

Arizona State Board of Nursing

Janet Napolitano
Governor

Joey Ridenour
Executive Director



Board Meeting Minutes

The regular meeting of the Arizona State Board of Nursing convened at 8:10 a.m., Wednesday, September 19, 2007, in the Board of Nursing Board Room, Suite 200, 4747 N. 7th Street, Phoenix, Arizona, with Karen Hardy, RN, MSN, President, presiding.

BOARD MEMBERS PRESENT:

Karen Hardy, RN, MSN, President
Theresa Crawley, CRNA, MSHSA, Vice-President
Patricia Johnson, LPN, Secretary
Kathryn L. Busby, JD, Member
Denise Link, DNS, WHCNP, FNAP, Member
Kathy Malloch, PhD, MBA, RN, FAAN, Member
Steve Robertson, LPN, Member

BOARD MEMBERS ABSENT:

M. Hunter Perry, Member
Constance G. Woulard, RN, MSN, Member

LEGAL COUNSEL:

Ann Olson, Assistant Attorney General
Kim Zack, Assistant Attorney General
Nina Zimmerman, Assistant Attorney General

STAFF:

Joey Ridenour, RN, MN, Executive Director
Judy Bontrager, RN, MN, Associate Director of Operations
Pamela Randolph, RN, MSN, Associate Director of Education and Evidence Based Regulation
Valerie Smith, RN, MS, Associate Director of Investigations
Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings
Erica Bailey, Senior Investigator
Jeanne Crain, Senior Investigator
Frank Curatola, Senior Investigator
Karen Grady, RN, MS, CS, FNP, Nurse Practice Consultant/Advanced Practice
Thereasa Huff, Legal Assistant II
Connie Linck, RN, MN, CNA, BC
Sydney Munger, RN, MS, Nurse Practice Consultant
Betty Nelson, RN, MS, Nursing Assistant Consultant
Stephanie Nelson, R.N., M.S.N., Nurse Practice Consultant
Kirk Olson, Senior Investigator
Doug Parlin, Senior Investigator
Mary Rappoport, RN, MN, Nurse Practice Consultant
Jeanine Sage, RN, MSN, Nursing Assistant Consultant
Sister Rachel Torrez, RN, MS, Nurse Practice Consultant
Nancy Twigg, RN, MSN, Nurse Practice Consultant
Rose Wilcox, RN, M Ed, Nurse Practice Consultant/Education
James Williams, Senior Investigator
Barbara Melberg, Legal Secretary

I. Call to Order

The meeting was called to order at 8:10 a.m., Wednesday, September 19, 2007.

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

Hardy presided.

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

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

IV.B.2. Kenneth Loos RN034971; CRNA0052 (Bailey)

Crawley recused herself to avoid the appearance of impropriety and left the meeting at 8:13 a.m. Malloch moved, Johnson seconded, and it was unanimously carried to issue Notice of Charges based upon information contained in the investigative report.

Crawley returned to the meeting at 8:15 a.m.

IV.B.3. Brigette Collins CNA999994039 (Bailey)

Collins was present, telephonically, and addressed the Board. Busby moved, Link seconded, and it was unanimously carried to terminate stayed revocation entered into on July 19, 2006.

IV.B.4. Shannon Moore CNA1000001272 (Bailey)

Johnson moved, Link seconded, and it was unanimously carried, upon receipt of \$100 Civil Penalty payment and receipt of the performance evaluation to approve the request allowing Moore to complete the terms of Consent Agreement in the State of Texas.

IV.B.5. Millicent Hanks RN118958 (Bailey)

An attempt was made to contact Hanks telephonically. Malloch moved, Robertson seconded, and it was unanimously carried to issue Notice of Charges based upon information contained in the investigative report.

IV.B.7. Kefah Nyanchiri CNA1000010542 (Bailey)

Nyanchiri was present and available for questions. Malloch moved, Crawley seconded, and it was unanimously carried to grant licensure upon passing NCLEX exam and meeting all requirements and upon signing a Consent Agreement for 18 months standard probation to include the attached stipulations.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	7	X	X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	2			X				X		

IV.B.8. Christy Wayner RN058904 (Bailey)

Wayner was present, telephonically, and addressed the Board. Busby moved, Link seconded, and it was unanimously carried to approve request to amend Consent Agreement #0212117, to work any shift.

IV.B.9. Belinda Acosta RN035539; AP0863 (Bailey)

Acosta was present, telephonically, and addressed the Board. Malloch moved, Busby seconded, and it was unanimously carried to amend Consent Agreement to allow Acosta to work on-call as a nurse practitioner, while employed with Dr. Ed Beggy without direct supervision when responding to questions from a triage RN and to amend work hours to any shift and no registry except at Arizona Community Physicians.

IV.B.11. Lynn McCullough RN079877 (Bailey)

Bailey addressed the Board with additional information. Busby moved, Robertson seconded, and it was unanimously carried to offer a Consent Agreement for 24 months suspension/stayed revocation followed by 36 months stayed revocation/probation with terms and conditions, to be signed within 30 days or hearing.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	7	X	X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	2			X				X		

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

V.A.2. Jeanette Picozzi LP028529 (Twigg)

Picozzi and attorney Margaret Bergin were present and addressed the Board. Malloch moved, Busby seconded, and it was unanimously carried to dismiss the case.

**V.A.5. Monica Leigh Simoneau RN119108: LP036760; CNA999949528 (Twigg)
(aka: Lohrmann)**

Simoneau and attorney David Hill were present and addressed the Board. Malloch moved, Busby seconded, and after discussion it was unanimously carried to issue a letter of concern for failing to perform a complete physical assessment on a patient on or about June 15, 2006, while working at Sierra Vista Regional Health Center in Sierra Vista, Arizona.

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

**IV.B.1. Noah Kobay RN097801 (Bailey)
(aka: Leonard Dineen)**

Attorney Teressa Sanzio was present and addressed the Board. Kobay was present telephonically and addressed the Board. Busby moved, Johnson seconded, and it was unanimously carried to table Agenda Item IV.B.1. for the purpose of reviewing documents.

IV.B.10. David Alan Stepp RN127460 (Bailey)

Stepp was present and addressed the Board. Malloch moved, Johnson seconded, to amend Order to allow Stepp to work in home health with Nursing Solutions with monthly evaluations for the first six months. After six months of employment and satisfactory evaluations, Stepp can request case be presented to the Board for early termination. After discussion, the motion carried with four in favor and three opposed.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	4		X		X	X				X
NO	3	X					X		X	
ABSTAIN	0									
ABSENT	2			X				X		

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

V.H.2. Mary Susan Buffington RN083233; AP0698 (Grady)

Hardy recused herself to avoid the appearance of impropriety and left the meeting at 9:18 a.m. Crawley presided. Attorney Donna McDaniel and Buffington were present and addressed the Board. Grady addressed the Board with additional information. For Complaint #1, Johnson moved, Robertson seconded, to issue a letter of concern for failure to report a DUI arrest on or about November 11, 2005 in Yuma, Arizona. After discussion, the motion failed with four opposed and two in favor. Busby moved, Crawley seconded, to dismiss the case. The motion carried with five in favor and one opposed. For complaint #2: Johnson moved, Busby seconded, and it was unanimously carried to offer a Consent Agreement for 12 months probation to include the attached stipulations amended to include: 2 days of direct supervision and 2 days of on-site supervision with 25% chart review, or hearing.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X		X		X	X
NO	0									
ABSTAIN	0									
ABSENT	3			X		X		X		

Hardy returned to the meeting at 9:29 a.m.

V.H.3. Joyce R. Riggs LP026806 (Grady)

Hardy recused herself to avoid the appearance of impropriety and left the meeting at 9:30 a.m. Crawley presided. Riggs and Karen Barkley, supervisor, were present and available for questions. Busby moved, Link seconded, and it was unanimously carried to dismiss the case.

Hardy returned to the meeting at 9:31 a.m.

V.H.9. Janice Nelson Pflugfelder RN024465; AP0010; AP0008 (Grady)

Attorney Teresa Sanzio was present and addressed the Board. Pflugfelder was present and available for questions. Link moved, Busby seconded, and it was unanimously carried to issue a letter of concern for post dating prescriptions for a class 2 controlled substance for patient A.M. in or about March 2005 to February 2006, while employed with Value Options.

V.H.10. Martha Carr Oyler RN043144; AP0061 (Grady)

Malloch, Link and Crawley recused themselves to avoid the appearance of impropriety and left the meeting at 9:43 a.m. Grady addressed the Board and confirmed receipt of additional information. Attorney Teresa Sanzio was present and addressed the Board. Busby moved, Robertson seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure or hearing.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	4	X			X	X				X
NO	0									
ABSTAIN	0									
ABSENT	5		X	X			X	X	X	

Malloch, Link and Crawley returned to the meeting at 9:53 a.m.

V.H.11. Susan Marie Vitus RN022298; AP0067 (Grady)

Grady addressed the Board with additional information. Johnson moved, Malloch seconded, and it was unanimously carried to offer a Consent Agreement for 12 months probation to include the attached stipulations, or hearing.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	7	X	X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	2			X				X		

V.H.5. Denise Marcelle Hill RN103152; AP1688 (Grady)

Grady addressed the Board and confirmed receipt of additional information. Attorney Jay Ryan was present and addressed the Board. Hill was present and available for questions. Busby moved, Link seconded, and after discussion it was unanimously carried to offer a Consent Agreement for 12 months probation to include the attached stipulations or hearing.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	7	X	X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	2			X				X		

The meeting recessed at 10:04 a.m. and reconvened at 10:25 a.m.

V.C.6. Barry Latimer RN038469; CNA999997437 (K. Olson)

Latimer was present, telephonically, and addressed the Board. Attorney Michael Ryan was present and addressed the Board. Olson addressed the Board with additional information. Malloch moved, Johnson seconded, to offer a Consent Agreement for 12 months stayed suspension probation to be followed by a 24 month standard probation to include the attached stipulations. If not signed within 30 days, adopt Notice of Charges based upon information contained in the investigative report. After discussion, Malloch amended the motion to reduce the standard probation time from 24 months to 12 months. Johnson concurred. The motion carried unanimously.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	7	X	X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	2			X				X		

V.C.8. Jessie Paige Macmillan RN Exam (K. Olson)

Attorney Teressa Sanzio was present and addressed the Board. Malloch moved, Link seconded, and it was unanimously carried to adopt the signed Consent Agreement for 36 months probation to include the attached stipulations, and grant licensure upon successful completion of a refresher course, under the terms of the signed Consent Agreement

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	7	X	X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	2			X				X		

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

**IV.B.1. Noah Kobay RN097801 (Bailey)
(aka: Leonard Dineen)**

Malloch moved, Johnson seconded, and it was unanimously carried to reopen Agenda Item IV.B.1. Attorney Teressa Sanzio was present and addressed the Board. Busby moved, Crawley seconded, and after discussion it was unanimously carried to allow Kobay to complete the terms of Consent Agreement in the State of Michigan, reduce the reporting of prescribed medications from monthly to quarterly, change drug screening from randomly to on call, allow 60 days to obtain a new primary care physician and report back to Board staff.

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

**V.I.1. Amber Adele Ellen Canez RN138589; LP039721; CNA476557441 (Sage)
(aka: Morris)**

Attorney Jay Ryan was present and addressed the Board. Canez was present and available for questions. Malloch moved, Link seconded, and it was unanimously carried to table Agenda Item V.I.1. for the purpose of reviewing documents.

V.F.12. Michael Edward Stanton RN143756 (Munger)

Stanton and attorney DeeDee Holden were present and addressed the Board. Busby moved, Link seconded, and it was unanimously carried to dismiss the case.

III. Board Discussion and Decision Regarding Case Disposition List Approved, Letter of Concern Summary List Approved, Lapsed Licenses, Licensure Decisions and Compact Licensure Decisions

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

III.D.1. Order of Denial

III.D.1.a. Ernest Amal Matueny CNA1000003628 (Curatola)

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

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve 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. Lisa M. Quintero CNA570261803 (Crain)

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

III.D.2.b. James J. Lacey RN104464 (K. Olson)

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

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

III.E.1. Anna Lorraine Romero CNA1000008501 (Sage)

Malloch moved, Busby seconded, and unanimously carried to adopt the attached Notice of Charges.

IV.A. Board Discussion Regarding RN/LPN/CNA Termination of Previously Issued Board Orders After Full Compliance (Bailey)

1.	Woods, Sandra	RN083582	September 22, 2007
2.	Sjoberg, Thomas	RN146134	September 27, 2007
3.	Minnis, Linda	RN124893	September 27, 2007
4.	Morris, Regina	RN069228	September 30, 2007
5.	Perkins, Cameo	RN142051	October 3, 2007
6.	Burr, James	RN142146	October 6, 2007
7.	Payne, Deborah	RN113821	October 13, 2007
8.	Martino, Frank	RN057440	October 14, 2007
9.	Pickering, Margarita	RN094281	October 19, 2007
10.	Pena, Janet	CNA1000007490	October 31, 2007
11.	Lindsay, Kathy	RN042314	November 3, 2007
12.	James, Lori	LP020565	November 6, 2007

Malloch moved, Busby seconded, and it was unanimously carried to approve the full compliance list to terminate Board Order on the individuals listed above on dates given, if no evidence of non-compliance with Board Order/Consent Agreement exists.

IV.C. Board Discussion & Decision to Adopt Notice of Charges for RN/LP/CNA Non-Compliance

IV.C.1. Melissa Cook RN070956 (Bailey)

Busby moved, Link seconded, and it was unanimously carried to adopt the attached Notice of Charges based on information contained in the investigative report.

IV.C.2. Carl Gorski RN085409; CNA074273329 (Bailey)

Bailey addressed the Board with additional information. Busby moved, Crawley seconded, and it was unanimously carried to adopt the attached Notice of Charges based on information contained in the investigative report.

IV.C.3. Geneva Keinath LP020912 (Bailey)

An attempt was made to contact Keinath telephonically. Bailey addressed the Board with additional information. Busby moved, Johnson seconded, and it was unanimously carried to adopt the attached Notice of Charges based on information contained in the investigative report.

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Glendale, Boswell and Apollo Community College Nursing Students regarding Board functions, policies and procedures. Questions were asked on investigative roles.

IV.D. Board Discussion & Decision Regarding CANDO Eligibility/Noncompliance and Investigative Reports

IV.D.1. Amy Fleer LP Endorsement (Linck)

Fleer was present, telephonically, and addressed the Board. Linck addressed the Board with additional information. Busby moved, Malloch seconded, and it was unanimously carried, upon meeting all requirements, grant licensure and accept signed CANDO Stipulated Agreement.

IV.D.3. Tracy Lee Johnston RN133783 (Linck)

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

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	7	X	X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	2			X				X		

IV.D.4. Brenda Young Pitman RN063427 (Linck)

Busby moved, Robertson seconded, and it was unanimously carried to issue Notice of Charges based upon information contained in the investigative report.

IV.D.6. Jacqueline M. Blumberg LP018736 (Linck)

Malloch moved, Busby seconded, and it was unanimously carried to allow Blumberg and additional thirty days to demonstrate compliance with the following terms: addictionologist/neuropsychological evaluations, enrollment in drug screening, entry into treatment, attendance at AA and Nurse Recovery Group.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	7	X	X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	2			X				X		

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

V.B.1. Lisa Mountford RN Endorsement (Rappoport)

Busby moved, Crawley seconded, and it was unanimously carried to accept the signed Consent Agreement for a \$100 Civil Penalty.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	7	X	X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	2			X				X		

V.B.2. Lisa Ann Sims RN Endorsement (Rappoport) (aka: Terrill)

Johnson moved, Malloch seconded, and it was unanimously carried to deny licensure and adopt the attached Order of Denial.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	7	X	X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	2			X				X		

V.B.3. Max Duane Whipple RN Endorsement (Rappoport)

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

V.B.7. Lisa Nicole Kirkwood RN Endorsement (Rappoport) (aka: Smith)

Rappoport addressed the Board with additional information. Malloch moved, Crawley seconded, and it was unanimously carried to deny licensure based upon information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	7	X	X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	2			X				X		

V.B.9. Jeffrey David Jordan LP Exam (Rappoport)

Busby moved, Crawley seconded, and it was unanimously carried, upon meeting all requirements, grant license and issue a letter of concern for the June 15, 2007 letter of denial from the California Board of Vocational Nurses and Psychiatric Technicians for practicing without a valid California LVN license.

Busby left the meeting at 11:41 a.m.

V.F.6. Bethany Anne Strickland LP041149 (Munger) (aka: Famdrey)

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

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6		X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	3	X		X				X		

V.L.1. Peggy Brown RN Exam (Williams)

Johnson moved, Link seconded, and it was unanimously carried to continue the investigation to allow Brown the opportunity to obtain a psychological evaluation with emphasis on substance abuse by a Board approved evaluator, who is at minimum PhD prepared and has expertise in substance abuse, to be completed within 45 days and include any additional testing deemed necessary by the evaluator and then return to the Board. If the evaluation is not completed, deny licensure based upon the information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6		X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	3	X		X				X		

V.C.7. Robert James Thooft RN104254 (K. Olson)

Malloch moved, Robertson seconded, and it was unanimously carried to adopt Notice of Charges based upon information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6		X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	3	X		X				X		

V.D.1. Alison Elizabeth Frankley RN Exam (Huff) (aka: Ratkowski; Andrews)

Huff addressed the Board with information that Frankley intended to attend the meeting. Crawley moved, Link seconded, and it was unanimously carried to table Agenda Item V.D.1.

V.D.2. Patricia Pena Inchauspe LP025862 (Huff)
(aka: Pena; Eggleston; Palomo)

Smith addressed the Board with additional information. Link moved, Robertson seconded, and it was unanimously carried to offer a Consent Agreement for 12 months probation to include the attached stipulations, or hearing.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6		X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	3	X		X				X		

V.D.3. Bruce Franklyn Nelch RN131549; LP039292; CNA999995714 (Huff)

Malloch moved, Johnson seconded, and after discussion it was unanimously carried to offer a Consent Agreement for 6 months probation to include the attached stipulations, or hearing.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6		X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	3	X		X				X		

V.D.4. Kimberly Ann Shoemaker LP036554 (Huff)

Link moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement for 6 months probation to include the attached stipulations, or hearing.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6		X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	3	X		X				X		

V.D.5. Amanda Lynn Zeitler LP040208 (Huff)

Malloch moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement for 6 months probation to include the attached stipulations, or hearing.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6		X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	3	X		X				X		

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.G.3. Bernita Tsosie CNA801278353 (Crain)

Crain addressed the Board with additional information. Johnson 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 Notice of Charges based upon information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6		X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	3	X		X				X		

VI.G.4. Maria Christina Wade CNA999995091 (Crain)

Crain addressed the Board with additional information. Malloch moved, Crawley seconded, and it was unanimously carried to offer Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days issue Notice of Charges based upon information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6		X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	3	X		X				X		

III. Board Discussion and Decision Regarding Case Disposition List Approved, Letter of Concern Summary List Approved, Lapsed Licenses, Licensure Decisions and Compact Licensure Decisions

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

- III.C.12. Kristi Koonce-Hazlett RN023447 \$1000/Decree of Censure**
- III.C.13. Pamela Sproule Hopkins RN062555 \$1000/Decree of Censure**

Malloch moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement for \$1,000 Administrative Penalty and a Decree of Censure for working on an expired license/certificate, if not signed, issue Notice of Charges. Once signed, if the administrative penalty is not paid within 6 months of the effective date of the Order, issue Notice of Charges for Agenda Items III.C.12 & 13. Referral of the employers will be made to Department of Health Services for licensees/certificate holders working on a lapsed license/certificate for three months or greater.

- III.C.1. Maria Elena Hellofs CNA999999945 \$50**
- III.C.2. Norberta R. Jimenez CNA999997775 \$50**
- III.C.3. Carole Ann LaRue CNA999998337 \$50**
- III.C.4. Adela B. Robles CNA999991268 \$50**
- III.C.5. Maria Victoria Corral CNA999990883 \$75**
- III.C.6. Virginia Gonzalez CNA999991994 \$75**
- III.C.7. Erin Mather CNA1000006048 \$75**
- III.C.8. Shari Lynn Phillips CNA999992124 \$100**
- III.C.9. Yolanda Young CNA9999994522 \$500**
- III.C.10. Mary Donna Petroff RN033566 \$600**
- III.C.11. Sylvia Haglund Balistreri RN059778 \$700**

Johnson moved, Crawley 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/certificate, if not signed, issue Notice of Charges. Once signed, if the administrative penalty is not paid within 6 months of the effective date of the Order, issue Notice of Charges for Agenda Items III.C.1-11. Referral of the employers will be made to Department of Health Services for licensees/certificate holders working on a lapsed license/certificate for three months or greater.

The meeting recessed at 12:00 p.m. and reconvened at 1:02 p.m.

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

- V.I.1. Amber Adele Ellen Canez RN138589; LP039721; CNA476557441 (Sage) (aka: Morris)**

Crawley moved, Johnson seconded, and it was unanimously carried to reopen Agenda Item V.I.1. Attorney Jay Ryan and Canez were present and available for questions. Sage addressed the Board with additional information. Malloch moved, Hardy seconded, to offer a Consent Agreement for 24 months

probation to include the attached stipulations to include a \$250 Civil Penalty and a Nursing Ethics Course, amended to also include, take and successfully pass the ASBN online exam, to be signed within 30 days or issue Notice of Charges based upon information contained in the investigative report. After discussion, Malloch amended the stipulations to allow Canez to continue working for Tanner Registry contingent upon being assigned only to the two facilities now employed at, under the direct supervision by an RN who has been provided with a copy of the Consent Agreement. Hardy concurred. The motion carried unanimously.

	VOTE	<u>Busby, Kathryn</u> Member	<u>Malloch, Kathy</u> Member	<u>Perry, Hunter</u> Member	<u>Johnson, Patricia</u> Secretary	<u>Hardy, Karen</u> President	<u>Crawley, Theresa</u> Vice Pres	<u>Woulard, Constance</u> Member	<u>Link, Denise</u> Member	<u>Robertson, Steve</u> Member
YES	6		X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	3	X		X				X		

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

II.A.1. Grant Wayne Cooper RN094171; AP0851 A. Olson

The proceeding began at 1:23 p.m. with the following Board members present: Johnson, Robertson, Crawley, Malloch, Hardy, and Link.

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 Christopher Munn, Assistant Attorney General, Division of Solicitor General. Ann Olson, Assistant Attorney General, represented the State.

Cooper was present, telephonically, and available for questions. Attorney Teressa Sanzio was present and addressed the Board.

Olson addressed the Board.

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

Johnson moved, Malloch seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 75 and Conclusions of Law the alleged violations in Paragraphs 1 through 13.

Johnson moved, Link seconded, and it was unanimously carried to modify the ALJ’s Order

Busby returned to the meeting at 1:56 p.m.

Johnson moved, Crawley seconded, and it was unanimously carried to go into Executive Session on Agenda Item II.A.1. for the purpose of reviewing confidential documents and to obtain legal advice. Executive Session convened at 1:57 p.m. and adjourned at 2:01 p.m.

Malloch moved, Crawley seconded, to lift RN summary suspension immediately, suspend AP certificate for 6 months and concurrently place the RN license on 18 months probation, with terms to include: surrender of AP certificate, graduate level course with focus on role theory/ethics for advanced practice nurses with Board approved course syllabus, followed by 6 months probation of the AP with direct supervision and 6 months with on-site supervision, psychological evaluation, notification of practice settings, quarterly performance evaluations, direct supervision for the first 12 months of probation then

on-site, registry/traveling nurse/float pool/home health work/on-call prohibited, may work any shift, graduate level pharmacology course. After discussion, Malloch amended the motion to include psychological evaluation focused on boundary issues, to be completed within 6 months and prior to reinstatement of the AP license. Crawley concurred. The motion carried with six in favor and one abstained.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6		X		X	X	X		X	X
NO	0									
ABSTAIN	1	X								
ABSENT	2			X				X		

II.A.2. Bernadette Marie Bergin RN09633; LP029045; CNA201201189 Zack

The proceeding began at 2:24 p.m. with the following Board members present: Johnson, Robertson, Crawley, Malloch, Hardy, Busby, and Link.

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 Christopher Munn, Assistant Attorney General, Division of Solicitor General. Kim Zack, Assistant Attorney General, represented the State.

Bergin was present telephonically and addressed the Board.

Zack addressed the Board to include technical corrections to the findings of fact, page 22, paragraph 127 to change “would hire” to “would not hire”.

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.

Busby moved, Crawley seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 161, as amended, and Conclusions of Law the alleged violations in Paragraphs 1 through 10.

Malloch moved, Robertson seconded, and it was unanimously carried to impose an indefinite suspension pending completion of a neuropsychological evaluation and then return to the Board.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	7	X	X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	2			X				X		

II.G. Board Discussion and Decision Regarding Hearing Department Investigative Reports

II.G.2. Stacey Dawn Liston RN103334; LP032167 Zack/Smith

Crawley is affiliated with Phoenix Baptist Hospital and knows Terry Wicker and Maria Hayes but shows no bias. Liston was present and available for questions. Attorney Teresa Sanzio was present and addressed the Board.

Zack addressed the Board.

Malloch moved, Busby seconded, and it was unanimously carried to table Agenda Item II.G.2. for the purpose of reviewing documents.

The meeting recessed at 2:31 p.m. and reconvened at 2:56 p.m.

II.G. Board Discussion and Decision Regarding Hearing Department Investigative Reports

II.G.2. Stacey Dawn Liston RN103334; LP032167 Zack/Smith

Malloch moved, Johnson seconded, and it was unanimously carried to reopen Agenda Item II.G.2. Crawley is affiliated with Phoenix Baptist Hospital and knows Terry Wicker and Maria Hayes but shows no bias. Liston was present and available for questions. Attorney Teressa Sanzio was present and addressed the Board.

Zack addressed the Board.

Malloch moved, Johnson seconded, to affirm the suspension of Liston's license and continue with current Consent Agreement and Order #0408002.

After discussion Malloch moved, Crawley seconded, and it was unanimously carried to go into Executive Session on Agenda Item II.G.2., for the purpose of reviewing confidential documents and to obtain legal advice. Executive Session convened at 3:35 p.m., and adjourned at 3:45 p.m.

Malloch withdrew the original motion. Malloch moved, Johnson seconded, and it was unanimously carried to table Agenda Item II.G.2.

Busby left the meeting at 3:45 p.m.

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

II.B.5. James Clark Davies LP039894; CNA999994448 A. Olson

The Board was represented by Christopher Munn, Assistant Attorney General, Division of Solicitor General. Ann Olson, Assistant Attorney General, represented the State.

Davies, Penny Fisher, and Maria Archiniaco were present and addressed the Board.

Olson addressed the Board.

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

Johnson moved, Malloch 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.

Malloch moved, Johnson seconded, and it was unanimously carried to accept the State's recommended discipline and issue an Order for 36 months probation to include the attached stipulations amended to include a relapse and psychological evaluation to be scheduled within 30 days and completed within 60 days.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6		X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	3	X		X				X		

II.B.1. Rebecca Wyatt Johnson RN057760 A. Olson

The Board was represented by Christopher Munn, Assistant Attorney General, Division of Solicitor General. Ann Olson, Assistant Attorney General, represented the State.

Johnson was present and addressed the Board.

Olson addressed the Board.

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

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

Johnson moved, Crawley seconded, to accept the State’s recommendation for revocation of professional nurse license #RN057760 issued to Rebecca Wyatt Johnson. After discussion, the motion failed with five opposed and one in favor.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	1				X					
NO	5		X			X	X		X	X
ABSTAIN	0									
ABSENT	3	X		X				X		

Malloch moved, Crawley seconded, and it was unanimously carried to impose an Order of indefinite suspension pending the successful completion of a refresher and physical assessment course, followed by 24 months probation to include stipulations: notification of practice settings, monthly performance evaluations for the first 12 months, direct supervision, night shift/registry/traveling/float/home health/on call prohibited. If required courses are not enrolled in within 6 months and completed within 12 months, revoke professional nursing license #RN057760 issued to Rebecca Wyatt Johnson.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6		X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	3	X		X				X		

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

AGENA #	Respondent Name	Lic/Cert #	Board Resolution	LegalStaff
II.B.2.	Ann Nadine Mills (aka: Hall)	CNA9999991935	Revocation	A. Olson
II.B.3.	Angelica Bernadette Reyna	CNA1000005215	Revocation	Zack

II.B.4.	Barbara Marie Haas	CNA100000605	Revocation	Zack
II.B.6.	Debbie L. Chisler	CNA870493803	Revocation	Zimmerman

The Board was represented by Christopher Munn, Assistant Attorney General, Division of Solicitor General. Ann Olson, Assistant Attorney General, represented the State.

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

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

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

Malloch moved, Link seconded, and it was unanimously carried to accept the State’s recommended discipline for Agenda Items II.B.2, 3, 4, & 6.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6		X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	3	X		X				X		

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

**II.C.1. Judith Ann Walker RN129502 A. Olson
(aka: Beekman)**

The Board was represented by Christopher Munn, Assistant Attorney General, Division of Solicitor General. Ann Olson, Assistant Attorney General, represented the State.

Olson addressed the Board.

Attorney Jeff Jacobson was present and available for questions. Walker was present and addressed the Board.

Malloch moved, Crawley seconded, and it was unanimously carried to rescind the Board decision of September 12, 2006 to offer a Consent Agreement for 24 months stayed revocation with 12 months suspension and 12 months probation followed by standard 24 months chemical dependency probation, and offer a Consent Agreement for 24 months stayed revocation probation followed by 12 months standard probation with the attached stipulations to include on site supervision, to be signed within 5 days.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6		X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	3	X		X				X		

II.C.2. Jonathon Jacob Beverly CNA Applicant A. Olson

Hardy recused herself to avoid the appearance of impropriety and left the meeting at 4:33 p.m. Crawley presided. The Board was represented by Christopher Munn, Assistant Attorney General, Division of Solicitor General. Ann Olson, Assistant Attorney General, represented the State.

Olson addressed the Board.

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

Robertson moved, Johnson seconded, and it was unanimously carried to table Agenda Item II.C.2. to allow time to contact Respondent.

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

AGENA #	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.D.1.	Brenda L. Howell (aka: Bench)	RN064798	Revocation	Zack
II.D.2.	Tammy Finnel Phillips	LP023895	Revocation	Zack
II.D.3.	Patricia Louise Brough	RN133259	Revocation	A. Olson
II.D.5.	Richard L. Fike	RN083836	Revocation	Zack

The Board was represented by Christopher Munn, Assistant Attorney General, Division of Solicitor General. Kim Zack, Assistant Attorney General’s, represented the State.

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

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

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

Johnson moved, Malloch seconded, and it was unanimously carried to accept the State’s recommended discipline for Agenda Items II.D.1-3 & 5.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6		X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	3	X		X			X			

II.D.4. Michael Lee Scott RN119781 A. Olson

The Board was represented by Christopher Munn, Assistant Attorney General, Division of Solicitor General. Ann Olson, Assistant Attorney General, represented the State.

Olson addressed the Board.

An attempt was made to contact Scott telephonically.

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

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

Malloch moved, Crawley seconded, and it was unanimously carried to accept the State’s recommended discipline for revocation of professional nurse license #RN119781 issued to Michael Lee Scott.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6		X		X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	3	X		X				X		

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

**II.E.2. Michelle Pauline Weaver CNA999987999 Zimmerman
(aka: Garcia; Napier)**

The Board was represented by Christopher Munn, Assistant Attorney General, Division of Solicitor General. Nina Zimmerman, Assistant Attorney General, represented the State.

Robertson is affiliated with Hospice of the Valley but shows no bias.

Weaver and Gina Marie Stockton were present and available for questions.

Zimmerman addressed the Board.

Malloch moved, Link seconded, and it was unanimously carried to approve request for review based on excessive penalties.

Malloch moved, Link seconded, and it was unanimously carried to table Agenda Item II.E.2.

Robertson left the meeting at 5:06 p.m.

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

II.F.1. Laura Barnes RN065967 A. Olson/Barber

The Board was represented by Christopher Munn, Assistant Attorney General, Division of Solicitor General. Ann Olson, Assistant Attorney General, represented the State.

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

Barber addressed the Board.

Malloch moved, Link seconded, and it was unanimously carried, in lieu of a formal hearing in this matter, accept the signed Consent Agreement for 24 months stayed revocation with 12 months suspension and 12 months probation, followed by 24 months standard chemical dependency probation with the attached stipulations.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	5		X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	4	X		X				X		X

Robertson returned to the meeting at 5:07 p.m.

II.F.2. Ruthmarie Hancock RN090450 A. Olson/Barber
 The Board was represented by Christopher Munn, Assistant Attorney General, Division of Solicitor General. Ann Olson Assistant Attorney General, represented the State.

Barber addressed the Board.

Hancock was present and addressed the Board.

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

II.G. Board Discussion and Decision Regarding Hearing Department Investigative Reports

II.G.1. Joyce Whitaker RN084343 A. Olson/Barber
 Malloch recused herself to avoid the appearance of impropriety and left the meeting at 5:18 p.m.

Whitaker was present and addressed the Board.

Olson addressed the Board.

Crawley moved, Link seconded, and it was unanimously carried, based on the information in the investigative report, include additional Findings of Fact in the Complaint and Notice of Hearing to be issued immediately.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	5				X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	4	X	X	X				X		

The meeting recessed at 5:33 p.m. and reconvened at 5:40 p.m. Malloch returned to the meeting at 5:40 p.m.

**VII. Board Reports for Discussion, Information, Staff Direction and/or Decision
 VII.B. Educational Reports and Rules**

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

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

VII.B.2. CNA Training Program at Direct Caregivers Case Disposition

Malloch moved, Link seconded, and it was unanimously carried to case dismiss.

VII.B.3. Kaplan College (FKA Long Technical College) Application for Proposal Approval Associate Degree RN Program

Betty Teague, Nursing Program Director, was present and addressed the Board. Link moved, Crawley seconded, and it was unanimously carried to approve the application for proposal approval from Long Technical College – Kaplan College for the initial admission of 30 students per session. Any increases in admission must receive Board approval and the program must not increase beyond what they have described in their application. Approval expires within 1 year if provisional approval application is not received.

VII.B.4. Application for Increase in Admissions Coconino Community College

Don Johnson, Director of Nursing Program was present and available for questions. Link moved, Crawley seconded, and it was unanimously carried to approve the application from Coconino Community College to increase enrollment.

VII.B.5. Chamberlain College Application for Proposal Approval BSN Program

Gail Baumlein, Interim Dean, and Kathleen Modene, Director of Accreditation, were present and addressed the Board. Crawley moved, Robertson seconded, and it was unanimously carried to approve the application for proposal approval from Chamberlain College for the first admission of fifty students per session as planned. Any increases of more than twenty percent would need Board approval and no increase will exceed that number in the proposal or the provisional application.

VII.B.6. NCLEX Quarterly Reports

NCLEX quarterly reports were provided to the Board. Randolph stated the RN NCLEX passing rates were slightly above the National average and the LP NCLEX passing rates well above the National average.

VII.B.8. Draft Policy on Program Expansion during Provisional Approval

Hardy moved, Crawley seconded, and it was unanimously carried to approve draft Policy on Program Expansion During Provisional Approval.

VII.B.9. Private Post Secondary Board Jurisdiction over Independent CNA Programs

Randolph provided information and stated that the private post secondary Board jurisdiction issues have not been worked out at this time and that the State's Ombudsman office is currently involved.

VII.B.10. Statewide Educator's Conference October 5, 2007

Randolph provided information on the upcoming Statewide Educator's Conference and stated that many programs around the state would be represented, with 70-80 participants anticipated.

VII.B.11. Fifth Annual CNA Educators Retreat January 11, 2008

Randolph reported on the upcoming fifth annual CNA Educator's Retreat and stated that it is a popular and well attended meeting, and stated there would be a new venue this year. Randolph extended an invitation to Board members.

The meeting recessed at 5:53 p.m., Wednesday, September 19, 2007.

Arizona State Board of Nursing

Janet Napolitano
Governor

Joey Ridenour
Executive Director



Board Meeting Minutes

The regular meeting of the Arizona State Board of Nursing convened at 8:09 a.m., Thursday, September 20, 2007, in the Board of Nursing Board Room, Suite 200, 4747 N. 7th Street, Phoenix, Arizona, with Karen Hardy, RN, MSN, President, presiding.

BOARD MEMBERS PRESENT:

Karen Hardy, RN, MSN, President
Theresa Crawley, CRNA, MSHSA, Vice-President
Patricia Johnson, LPN, Secretary
Kathryn L. Busby, JD, Member
Denise Link, DNS, WHCNP, FNAP, Member
Kathy Malloch, PhD, MBA, RN, FAAN, Member
M. Hunter Perry, Member
Steve Robertson, LPN, Member
Constance G. Woulard, RN, MSN, Member

LEGAL COUNSEL:

Ann Olson, Assistant Attorney General
Kim Zack, Assistant Attorney General
Nina Zimmerman, Assistant Attorney General

STAFF:

Joey Ridenour, RN, MN, Executive Director
Judy Bontrager, RN, MN, Associate Director of Operations
Pamela Randolph, RN, MSN, Associate Director of Education and Evidence Based Regulation
Valerie Smith, RN, MS, Associate Director of Investigations
Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings
Jeanne Crain, Senior Investigator
Frank Curatola, Senior Investigator
Karen Grady, RN, MS, CS, FNP, Nurse Practice Consultant/Advanced Practice
Thereasa Huff, Legal Assistant II
Connie Linck, RN, MN, CNA, BC
Sydney Munger, RN, MS, Nurse Practice Consultant
Betty Nelson, RN, MS, Nursing Assistant Consultant
Stephanie Nelson, R.N., M.S.N., Nurse Practice Consultant
Kirk Olson, Senior Investigator
Doug Parlin, Senior Investigator
Mary Rappoport, RN, MN, Nurse Practice Consultant
Jeanine Sage, RN, MSN, Nursing Assistant Consultant
Sister Rachel Torrez, RN, MS, Nurse Practice Consultant
Nancy Twigg, RN, MSN, Nurse Practice Consultant
Rose Wilcox, RN, M Ed, Nurse Practice Consultant/Education
James Williams, Senior Investigator
Barbara Melberg, Legal Secretary

I. Call to Order

The meeting was called to order at 8:09 a.m., Thursday, September 20, 2007.

The following Board members were present: Hardy, Crawley, Johnson, Link, Malloch, Perry, Woulard and Robertson.

Hardy presided.

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

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

V.A.1. Gwendolyn Venable RN1046347 (Twigg)

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

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	8		X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1	X								

V.A.3. Tamera Lynn Dannewitz RN133408 (Twigg) (aka: Thompson; Riley)

Malloch moved, Johnson seconded, and it was unanimously carried to offer a Consent Agreement for a \$1,000 Civil Penalty to be signed within 30 days or hearing.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	8		X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1	X								

V.A.4. W. Jadeh Marselis-Moore RN097961 (Twigg) (aka: Willie J. Marselis-Moore)

Marselis-Moore was present and addressed the Board. Malloch moved, Perry seconded, and it was unanimously carried to issue a letter of concern for failing to verify the credentials of a person who provided a one-to-one CPR certification course while working at Northwest Medical Center in Oro Valley, Arizona in or about May 2005.

Busby arrived at the meeting at 8:32 a.m.

V.A.6. Henry Arthur Dominguez RN098692; LP024007 (Twigg)

Busby moved, Link seconded, and it was unanimously carried to issue a letter of concern for failing to receive a full and complete report on a patient before transporting from Sierra Vista Regional Health Center in Sierra Vista, Arizona, to Kindred Hospital in Tucson, Arizona, on or about June 15, 2006, while working for Arizona Ambulance.

V.A.7. Sandra L. Nelson CNA513058293 (Twigg) (aka: Troy L. Benningfield)

Johnson moved, Crawley seconded, and it was unanimously carried to issue a letter of concern for failure to inform a patient's nurse that the patient was on a bedpan, while working at Sierra Vista Regional Health Center in Sierra Vista, Arizona, resulting in the patient being transported on or about

June 13, 2006, to Kindred Hospital in Tucson, Arizona, with the bedpan in place resulting in exacerbation of the wounds on the patient's buttocks.

V.A.8. Jean Marie Dubey RN093841 (Twig)

Malloch moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement offer a Consent Agreement for a Decree of Censure and a \$500 Civil Penalty to be signed within 30 days or hearing.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.A.9. Linda Nolan-Pendry RN096300 (Twig)

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

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.A.10. Karen Ann Rabbett RN045142 (Twig)

Perry knows Tom Hines but shows no bias. Malloch moved, Crawley seconded, and it was unanimously carried to issue an Interim Order for a substance abuse evaluation to be completed by a Board approved evaluator who is at minimum PhD prepared, and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed with 45 days and then return to the Board.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

**V.A.11. Shelly Ann Rodriguez RN094734; CNA892113353 (Twig)
(aka: Shelly Kay O'Dell)**

Twig addressed the Board and stated that Rodriguez intended to be at this meeting. Busby moved, Malloch seconded, and it was unanimously carried to table Agenda Item V.A.11. to allow for Respondent arrival.

V.A.12. Clarissa N. Sosa LP016014 (Twig)

Busby moved, Link seconded, and it was unanimously carried to issue an Interim Order for a neuropsychology evaluation to be scheduled within 15 days and completed within 45 days by a Board approved psychologist, and then return to the Board.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.A.13. Vivianne C. Sullenger LP005407 (Twig)

Sullenger was present and available for questions. Malloch moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or hearing.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.A.14. William Mark Tritz LP038529 (Twig)

Link moved, Woulard seconded, and it was unanimously carried to issue Notice of Charges based upon information contained in the investigative report.

V.A.15. Jeffrey Lynn Blakney RN131380 (Twig)

Johnson moved, Malloch seconded, and it was unanimously carried to offer a Consent Agreement for 24 months probation to include the attached stipulations, or hearing.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.A.16. Deborah Angelyn Jones RN128815 (Twig)

Johnson moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for 24 months probation to include the attached stipulations, or hearing.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

**V.B.4. Lora Denise Reynolds LP Endorsement (Rappoport)
(aka: Ramsey; Childers: Stewart; McCullough)**

Reynolds was present and available for questions. Link moved, Crawley seconded, and after discussion it was unanimously carried, upon meeting all requirements, grant licensure and issue a letter of concern for two counts of misdemeanor battery conviction on or about February 20, 2003, by the State of Indiana, in Lawrence Superior Court, case number 47D01-0302-CM-100; a one-time misdemeanor DUI on or about March 3, 1998, case no. 30D029802CM127 in Hancock Superior Court, Bedford, IN.

**V.B.5. Elaine Rosemarie McDonald RN Endorsement (Rappoport)
(aka: Nieckarz)**

Busby moved, Woulard seconded, and it was unanimously carried to issue a letter of concern for the March 28, 2007 one-time disciplinary action, letter of admonition, from the Colorado State Board of Nursing.

V.B.6. Linda Marie Grimes RN Endorsement (Rappoport)
(aka: Rosencrans; Ritter)

Grimes was present, telephonically, and addressed the Board. Link moved, Robertson seconded, and it was unanimously carried to grant licensure upon meeting all requirements.

V.B.8. Sharon Nelson Olivas RN Endorsement (Rappoport)
(aka: Sharon Marie Nelson Olivas)

Olivas was present, telephonically, and addressed the Board. Rappoport addressed the Board with additional information. Link moved, Robertson seconded, and it was unanimously carried to dismiss the case.

V.B.10. Kristie Cay Sedano LP035663 (Rappoport)
(aka: Hoover; Landon)

Sedano was present, telephonically, and addressed the Board. Link moved, Crawley seconded, and it was unanimously carried to issue a letter of concern for the January 26, 2007 voluntary surrender of California LVN license.

V.A.11. Shelly Ann Rodriguez RN094734; CNA892113353 (Twigg)
(aka: Shelly Kay O'Dell)

Link moved, Robertson seconded, and it was unanimously carried to reopen Agenda Item V.A.11. Rodriguez was present and addressed the Board. Malloch moved, Crawley seconded, and it was unanimously carried to offer Consent Agreement for 36 months probation with the attached stipulations amended to include: may continue with University Medical Center's Home Health only with supervision before and after each shift, or hearing.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.C.1. Patricia A. Coleman RN081223 (K. Olson)

Perry moved, Robertson seconded, and it was unanimously carried to issue a letter of concern for making remarks on January 28, 2007, at Maravilla Care Center in Phoenix, Arizona, that referred to the improper disposal of a resident's property after the resident was taken to a hospital and was not expected to survive.

V.C.2. Lynette S. Crandall RN Endorsement (K. Olson)

Malloch moved, Johnson seconded, and it was unanimously carried to deny licensure based upon information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.C.3. Erica L. Finefrock RN Exam (K. Olson)

Finefrock was present and addressed the Board. Malloch moved, Crawley seconded, and after discussion it was unanimously carried to offer a Consent Agreement for 24 months probation with the attached stipulations. If not signed within 30 days, deny licensure.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.C.4. Andre J. Hairston RN Exam (K. Olson)

Busby moved, Perry seconded, and it was unanimously carried, upon meeting all requirements, signing a Consent Agreement for a \$250 Civil Penalty, and payment of the Civil Penalty, grant licensure. If not signed within 30 days or payment not received within 60 days, deny licensure based upon the information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.C.5. Amber D. Durfield LP040482; CNA999997437 (K. Olson)

Johnson moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for 12 months probation to include the attached stipulations. If not signed with 30 days, adopt the attached Notice of Charges based upon information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

III. Board Discussion and Decision Regarding Case Disposition List Approved, Letter of Concern Summary List Approved, Lapsed Licenses, Licensure Decisions and Compact Licensure Decisions

III.A. Board Discussion and Decision Regarding Case Disposition List Approved -

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

III.A.9. Education Programs

III.A.10. RN/LPN Compact Nurses

Crawley moved, Link 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 List Approved

III.B.1. RN/LPN Endorsement Applicants

III.B.2. RN/LPN Examination Applicants

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

Crawley moved, Link 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.

V. Board Discussion and Decision Regarding RN/LPN Investigative Reports
V.E.11. Donna Lee Pettet RN112437 (S. Nelson)
(aka: Armstrong; Lowe; Pettet-Cline; Lee; Bishop)

Nelson addressed the Board with additional information. Pettet was present and addressed the Board. Crawley moved, Malloch seconded, and after discussion it was unanimously carried to offer a Consent Agreement for 36 months probation to include the attached stipulations, or hearing.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Grand Canyon and Gateway Community College nursing Students regarding Board functions, policies and procedures. Questions were asked on the intent and content of a letter of concern, how documents are view by Board members during meetings, the content of Board meetings other than discipline cases, and how Board members are appointed.

The meeting recessed at 10:02 a.m. and reconvened at 10:21 a.m.

V. Board Discussion and Decision Regarding RN/LPN Investigative Reports
V.F.2. Leslie Marie Wobig LP041308 (Munger)
(aka: Husfelt; Patrick)

Perry recused himself to avoid the appearance of impropriety and left the meeting at 10:27 a.m. Wobig was present and addressed the Board. Busby moved, Robertson seconded, to issue a letter of concern for backdating MDS forms between November 2004 and April 2006, and initialing the MDS forms for the Director of Nursing, while working at Silver Ridge Village in Bullhead City, Arizona. The motion carried with seven in favor and one opposed.

Perry returned to the meeting at 10:30 a.m.

V.F.3. Kimberly Ann Allen RN090269 (Munger)
(aka: Shawna Katherine Alston)

Allen was present and addressed the Board. Lisa Williams, complainant, was present and addressed the Board. Johnson moved, Woulard seconded, to offer a Consent Agreement for 24 months probation with terms to include stamping of license, nursing ethics course, notification of practice settings, quarterly performance evaluations, direct supervision, and night shift/registry/traveling nurse/float pool/home health work/on-call prohibited, or hearing. The motion carried with five in favor and three opposed.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	5			X	X	X		X		X
NO	3	X					X		X	
ABSTAIN	0									
ABSENT	1		X							

**V.F.4. Monica Guadalupe Bustamante RN144525; CNA1000002959 (Munger)
(aka: Gonzalez)**

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

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	8	X		X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1		X							

Malloch returned to the meeting at 11:01 a.m.

V.F.8. Shivcharan Sekhon Chanda RN056567 (Munger)

Wendy Bergman, complainant, was present and addressed the Board. Munger addressed the Board with additional information. Chanda was present and addressed the Board. Johnson moved, Hardy seconded, to offer a Consent Agreement for 12 months probation to include the attached stipulations, amended to include: allowed to work registry in block assignments, or hearing. The motion failed with five opposed, three in favor, and one abstained.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	3				X	X				X
NO	5	X		X			X	X	X	
ABSTAIN	1		X							
ABSENT	0									

Perry moved to offer a Consent Agreement for 24 months probation to include the attached stipulations or hearing. Motion failed for lack of a second. Busby moved, Crawley seconded, to offer a Consent Agreement for a Decree of Censure or hearing. After discussion the motion carried with five in favor, three opposed, and one abstained.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	5	X					X	X	X	X
NO	3			X	X	X				
ABSTAIN	1		X							
ABSENT	0									

V.F.9. Katherine Lee Brooks RN Exam/LP Endorsement (Munger)

Brooks was present and addressed the Board. Munger addressed the Board with additional information. Malloch moved, Crawley seconded, and after discussion it was unanimously carried, upon meeting all practical nurse requirements, and signing a Consent Agreement for 24 months probation with the attached stipulations, to include a \$1,000 Civil Penalty, grant practical nurse licensure. If not signed within 30 days, or the Civil Penalty is not paid within 60 days, deny licensure based upon information contained in the investigative report. If after signing the Consent Agreement for 24 months probation with the attached stipulations (amended to include: stamping of license, psychological treatment, drug testing one time per month, abstain from alcohol, abstain from unauthorized use of drugs, notification of practice settings, quarterly performance evaluations, on site supervision, registry/traveling nurse/float

pool/home health work/on-call prohibited), Brooks meets the requirements for professional nurse licensure, grant professional nurse licensure under the terms of the Consent Agreement. If the professional nurse application remains incomplete, the application will be withdrawn after expiration of the timeframe.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.G.1. Jason Edward Wall LP040360; CNA1000000393 (Torrez)

Torrez addressed the Board with additional information. Wall was present and addressed the Board. Busby moved, Robertson seconded, and it was unanimously carried to table Agenda Item V.G.1. to provide Wall the opportunity to consider options.

V.G.3. Anthony Earl Chavez RN079637 (Torrez)

Johnson is affiliated with Banner Thunderbird Hospital and knows Sally Dimond but shows no bias. Chavez was present and addressed the Board. Malloch moved, Woulard seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or hearing.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.G.4. Valerie Anne Gable RN053327; LP017178; AP1543 (Torrez) (aka: Sweig)

Gable and Laura Melindez were present and addressed the Board. Malloch moved, Busby seconded, to issue a letter of concern for failing to complete a telephone order verification from a physician. After discussion, Busby withdrew the second and Malloch withdrew the motion. Robertson moved, Link seconded, and it was unanimously carried to dismiss the case.

V.G.5. Suzanne D. Blanton RN053114 (Torrez)

Malloch moved, Crawley seconded, to offer a Consent Agreement for 24 months probation to include the attached stipulations amended to include: evaluation by an addictionologist only if Blanton is unable to be managed without the controlled substance previously described, on site supervision, health dialogue as a telephonic advice nurse under compact license prohibited, or hearing. After discussion, Malloch withdrew the motion. Link moved, Malloch seconded, and it was unanimously carried to offer a Consent Agreement for 12 months probation with stipulations to include: abstain from alcohol, abstain from unauthorized drug use/proof of prescription, one prescriber, one pharmacy, pharmacy profiles, notification of practice settings, quarterly performance evaluations, night shift prohibited, registry/traveling nurse/float pool/home health work/on-call prohibited, neuropsych evaluation if not able to manage migraines through non-narcotic medications.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

The meeting recessed at 12:27 p.m. and reconvened at 1:20 p.m.

Malloch returned to the meeting at 1:22 p.m.

V.G.9. Virginia Marie Ortega RN133580; CNA999953549 (Torrez)

Johnson knows Coleen Hallberg but shows no bias. Orgega was present and addressed the Board. Link moved, Crawley seconded, for complaint #1 to issue Interim Order for a chemical dependency evaluation to be completed by a Board approved evaluator who is at minimum a Ph D prepared, and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days and then return to the Board, and for complaint #2 to dismiss the case. The motion carried with six in favor and one abstained.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6				X	X	X	X	X	X
NO	0									
ABSTAIN	1		X							
ABSENT	2	X		X						

V.G.10. Lauren Joy Meraz LP039903; CNA999987469 (Torrez) (aka: Cooper)

Meraz was present and addressed the Board. Robertson moved, Woulard seconded, and it was unanimously carried for complaint #1 issue a letter of concern for sleeping on duty while caring for a child in the home on or about April 23, 2007, while employed by Innovative Home Health Services in Phoenix, Arizona, and for complaint #2 dismiss the case.

V.G.11. Hillary Aspen Sabala LP041714 (Torrez)

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

V.G.14. Karen Dae McCann RN118940 (Torrez)

McCann was present and addressed the Board. Torrez noted a technical correction to the investigative report. Malloch moved, Woulard seconded, and it was unanimously carried to issue an Interim Order for a substance abuse evaluation to be completed by a Board approved evaluator who is at minimum PhD prepared, and to include any additional testing deemed necessary by the evaluator to be scheduled within 15 days and completed within 45 days and then return to the Board.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	7		X		X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	2	X		X						

V.G.16. Catherine Ann Alexander RN115414 (Torrez)

Alexander was present and addressed the Board. Malloch moved, Crawley seconded, and it was unanimously carried to continue the investigation to allow time to receive clarification in the evaluation from Dr. Lynda Hemann.

Busby and Perry returned to the meeting at 1:57 p.m.

IV.D. Board Discussion & Decision Regarding CANDO Eligibility/Noncompliance and Investigative Reports

IV.D.5. Gwen Joan Welty RN108286 (Linck)

Welty was present and addressed the Board. Linck addressed the Board with additional information. Malloch moved, Johnson seconded, and after discussion it was unanimously carried to offer a Consent Agreement for 24 months stayed revocation with the license suspended during the first 12 months and

on stayed revocation probation the second 12 months, followed then by 24 months standard probation to include the attached stipulations, or hearing.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

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

V.H.6. Mary Kathryn Horn RN091454 (Grady)

Johnson knows Drs. Serbin and Sawalqah but shows no bias. Horn was present and addressed the Board. Malloch moved, Horn seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or hearing.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.H.1. Donna Marie McQuain RN031172; AP0047 (Grady)

McQuain was present and available for questions. Busby moved, Crawley seconded, and it was unanimously carried to reinstate RN license; upon meeting all requirements for reinstatement of AP certificate, reinstate AP certificate.

V.H.7. Lizabeth Ann Linn-Makua RN145802; AP2697 (Grady)

Linn-Makua was present and addressed the Board. Perry moved, Busby seconded, and it was unanimously carried to dismiss the case.

V.E.1. Cynthia Lisa Bocchicchio RN089150 (S. Nelson)

Johnson is affiliated with Banner Thunderbird Hospital and knows Sally Dimond but shows no bias. Bocchicchio was present and addressed the Board. Nelson addressed the Board with additional information. Malloch moved, Crawley seconded, and it was unanimously carried to issue an Interim Order for a substance abuse evaluation to be completed by a Board approved evaluator who is at minimum PhD prepared and to include any additional testing deemed necessary by the evaluator to be scheduled within 15 days and completed within 45 days and then return to the Board. If the Interim Order is not completed, adopt the attached Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.E.2. Pamela Lyon Garland RN091820 (S. Nelson)

Malloch knows Troy Garland but shows no bias. Garland was present and addressed the Board. Nelson addressed the Board with additional information. Malloch moved, Johnson seconded, and it was unanimously carried to offer a Consent Agreement for 36 months probation to include the attached stipulations, or hearing.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.E.3. Margaret M. Hallums LP014089 (S. Nelson)

Malloch knows Troy Garland but shows no bias. Hallums was present and addressed the Board. Malloch moved, Link seconded, and it was unanimously carried to dismiss the case.

V.E.13. Elsa C. Sipperley RN087205 (S. Nelson)

Attorney Scott King was present and addressed the Board. Malloch moved, Woulard seconded, and it was unanimously carried to rescind the Board decision of July 25, 2007, and offer a Consent Agreement for indefinite suspension pending completion of inpatient treatment and completion of all recommended treatment followed by 36 months probation to include the attached stipulations amended to include: after care relapse prevention to be completed during the probationary period, or hearing.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

**V.K.1. Kim Jordine Leas LP Exam (Crain)
(aka: Antonio; Toupe)**

Leas was present and addressed the Board. Link moved, Crawley seconded, and it was unanimously carried, upon meeting all requirements, grant licensure and issue a letter of concern for a June 10, 1994, felony conviction in Jefferson County, Oregon for obtained public assistance unlawfully and the conviction was later reduced to a misdemeanor on September 5, 1995; and a January 16, 2003, misdemeanor assault conviction in Estrella Mountain Justice Court in Buckeye, Arizona.

V.K.2. Rick Harold Wilson LP Endorsement (Crain)

Wilson was present and addressed the Board. Crain addressed the Board with additional information. Link moved, Robertson seconded, and it was unanimously carried, upon meeting all requirements, grant licensure and issue a letter of concern for the misdemeanor convictions in 1982, 1987, 1993, and 1998 driving under the influence of alcohol and the March 06, 1995, felony conviction for forgery in Boone County, Missouri Circuit Court.

IV.D. Board Discussion & Decision Regarding CANDO Eligibility/Noncompliance and Investigative Reports

IV.D.2. Sherry A. Harlan RN102537 (Linck)

Linck addressed the Board with additional information. Johnson moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for 24 months stayed revocation with the license suspended during the first 12 months and on Stayed Revocation Probation the second 12 months, followed then by 24 months Standard Probation, to include the attached stipulations, or hearing.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

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

V.G.1. Jason Edward Wall LP040360; CNA100000393 (Torrez)

Hardy moved, Perry seconded, and it was unanimously carried to reopen Agenda Item V.G.1. Wall was present and available for questions. Torrez addressed the Board with additional information. Malloch moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement for indefinite suspension pending the completion of a chemical dependency evaluation conducted by a Board approved addictionologist. If not signed within 48 hours issue Complaint and Notice of Hearing.

	VOTE	<u>Busby, Kathryn</u> Member	<u>Malloch, Kathy</u> Member	<u>Perry, Hunter</u> Member	<u>Johnson, Patricia</u> Secretary	<u>Hardy, Karen</u> President	<u>Crawley, Theresa</u> Vice Pres	<u>Woulard, Constance</u> Member	<u>Link, Denise</u> Member	<u>Robertson, Steve</u> Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.E.6. Karen Lee Janis RN112545 (S. Nelson)

Janis was present and addressed the Board. Busby moved, Woulard seconded, and it was unanimously carried to offer a Consent Agreement for 12 months stayed revocation probation followed by 24 months standard probation to include the attached stipulations, or hearing.

	VOTE	<u>Busby, Kathryn</u> Member	<u>Malloch, Kathy</u> Member	<u>Perry, Hunter</u> Member	<u>Johnson, Patricia</u> Secretary	<u>Hardy, Karen</u> President	<u>Crawley, Theresa</u> Vice Pres	<u>Woulard, Constance</u> Member	<u>Link, Denise</u> Member	<u>Robertson, Steve</u> Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

The meeting recessed at 3:18 p.m. and reconvened at 3:36 p.m.

II.G. Board Discussion and Decision Regarding Hearing Department Investigative Reports

II.G.2. Stacey Dawn Liston RN103334; LP032167 Zack/Smith

Perry moved, Crawley seconded, and it was unanimously carried to reopen Agenda Item II.G.2. Crawley is affiliated with Phoenix Baptist Hospital and knows Terry Wicker and Maria Hayes but shows no bias.

Attorney Teresa Sanzio was present and available for questions.

Zack reported the information she received regarding advisement of the Solicitor General's office.

Malloch moved, Johnson seconded, to affirm the suspension of Liston's license and continue with current Consent Agreement and Order #0408002. After discussion, the motion carried with six in favor and two abstained.

	VOTE	<u>Busby, Kathryn</u> Member	<u>Malloch, Kathy</u> Member	<u>Perry, Hunter</u> Member	<u>Johnson, Patricia</u> Secretary	<u>Hardy, Karen</u> President	<u>Crawley, Theresa</u> Vice Pres	<u>Woulard, Constance</u> Member	<u>Link, Denise</u> Member	<u>Robertson, Steve</u> Member
YES	6		X		X	X	X		X	X
NO	0									
ABSTAIN	2			X				X		
ABSENT	1	X								

Busby returned to the meeting at 3:46 p.m.

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

**V.D.1. Alison Elizabeth Frankley RN Exam (Huff)
(aka: Ratkowski; Andrews)**

Malloch moved, Perry seconded, and it was unanimously carried to reopen Agenda Item V.D.1. Huff addressed the Board with additional information. Attorney Amy Nuen and Frankly were present and addressed the Board. Crawley moved, Robertson seconded, to grant licensure upon meeting all requirements and signing a Consent Agreement for a \$500 Civil Penalty and 36 months probation to include the attached stipulations amended to include: completion of a psychological evaluation by Dr. Dibacco. If not signed within 30 days, deny licensure based upon information contained in the investigative report. The motion carried with eight in favor and one abstained.

	VOTE	<u>Busby, Kathryn</u> Member	<u>Malloch, Kathy</u> Member	<u>Perry, Hunter</u> Member	<u>Johnson, Patricia</u> Secretary	<u>Hardy, Karen</u> President	<u>Crawley, Theresa</u> Vice Pres	<u>Woulard, Constance</u> Member	<u>Link, Denise</u> Member	<u>Robertson, Steve</u> Member
YES	8		X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	1	X								
ABSENT	0									

Busby left the meeting at 4:02 p.m.

V.G.2. Mary Nelson Arce RN057132 (Torrez)

Malloch knows Goodrin Mall but shows no bias. Arce was present, telephonically, and addressed the Board. Attorney Larry Cohen was present, telephonically, and available for questions. Crawley moved, Johnson seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or hearing.

	VOTE	<u>Busby, Kathryn</u> Member	<u>Malloch, Kathy</u> Member	<u>Perry, Hunter</u> Member	<u>Johnson, Patricia</u> Secretary	<u>Hardy, Karen</u> President	<u>Crawley, Theresa</u> Vice Pres	<u>Woulard, Constance</u> Member	<u>Link, Denise</u> Member	<u>Robertson, Steve</u> Member
YES	8		X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1	X								

V.F.11. Anthony Martinez 652063 (Texas RN) (Munger)

An attempt was made to contact Martinez telephonically. Johnson moved, Malloch seconded, and it was unanimously carried to revoke Multistate Privilege and issue a Cease and Desist Order based on information contained in the investigative report.

	VOTE	<u>Busby, Kathryn</u> Member	<u>Malloch, Kathy</u> Member	<u>Perry, Hunter</u> Member	<u>Johnson, Patricia</u> Secretary	<u>Hardy, Karen</u> President	<u>Crawley, Theresa</u> Vice Pres	<u>Woulard, Constance</u> Member	<u>Link, Denise</u> Member	<u>Robertson, Steve</u> Member
YES	8		X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1	X								

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

VII.C. Board Discussion and Decision Regarding Foreign Educated Nurse Education Equivalency Requirements for Licensure that is “Valid in AZ” Only

VII.C.1. Bahin Hajbandeh – RN Applicant for Licensure by Endorsement

Hajbandeh was present and addressed the Board. Malloch moved, Woulard seconded, and it was unanimously carried to accept the Board’s “Valid in Arizona Only” recommendation after the review of unofficial transcripts and grant RN licensure upon meeting all requirements except validation of education by a Board approved Credential Evaluation Service.

VII.C.2. Mayah McKibben – RN Applicant for Licensure by Endorsement

Link moved, Robertson seconded, and it was unanimously carried to grant RN licensure that is “Valid in AZ only”, upon meeting all requirements except Credential Evaluation Report.

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

VII.A. Executive Director’s Report

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

Crawley moved, Woulard seconded, and it was unanimously carried to approve minutes from regular Board meeting July 25 & 26, 2007; and Executive Session minutes from July 26, 2007.

VII.A.2. Bi-Educational Topic: Positive Drug Screens & Review of CANDO Policies – Linck/Smith

Linck and Smith gave a presentation on urine drug screening, which included explanations of the purpose of drug screening, the multifaceted approach to relapse surveillance, random drug testing, methods used to “beat” urine drug testing, and methods for detections. Linck stated that urine drug testing is fallible but effective and noted alternative testing methods. Linck went over the 2006 NCSBN recommended key drug screening standards and CANDO/Monitoring recommended guidelines. Linck stated that 87% of those who relapse while in CANDO relapse within the first 18 months of the program. Smith stated that the overall relapse rate may be higher than other programs because the Board has a strict relapse interpretation. Smith detailed types of drug testing used and methods used by respondents to dilute or avoid submitting urine that would test positive. New technology is now in place to allow drug detection at a much lower threshold than in the past

Crawley moved, Malloch seconded, and after discussion it was unanimously carried to approve proposed policies: Positive Test Results on Body Fluids; Policy on Urine Screen Results with Low Specific Gravity and Low Creatinine; Failure to Test Body Fluids or Late Testing; and Relapse and Referral Back to Board.

Woulard left the meeting at 4:55 p.m. and returned at 5:03 p.m.

Hardy left the meeting at 5:25 p.m. Crawley presided. Hardy returned to the meeting at 5:26 p.m.

VII.A.4. Policy Decision: Temporary Licenses & Prescribing & Dispensing Authority – Grady/Bontrager

Johnson moved, Link seconded, and it was unanimously carried to approve the policy on Temporary Licenses & Prescribing & Dispensing Authority.

VII.A.5. Proposed Policy for Adoption November 2007 – Administrative & Civil Penalties for Unlicensed/Lapsed Licensees & Certificate Holders & Applicants – Bontrager

Link moved, Perry seconded, and it was unanimously carried to approve the proposed policy for Administrative & Civil Penalties for Unlicensed/Lapsed Licensees & Certificate Holders & Applicants.

VII.A.6. Policy Decision: Board Member Per Diems & Update from General Accounting Office Regarding Overall Policies for Board Members Reimbursement – Ridenour

Malloch moved, Johnson seconded, and it was unanimously carried to approve the proposed policy on Board Member Per Diems & Update from General Accounting Office Regarding Overall Policies for Board Members Reimbursement.

Woulard left the meeting at 5:33 p.m.

VII.A.13. Policy: Board Meetings – Ridenour/Smith/Bontrager/Randolph/Zack/A. Olson/Zimmerman

Board members reviewed and discussed the proposed policy on Board Meetings and requested it be brought back to the November 2007 meeting.

VII.A.14. Policy: Electronic Mail – Ridenour/Smith/Bontrager/Randolph/Henriksen/Davitt
Johnson moved, Crawley seconded, and it was unanimously carried to approve the proposed policy on Electronic Mail.

VII.A.15. Policy: Publications – Newsletter – Ridenour/Smith/Bontrager/Randolph/Henriksen

Johnson moved, Link seconded, and it was unanimously carried to approve the proposed policy on Publications – Newsletter.

VII.A.17. Nurse Competency Evaluation Proposal: Dr. Carol Long – Randolph/Smith

Randolph gave an update on the Nurse Competency Evaluation Proposal and reported that more work is needed for what should be in the evaluation tool prior to approval.

The meeting recessed at 5:44 p.m., Thursday, September 20, 2007.

Arizona State Board of Nursing

Janet Napolitano
Governor

Joey Ridenour
Executive Director



Board Meeting Minutes

The regular meeting of the Arizona State Board of Nursing convened at 8:00 a.m., Friday, September 21, 2007, in the Board of Nursing Board Room, Suite 200, 4747 N. 7th Street, Phoenix, Arizona, with Karen Hardy, RN, MSN, President, presiding.

BOARD MEMBERS PRESENT:

Karen Hardy, RN, MSN, President
Theresa Crawley, CRNA, MSHSA, Vice-President
Patricia Johnson, LPN, Secretary
Kathryn L. Busby, JD, Member
Denise Link, DNS, WHCNP, FNAP, Member
Kathy Malloch, PhD, MBA, RN, FAAN, Member

BOARD MEMBERS ABSENT:

M. Hunter Perry, Member
Steve Robertson, LPN, Member
Constance G. Woulard, RN, MSN, Member

LEGAL COUNSEL:

Ann Olson, Assistant Attorney General
Kim Zack, Assistant Attorney General
Nina Zimmerman, Assistant Attorney General

STAFF:

Joey Ridenour, RN, MN, Executive Director
Judy Bontrager, RN, MN, Associate Director of Operations
Pamela Randolph, RN, MSN, Associate Director of Education and Evidence Based Regulation
Valerie Smith, RN, MS, Associate Director of Investigations
Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings
Jeanne Crain, Senior Investigator
Frank Curatola, Senior Investigator
Karen Grady, RN, MS, CS, FNP, Nurse Practice Consultant/Advanced Practice
Thereasa Huff, Legal Assistant II
Connie Linck, RN, MN, CNA, BC
Sydney Munger, RN, MS, Nurse Practice Consultant
Betty Nelson, RN, MS, Nursing Assistant Consultant
Stephanie Nelson, R.N., M.S.N., Nurse Practice Consultant
Kirk Olson, Senior Investigator
Doug Parlin, Senior Investigator
Mary Rappoport, RN, MN, Nurse Practice Consultant
Jeanine Sage, RN, MSN, Nursing Assistant Consultant
Sister Rachel Torrez, RN, MS, Nurse Practice Consultant
Nancy Twigg, RN, MSN, Nurse Practice Consultant
Rose Wilcox, RN, M Ed, Nurse Practice Consultant/Education
James Williams, Senior Investigator
Barbara Melberg, Legal Secretary

I. Call to Order

The meeting was called to order at 8:00 a.m., Friday, September 21, 2007.

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

Hardy presided.

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

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

VII.A. Executive Director's Report

VII.A.3. Report on Commitment to Regulatory Excellence (CORE) – Arizona Data - Ridenour

Randolph reported on the education portion of the CORE Report. Data was collected in 2005 under the direction of NCSBN. In the survey tool 12 nursing programs responded for a 24% return rate. Nurses thought their education prepared them “well” or “very well” 92% of the time. Arizona employers ranked new graduates at 2.11 on a 1-4 scale, which fell into the “somewhat adequate” category. New graduates were rated less than the aggregate average and ranked Arizona 20 out of the 24 states surveyed. The best ratings for new graduates were for administration of medications by common routes, performing psychomotor skills, recognizing abnormal findings, and responding to emergency situations. The lowest ratings were for documenting a legally defensible account of care, teaching patients, creating a plan of care for patients, assessing the effectiveness of treatment, recognizing abnormal diagnostic lab findings, and supervising care provided by others. Ninety three percent of nurses reported that there was content from the Nurse Practice Act in their program curriculum compared to an 87% aggregate rating. Seventeen percent of nurses surveyed reported they had attended a Board meeting. The perception of the Board functions by nursing programs rated the Board “very effective” in public protection, ranking 1 out of 23. Arizona ranked 6 out of 23 in promotion of quality in nursing programs. In the area of responsiveness to healthcare, responsiveness to healthcare changes, and responsiveness to innovations, Arizona ranked 8 out of 23. Effectiveness of the program review process was rated “effective” to “somewhat effective”, with high ratings for administration, clinical facilities, and curriculum. Slightly lower ratings were related to faculty and employment input into curriculum. Specific perceptions of the review process were measured on a 1 to 4 scale, 1 being the highest. Areas of strength include the comprehensiveness of the feedback, with Arizona ranking 1 out of 23, fairness in monitoring compliance and fairness in objectivity of Board findings ranking 8 out of 23. Lower scores were noted in the areas of time spent on site visits, and communication with Board staff. Nursing programs ranked the Board “somewhat helpful” in addressing emerging issues, “fair” in the sanction process, and “somewhat helpful” regarding educational issues and assistance provided by Board staff. Programs rated the Board as having “adequate” regulation and protection of the public, Scope of Practice, and practice standards. Ratings fell into the “too much regulation” category for the complaint resolution discipline process and education program approval. Programs consistently rated shortages of faculty in clinical sites as their biggest challenge, lack of competitive salaries and qualified faculty are equal as major reasons why positions were unfilled. Arizona falls well below the aggregate average for LPN clinical hours with high 200's to low 300's with the national average being 771 average hours. Associate degree clinical hours fell slightly above the aggregate average with 725 hours with aggregate average being 620. Randolph summarized by stating that the Board rated favorably in most categories as reported by the education programs that responded to the survey, with areas for improvement being communication with nursing programs, improving the site visit processes and responsiveness to emerging issues and changes in nursing practice. Randolph reported that a questionnaire would be offered at the upcoming statewide meeting to follow up on some of the issues and how the Board could improve.

VII.A.9. Update on Nursing/Workplace Data Collected from RN/LPN Renewing in 2007 – Randolph/Ridenour

Ridenour offered an update on Nursing/Workplace Data Collected. She reported that ASBN in partnership with ASU for information and research regarding work force needs. The tentative projection is that 4,000 RN’s will need to be added to the population each year over the next 10 years to keep up with workforce demand.

Busby arrived at the meeting at 8:21 a.m.

VII.A.10. Proposed Conference Scheduled for Spring on Foreign Nurse Applicants & Emerging Issues – Bontrager/Randolph/Ridenour

Randolph reported on a proposed conference scheduled on: License Issues for International Applicants. Plans are to invite Board approved credential evaluation agencies to speak to objectives relating to the process of evaluating credentials, types of reports offered by various agencies, and the issues for the credential service in determining comparability of education. Discussions will be held to explore the issues for regulatory Boards and invite Boards from other States to attend. Additional categories suggested were identifying best practices for insuring security of international licensure examinations, describing actions that a regulatory body should take when information is received that cheating or fraud occurred, and the types of visas acceptable for licensure purposes.

VII.A.12. Consideration of AP Application of David Sayle, RN134260 – Grady

Busby moved, Link seconded, and it was unanimously carried to grant advanced practice certification as a Pediatric Nurse Practitioner.

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

V.E.4. Richard Keith Ingram RN056745 (S. Nelson)

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

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

V.E.5. Mary Ann Jackson RN125048 (S. Nelson)

Malloch moved, Busby seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure and a \$200 Civil Penalty, or hearing.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

V.E.8. Cynthia Maloney LP030744 (S. Nelson)

Crawley is affiliated with Phoenix Baptist Hospital but shows no bias. Nelson addressed the Board with additional information. Busby moved, Johnson seconded, and it was unanimously carried to issue a letter of concern for allowing patient S.B. to self-administer an injection in an unauthorized area without observing her on our about January 23, 2007, while working at Indian Health Services in Phoenix, Arizona.

V.E.10. Crystal Denise Nelson LP036472 (S. Nelson)

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

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

V.E.12. Karen Sue Wayland RN105983 (S. Nelson)

Johnson moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement for 24 months stayed revocation with the license suspended during the first 12 months and on stayed revocation probation the second 12 months followed by 24 months standard probation to include the attached stipulations, or hearing.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

V.F.1. Betty Louise Braun LP036287 (Munger) (aka: Osborn)

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

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

V.F.5. Lameatria Jean Shelton RN125095 (Munger) (aka: Berry; Duncan)

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

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

V.F.7. Bette Sue Taylor RN123583 (Munger)

Malloch knows Laura Rhodes but shows no bias. Busby moved, Crawley seconded, and it was unanimously carried to issue Notice of Charges based upon information contained in the investigative report.

V.G.6. Vandaline K. Adkison LP024545 (Torrez)

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

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

V.G.7. Dianette Jean Jackson RN133532 (Torrez)

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

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

V.G.8. Karen Atwood West RN064021; LP014768 (Torrez)

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

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

V.G.12. Lisa Vaughan Cockrell RN129828 (Torrez)

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

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

V.G.13. Edina Yabes Munoz RN126056 (Torrez)

Malloch knows Diane Drexler but shows no bias. Crawley moved, Busby seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or hearing.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

V.G.15. Mark Allen Kirkendall RN121540 (Torrez)

Busby moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for 24 months probation to include the attached stipulations amended to add: nurse recovery, AA with sponsor, and treatment to be provided by PhD prepared provider, and delete: night shift prohibited, or hearing.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

V.H.4. Deborah Ann Greenlee RN130021 (Grady)

Grady addressed the Board and confirmed receipt of additional information. Greenlee was present and addressed the Board. Malloch moved, Johnson seconded, and after discussion it was unanimously carried to offer a Consent Agreement for 24 months probation to include the attached stipulations amended to include: allow night shift, 12 months direct supervision followed by 12 months on site supervision, and delete: pharmacology course, or hearing.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

V.H.8. Lisa Frances Sims RN092768; AP0856 (Grady)

Johnson moved, Busby seconded, and it was unanimously carried to accept signed Consent Agreement for a \$1,000 Civil Penalty and grant certification upon meeting all requirements.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

V.J.1. James Joseph DeMartinis RN089935 (Parlin)

Link moved, Johnson seconded, and it was unanimously carried to issue a letter of concern for the February 3, 2006 arrest in Phoenix, Arizona for charges resulting from bad checks written in the State of Nevada in 1999.

VI.E.1. Freda Juan CNA Endorsement (Curatola)

Johnson moved, Link seconded, and it was unanimously carried, upon meeting all requirements, signing a Consent Agreement for a \$50 Civil Penalty, grant certification. If not signed within 30 days or payment received within 60 days, deny certification based upon the information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

VI.E.2. Earletta Jerome Jones CNA Exam (Curatola)

Malloch moved, Link seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

VI.E.3. Crystal Holly Preiksaitis CNA Exam (Curatola)

Malloch moved, Johnson seconded, to deny certification based upon information contained in the investigative report. The motion carried with five in favor and one opposed.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	5		X		X	X	X		X	
NO	1	X								
ABSTAIN	0									
ABSENT	3			X				X		X

VI.A.1. Thomas Alan Bottai CNA Exam (Williams)

Bottai was present and addressed the Board. Malloch moved, Crawley seconded, and it was unanimously carried to continue the investigation to allow Bottai the opportunity to obtain a psychological evaluation with emphasis on substance abuse by a Board approved evaluator, who is at minimum PhD prepared and has expertise in substance abuse, to be completed within 45 days and to include any additional testing deemed necessary by the evaluator and then return to the Board. If the evaluation is not completed, deny certification based upon the information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

VI.A.2. Crystal Joann Hudson CNA Endorsement (Williams)

Busby moved, Malloch seconded, and it was unanimously carried to continue the investigation to allow Hudson the opportunity to obtain a psychological evaluation with emphasis on substance abuse and anger management by a Board approved evaluator, who is at minimum PhD prepared and has expertise in substance abuse and anger management, to be completed within 45 days and include any additional testing deemed necessary by the evaluator and then return to the Board. If the evaluation is not completed, deny certification based upon the information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

**VI.A.3. Debra Elaine Jackson CNA Endorsement (Williams)
(aka: Yocum; Terrazas)**

Williams addressed the Board with additional information. Busby moved, Link seconded, and it was unanimously carried to grant certification upon meeting all requirements and issue a letter of concern for the November 29, 1997, felony Forgery charge that was deferred in Silver City, New Mexico and the March 06, 2001, misdemeanor conviction for Shoplifting in Evanston, Wyoming.

VI.A.4. Cecelia Stotts Martinez CNA Exam (Williams)
(aka: Patricia Mayo Ferrante)

Williams addressed the Board with additional information. Busby moved, Crawley seconded, and it was unanimously carried to continue the investigation to allow Martinez the opportunity to obtain a psychological evaluation with emphasis on substance abuse and theft by a Board approved evaluator, who is at minimum PhD prepared and has expertise in substance abuse and theft, to be completed within 45 days and include any additional testing deemed necessary by the evaluator and then return to the Board. If the evaluation is not completed, deny certification based upon the information contained in the investigative report.

	VOTE	<u>Busby, Kathryn</u> Member	<u>Malloch, Kathy</u> Member	<u>Perry, Hunter</u> Member	<u>Johnson, Patricia</u> Secretary	<u>Hardy, Karen</u> President	<u>Crawley, Theresa</u> Vice Pres	<u>Woulard, Constance</u> Member	<u>Link, Denise</u> Member	<u>Robertson, Steve</u> Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

VI.A.6. Curtasca Louise Whiten CNA Exam (Williams)
(aka: Anna Pearson)

Williams addressed the Board and confirmed receipt of additional information. Malloch moved, Crawley seconded, and it was unanimously carried to table Agenda Item VI.A.6. to allow time for Whiten to arrive at the meeting.

VI.A.5. Patricia Louise Reis CNA Exam (Williams)

Malloch moved, Link seconded, and it was unanimously carried to continue the investigation to allow Reis the opportunity to obtain a psychological evaluation with emphasis on substance abuse and anger management by a Board approved evaluator, who is at minimum PhD prepared and has expertise in substance abuse and anger management, to be completed within 45 days and include any additional testing deemed necessary by the evaluator and then return to the Board. If the evaluation is not completed, deny certification based upon the information contained in the investigative report.

	VOTE	<u>Busby, Kathryn</u> Member	<u>Malloch, Kathy</u> Member	<u>Perry, Hunter</u> Member	<u>Johnson, Patricia</u> Secretary	<u>Hardy, Karen</u> President	<u>Crawley, Theresa</u> Vice Pres	<u>Woulard, Constance</u> Member	<u>Link, Denise</u> Member	<u>Robertson, Steve</u> Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

VI.A.7. Sara Marie Fuentes CNA Exam (Williams)
(aka: Bennett)

Busby moved, Link seconded, and it was unanimously carried to allow an additional thirty days from today's date to pay the \$50 Civil Penalty. If not paid within 30 days, deny certification based upon the information contained in the investigation report.

	VOTE	<u>Busby, Kathryn</u> Member	<u>Malloch, Kathy</u> Member	<u>Perry, Hunter</u> Member	<u>Johnson, Patricia</u> Secretary	<u>Hardy, Karen</u> President	<u>Crawley, Theresa</u> Vice Pres	<u>Woulard, Constance</u> Member	<u>Link, Denise</u> Member	<u>Robertson, Steve</u> Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

VI.B.1. Heidi J. Brunette CNA Exam (K. Olson)

Olson addressed the Board with additional information. Brunette was present and available for questions. Busby moved, Link seconded, upon meeting all requirements, signing a Consent Agreement for a \$50 Civil Penalty, and payment of the Civil Penalty, grant certification. If not signed within 30

days, deny certification based upon the information contained in the investigative report. After discussion the motion carried with five in favor and one abstained.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	5	X			X	X	X		X	
NO	1		X							
ABSTAIN	0									
ABSENT	3			X				X		X

VI.B.2. Ossana Y. Hall CNA Exam (K. Olson)

Busby moved, Malloch seconded, and it was unanimously carried to table Agenda Item VI.B.2. to allow time for Hall to arrive at the meeting.

VI.B.3. Toni S. Solano CNA Exam (K. Olson)

Olson addressed the Board with additional information. Solano was present and addressed the Board. Busby moved, Crawley seconded, upon meeting all requirements, signing a Consent Agreement for a \$50 Civil Penalty, and payment of the Civil Penalty, grant certification. If not signed within 30 days, deny certification based upon the information contained in the investigative report. After discussion, the motion failed with three in favor and three opposed.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	3	X					X		X	
NO	3		X		X	X				
ABSTAIN	0									
ABSENT	3			X				X		X

Malloch moved, Johnson seconded, and after discussion it was unanimously carried to grant certification upon signing a Consent Agreement for 18 months stayed revocation, with the attached stipulations. If not signed within 30 days deny certification based upon the information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

**VI.B.4. Bridget A. Rinehart CNA Exam (K. Olson)
(aka: Dobler)**

Busby moved, Link seconded, and it was unanimously carried, upon meeting all requirements, signing a Consent Agreement for a \$50 Civil Penalty, and payment of the Civil Penalty, grant certification. If not signed within 30 days, deny certification based upon the information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

**VI.B.5. Patti A. Wade CNA Exam (K. Olson)
(aka: Carlisle; Smith; Dolan; Griffith)**

Busby moved, Link seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

VI.B.6. Franchesca M. Barisano CNA Exam (K. Olson)
(aka: Lovato)

Barisano was present and addressed the Board. Malloch moved, Crawley seconded, to continue the investigation to allow Barisano the opportunity to obtain a psychological evaluation, to include an anger management and substance abuse evaluation, by a Board approved psychologist, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed with 45 days and then return to the Board. If the evaluation is not completed, deny licensure based upon the information contained in the investigative report. After discussion the motion carried with five in favor and one opposed.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	5		X		X	X	X		X	
NO	1	X								
ABSTAIN	0									
ABSENT	3			X				X		X

VI.B.7. Stacey A. Masch CNA Exam (K. Olson)
(aka: Rahn; Quirin)

Masch was present and addressed the Board. Busby moved, Crawley seconded, and it was unanimously carried, upon meeting all requirements, signing a Consent Agreement for a \$50 Civil Penalty, and payment of the Civil Penalty, grant certification. If not signed within 30 day, deny certification based upon the information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

The meeting recessed at 9:54 a.m. and reconvened at 10:10 a.m.

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Glendale Community College Nursing Students regarding Board functions, policies and procedures.

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.A.6. Curtasca Louise Whiten CNA Exam (Williams)
(aka: Anna Pearson)

Busby moved, Crawley seconded, and it was unanimously carried to reopen Agenda Item VI.A.6. Whiten was present and available for questions. Crawley moved, Johnson seconded, and it was unanimously carried to continue the investigation to allow Whiten the opportunity to obtain a psychological evaluation with emphasis on substance abuse and theft to be completed by a Board approved PhD prepared evaluator and has expertise in substance abuse and theft, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and then return to the Board. If the evaluation is not completed, deny certification based on information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

VI.C.1. Vusumzi Sonny Combo CNA999953374 (B. Nelson)

Malloch moved, Crawley seconded, and it was unanimously carried to issue an Interim Order for a psychological evaluation with emphasis on anger management to be completed by a Board approved evaluator and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days and then return to the Board. If the Interim Order is not completed, issue Notice of Charges based upon the information contained in the investigative report, and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

VI.C.2. Traci Lynn Duff CNA100004447 (B. Nelson)

Nelson addressed the Board and confirmed receipt of additional information. Malloch moved, Johnson seconded, and it was unanimously carried to issue an Interim Order for a substance abuse evaluation to be completed by a Board approved evaluator who is at minimum PhD prepared, and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days and return to the Board. If the Interim Order is not completed, issue a Notice of Charges based upon the information contained in the investigative report and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

VI.C.3. Jason Micheal Hughes CNA100007406 (B. Nelson)

Nelson addressed the Board with additional information. Busby moved, Crawley seconded, to issue Complaint and Notice of Hearing based on information contained in the investigative report and the new information presented at this meeting. Busby moved, Crawley seconded and it was unanimously carried to table Agenda Item VI.C.3. to allow time to review documents.

**VI.C.4. Karen J. Nichols CNA709529113 (B. Nelson)
(aka: Holder; Karen Ann Nichols)**

Barbara Larson, complainant, was present and addressed the Board. Cathy Messor and Christy Sample, complainants, were present and available for questions. Malloch moved, Busby seconded, and it was unanimously carried to issue Notice of Charges based upon information contained in the investigative report.

VI.C.3. Jason Michael Hughes CNA100007406 (B. Nelson)

Busby moved, Crawley seconded, and it was unanimously carried to reopen Agenda Item VI.C.3. The original motion to issue a Complaint and Notice of Hearing based on information contained in the investigative report and information obtained at this meeting, was unanimously carried.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

VI.C.5. Peter Lynn Mosher CNA818947666 (B. Nelson)

Busby moved, Malloch seconded, and it was unanimously carried to issue a Complaint and Notice of Hearing based upon information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

VI.C.6. Holly Lynn Ellis CNA999994085 (B. Nelson)

Busby moved, Johnson seconded, and it was unanimously carried to rescind prior Board decision to issue Notice of Charges and dismiss the complaint.

VI.D.1. Jesus Ayala CNA996701641 (Sage)

Busby moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement for 12 months stayed revocation with the attached stipulations to include a psychological evaluation with emphasis on anger management by a Board approved PhD evaluator, and to include any additional testing deemed necessary by the evaluator. If not signed within 30 days, issue Notice of Charges based upon information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

**VI.D.2. Ida Lucia Baca CNA478031103 (Sage)
(aka: Rascon)**

Busby moved, Crawley seconded, and it was unanimously carried to issue an Interim Order for a substance abuse evaluation by a Board approved PhD evaluator to be scheduled within 15 days and completed within 45 days. If not completed, issue a Notice of Charges based on information in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

**VI.D.3. Maria Hilaria G. Cassano CNA1000006503 (Sage)
(aka: Garcia; Rodriguez)**

Johnson moved, Busby seconded, to issue a letter of concern for failing to transfer a resident from a commode to bed while preparing to serve her a meal tray on June 06, 2007, while employed as a CNA at

Golden Touch Registry and assigned a shift at Freedom Plaza Care Center, in Peoria, Arizona. The motion carried with five in favor and one opposed.

VI.D.4. Gilbert Mendros Colinayo CNA999989742 (Sage)

Colinayo was present and addressed the Board. Malloch moved, Crawley seconded, to offer a Consent Agreement for \$100 Civil Penalty to be signed in 30 days and payment made in 60 days, or issue a Notice of Charges based on information in the investigative report. After discussion, the motion carried with five in favor and one opposed.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	5		X		X	X	X		X	
NO	1	X								
ABSTAIN	0									
ABSENT	3			X				X		X

VI.D.5. Emmanuelle Marie Gutierrez CNA100001041 (Sage)

Busby moved, Crawley seconded, and it was unanimously carried to issue an Interim Order for a neuropsychological exam by a Board approved PhD evaluator, to be scheduled within 15 days and completed in 45 days and then return to Board. If not completed, issue a Notice of Charges based on information in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

**VI.D.6. Ivy Marie Haring CNA1000003622 (Sage)
(aka: Tyrone)**

Busby moved, Crawley seconded, and it was unanimously carried to issue an Interim Order for a substance abuse evaluation by a Board approved evaluator to be scheduled within 15 days and completed within 45 days and to include any additional testing deemed necessary by the evaluator. If not completed, issue a Notice of Charges based upon information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

**VI.D.7. Maria E. Howard CNA999948222 (Sage)
(aka: Reyes)**

Johnson moved, Crawley seconded, and it was unanimously carried to issue an Interim Order for a substance abuse evaluation by a Board approved evaluator to be scheduled within 15 days and completed within 45 days and to include any additional testing deemed necessary by the evaluator. If not completed issue a Notice of Charges based on information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

VI.D.8. Kylie Leann Kozie CNA1000001759 (Sage)

Busby moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for a \$50 Civil Penalty to be signed within 30 days and payment made in 60 days. If not signed in 30 days or payment made in 60 days, issue a Notice of Charges based upon information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

VI.D.9. Daniel Gerardo Olivares CNA999999428 (Sage)

Malloch moved, Crawley seconded, and it was unanimously carried to issue an Interim Order for a substance abuse evaluation by a Board approved PhD evaluator to be scheduled within 15 days and completed within 45 days and to include any additional testing deemed necessary by the evaluator and then return to the Board. If not completed, issue Notice of Charges based upon information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

VI.D.10. Teela Bernice Pineira CNA1000012179 (Sage)

Crawley moved, Hardy seconded, and it was unanimously carried to issue an Interim Order for a substance abuse evaluation by a Board approved PhD evaluator to be scheduled within 15 days and completed within 45 days to include any additional testing deemed necessary by the evaluator. If not completed, issue a Notice of Charges based upon information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

VI.D.11. Rayna Lee Romero (aka: Lee Fratus) CNA1000008097 (Sage)

Busby moved, Link seconded, and it was unanimously carried to issue an Interim Order for a substance abuse evaluation by a Board approved PhD evaluator to be scheduled within 30 days and completed within 60 days and to include any additional testing deemed necessary by the evaluator and return to Board. If not completed, issue a Notice of Charges based on information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

VI.D.12. Amanda Rose Rufer CNA100002599 (Sage)

Malloch moved, Crawley seconded, to issue an Interim Order for a substance abuse evaluation by a Board approved PhD evaluator, to be scheduled within 15 days and completed within 45 days to include any additional testing deemed necessary by the evaluator. If not completed, issue a Notice of Charges based on information in the investigative report. After discussion the motion failed with three in favor and three opposed.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	3		X		X		X			
NO	3	X				X			X	
ABSTAIN	0									
ABSENT	3			X				X		X

Hardy moved, Link seconded, to offer a Consent Agreement for a \$50 Civil Penalty to be signed within 30 days and paid within 60 days. If not signed and paid, issue a Notice of Charges based upon information in the investigative report. The motion carried with four in favor and two opposed.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	4	X			X	X			X	
NO	2		X				X			
ABSTAIN	0									
ABSENT	3			X				X		X

VI.D.13. Ricky Vernon Tabor CNA999952539 (Sage)

Tabor was present and available for questions. Johnson moved, Crawley seconded, and it was unanimously carried to issue an Interim Order for a substance abuse evaluation by a Board approved PhD evaluator to be scheduled within 15 days and completed within 45 days. If not completed, issue a Notice of Charges based on information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

VI.D.14. Sharon Renee Cunha CNA100006119 (Sage)

Cunha was present and addressed the Board. Andy Cline was present and available for questions. Busby moved, Crawley seconded, and it was unanimously carried to table Agenda Item VI.D.14. to allow staff to provide the Board with additional information.

VI.D.15. Lynne Cummings CNA825409326 (Sage)

Busby moved, Crawley seconded, and it was unanimously carried to amend the Board stipulation to allow Cummings to work the night shift.

**VI.G.2. Obdulia Najera Pinkstaff CNA Exam (Crain)
(aka: Amparo Awna Lopez)**

Malloch moved, Crawley seconded, and it was unanimously carried to grant certification and dismiss the case.

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

II.C.2. Jonathon Jacob Beverly CNA Applicant A. Olson

The Board was represented by Christopher Munn, Assistant Attorney General, Division of Solicitor General, and available by telephone. Ann Olson, Assistant Attorney General, represented the State.

Busby moved, Johnson seconded, and it was unanimously carried to reopen Agenda Item II.C.2. Hardy recused herself to avoid the appearance of impropriety. Crawley presided. Busby moved, Link seconded, and it was unanimously carried to continue to the November 2007 Board meeting.

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

**II.E.2. Michelle Pauline Weaver CNA999987999 Zimmerman
(aka: Garcia; Napier)**

The Board was represented by Christopher Munn, Assistant Attorney General, Division of Solicitor General, and available by telephone. Nina Zimmerman, Assistant Attorney General, represented the State.

Malloch moved, Busby seconded, and it was unanimously carried to reopen Agenda Item II.E.2.

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

Zimmerman addressed the Board.

Johnson moved, Link seconded, and it was unanimously carried to deny request for rehearing.

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.B.2. Ossana Y. Hall CNA Exam (K. Olson)

Busby moved, Malloch seconded, and it was unanimously carried to reopen Agenda Item VI.B.2. Busby moved, Link seconded, and it was unanimously carried, upon meeting all requirements, signing a Consent Agreement for a \$50 Civil Penalty, and payment of the Civil Penalty, grant certification. If not signed within 30 days or payment not received within 60 days, deny certification based upon the information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Boswell School of Nursing Students regarding Board functions, policies and procedures. Questions were asked on how fines are imposed.

Malloch left the meeting at 11:41 a.m. and returned at 11:43 a.m.

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

VII.A. Executive Director’s Report

VII.A.3. Report on Commitment to Regulatory Excellence (CORE) – Arizona Data - Ridenour

Ridenour stated that the CORE report is a compilation of Board’s of Nursing from 42 States which gives data to help understand if the public is being protected with evidence based regulation. Ridenour explained the range in budgets with 60% for investigations, 5% for education programs, and 10% for licensure, with other expenditures allocated for assistant attorney generals wages. Expenses per licensee (total budget divided by number of licensees) averaged \$33.42 with 26 Boards reporting, which placed

Arizona below the national average of \$37.91. The aggregate average for estimated time to resolve a case by licensee type national average, from 31 reporting Boards, was 9.31 months with Arizona's average at 7.3 months. Ridenour reported that Arizona was reported as one of the top 9 Boards overall. The average cases opened monthly for responding Boards were 829, with Arizona opening 758 cases. Arizona placed 32% below the aggregate average for individuals placed on probation. The aggregate average for nurses who violated Board orders in 2005 was 38, with Arizona at 71. The aggregate average for number of actions overturned or modified nationally was 1.1 and Arizona was 3. The aggregate average of formal settlements in 2005 was 79 and Arizona was 51. Number of days to verify a license was 8 and Arizona was 14. Bontrager stated that most recent data for licenses verified was 2.9 days. The aggregate average of Formal Board settlements was 15, with Arizona at 8.

Ridenour reported that of the 28,000 nurses who were sent the survey, 5,000 nurses responded, with 180 nurses responding from Arizona. Fifty two point nine percent of nurses educated in Arizona continue to reside and work in Arizona. Thirty nine point five percent of nurses working in Arizona endorsed from other states. Foreign educated nurses endorsing into Arizona has doubled since 2002. Of the Arizona nurses responding, the average number of years licensed to practice was 7.5 years as opposed to 21.2 years from 2002. Eighty seven point six percent of Arizona licensed nurses are currently employed. Further data reported: the majority of nurses (71%) continue to be employed in hospitals, the content of the Nurse Practice Act was included in the curricula of the nursing program was 93%, percent attending a Board meeting was 16.7%, the rating for the telephone system was rated in the "fair to good" range, the website and journal rating improved from 2002, perception of nurses in communication with the Board on non-practice issues was rated "satisfied", effectiveness in protecting the public increased slightly. Understanding the Scope of Practice was close to the 2002 rating of "understanding to completely understanding", helpfulness of the Board rated "very helpful", 100% indicated Board responded in a timely manner, 85.5% reported the Nurse Practice Act as the main methods used to obtain practice information and 53.8% the website. Of methods used to obtain/renew license, 36.1% mail, 11.8% walk-in, 34.9% printed application from Board web site and mailed/faxed in, 13.6% on-line for entire process, 3.6% other. Ridenour stated that on-line renewals have increased dramatically since the survey information was gathered in 2002. Eighty seven percent of the nurses responding to the survey were involved in the disciplinary process by filing a complaint. In the future, when disciplinary processes are complete, a questionnaire will be mailed to respondents with response being sent directly to NCSBN with the hope that more individuals will comment on the process. Fairness of disciplinary process to all parties was improved to near "very fair", fairness of the investigative process was also near "very fair". Timeliness of the disciplinary process, 71.4% reported the complaint was resolved in a timely manner. Fairness of the resolution process was rated near "very fair", aspects of the disciplinary process was rated near "very well", effectiveness of the disciplinary process in protecting the public was rated near "very effective", 64% reported they know how to report a violation, understanding the obligation to report conduct which violates the State Nursing Statutes and Rules rated near "completely understand".

Ridenour reported of the 30 employers that responded to the survey, the majority (96.7%) were Chief Nursing Officers, which rated the website "good" to "excellent", telephone system "fair" to "good", newsletter "good" to "excellent"; inquiry made by respondent's office "satisfied" to "very satisfied"; presentation by Board representative "satisfied" to "very satisfied"; 80% reported the Board of Nursing to be the first to contact with practice questions; employers rating of the Board's effectiveness in protecting the public was "good" to "excellent".

Link commented that much of the information collected from the employers should be shared with the nursing programs. Ridenour stated that much of the CORE report are areas the Board could not be held accountable for and suggested that another type of survey would be more helpful in providing information pertaining to the Board. Malloch suggested if a Board retreat is planned for 2007, that some focus be placed on the CORE findings and key areas to make quality indicators. Ridenour stated that the next journal/newsletter would be devoted to the reporting of the CORE information. Ridenour commended staff and stated that the positive outcome of the CORE report is because of staff and their

effectiveness and competency. Tentative plans were made for a Board retreat in 2007 with actual dates to be decided.

Busby left the meeting at 12:02 p.m.

VI. Board Discussion and Decision Regarding CNA Investigative Reports
VI.D.14. Sharon Renee Cunha CNA1000006119 (Sage)

Malloch moved, Johnson seconded, and it was unanimously carried to reopen Agenda Item VI.D.14. Smith addressed the Board with additional information. Malloch moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement for 24 months stayed revocation to include the attached stipulations amended to include: complete IOP and then aftercare, AA, one provider, pharmacy profiles, home health permitted with supervision in office at the beginning and ending of the day. If not signed within 30 days, issue a Notice of Charges based on information contained in the investigative report.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	5		X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	4	X		X				X		X

The meeting recessed at 12:08 p.m. and reconvened at 12:14 p.m.

VII. Board Reports for Discussion, Information, Staff Direction and/or Decision
VII.A. Executive Director’s Report

VII.A.7. Update on FY 2008 & 2009 Budgets - Orchard

Ridenour reiterated the Board’s direction from the previous meeting that permission was given for staff to pursue potential funding from ACCHSS or ADHS. Ridenour stated that it would need to come from an appropriation from the general budget and not from the above mentioned agencies. Ridenour reported there is a significant budget revenue shortfall predicted and direction has been given to delay hiring and hold on any expenditure that can be held off till a later time.

VII.A.8. Update on Investigative Cases, Hearing Department Data, Personnel Changes – Bontrager/Smith/Randolph/Ridenour

Smith announced that Ridenour would be recognized at the upcoming first Joey Ridenour Nursing Excellence Award presented by the Maricopa Health Foundation. This annual award named in Ridenour’s honor will be given to recognize nursing excellence, with the first annual award being presented to her. Smith also announced that Ridenour will be inducted into the American Academy of Nursing. Smith introduced senior investigators Frank Curatola and Doug Parlin as the newest staff members. Smith gave a brief overview of the investigative case load and reported the investigative timeframe at 7 months with priority one cases less than 180 days.

Zack reported on the Hearing Department and stated there are 25 open cases from 2006, 62 cases open 2007 YTD, with a total of 88 open cases. There are 87 cases scheduled for hearing. Year to date, in addition to hearing cases, the Hearing Department handled 87 Motions to Deem resulting from Notice of Charges issued by consultants/investigators.

VII.A.11. 2007 License Time Report – Compliance Report - Bontrager

Information was provided to the Board regarding 2007 Licensure Timeframe Report.

VII.A.18. Recommended Changes to Applications to Comply with House Bill 2467 & Federal Requirements Regarding Submission of Documents Demonstrating Lawful Presence in US – Bontrager/Ridenour

Zack stated HB 2467 requires submission of documentation to demonstrate lawful presence, and states what will be needed to meet the requirement. Zack further stated there is no official position at this time, from the AAG, and advised the Board to hold off on implementing this law.

VII.A.16. Program Summary Data – Ridenour/Bontrager/Smith/Orchard

Ridenour offered an overview of the Program Summary data, submitted after the original budget is submitted.

VII.E. A.A.G. Report

VII.E.1. Update on Motion to Deem Licensees & Certificate Holders - Zack

Zack brought to the attention of the Board that statute 32-1664(i) wording needs to be changed if the Board's intent is different than what is stated in the statute, which states that a respondent "shall" give notice in writing if they request a hearing. Ridenour also provided information to the Board regarding the intent of the Board. The Board agreed that the letter of the law in the statute must be followed.

VII.F. Committee Reports

VII.F.1. Scope of Practice

VII.F.1.a. Draft Minutes of August 28, 2007

Scope of Practice draft minutes of August 28, 2007 were provided to the Board.

VII.F.1.b. Advisory Opinion Injection of Lidocain, Liposuction

The Board discussed the advisory opinion for Injection of Lidocain, Liposuction and requested changes be made and then brought back to the Board.

VII.F.2. Education

VII.F.2.a. Draft Minutes of August 3, 2007

Education draft minutes of August 13, 2007 were provided to the Board.

VII.F.4. Pilot Study Medication Technician

VII.E.4.a. Draft Minutes of July 24, 2007

Pilot Study Medication Technician draft minutes of July 24, 2007 were provided to the Board.

VII.D. President's Report

VII.D.3. Update on Board Appointment & Scheduling of Board Meetings 2008 – Hardy/All

Hardy stated there has been no word from the Governor's office regarding appointment of Board members.

VII.D.1. 2007 NCSBN Delegate Assembly Report – Hardy/Crawley/Malloch

Crawley gave a brief summary of one of the breakouts held at 2007 NCSBN Delegate Assembly.

VII.D.2. NCSBN Board of Directors/Area I Director Report - Malloch

Malloch gave an update as Area I Director and stated there is no national statement, guidelines, or principles from a regulatory prospective on how licensees can move back and forth between jurisdictions. Malloch reported on projected plans for strategic initiatives regarding disaster preparedness, guidelines, and a national nurse database for licensees during time of disaster.

VII.D.4. Debriefing on Board Processes & Suggested Changes - All

Malloch commented on the difficulty presented when large amounts of reading material are given to Board members at the Board meeting. After discussion Board members gave staff direction to craft a policy and bring back to the November 2007 meeting stating that submission of additional materials must be provided to Board staff no less than 10 days prior to the meeting. Malloch noted that talk between two Board members when the remainder of the Board were discussing and deliberating is

distracting and that it could give the appearance of being a side bar. Board members agreed that many comings and goings of some Board members during meetings is also distracting. Board members commended staff on the way speaker slips were handled at this meeting and asked that it continue to be handled in this manner. Malloch suggested ways to move the meeting along by asking for a motion sooner. Questions were raised as to why the 5 minute limit for respondents/attorneys/complainants was not used during Hearing cases. It was suggested that a verbal request to keep time to a limit would be helpful. Ridenour stated that it wasn't necessary to read the licensee/certificate holder's # into the record when opening a case. Malloch commented on how many Board members are in and out of the meeting multiple times during the 3 days of meeting time. Members agreed that some things do come up that make it necessary to leave.

VIII. Call to the Public

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

X. Adjournment

Link moved, Malloch seconded, and it was unanimously carried to adjourn the meeting.

The meeting adjourned at 1:21 p.m., Friday, September 21, 2007.

Karen Hardy, RN, MSN, President