice, to include the attached stipulations, or proceed to hearing. After discussion, the motion carried with seven in favor and one abstained.

V.G.7.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O’Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	7			X	X	X	X	X	X	X
NO	0									
ABSTAIN	1	X								
ABSENT	1		X							

V.I.4. Carolyn Jill Lancaster RN092645 (Torrez)

Torrez addressed the Board with additional information. Lancaster was present and addressed the Board. Malloch moved, O’Connor seconded, and after discussion, it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or proceed to hearing.

V.I.4.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O’Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	8	X		X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1		X							

V.I.5. Carroline Brown RN090127; LP028902; CNA6594113 (Torrez)

Malloch knows Shirley Nahey, but shows no bias. Brown was present and addressed the Board. Torrez addressed the Board with an amendment to the stipulations, to delete: night shift prohibited. Malloch

moved, Moore seconded, and after discussion, it was unanimously carried to offer a Consent Agreement for 18 months Probation to include the attached stipulations, as amended, or proceed to hearing.

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

V.I.6. Lisa R. Sanders CNA999996820 (Torrez)

Malloch knows Adolpho Gomez, Dr. Sylvia Orr, and Kathleen Ellis, but shows no bias. Sanders and Kathleen Ellis were present and addressed the Board. Torrez addressed the Board with additional information. Moore moved, Malloch seconded, to issue a Letter of Concern for admitting to the use of profanity with a classmate, and for making inappropriate remarks to individual professors while a student at Southwest Skill Center in Avondale, Arizona on or about 2003. After discussion, the motion failed with four in favor and four opposed. Harris moved, O'Connor seconded, and it was unanimously carried to dismiss the case.

V.I.7. Debra Sue Lewis RN075127 (Torrez)

Lewis was present and available for questions. Torrez addressed the Board with additional information. Harris moved, Campbell seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or proceed to hearing.

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

V.G.10. Judith Middleton LP033184 (Munger)

Middleton was present and addressed the Board. Munger addressed the Board with an amendment to the Board option. Moore moved, Malloch seconded, and it was unanimously carried to offer a Consent Agreement for a 36 month Probation, to include the attached stipulations, amended, to allow Middleton to complete Probation and attached stipulations in the State of Washington, or proceed to hearing.

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

V.I.3. Suzanne P. Ross Feeley RN071694 (Torrez)

Malloch moved, Campbell seconded, and it was unanimously carried to table Agenda Item V.I.3.

**V.K.4. Karen Renee Causey RN087813 (Rappoport)
(aka:Karen Renee Howard Causey)**

Gagnaire recused herself to avoid the appearance of impropriety.

Gagnaire left the meeting at 2:05 p.m.

Malloch presiding.

Rappoport addressed the Board and confirmed receipt of additional information. Causey was present and addressed the Board. O'Connor moved, Moore seconded, to issue an Interim Order for a Neuropsychological Evaluation to be completed by a Board approved evaluator and to include any additional testing deemed necessary by the evaluator within 30 days, and return to the Board. After discussion, O'Connor amended the motion to include: evaluation to be scheduled within 30 days and completed within 6 months. Moore concurred. After further discussion, O'Connor amended the motion to include: Causey agrees to not practice nursing until completion of the evaluation. Moore concurred. The motion carried unanimously.

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

V.K.5. Karen L. Rebel RN078320; LP024669 (Rappoport)
(aka: Hogue)

Moore moved, O'Connor seconded, and it was unanimously carried to table Agenda Item V.K.5.

Gagnaire returned to the meeting at 2:19 p.m.

Gagnaire presiding.

V.J.4. Mary Lynn Miners RN089032; AP1081 (Grady)

Minors was present and addressed the Board. Moore moved, Malloch seconded, and it was unanimously carried to dismiss the case.

V.J.6. Therese Vint Morrison RN26869 (Grady)

Campbell recused herself to avoid the appearance of impropriety. Morrison was present, telephonically, and addressed the Board. Holly Geiszl, attorney, was present and available for questions. Grady addressed the Board with additional information. Malloch moved, Moore seconded, to offer a Consent Agreement for a Decree of Censure, or proceed to hearing. The motion carried with seven in favor and one abstained.

V.J.6.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	7	X		X	X	X	X	X		X
NO	0									
ABSTAIN	1								X	
ABSENT	1		X							

The meeting recessed at 2:43 p.m. and reconvened at 2:56 p.m.

Harris returned to the meeting at 2:58 p.m.

VIII.C. President's Report

VIII.C.1. Board Self Assessment – All

Malloch moved, Campbell seconded, and it was unanimously carried to use National Council's questionnaire for future self-assessments.

VIII.C.2. Debriefing on Board Process & Suggested Changes – All

Board members questioned when the process of moving from hard copy, to electronic Board packets would be complete. Ridenour stated that a different approach to the electronic process is being created, and will be offered at the July 2004 Board meeting.

VIII.C.4. Recognition of Board Members Completing Terms: Barbara O’Connor, LPN – 5 years; Marla Moore, RN, BSN, MA – 10 years – All

Gagnaire welcomed new Board member, Sharon Molleo, and presented her with a plaque from the Governor. Gagnaire announced that new Board member, Karen Hodges Hardy, would begin her term at the July 2004 Board meeting. Board members recognized Barbara O’Connor for 5 years of service on the Board, and Marla Moore, for 10 years of service. Moore and O’Connor will finish their term with the Board at the end of June 2004. Moore and O’Connor offered parting words to Board members and staff.

V.A.2. Li Li RN121923 (S. Smith)

Malloch, Gagnaire and Campbell know Mary Killeen, but show no bias. H.M. Walthall, attorney, was present and addressed the Board on behalf of Li. Li was present and available for questions. S. Smith addressed the Board with additional information. Harris moved, Ogden seconded, and it was unanimously carried to go into Executive Session on Agenda Item V.A.2. for the purpose of reviewing confidential documents and to obtain legal advice. Executive Session convened at 3:45 p.m. and adjourned at 4:02 p.m. Campbell moved, Moore seconded, to issue an Interim Order for a Psychological Evaluation to be completed within 60 days, and return to the Board. If not completed, return to the Board with Notice of Charges. After discussion, the motion carried with seven in favor and one opposed.

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

Moore left the meeting at 4:13 p.m.

V.I.1. Laura L. Kelly RN033549 (Torrez)

Teressa Sanzio, attorney, was present and addressed the Board. Kelly was present and addressed the Board. Torrez addressed the Board and confirmed receipt of additional information. Campbell moved, Ogden seconded, and it was unanimously carried to adopt the attached Notice of Charges.

V.I.2. Gwen Helen Holmes RN107378 (Torrez) (aka: Kriegel)

Gagnaire knows Debbie Lindquist, but shows no bias. Teressa Sanzio, attorney, was present and addressed the Board. Harris moved, Campbell seconded, and after discussion, it was unanimously carried to continue the investigation to allow time for Dr. Wooten to provide Board staff with his report.

VII.H.12. Mickey May RN086443 (Torrez)

O’Connor moved, Ogden seconded, and it was unanimously carried to reopen Agenda Item VII.H.12. Gagnaire recused herself to avoid the appearance of impropriety.

Gagnaire left the meeting at 4:38 p.m.

Malloch presiding.

Teresa Sanzio, attorney, was present and available for questions. O'Connor amended the original motion to adopt the Complaint and Notice of Hearing, of May 19, 2004, to delete paragraph 10 from the Complaint and Notice of Hearing. Ogden concurred. After discussion, the motion carried unanimously.

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

Gagnaire returned to the meeting at 4:43 p.m.

Gagnaire presiding.

V.I.3. Suzanne P. Ross Feeley RN071694 (Torrez)

Ogden moved, Harris seconded, and it was unanimously carried to reopen Agenda Item V.I.3. Teresa Sanzio, attorney, was present and addressed the Board on behalf of Feeley. Torrez addressed the Board and confirmed receipt of additional information. Malloch moved, Ogden seconded, and it was unanimously carried to continue the investigation to the July 2004 Board meeting to allow time to obtain the evaluation report.

The Board directed staff to report Dr. Susavage to the D.O. Board.

V.A.1. Mary Angelique Ayers LP038642 (S. Smith)

Stephen Barkley, attorney, and Ayers were present, telephonically, and Barkley addressed the Board. O'Connor moved, Ogden seconded, to issue an Interim Order for a Proficiency Exam Program Evaluation to be completed by a Board approved evaluator within 90 days, and return to the Board. After discussion, O'Connor amended the motion to extend the timeframe for the evaluation to 120 days. Ogden concurred. After further discussion, O'Connor amended the motion to set the timeframe for the evaluation to 110 days. Ogden concurred. The motion carried unanimously.

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

The Board directed staff to send a letter to the Army informing them that the transcript is misleading and implies to the public that this person completed an LPN program.

V.G.1. Kathy Ann Bailey RN044281 (Munger)

Harris and Malloch recused themselves to avoid the appearance of impropriety.

Malloch and Harris left the meeting at 5:00 p.m.

Brian Burton, attorney, and Bailey were present and addressed the Board. Campbell moved, O'Connor seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or proceed to hearing.

V.G.1.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg 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 5:14 p.m.

V.D.12. Connir Kinnard Schmidt LP006672 (Midkiff)

Bud Moore, attorney, was present and addressed the Board on behalf of Schmidt. Malloch moved, O'Connor seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or proceed to hearing.

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

V.D.8. Karen Hales Hull LP005334 (Midkiff)

Sherry Bell, attorney, was present and addressed the Board. Hull was present and available for questions. Midkiff addressed the Board with additional information. Malloch moved, Campbell seconded, and it was unanimously carried to issue a Letter of Concern for forcing a resident out of bed against her wishes on November 7, 2003 while employed at Palm Valley Rehabilitative and Care Center for complaint #1, and offer a Consent Agreement for a Decree of Censure, or proceed to hearing for complaint #2.

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

The Board directed staff to contact Palm Valley Rehabilitative and Care Center about the use of RN's and LPN's, to be certain the RN to LPN ratio is adequate.

VI.B.3. Steven L. Smalling RN111638 (S. Nelson)

Campbell and O'Connor recused themselves to avoid the appearance of impropriety.

Campbell and O'Connor left the meeting at 5:32 p.m.

Scott Holden, attorney, was present and addressed the Board. Smalling was present and available for questions. S. Nelson addressed the Board with an amended Board option. Gagnaire moved, Ogden seconded, to offer an Amended Consent Agreement and Order No.0211007, entered into on November 4, 2003, to extend the terms of probation for 6 additional months to include the attached terms, amended, to delete "refresher course, drug testing, abstain from alcohol, abstain from drugs, proof of prescription", or proceed to hearing.

VI.B.3.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	5			X	X	X		X		X
NO	0									
ABSTAIN	0									
ABSENT	4	X	X				X		X	

Campbell and O'Connor returned to the meeting at 5:44 p.m.

The meeting recessed at 5:45 p.m. and reconvened at 5:54 p.m.

Harris left the meeting at 5:45 p.m.

V.K.5. Karen L. Rebel RN078320; LP024669 (Rappoport)
(aka: Hogue)

O'Connor moved, Molleo seconded, and it was unanimously carried to reopen Agenda Item V.K.5. Malloch recused herself to avoid the appearance of impropriety.

Malloch left the meeting at 5:54 p.m.

Campbell knows Alice Karrigan, and Gagnaire knows Herb Geary, but show no bias. Michael Yuceviscus, 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, and after discussion, it was unanimously carried to issue an Interim Order for a Psychological Evaluation to be completed by a Board approved evaluator, and to include any additional testing deemed necessary by the evaluator within 30 days, and return to the Board.

V.K.5.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	5				X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	4	X	X	X						X

Malloch returned to the meeting at 6:04 p.m.

VI.B.2. Gail G. Prats RN072526 (S. Nelson)

Prats was present and addressed the Board. Brad Andro, Prats fiancé, was present and available for questions. S. Nelson addressed the Board with additional information. Malloch moved, Campbell seconded, and after discussion, it was unanimously carried to offer an Amended Consent Agreement for 12 months Stayed Revocation/Probation, followed by 24 months standard probation, to include the attached stipulations, or proceed to hearing.

VI.B.2.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	6			X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	3	X	X							X

V.D.9. Barbara A. Melero CNA944918803 (Midkiff)

Melero was present and available for questions. Malloch moved, O'Connor seconded, and it was unanimously carried to issue a Letter of Concern for forcing a resident out of bed against her wishes on November 17, 2003 while employed at Palm Valley Rehabilitative and Care Center.

V.G.4. Theresa Anne Lungwitz RN086077 (Munger)

Kay Corcoran, attorney, was present and addressed the Board. Lungwitz 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 proceed to hearing.

V.G.4.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	6			X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	3	X	X							X

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

VI.B.1. Jo Marena Dassy RN080875; LP022882 (S. Nelson)

Dassy was present, telephonically, and available for questions. Campbell moved, Malloch 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 to include the attached stipulations, or proceed to hearing.

VI.B.1.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	6			X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	3	X	X							X

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

- Amy Churchill RN087327; AP1299 Immediately**
- Miguel Morales RN029175 Immediately**
- Sheila Stanton CNA999992874 Immediately**
- Donna A. Swicklik RN096703 Immediately**
- Karen L. Janis RN112545 June 10, 2004**
- Norman N. Mack LP018901 June 25, 2004**

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

VI.B.4. Kelly A. Wood RN086858; LP028437 (S. Nelson)

Malloch moved, Campbell seconded, and it was unanimously carried to offer an Amended Consent Agreement for Indefinite Suspension pending completion of a psychological evaluation and treatment, followed by 24 months probation, to include the attached stipulations, or proceed to hearing.

VI.B.4.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	6			X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	3	X	X							X

VI.B.5. Jennifer R. Carter RN120243 (S. Nelson)
(aka: Venokur)

S. Nelson addressed the Board with additional information. Malloch moved, Ogden seconded, and it was unanimously carried to accept, if signed, an Amended Consent Agreement for an Indefinite Suspension, to include the attached stipulations, amended, to delete: biological fluid testing, followed by 24 months probation to include the attached stipulations, amended, to delete: biological fluid testing. If not signed, continue with Consent Agreement entered into on September 20, 2002.

VI.B.5.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	6			X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	3	X	X							X

V.K.1. Elizabeth Ann Findley LP Endorsement Applicant (Rappoport)
(aka: Boyle)

An attempt was made, to contact Findley, telephonically. Malloch moved, O'Connor 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.1.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	6			X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	3	X	X							X

V.K.2. Pamela G. Enick LP Endorsement Applicant (Rappoport)
(aka: VanVleet; Mehl)

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

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

V.K.3. Mary Benjamin RN077767 (Rappoport)
(aka: Rahming)

Rappoport addressed the Board with a technical correction to the Notice of Charges. O'Connor moved, Campbell seconded, and it was unanimously carried to issue an Interim Order for a Psychological Evaluation with psychometric testing, to be completed by a Board approved evaluator, and to include any additional testing deemed necessary by the evaluator, to be scheduled within 30 days and completed

within 60 days, and return to the Board. If the Interim Order is not completed, adopt the attached Notice of Charges and include the additional factual allegation and alleged violation for failure to comply with the Interim Order.

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

V.C.2. Patricia Ohalloran Glick RN045603 (Bauer)

Campbell knows Dr. Glick, but shows no bias. Olson addressed the Board with additional information. Malloch moved, Campbell seconded, and it was unanimously carried to issue a Letter of Concern for failure to cooperate with a Board investigation, beginning on February 7, 2001, into allegation of obtaining, by misrepresentation or fraud, Vicodin or its generic.

V.E.1. Stacey A. Brinser RN115075; LP036050 (Olson)

Malloch moved, O'Connor seconded, and it was unanimously carried to adopt the attached Complaint and Notice of Hearing.

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

V.E.2. Rebecca T. Dohm RN125661 (Olson)

Olson addressed the Board with additional information. Campbell moved, O'Connor seconded, and it was unanimously carried to issue an Interim Order to obtain a Psychological Evaluation, to include psychometric testing and a chemical dependency evaluation, by a Board approved evaluator, to be scheduled within 30 days and completed within 60 days, and return to the Board. If not completed, issue a Notice of Charges based upon the information contained in the Investigative Report to include failure to comply with the Interim Order.

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

V.E.4. Heidi J. Layton LP Endorsement Applicant (Olson)

Gagnaire moved, Ogden 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 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.

V.E.4.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	6			X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	3	X	X							X

The meeting recessed at 6:58 p.m. and reconvened at 7:08 p.m.

V.I.8. Sandra Rjean Garner RN097360; LP027653 (Torrez)

Malloch moved, Ogden seconded, to issue a Letter of Concern for failing to inform the physician regarding the change in condition of a patient’s leg wound on or about August 18, 2003 while employed by Gentiva Health Services in Mesa, Arizona. After discussion, Malloch withdrew the motion. O’Connor moved, Molleo seconded, and it was unanimously carried to issue a Decree of Censure, or proceed to hearing.

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

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

Malloch moved, O’Connor seconded, and after discussion, it was unanimously carried to continue the investigation to allow Shepis the opportunity to obtain an Anger Management Evaluation by a Board approved evaluator within 30 days, and return to the Board.

V.J.1. Linda Sue Avery RN118956 (Grady)

Grady addressed the Board with additional information. Malloch moved, O’Connor seconded, to offer a Consent Agreement for a Decree of Censure, or proceed to hearing. After discussion, the motion carried with four in favor and two opposed.

V.J.1.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O’Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	4			X			X	X	X	
NO	2				X	X				
ABSTAIN	0									
ABSENT	3	X	X							X

V.J.2. Rosemary O. Brooks RN076300 (Grady)

Gagnaire moved, Campbell seconded, to issue a Letter of Concern for providing cough medication with codeine to a resident M.D. at his request for self-use, on or about November 18, 2003, at Phoenix Children’s Hospital, Phoenix, Arizona. After discussion, the motion failed with three in favor and three opposed. Malloch moved, O’Connor seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or proceed to hearing. The motion carried unanimously.

V.J.2.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O’Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	6			X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	3	X	X							X

V.J.3. Terry Lynn Graul RN066900; AP1086 (Grady)

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

V.D.3. Tammy Marie Ahler CNA999994720 (Midkiff)

Campbell moved, Gagnaire seconded, to issue a Letter of Concern for administering one Tylenol table to a resident on or about September 9, 2003 while employed by Silver Ridge Village. The motion carried with five in favor and one abstained.

V.D.4. Mary Christine Helzer CNA999995973 (Midkiff)

Midkiff addressed the Board with an amendment to the Notice of Charges. Ogden moved, O'Connor seconded, and it was unanimously carried to adopt the attached Notice of Charges, amended, to add an additional factual allegation, #7, to read: On or about May 4, 2004, Respondent submitted to a random drug screen conducted by Respondent's employer, Silver Ridge Village. Results returned positive for amphetamines and methamphetamines. Respondent admitted to the night charge nurse her test would return "dirty", and also stated she had been smoking pot, drinking alcohol, and had taken someone else's Vicodin. Respondent gave no explanation to the positive amphetamine and methamphetamine results.

V.D.4.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	6			X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	3	X	X							X

V.D.5. Phyllis Allard Jordan RN102123 (Midkiff)

Campbell moved, Malloch seconded, and it was unanimously carried to offer a Consent Agreement for a \$250 Civil Penalty, or proceed to hearing.

V.D.5.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	6			X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	3	X	X							X

V.D.6. Sharon Ann Elwart LP034080 (Midkiff)

O'Connor moved, Gagnaire seconded, and it was unanimously carried to issue an Interim Order for an Evaluation by a Board approved psychologist, and to include any additional testing deemed necessary, to be scheduled within 30 days and completed within 60 days, or proceed to hearing.

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

V.D.7. Cynthia Maloney LP030744 (Midkiff)

Malloch moved, Ogden seconded, and after discussion, it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or proceed to hearing.

V.D.7.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	6			X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	3	X	X							X

V.D.10. Blynis Elaine McCune RN108452 (Midkiff)

O'Connor, Malloch and Gagnaire know Debbie Pendergast, but show no bias. Malloch moved, Gagnaire seconded, and after discussion, it was unanimously carried to issue an Interim Order for an Evaluation by a Board approved psychologist and to include any additional testing deemed necessary by the evaluator, to be scheduled within 30 days and completed within 60 days, or adopt the attached Notice of Charges, to include the additional factual allegation and alleged violation for failure to comply with the Interim Order.

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

V.D.13. Linda Raether CNA584773329 (Midkiff)

Malloch moved, O'Connor seconded, and it was unanimously carried to issue a Letter of Concern for failing to notify supervisory staff immediately about resident TL's change in condition on October 6, 2002 while employed at The Fountain Retirement Hotel.

V.D.14. Arlene DeMattia LP037609 (Midkiff)

Ogden moved, O'Connor seconded, and it was unanimously carried to accept statement from treating psychiatrist, and offer a Consent Agreement for a 24 month Probation, to include the attached stipulations, or proceed to hearing.

V.D.14.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	6			X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	3	X	X							X

V.G.5. Natalija Olcan CNA999995612 (Munger)

Campbell moved, Malloch seconded, and it was unanimously carried to offer a Consent Agreement for a \$50 Civil Penalty, or proceed to hearing.

V.G.5.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	6			X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	3	X	X							X

V.G.6. Karen Lynn Wormell RN087133 (Munger)

O'Connor moved, Malloch seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or proceed to hearing.

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

V.G.8. Valery Florence Macias RN120155 (Munger)

Ogden moved, Malloch seconded, and after discussion, it was unanimously carried to offer a Consent Agreement for a Decree of Censure with a \$250 Civil Penalty, or proceed to hearing.

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

V.G.9. Ronald Allan Jewett LP Exam Applicant (Munger)

Gagnaire recused herself to avoid the appearance of impropriety. Malloch presiding. Munger addressed the Board with additional information. O'Connor moved, Campbell seconded, to deny licensure based upon information contained in the Investigative Report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application. The motion carried with five in favor and one abstained.

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

Gagnaire presiding.

V.G.11. Jeff Alexander Gorow RN046900 (Munger)

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

V.G.11.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	6			X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	3	X	X							X

VII.H.11. James E. Maffit CNA227305357 Bauer

O'Connor moved, Malloch seconded, and it was unanimously carried to reopen Agenda Item VII.H.11. Malloch moved, O'Connor seconded, and it was unanimously carried to offer a Consent Agreement for 12 months Stayed Suspension, to include the attached terms, to be signed within 30 days, or issue Notice of Charges.

VII.H.11.	VOTE	Moore, Marla Member	Crawley, Theresa Member	Malloch, Kathy Vice-Pres	Gagnaire Alice President	Ogden Beverly Secretary	O'Connor, Barbara Member	Molleo, Sharon Member	Campbell, Trista Member	Harris, Greg Member
YES	6			X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	3	X	X							X

VIII.E. Committee Reports

VIII.E.1. Scope of Practice

VIII.E.1.a. Draft Minutes of March 9, 2004

The Board was provided with draft minutes of the March 9, 2004 Scope of Practice meeting.

VIII.E.1.b. Advisory Opinions for Board Approval

VIII.E.1.b.1. PICC Insertion Radiographic Verification of Placement and Removal

O'Connor moved, Ogden seconded, and it was unanimously carried to approve PICC Insertion Radiographic Verification of Placement and Removal advisory opinion.

VIII.E.1.b.2. Pharmacological Stress Testing

O'Connor moved, Ogden seconded, and it was unanimously carried to approve Pharmacological Stress Testing advisory opinion.

VIII.E.3. Education

VIII.E.3.a. Minutes of February 13, 2004

The Board was provided with minutes of the February 13, 2004 Education Committee meeting.

VIII.E.5. Certified Nursing Assistant

VIII.E.5.a. Committee Member Application – Jan Dougherty

Malloch moved, O'Connor seconded, and it was unanimously carried to approve Jan Dougherty as Certified Nursing Assistant Committee member.

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).

XI. Adjournment

Malloch moved, O'Connor seconded, and it was unanimously carried to adjourn the meeting.

The meeting adjourned at 7:48 p.m., Friday, May 21, 2004

Alice Gagnaire, R.N., M.H.S.A., President