

Arizona State Board of Nursing

Janice K. Brewer
Governor

Joey Ridenour
Executive Director



Board Meeting Minutes

The regular meeting of the Arizona State Board of Nursing convened at 8:05 a.m., Wednesday, January 28, 2009, in the Board of Nursing Board Room, Suite 200, 4747 N. 7th Street, Phoenix, Arizona, with Kathy Malloch, PhD, MBA, RN, FAAN, President, presiding.

BOARD MEMBERS PRESENT:

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

LEGAL COUNSEL:

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

STAFF:

Joey Ridenour, RN, MN, FAAN, 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
Stoney Blair, Senior Investigator
Tammi Bymers, RN, MSN, Nurse Practice Consultant
Frank Curatola, Senior Investigator
Janeen Dahn, MSN, FNP, Nurse Practice Consultant/Advanced Practice
Amy Foster, Senior Investigator
Karen Grady, RN, MS, CS, FNP, Nurse Practice Consultant
Mary Pat Healey, RN, LNCC, Legal Nurse Consultant Certified
Dolores Hurtado, Legal Assistant II/Monitoring
Ron Lester, Senior Investigator
Connie Linck, RN, MN, Nurse Practice Consultant/CANDO
Patricia Midkiff, RN, MN, Nurse Practice Consultant
Michelle Mills, RN, MA, Nurse Practice Consultant/Monitoring
Sydney Munger, RN, MS, Nurse Practice Consultant
Betty Nelson, RN, MS, Nursing Assistant Consultant
Stephanie Nelson, R.N., MSN, 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
V. Ann Schettler, RN, MHL, CLNC, Nurse Practice Consultant
Sister Rachel Torrez, RN, MS, Nurse Practice Consultant
Nancy Twigg, RN, MSN, Nurse Practice Consultant
Barbara Melberg, Legal Secretary

I. Call to Order

The meeting was called to order at 8:05 a.m., Wednesday, January 28, 2009.

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

All Board members answered affirmatively that they had received and read the documents in the Board packet with the exception of information provided at this meeting, which would be reviewed at the appropriate time during the meeting.

Malloch presided.

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

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

V.F.14. Christina Marie Kiter RN114360; LP034954 (Torrez)

Torrez addressed the Board with additional information. Hardy moved, Robertson seconded, and it was unanimously carried to continue to the March 2009 Board meeting.

**V.I.1. Christine Poon RN079198 (Midkiff)
(aka: Christine H.K. Poon)**

Attorney Kelly McDonald was present and addressed the Board. Poon was present and available for questions. Johnson moved, Woulard seconded, to offer a Consent Agreement for a stayed suspension/probation for 12 months, followed by 12 months probation, to include attached stipulations, amended to include refresher course, to be signed within 30 days, or hearing. After discussion Johnson amended the motion to include that the evaluation may be performed by a nurse practitioner if Board approved. Woulard concurred. The motion failed with six opposed and two in favor.

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

Hardy moved, Robertson seconded, to offer a Consent Agreement for an indefinite suspension, followed by a stayed suspension/probation for 12 months, followed by 12 months practice probation, to include the attached terms, to be signed within 30 days, or hearing. The motion carried with seven if favor and one opposed.

	VOTE	<u>Hardy, Karen</u> Member	<u>Robertson, Steve</u> Member	<u>Scott, Kathy</u> Member	<u>Perry, Hunter</u> Secretary	<u>Malloch, Kathy</u> President	<u>Johnson, Patricia</u> Vice Pres	<u>Link, Denise</u> Member	<u>Woulard, Constance</u> Member	<u>Busby, Kathryn</u> Member
YES	7	X	X	X		X	X	X	X	
NO	1				X					
ABSTAIN	0									
ABSENT	1									X

After further discussion Hardy moved, Robertson seconded, to rescind prior Board decision. The motion carried with seven in favor and one opposed.

	VOTE	Hardy, Karen Member	Robertson, Steve Member	Scott, Kathy Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Link, Denise Member	Woulard, Constance Member	Busby, Kathryn Member
YES	7	X	X	X	X	X		X	X	
NO	1						X			
ABSTAIN	0									
ABSENT	1									X

Hardy moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for indefinite suspension in order to obtain a neuro-psychological evaluation and then return to the Board for further consideration. If not signed within 15 days issue Complaint and Notice of Hearing

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

V.E.3. Laurie Ann Wharem LP026778 (Munger)

Munger addressed the Board with additional information and requested continuance. Wharem was present and addressed the Board. Johnson moved, Perry seconded, and it was unanimously carried to continue to the March 2009 Board meeting.

V.E.4. Ian Robert Kirkpatrick LP042491 (Munger)

Munger addressed the Board with additional information and requested continuance. Kirkpatrick was present and addressed the Board. Link moved, Robertson seconded, and it was unanimously carried to continue to the March 2009 Board meeting.

**V.E.6. Yamilette Holschlag RN119457; LP034416; CNA041385103 (Munger)
(aka: Sanchez)**

Attorney Teresa Sanzio was present and addressed the Board. Holschlag was present and available for questions. Johnson moved, Robertson seconded, to issue a Letter of Concern for administering breast milk through an infant's PICC line on July 8, 2007 while working in the NICU at Maricopa Integrated Health System. After discussion Johnson withdrew the motion. Scott moved, Robertson seconded, and it was unanimously carried to dismiss the complaint.

**V.E.12. Jeanne D. Fulcher RN037765; AP0022 (Munger)
(aka: Noreen T. Partridge)**

Munger addressed the Board with additional information and requested continuance. Attorney Teresa Sanzio was present. Hardy moved, Robertson seconded, and it was unanimously carried to continue to the March 2009 Board meeting.

V.H.1. Richard Jones RN040065; AP0130 (Dahn)

Complainant, Marjorie Harmot was present telephonically and addressed the Board. Jones was also present telephonically and addressed the Board. Hardy moved, Link seconded, and it was unanimously carried to dismiss.

V.H.2. Marta Arceli Silva RN063948; AP0186 (Dahn)

Dahn addressed the Board with a technical correction to the stipulations to include: chart review 20% per month for the first 6 months and random 10% per month for months 7-12. Silva was present and available for questions. Attorney Scott Schuman was present and addressed the Board. Link moved, Johnson seconded, and it was unanimously carried to offer a Consent agreement for 12 months probation to include the attached stipulations, amended to designate the course work to be completed

with a women’s health nurse practitioner with the same educational level or above as the Respondent, and a \$250 Civil Penalty or hearing.

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

The meeting recessed at 9:30 a.m. and reconvened at 9:46 a.m.

V.H.3. Gwendolyn Lee Hall RN026024; AP0244 (Dahn)

Dahn addressed the Board and confirmed receipt of additional information and offered additional information. Hall was present and addressed the Board. Perry moved, Hardy seconded, and it was unanimously carried to table Agenda Item V.H.3.

V.B.4. Katherine Marie Hardy RN129539; AP2027 (Rappoport) (aka: Knight)

Malloch knows Connie Belden but shows no bias. Attorney Sara Sato was present and addressed the Board. Respondent Hardy was present and available for questions. Johnson moved, Woulard seconded, and it was unanimously carried to dismiss the complaint.

V.G.8. Gena R. Cooper RN094888 (Schettler)

Schettler addressed the Board with additional information. Attorney Sara Sato was present and addressed the Board. Cooper was present and available for questions. Johnson moved, Link seconded, and it was unanimously carried, for complaint #1 to offer a Consent Agreement for 12 months probation to include the attached stipulations, and demonstration of full compliance with the stipulations, or hearing; and for complaint #2, dismiss.

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

V.K.5. David Williams RN Endorsement (Parlin)

Attorney Teresa Sanzio was present and addressed the Board. Johnson moved, Link seconded, and it was unanimously carried, upon meeting all requirements, grant licensure and issue a Letter of Concern for the February 24, 1989, DUI conviction in Allegheny County, Pennsylvania, and for the December 8, 1989, DUI/Hit and Run arrest in San Leandro, California, and for the March 8, 1990, Burglary arrest in San Leandro, California.

Busby arrived at the meeting at 10:07 a.m.

V.L.4. Elizabeth Marguerite Melvin RN112584 (Curatola)

Melvin was present telephonically and available for questions. Attorney Teresa Sanzio was present and addressed the Board. Woulard moved, Scott seconded, 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 has expertise in substance abuse, to be completed within 45 days and include any additional testing deemed necessary by the evaluator and return to the Board. If the Interim Order is not completed, issue a Notice

of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order. After discussion the motion failed with six opposed, two in favor and one abstained.

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

Link moved, Johnson seconded, to offer a Consent Agreement for 12 months practice probation to include stipulations: stamping of license, notification of practice settings, quarterly performance evaluations, direct supervision, registry/traveling/float pool prohibited, abstain from alcohol, abstain from unauthorized use of drugs, monthly drug testing, or hearing. The motion carried with eight in favor and one abstained.

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

V.N.1. Gary William Murray RN132399 (B. Nelson)

Attorney Paul Banales and Murray were present and addressed the Board. Robertson moved, Scott seconded, to issue an Interim Order for a sexual misconduct evaluation, to be completed by Dr. Steven Gray, to include polygraph testing and 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 a Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order. After discussion Robertson amended the motion to state that any Board approved evaluator with an understanding of healthcare and the vulnerability of that population. Scott concurred. The motion carried unanimously.

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

V.H.3. Gwendolyn Lee Hall RN026024; AP0244 (Dahn)

Perry moved, Hardy seconded, to reopen Agenda Item V.H.3. Hall was present and addressed the Board. Link moved, Scott seconded, and it was unanimously carried to offer a Consent Agreement for 24 months probation to include the attached stipulations to include psychological evaluation for professional boundaries; AP level course work to include pharmacology, physical assessment, documentation; work stipulations to include monthly performance evaluations for the first 6 months and quarterly months 7-24; direct supervision for 25% of practice by peer level or higher, or hearing.

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

V.K.3. Damien Pleus TLP044672 (Parlin)

Parlin addressed the Board with additional information. Attorney Michael Denea and Pleus were present and addressed the Board. Johnson moved, Link seconded, and it was unanimously carried to allow Pleus to withdraw practical nurse application.

**V.K.6. Kathleen Graffeo LP041974; CNA556137033 (Parlin)
(aka: Moore; Sanderson)**

Graffeo was present and addressed the Board. Johnson moved, Link seconded, and after discussion it was unanimously carried to issue a Letter of Concern for the March 30, 2008, arrest for Domestic Violence and Disorderly Conduct in Tucson, Arizona.

V.K.7. Lori Faulx TRN153031 (Parlin)

Parlin addressed the Board with additional information. Faulx was present and addressed the Board. Johnson moved, Woulard seconded, and it was unanimously carried to extend temporary license, number TRN153031, until April 30, 2009, and continue the investigation to allow Faulx the opportunity to obtain a psychological evaluation to include a substance abuse evaluation to be completed by a Board approved evaluator who is at minimum PhD prepared and has expertise in substance abuse, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and then return to the Board. If the evaluation is not completed, deny licensure based upon the information contained in the investigative report.

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

V.K.11. Revathy Anderson RN138093 (Parlin)

Anderson was present and available for questions. Hardy moved, Robertson seconded, and after discussion it was unanimously carried to dismiss the complaint.

V.L.6. David Max Miller LP Exam (Curatola)

Olson addressed the Board and confirmed receipt of additional information. Miller was present and addressed the Board. Busby moved Link seconded, and it was unanimously carried, upon meeting all requirements and signing a Consent Agreement for 36 months probation with the attached stipulations, amended to include: allowed to work nights at current place of employment, grant licensure. If not signed within 30 days, deny licensure based upon the information contained in the investigative report.

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

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

IV.F.3. Cynthia Ann Hughes RN131618 (Linck)

Hughes was present and addressed the Board. Johnson moved, Scott 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	Hardy, Karen Member	Robertson, Steve Member	Scott, Kathy Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Link, Denise Member	Woulard, Constance Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

IV.F.4. Karen M. Manuel RN026418 (Linck)

Linck addressed the Board and confirmed receipt of additional information. Manuel was present and addressed the Board. Hardy 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 stipulations, or hearing.

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

IV.F.5. Tracie Marie Mershon RN Endorsement (Linck)

Mershon was present and addressed the Board. Hardy moved, Robertson seconded, and it was unanimously carried, upon meeting all requirements, grant licensure and accept the signed CANDO Stipulated Agreement.

IV.F.7. Deborah Jean Tysz RN112913 (Linck)

Tysz was present and addressed the Board. Hardy moved, Scott seconded, and it was unanimously carried to offer a Consent Agreement for a \$500 Civil Penalty and 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	Hardy, Karen Member	Robertson, Steve Member	Scott, Kathy Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Link, Denise Member	Woulard, Constance Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

Link left the meeting at 11:32 a.m.

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

IV.D.2. Denise E. Doohar RN149040; LP041612 (Hurtado)

Hardy moved, Busby seconded, to approve request for termination of Board Consent Agreement and Order No. 0606019 entered into on October 11, 2007. After discussion the motion carried with seven in favor and one opposed.

IV.D.5. Irene R. Sheridan RN062177 (Hurtado)

Sheridan was present and addressed the Board. Busby moved, Woulard seconded, to approve request for termination of Board Consent Agreement and Order No. 0504041 entered into on December 24, 2005. The motion carried with seven in favor and one opposed.

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

V.D.5. Julie Ann Hofmann RN087177 (S. Nelson)

Hoffman was present and available for questions. Hardy moved, Busby seconded, and it was unanimously carried to dismiss the complaint.

V.E.1. Carole Jean Bonnet RN132516 (Munger) (aka: Cone)

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

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

V.G.6. Judith Diane Bowman RN105835 (Schettler)

Bowman was present and addressed the Board. Hardy moved, Robertson seconded, and it was unanimously carried to issue an Interim Order for a substance abuse evaluation to be completed by a Board approved evaluator, minimum PhD prepared, with expertise in chronic pain, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days, and then return to the Board.

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

V.G.5. Shanon T. Dekalb RN147472 (Schettler)

Johnson, Scott and Malloch know Colleen Hallberg but show no bias. Dekalb was present and addressed the Board. Woulard moved, Johnson seconded, to offer a Consent Agreement for a Decree of Censure, or hearing. The motion carried with six in favor and two opposed.

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

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

IV.D.1. Leanne E. Bannon RN000099193 (Hurtado)

Hurtado addressed the Board and confirmed receipt of additional information. Bannon was present and addressed the Board. Johnson moved, Scott seconded, and it was unanimously carried to offer a Consent Agreement for 36 months stayed revocation probation to include the attached stipulations, or noncompliance hearing.

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

Busby left the meeting at 11:59 a.m. and returned at 12:02 p.m.

IX. Dialogue with Nursing Students

The Board members and staff dialogued with International Institute of the Americas College Nursing Students regarding Board functions, policies and procedures.

The meeting recessed at 12:05 p.m. and reconvened at 12:48 p.m.

IV.A. Board Discussion Regarding RN/LPN/CNA Termination of Previously Issued Board Orders after Full Compliance – (Hurtado)

- | | | | |
|-----|----------------------|--------------------|-------------------|
| 1. | Leeandra Etheridge | CNA1000011468 | January 28, 2009 |
| 2. | Mary J. Hopper | RN091230 | January 28, 2009 |
| 3. | Freda L. Johnson | CNA913293803 | January 28, 2009 |
| 4. | Margaret A. Niesen | RN086330 | January 28, 2009 |
| 5. | Barry P. Schafer | RN117895 | January 28, 2009 |
| 6. | Carolyn E. Smith | RN100101 | January 28, 2009 |
| 7. | Veronica Dorrell | RN095499 | January 29, 2009 |
| 8. | Lisa A. Friedman | RN095695 | February 10, 2009 |
| 9. | Michele M. Dunsworth | RN148071 | February 15, 2009 |
| 10. | Thomas J. Kaufman | RN151444; LP043428 | February 23, 2009 |
| 11. | Amy L. Gehl | RN151444; LP043428 | February 23, 2009 |
| 12. | Michael D. Korosec | LP006381 | February 24, 2009 |
| 13. | Deena L. Caldwell | RN099838 | February 28, 2009 |
| 14. | Deborah P. Gibbons | RN062340; LP018215 | February 28, 2009 |
| 15. | Roberts C. Brooks | CNA1000003119 | March 1, 2009 |

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

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

V.L.1. Ivan Quintan Jones LP036297 (Curatola)

Busby moved, Woulard seconded, and it was unanimously carried to offer a Consent Agreement for a \$500 Civil Penalty, to be signed within 30 days, or adopt a Notice of Charges based on the information contained in the investigative report.

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

V.L.2. Carmen Evette Douglas TRN152670; LP000032967; CNA922529213 (Curatola)

Olson addressed the Board and confirmed receipt of additional information. Busby moved, Woulard 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	Hardy, Karen Member	Robertson, Steve Member	Scott, Kathy Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Link, Denise Member	Woulard, Constance Member	Busby, Kathryn Member
YES	8	X	X	X	X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	1							X		

V.L.3. Evan Elizabeth Jones RN140947; CNA1000005084 (Curatola)

Hardy moved, Robertson seconded, and it was unanimously carried to offer a Consent Agreement for 24 months probation, with the attached stipulations. If not signed within 30 days, issue a Notice of Charges based on the information contained in the investigative report.

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

V.L.5. Christopher Alan Carter LP Exam (Curatola)

Hardy moved, Robertson seconded, and it was unanimously carried, upon meeting all requirements and signing a Consent Agreement for 24 months probation, to include the attached stipulations, grant licensure. If not signed within 30 days, deny licensure based upon the information contained in the investigative report.

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

V.L.7. Jennifer Michelle Kreidler RN Exam (Curatola)

Busby moved, Woulard seconded, and it was unanimously carried, upon meeting all requirements grant licensure with a Letter of Concern for the September 19, 2007 arrest in Tucson, Arizona.

VI. Board Discussion and Decision Regarding CNA Investigative Reports

V.I.E.1. Danica Lee McDaniels CNA Exam (Curatola)

Johnson moved, Woulard seconded, and it was unanimously carried, upon meeting all certification requirements and completing and passing manual test within 30 days, offer a Consent Agreement for 12 months stayed revocation, with attached stipulations. If not signed, and manual test not completed and passed within 30 days, deny certification based upon the information contained in the investigative report.

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

VI.E.2. Pedro Augustine Castillo CNA Exam (Curatola)

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

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

VI.E.3. Lindsey Court Lynn Alexander CNA Exam (Curatola)

Lester addressed the Board and stated that Alexander planned to attend this meeting tomorrow, January 29, 2009. Perry moved, Woulard seconded, and it was unanimously carried to table Agenda Item VI.E.3.

**VI.E.4. Jesus Alberto Fontes CNA Exam (Curatola)
(aka: Fontes-Aldaz)**

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

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

VI.E.5. Nicole Angela Giles CNA Exam (Curatola)

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

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

VI.E.6. Miguel Ramon Guzman CNA Exam (Curatola)

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

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

VI.E.7. Bryan D. Joe CNA Exam (Curatola)

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

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

VI.E.8. Evangeline Lespron CNA Exam (Curatola)
(aka: Orozco)

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

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

VI.E.9. Anissa M. Seballos CNA Exam (Curatola)

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

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

VI.E.10. Lisa Ann Thomas CNA Exam (Curatola)
(aka: Lewis; Raley; Mancebo)

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

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

VI.E.11. Ana Caldera CNA Exam (Curatola)

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

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

VI.E.12. Nicole Michelle Keller CNA Exam (Curatola)

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

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

VI.E.13. Jordan Brienne Laguna CNA Exam (Curatola)

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

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

VI.E.14. Robin Renee Lynch CNA591967803 (Curatola)

Hardy moved, Robertson seconded, and it was unanimously carried to offer a Consent Agreement for a \$100 Civil Penalty. If not signed within 30 days, issue Notice of Charges.

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

VI.E.15. Denise Nicole Ramirez CNA Exam (Curatola)

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

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

VI.E.16. Randyll Katelyn Lockhart CNA Exam (Curatola)

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

VI.E.17. Adrienna Ann Maas CNA Exam (Curatola)
(aka: Gishie)

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

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

VI.E.19. Virginia Molina Miranda CNA999995893 (Curatola)
(aka: Molina)

Johnson moved, Hardy seconded, and it was unanimously carried to issue an Interim Order for 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 return to the Board. If the Interim Order is not completed, issue a Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

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

VI.E.20. Jennifer Rachel Grantham CNA100009107 (Curatola)

Perry moved, Woulard seconded, and it was unanimously carried to issue a Letter of Concern for the September 28, 2007 conviction for misdemeanor driving under the influence of alcohol in Sedona, Arizona.

Busby left the meeting at 1:10 p.m.

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

II.A.1. Chad Bowman RN Applicant Foster/Zimmerman

The proceeding began at 1:11 p.m., with the following Board members present: Malloch, Johnson, Perry, Hardy, Robertson Woulard and Scott.

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 Munns, Assistant Attorney General, Division of Solicitor General. Nina Zimmerman, Assistant Attorney General, represented the State.

Zimmerman addressed the Board.

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

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, Hardy seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 17, and Conclusions of Law the alleged violations in Paragraphs 1 through 6.

Busby returned to the meeting at 1:12 p.m.

Perry moved, Johnson seconded, to accept the Administrative Law Judge’s recommended Order to dismiss the applicant’s appeal and that prior denial of Bowman’s application for professional nursing licensure be upheld and affirmed. The motion carried with seven in favor and one abstained.

	VOTE	Hardy, Karen Member	Robertson, Steve Member	Scott, Kathy Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Link, Denise Member	Woulard, Constance Member	Busby, Kathryn Member
YES	7	X	X	X	X	X	X		X	
NO	0									
ABSTAIN	1									X
ABSENT	1							X		

II.A.2. Gwynyvere A. Parrish CNA Applicant Foster/Zimmerman

The proceeding began at 1:14 p.m., with the following Board members present: Malloch, Johnson, Perry, Busby, Hardy, Robertson Woulard and Scott.

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 Munns, Assistant Attorney General, Division of Solicitor General. Nina Zimmerman, Assistant Attorney General, represented the State.

Zimmerman addressed the Board.

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

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, Woulard seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 6, and Conclusions of Law the alleged violations in Paragraphs 1 through 5.

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

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

II.A.3. Robin Lyn Laughlin CNA Applicant Zimmerman

The proceeding began at 1:17 p.m., with the following Board members present: Malloch, Johnson, Perry, Busby, Hardy, Robertson Woulard and Scott.

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 Munns, Assistant Attorney General, Division of Solicitor General. Nina Zimmerman, Assistant Attorney General, represented the State.

Zimmerman addressed the Board.

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

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.

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

Hardy moved, Perry seconded, and it was unanimously carried to accept the Administrative Law Judge’s recommended Order dismiss the appeal.

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

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

AGENA #	Respondent Name	Lic/Cert #	Board Resolution	LegalStaff
II.B.1.	Francelia Kaye Attson	LP026937	Revocation	Foster/Zack
II.B.2.	Larry Hardimon	LP009304	Revocation	Foster/Zack
II.B.3.	Thomas Ray Dietrich	CNA999987605	Revocation	Zack
II.B.4.	David S. Harper	CNA1000002577	Revocation	Zack

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

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

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

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

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

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

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

II.C.1. Jessemma Lee Collins RN111013 Zimmerman

Hardy recused herself to avoid the appearance of impropriety and left the meeting at 1:21 p.m. The Board was represented by Christopher Munns, Assistant Attorney General, Division of Solicitor General. Nina Zimmerman, Assistant Attorney General, represented the State.

Zimmerman addressed the Board.

Collins was present telephonically and addressed the Board.

Johnson moved, Woulard seconded, and it was unanimously carried to accept the signed Consent Agreement for 12 months stayed revocation/probation followed by 24 months standard probation with the attached stipulations, modified to lift the night shift prohibition.

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

Busby left the meeting at 1:28 p.m.

Hardy returned to the meeting at 1:28 p.m.

II.C.2. Patricia Louise Speers RN108159 Zack

Hardy recused herself to avoid the appearance of impropriety and left the meeting at 1:29 p.m.

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

Zack addressed the Board.

Speers was present telephonically and available for questions. Attorney Teresa Sanzio was present and addressed the Board.

Malloch moved, Scott seconded, to rescind the Board's prior offer of a Consent Agreement for a \$500 Civil Penalty, and offer a Consent Agreement for a \$250 Civil Penalty, or hearing. The motion carried with four in favor and two opposed.

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

Hardy returned to the meeting at 1:53 p.m. and Link returned to the meeting at 1:55 p.m.

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

AGENA	Respondent Name	Lic/Cert #	Board Resolution	LegalStaff
II.D.1.	Sarah Bastyr	CNA1000010578	Revocation	Foster/Zimmerman
II.D.2.	LaJuana Hicks	CNA945999803	Revocation	Foster/Zimmerman
II.D.4.	Heather Viola Lynch	RN138478	Revocation	Foster/Zimmerman
II.D.5.	Kelly Ann Michaels	CNA1000003114	Revocation	Foster/Zimmerman
II.D.6.	Camille Padron	CNA387769083	Revocation	Foster/Zimmerman
II.D.8.	Cathleen Cadman Wagoner	RN122164	Revocation	Foster/Zimmerman
II.D.11.	Delfino Michael Aurtor Callegos	CNA1000003348	Revocation	Zack
II.D.12.	Erin D. Harris	CNA569135103	Revocation	Zack
II.D.13.	Tena Helmer	CNA1000011426	Revocation	Zack
II.D.14.	Loni Marie Loya	CNA1000009360	Revocation	Zack
II.D.15.	Kerry Ann Lynch	RN125812	Revocation	Zack
II.D.16.	Ana Moreno	CNA999992645	Revocation	Zack
II.D.17.	Dietrich Quiring	LP041448	Revocation	Zack
II.D.18.	Sara G. Chapetti	CNA657248103	Revocation	Zimmerman
II.D.19.	Hasija Kobiljak	CNA999996073	Revocation	Zimmerman
II.D.20.	Jesse D. Layfield	CNA1000003206	Revocation	Zimmerman
II.D.21.	Tammarra Payne	CNA052987313	Revocation	Zimmerman
II.D.23.	Kristina Kay Van Vleet	CNA10000016309	Revocation	Zimmerman

The Board was represented by Christopher Munns, Assistant Attorney General, Division of Solicitor General. Kim Zack and Nina Zimmerman, Assistant Attorney Generals, represented the State.

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

Perry moved, Johnson seconded, and it was unanimously carried to grant the State’s Motion to Deem Allegations Admitted for Agenda Items II.D.1, 2, 4-6, 8, 11-21, and 23.

Perry moved, Johnson seconded, and it was unanimously carried to accept the Factual Allegations as Findings of Fact and Alleged Violations as Conclusions of Law from the Notice of Charges. for Agenda Items II.D.1, 2, 4-6, 8, 11-21, and 23.

Perry moved, Johnson seconded, and it was unanimously carried to accept the State’s recommended discipline for Agenda Items II.D.1, 2, 4-6, 8, 11-21, and 23.

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

II.D.7. Henok Tadesse CNA999996154 Foster

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

Zimmerman addressed the Board.

Tadesse was present and addressed the Board.

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

Johnson moved, Link 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.

Link moved, Scott seconded, and it was unanimously carried to issue an Order for stayed revocation pending a substance abuse evaluation to be completed by a Board approved evaluator, to be scheduled within 15 days and completed within 45 days and then return to the March 2009 Board meeting. If not completed, lift stay and revoke the certificate.

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

II.D.3. Connie Denise Iler RN134996 Foster

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

Zimmerman addressed the Board.

Iler was present telephonically and addressed the Board.

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

Perry moved, Johnson 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.

Hardy moved, Robertson seconded, and it was unanimously carried to issue an Order of stayed revocation/indefinite suspension pending a neuropsychological and substance abuse evaluation by a Board approved evaluator, to be completed within 60 days and then return to the Board. If not completed revoke license.

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

II.D.9. Madalyn Carnley RN133278 Zack

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

Carnley was present and addressed the Board.

Zack addressed the Board.

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

Perry moved, Johnson 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.

Perry moved, Woulard seconded, and it was unanimously carried to accept the State’s recommended discipline for revocation of license.

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

II.D.10. Tammy Ann Cornelius CNA999989692 Zack

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

Cornelius was present and addressed the Board.

Zack addressed the Board.

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

Woulard moved, Johnson 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.

Link moved, Hardy seconded, and after discussion it was unanimously carried to issue an Order of indefinite suspension pending a substance abuse evaluation to be completed by a PhD level evaluator, if not completed within 6 months, with stipulations to include drug testing two times per month, abstain from alcohol, abstain from unauthorized use of drugs, proof of prescriptions, compliance with any treatment recommended by the evaluator, and then return to the Board. If not completed, revoke certification.

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

II.D.22. Alison Patricia Scott CNA278106641 Zimmerman

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

Zimmerman addressed the Board.

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

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

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

The meeting recessed at 2:41 p.m. and reconvened at 3:53 p.m.

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

VII.D. President’s Report

VII.D.4. Recognition of AzBN President of the Board 2007 & 2008: Karen Hardy – Malloch/All

Malloch recognized and presented a gift to Hardy for serving as Board president in 2008.

Woulard returned to the meeting at 2:55 p.m.

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

II.E.1. Stella G. Brin CNA1000011070 Foster/Zack

The proceeding began at 2:56 p.m., with the following Board members present: Malloch, Johnson, Perry, Hardy, Link, Robertson, Woulard and Scott.

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

Brin was present and addressed the Board.

Zack addressed the Board.

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

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

Busby returned to the meeting at 3:09 p.m.

II.E.2. Gladys E. Rodriguez CNA908413924 Foster/Zack

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

An attempt was made to contact Rodriguez telephonically.

Zack addressed the Board.

Hardy moved, Robertson seconded, and it was unanimously carried to deny request for rehearing/reconsideration.

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

II.E.3. Raheem Willie Mangum RN124389 Zack

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

Mangum was present telephonically and addressed the Board.

Zack addressed the Board.

Hardy moved, Robertson seconded, and it was unanimously carried to deny request for rehearing/reconsideration.

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

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)

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

Robertson left the meeting at 3:32 p.m. and returned at 3:33 p.m.

VII.B.2. East Valley Institute of Technology Investigative Report; Notice of Deficiency

Cecelia Fleming, Director of Nursing, was present and addressed the Board. Students, Vanessa Oliphant, Tally Snow, Karen Taylor and Virginia Taylor were present and addressed the Board. Hardy moved, Robertson seconded, and it was unanimously carried to issue notice of deficiency for violation of R4-19-206 (D) with 8 months to correct, and issue a notice of deficiency for violation of R4-19-204 (B) with 30 days to correct. Board staff is directed to investigate the allegations presented at this meeting and the Board recommended that the program suspend future admissions. The program is to submit monthly progress reports on potential violations and suggestions for improvement contained in the investigative report and Board staff will revisit program following receipt of application for full approval with a report back to the Board.

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

Woulard left the meeting at 3:48 p.m.

VII.B.3. Central Arizona College Investigative Report

Lois Kimmell, Director of Nursing, was present and available for questions. Hardy moved, Robertson seconded, and it was unanimously carried that the program shall provide a report to the Board, within 6 months, that contains evidence that potential areas of deficiency are remedied. If any deficiencies are not corrected, the program shall return to the Board for a determination of status.

Woulard returned to the meeting at 3:52 p.m.

VII.B.4. University of Phoenix Investigative Report

Dr. Pam Fuller, Director of Nursing, was present and addressed the Board. Hardy moved, Scott seconded, and it was unanimously carried that the program shall file a written report in 6 months on resolution of potential violations and any other programmatic improvements implemented. If potential violations are not remedied within 6 months, return to the Board for a Notice of Deficiency.

VII.B.5. Update on Remediating Potential Deficiencies and Application fro Program Change: Cochise College

Perry moved, Link seconded, and it was unanimously carried to accept the documentation submitted by Cochise College as resolution of all outstanding potential deficiencies and approve the request by Cochise College for decreasing the length of the program.

VII.B.6. Update on Remediating Potential Deficiencies: Arizona Western College

Mary Francoeur was present and available for questions. Link moved, Woulard seconded, and it was unanimously carried to accept documentation and response as correction of the potential deficiencies.

VII.B.7. Northland Pioneer College Request to Extend Approval of Refresher Course

Busby moved, Woulard seconded, and it was unanimously carried to grant an extension of approval of the RN Refresher Course at Northland Pioneer until June 30, 2009.

VII.B.8. Report of CNA Retreat

Randolph reported there were 139 registrants at the CNA Retreat and gave a brief summary of speakers in attendance.

VII.B.9. Chamberlain College RN-BSN Program

Information was provided to the Board regarding the appointment of Dr. Gail Baumlein as program Administrator for Chamberlain College RN-BSN program.

VII.B.10. New Program Administrator International Institute of the Americas

Information was provided to the Board regarding the appointment of Kathlyn Ray as assistant Dean of Nursing for IIA College.

VII.B.11. Direct Caregiver Association – Case Disposition – Van Cuyk/Randolph

Busby moved, Perry seconded, and it was unanimously carried to dismiss.

VII.B.12. Draft Policy Revision for Program Case Disposition Criteria – Randolph/Van Cuyk

Johnson moved, Busby seconded, and it was unanimously carried to approve draft policy revision for Program Case Disposition Criteria.

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

V.D.4. Victoria Ann Harris RN037477 (S. Nelson)

Harris was present and available for questions. Link moved, Scott seconded, and it was unanimously carried to issue an Interim Order for a neuropsychological evaluation to be completed by a Board approved psychologist 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 Board. If the Interim order is not completed, issue Notice of Charges based on the information contained in the investigative report.

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

V.D.6. Lennora Dorsey Spicer LP041265 (S. Nelson)

Nelson addressed the Board with additional information. Spicer was present and addressed the Board. Link moved, Scott seconded, and it was unanimously carried to issue a Letter of Concern for documenting a treatment that was not completed for resident, G. S. on or about November 20, 2007 while working at Arizona State Veteran’s Home.

V.D.9. Ann W. Kabata LP041826 (S. Nelson)

Kabata was present and addressed the Board. Woulard moved, Johnson seconded, and it was unanimously carried for complaint #1, to offer a Consent Agreement for Decree of Censure or hearing. Woulard moved, Link seconded, and it was unanimously carried for complaint #2 to dismiss.

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

V.D.14. Antoinette Louise Jezewski RN122766 (S. Nelson) (aka: Price)

Nelson addressed the Board with additional information. Jezewski was present and addressed the Board. Busby moved, Woulard seconded, and it was unanimously carried to offer a Consent Agreement for 12

months probation to include the attached stipulations, amended to include: home health allowed with daily telephonic or in-person check-in with supervisor and to include a log of contacts made, or hearing.

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

V.N.2. Elana Leah Mastov LP041718; CNA999947504 (B. Nelson)

Nelson addressed the Board with a technical correction to the investigative report. Mastov was present and addressed the Board. Hardy moved, Woulard seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, to include a \$250 Civil Penalty, or hearing.

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

V.E.7. Cara Patrice Mullins RN139159 (Munger)

Mullins was present and available for questions. Renee O’Sullivan was present and addressed the Board. Busby moved, Robertson seconded, and it was unanimously carried to dismiss the complaint.

The meeting recessed at 4:50 p.m. and reconvened at 5:00 p.m. Perry returned to the meeting at 5:03 p.m.

V.E.5. Cheryl Ann Owen LP026763 (Munger)

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

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

The Board directed staff to report the agency involved in this case for further follow up.

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

Hardy moved, Perry seconded, and it was unanimously carried to approve minutes from regular Board meeting from November 19 & 20, 2008.

VII.A.8. Update on FY2009 & 2010 Budget & Proposed Expenditure Reductions & Deletion of General Fund Appropriation for Certified Nursing Assistant Finger printing – Bontrager/Orchard/Ridenour

Ridenour stated that negotiations at the legislature were not completed and therefore a budget report was not available at this time. It is anticipated that 2009 will have a reduction but some items which had been earmarked were not expended, so it should balance out. Ridenour also stated there was a possibility there would be a 10% reduction in the expenditure component of each agency, which would impact the

fund balance about \$400,000 or more. Ridenour indicated that another area of concern was the CNA fingerprinting. When fingerprinting was started in 2000, the premise and condition was that funding for the CNA's would be provided from the general fund, not from the RN/LP licensing fees.

Orchard reported on budget recommendations from JLBC and OSPB. They gave AzBN the same appropriation authority which was requested in the budget submittal for 2010 and 2011. Orchard stated that OSPB's recommended spending reductions totaled \$289,443 for 2009 and \$81,843 for 2010. Orchard further reported that for Fund 1000, (fingerprinting money that is used for the CNA's) the recommendation was for appropriating those monies without reduction. JLBC's recommendations amounted to a 5% reduction in 2009 and a 10% reduction of appropriations in 2010, which would equate to \$206,700 for 2009 and \$413,500 in 2010. There were also some line item reductions being discussed for 2009 and 2010. Orchard reported that all were still in the discussion phase.

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

V.E.2. Valerie Kinsky Smitherman RN069822 (Munger)

Busby moved, Perry seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure or hearing. If not signed within 30 days, issue a Notice of Charges based upon information in the investigative report.

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

V.E.8. Sarah Kristin Burson RN115826; LP035556 (Munger)
(aka: Johnson)

Busby moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure with a \$250 Civil Penalty, or hearing.

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

V.E.9. Tristan Lynn Rood RN114875 (Munger)
(aka: Macdonnell)

Link 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, to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days, then return to the Board.

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

V.E.10. Carrie Lynn Kirkpatrick RN144135 (Munger)
(aka: Olszewski)

Munger addressed the Board and confirmed receipt of additional information. Link moved, Johnson seconded, and it was unanimously carried to issue an Interim Order for a neuropsychological and substance abuse evaluations to be completed by a Board approved evaluator who is at minimum PhD prepared, to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days, then return to the Board. If not completed within 45 days, issue a Notice of Charges based on information contained in the investigative report.

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

V.E.11. Cynthia Nelson RN096364 (Munger)

Link and Malloch know Troy Garland but show no bias. Johnson moved, Link 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, to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days, and completed within 45 days, then return to the Board. If the Interim Order is not completed, issue a Notice of Charges based on information in the investigative report.

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

V.E.13. Chvi Jen Hua RN114042; LP033131; CNA573348499 (Munger)
(aka: Wang)

Link and Malloch know Troy Garland but show no bias. Hardy moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for an indefinite suspension pending the successful completion of a refresher course, to be followed by 24 months probation to include the attached stipulations, or hearing.

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

V.E.14. Sylvia Ann Kelly RN030564 (Munger)
(aka: Martan)

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

V.E.15. Peter Hiarm Watts RN104884 (Munger)

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

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

IV.C.1. Dorothy Jean Shaw TRN083121 (Mills)

Link moved, Woulard seconded, and it was unanimously carried to grant extension for RN Refresher Course License six additional months, to expire August 21, 2009. If refresher course is not successfully completed by August 21, 2009, Refresher Course license shall not be extended, and reinstatement of RN license number RN114563 shall be denied.

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

IV.C.2. MaryEllen Hawco Jeffrey RN079790; LP023755; CNA222203376 (Mills)

Mills addressed the Board with additional information. Busby moved, Robertson seconded, and it was unanimously carried to offer a Consent Agreement for 12 months stayed revocation/suspension, followed then by 36 months stayed revocation/probation and to include the attached terms, or non-compliance hearing.

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

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

IV.F.1. Lynn Jeanine Corey RN047873 (Linck)

An attempt was made to contact Corey telephonically. Link moved, Woulard 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	Hardy, Karen Member	Robertson, Steve Member	Scott, Kathy Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Link, Denise Member	Woulard, Constance Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

IV.F.2. Nadine C. Glenn RN053627 (Linck)

Perry moved, Woulard seconded, and it was unanimously carried to issue a Letter of Concern for taking Fioricet that was prescribed for another individual, resulting in a positive urine drug screen.

IV.F.6. Polly Elizabeth Sutton RN147775 (Linck)

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

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

III.E.4. Anna Maria Varela RN093873 Rappoport

Malloch knows Ruth Ann Terry but shows no bias. Rappoport addressed the Board with additional information. Varela was present telephonically and addressed the Board. Link moved, Woulard seconded, and unanimously carried to adopt the attached Notice of Charges.

III.E.3. Kristin Nicole Lewter RN152148 Rappoport

Rappoport addressed the Board with additional information. Busby moved, Johnson seconded, and unanimously carried to adopt the attached Notice of Charges.

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

V.B.8. Michelle Duffy-Wimmer RN097167 (Rappoport) (aka: Duffy)

Hardy moved, Perry seconded, and it was unanimously carried to dismiss the complaint.

V.B.11. Debbie Ann Williams TRN155518 (Rappoport) (aka: Smart)

Johnson moved, Hardy seconded, and it was unanimously carried upon meeting all requirements and accepting the signed Consent Agreement for a \$100 Civil Penalty, grant licensure.

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

V.B.12. Rochelle Sue Joseph TRN155711 (Rappoport) (aka: Kanefsky)

Hardy moved, Robertson seconded, and it was unanimously carried, upon meeting all requirements and accepting the signed Consent Agreement for a \$900 Civil Penalty, grant licensure.

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

V.B.13. Kimberly Megan Hughes TRN155774 (Rappoport)

Busby moved, Link seconded, and it was unanimously carried, upon meeting all requirements and accepting the signed Consent Agreement for a \$700 Civil Penalty, grant licensure.

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

V.D.7. Wanda Stowe Jeffords RN070204 (S. Nelson)

Hardy moved, Perry seconded, and it was unanimously carried to table Agenda Item V.D.7.

V.D.10. Nicole A. Massier RN136930 (S. Nelson)

Scott, Malloch and Johnson know Colleen Hallberg but show no bias. Massier was present telephonically and addressed the Board. Link moved, Woulard seconded, and it was unanimously carried to issue a Letter of Concern for failing to follow policy for documenting medications administered in or about December 2007 for AMN while on assignment at Banner Good Samaritan Medical Center in Phoenix, Arizona.

The meeting recessed at 5:59 p.m., Wednesday, January 28, 2009.

Arizona State Board of Nursing

Janice K. Brewer
Governor

Joey Ridenour
Executive Director



Board Meeting Minutes

The regular meeting of the Arizona State Board of Nursing convened at 8:02 a.m., Wednesday, January 29, 2009, in the Board of Nursing Board Room, Suite 200, 4747 N. 7th Street, Phoenix, Arizona, with Kathy Malloch, PhD, MBA, RN, FAAN, President, presiding.

BOARD MEMBERS PRESENT:

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

LEGAL COUNSEL:

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

STAFF:

Joey Ridenour, RN, MN, FAAN, 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
Stoney Blair, Senior Investigator
Tammi Bymers, RN, MSN, Nurse Practice Consultant
Frank Curatola, Senior Investigator
Janeen Dahn, MSN, FNP, Nurse Practice Consultant/Advanced Practice
Amy Foster, Senior Investigator
Karen Grady, RN, MS, CS, FNP, Nurse Practice Consultant
Mary Pat Healey, RN, LNCC, Legal Nurse Consultant Certified
Dolores Hurtado, Legal Assistant II/Monitoring
Ron Lester, Senior Investigator
Connie Linck, RN, MN, Nurse Practice Consultant/CANDO
Patricia Midkiff, RN, MN, Nurse Practice Consultant
Michelle Mills, RN, MA, Nurse Practice Consultant/Monitoring
Sydney Munger, RN, MS, Nurse Practice Consultant
Betty Nelson, RN, MS, Nursing Assistant Consultant
Stephanie Nelson, R.N., MSN, 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
V. Ann Schettler, RN, MHL, CLNC, Nurse Practice Consultant
Sister Rachel Torrez, RN, MS, Nurse Practice Consultant
Nancy Twigg, RN, MSN, Nurse Practice Consultant
Barbara Melberg, Legal Secretary

I. Call to Order

The meeting was called to order at 8:02 a.m., Thursday, January 29, 2009.

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

Malloch presided.

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

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

Johnson moved, Woulard 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, receipt of negative state and federal criminal history, and including all licensure/certification requirements.

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

Hardy moved, Robertson 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 receipt of negative state and federal criminal history.

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

Agenda #	Name	License/Certificate #	Amount
III.C.1.	Ashley Aymar	CNA1000003675	\$25
III.C.2.	Barbara Bustamante-Abad	CNA999987194	\$25
III.C.3.	Lorna Larry	CNA999997658	\$25
III.C.4.	Amy Smith	CNA1000012037	\$25
III.C.5.	Jill Taylor	CNA999995447	\$25
III.C.6.	Beth Woehlecke	CNA999995482	\$25
III.C.7.	Michelle Brockelman	CNA1000006428	\$25
III.C.8.	Isabel Folgar	CNA1000010362	\$25
III.C.9.	Aubrey Goodman	CNA1000011554	\$25
III.C.10.	Angelice Leon	CNA1000003827	\$25
III.C.11.	Nelly Pineda	CNA999995658	\$25
III.C.12.	Paule Pelissier	CNA999990467	\$25
III.C.13.	Marcia Medina	CNA999952616	\$50
III.C.14.	Irene Leon	LP039545	\$100
III.C.15.	Sandy Mega	RN126627	\$100
III.C.16.	Dawn Williams	RN064029	\$300

Johnson moved, Woulard 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. 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.D. Board Discussion and Decision Regarding Action on Felony Bar Cases

III.D.1. Order of Denial

III.D.1.a. Anna Rose Ackerman CNA Endorsement Olson

III.D.2. Notice of Charges

III.D.2.a. Robin L. Campos LP033594 Olson

III.D.2.b. Rebecca M. Hurst RN121847 Olson

(aka: Becky Hurst; Rebecca M. Browning)

Hardy moved, Scott seconded, and it was unanimously carried to adopt the attached Order of Denial for Agenda Item III.D.1.a., and adopt the attached Notice of Charges for Agenda Items III.D.2.a.&b.

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

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

III.E.1. Dustin Allen Rhoades LP036245 Munger

III.E.2. Marc Charles Haldin RN134568 Munger

Hardy moved, Robertson seconded, and unanimously carried to adopt the attached Notice of Charges for Agenda Items III.E.1.&2.

- III.F. Board Discussion and Decision Regarding Compact RN/LPN Privilege**
III.F.1. Evon Patricia Dickens LPN63418 (North Carolina) Rappoport
 (aka: Ward)
III.F.2. Susan Marie Essary PN105572 (Texas) Rappoport
 (aka: Davenport; Susan Mary Rhone)

Perry moved, Scott seconded, and it was unanimously carried to revoke privilege to practice nursing in the State of Arizona and issue a cease and desist Order for Agenda Items III.F.1.&2.

- III.G. Board Discussion & Decision Regarding RN/LPN Compact Investigative Cases**
III.G.1. Arlana Beverly Chaney TRN155771 Midkiff
 (aka: Chaney-Weiss)

Midkiff addressed the Board with additional information. Chaney was present and available for questions. Hardy moved, Scott seconded, and it was unanimously carried, upon meeting all requirements and signing a Consent Agreement for a Decree of Censure and a \$250 Civil Penalty, grant licensure. If not signed within 30 days, deny licensure based upon the information contained in the investigative report.

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

- III.H. Board Information Regarding Imposters, Cease and Desist Orders and Court Revocations**
- | | | |
|-------------------------------|-----------------|--------------|
| 1. Guy Caraffa | RN063537 | Smith |
| 2. Keithia Blake | | Smith |
| 3. Kristina Lynn McCoy | | Smith |
| 4. Marian E. Busby | RN022839 | Grady |
| 5. Melissa Townley | | Grady |
| 6. Lora Totzauer-Smith | | Grady |
| 7. Chuck Kerstell | | Grady |

A cease and desist letter was mailed to the above listed persons. Zack addressed the Board with additional information regarding III.H.1.

- III.I. Board Discussion and Decision Regarding Licensure Decisions**
III.I.1. Pamela Wigginton-Fee AP Endorsement Bontrager

Hardy moved, Scott seconded, and it was unanimously carried to accept the combination of applicants' basic education in the Primary Health Practitioner program, Masters Degree in Nursing from University of Alabama, and her extended work experience as a Family Nurse Practitioner to meet the educational requirement for a Nurse Practitioner in Arizona.

- V. Board Discussion and Decision Regarding RN/LPN Investigative Reports**
V.B.1. Stephanie Ann Arnold LP Endorsement (Rappoport)
 (aka: Statler)

Hardy moved, Scott seconded, and it was unanimously carried, upon meeting all licensure requirements, grant licensure and issue a Letter of Concern for testing positive on a random urine drug screen on or about March 13, 2008, while employed at Pine View Good Samaritan Center, in Valentine, Nebraska.

V.B.2. Theresa Marie Casillas LP040884 (Rappoport)

Rappoport addressed the Board and confirmed receipt of additional information. Johnson moved, Link seconded, and after discussion it was unanimously carried to issue a Letter of Concern for failing to check patient J.G.'s INR and PT prior to the administration of Coumadin on or about May 6, 2006, while employed at Desert Haven Care Center, Phoenix, Arizona.

V.B.3. Susan Edna Dare RN125777 (Rappoport)

Dare was present and available for questions. Hardy moved, Scott seconded, and it was unanimously carried, for complaint #1, to dismiss the complaint.

Hardy moved, Johnson seconded, for complaint #2, to issue a Letter of Concern for a July 10, 2008 DUI arrest by Peoria police department in Peoria, Arizona. After discussion the motion failed with five opposed and three in favor.

Robertson moved, Perry seconded, for complaint #2, to offer a Consent Agreement for a Decree of Censure or hearing. The motion failed with four in favor and four opposed.

Hardy moved, Scott seconded, and it was unanimously carried, for complaint #2, to issue an Interim Order for a substance abuse evaluation to be completed by a Board approved evaluator and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed with 45 days and then return to the Board.

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

V.B.5. Mark David Jessup LP017544; RN054441 (Rappoport)

Rappoport addressed the Board with additional information. Jessup was present and addressed the Board. Johnson moved, Scott seconded, and after discussion it was unanimously carried to offer a Consent Agreement for 12 months suspension, pending the completion of a substance abuse evaluation by a Board approved evaluator who is at minimum PhD prepared, and the successful completion of treatment recommendations resulting from the evaluation and/or confirmation is received from either the evaluator or treatment providers that respondent complaint, to be followed by a 24 months stayed revocation, to be followed by 24 months standard probation, to include the attached stipulations, or hearing.

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

**V.B.6. Wanda Sharon Webster LP039697 (Rappoport)
(aka: Jarzombek; Reynolds; Tucker)**

An attempt was made to contact Webster telephonically. Rappoport addressed the Board with additional information. Scott moved, Robertson seconded, and it was unanimously carried to issue an Interim Order for a addiction evaluation to be completed by a Board approved addictionologist (physician) evaluator and to include any additional testing deemed necessary by the evaluator, to be completed within 90 days and then return to the Board. If the Interim Order is not completed, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

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

V.B.7. Natasha Marie Wilson RN120901 (Rappoport)
(aka: Culwell; Merklin)

Johnson moved, Hardy seconded, to offer a Consent Agreement for Decree of Censure or hearing. After discussion Johnson withdrew the motion. Perry moved, Robertson seconded, and it was unanimously carried to dismiss the complaint.

V.B.9. Judith Mae Butler LP Endorsement (Rappoport)
(aka: Gorski; Davidson)

An attempt was made to contact Butler telephonically. Hardy moved, Robertson seconded, and it was unanimously carried, upon meeting all requirements, and accepting the signed Consent Agreement for a \$300 Civil Penalty, grant licensure. If not signed within 30 days or payment of the civil penalty is not received on or before June 30, 2009, deny licensure based upon the information contained in the investigative report.

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

V.B.10. Karen Rae Mochal RN Endorsement (Rappoport)
(aka: Klemak)

Rappoport addressed the Board with additional information. Hardy moved, Scott seconded, and it was unanimously carried to continue the investigation to allow Mochal the opportunity to obtain a psychological evaluation to be completed by a Board approved evaluator who specializes in addiction, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and then return to the Board. If the evaluation is not completed, deny licensure based upon the information contained in the investigative report.

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

Hardy left the meeting at 9:06 a.m. and returned at 9:08 a.m.

V.B.14. Colleen Michelle Sweeney RN108825 (Rappoport)

Link moved, Woulard seconded, and it was unanimously carried to dismiss the complaint.

- VII. Board Reports for Discussion, Information, Staff Direction and/or Decision**
- VII.A. Executive Director’s Report**
- VII.A.4. Nursing Assistant Competency Exam Revisions – Randolph/VanCuyk**

Robertson moved, Hardy seconded, and it was unanimously carried to accept and approve the proposed changes to the CNA Candidate Handbook (Skill 15 – “Perineal Care Female” amended to read, “Perineal Care Male/Female”) with effective date on April 1, 2009.

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

V.A.2. Karl Andrew Dusek LP031920 (Twigg)

Scott moved, Robertson seconded, and it was unanimously carried to dismiss the complaint.

V.A.4. James Alan Peterson RN058234 (Twigg)

Peterson was present telephonically and available for questions. Johnson moved, Scott seconded, and it was unanimously carried to offer a Consent Agreement for 18 months stayed suspension/probation followed by 18 months probation with attached stipulations, or hearing.

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

**V.A.5. Althea Marie Agboola LP38729; CNA100130103 (Twigg)
(aka: Henry)**

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

V.A.6. Naomi Anne Contreras RN104084 (Twigg)

Twigg addressed the Board with additional information. An attempt was made to contact Contreras telephonically. Link moved, Woulard seconded, and it was unanimously carried offer a Consent Agreement for 24 months probation to include the attached stipulations or hearing.

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

V.A.7. Rosaria Anne Valdez RN098766; LP031777 (Twigg)

Valdez was present telephonically and addressed the Board. Johnson moved, Robertson seconded, and it was unanimously carried to offer a Consent Agreement for 18 months probation to include the attached stipulations or hearing.

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

V.A.8. James Alan Collins RN133171 (Twigg)

Hardy moved, Robertson seconded, and it was unanimously carried to issue a Letter of Concern for testing positive for marijuana on a pre-employment drug screen on November 29, 2007, at Carondelet St. Mary’s Hospital in Tucson, Arizona.

V.A.4. James Alan Peterson RN058234 (Twigg)

Hardy moved, Robertson seconded, and it was unanimously carried to reopen Agenda Item V.A.4. Peterson was present telephonically and available for questions. Hardy moved, Robertson seconded, and it was unanimously carried to rescind prior Board decision to offer a Consent Agreement for 18 months stayed suspension/probation followed by 18 months probation with attached stipulations, or hearing. Hardy moved, Johnson seconded, and it was unanimously carried to offer a Consent Agreement for 18 months stayed revocation/probation followed by 18 months probation with attached stipulations, or hearing.

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

The meeting recessed at 9:30 a.m. and reconvened at 9:46 a.m.

V.F.3. Cynthia Jean Summers RN120525 (Torrez)

Hardy moved, Robertson seconded, and it was unanimously carried to offer a Consent Agreement for 36 months probation with the attached stipulations or hearing.

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

V.F.4. Karen Lyn Kulp RN135128 (Torrez)

Torrez addressed the Board with additional information. Link moved, Johnson seconded, and it was unanimously carried to accept the signed Consent Agreement for indefinite suspension, followed by 12 months stayed suspension/probation, followed then by 24 months probation, to include the attached stipulations.

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

V.F.5. Sandra Kay Johnson RN094682 (Torrez)

Johnson is affiliated with Banner Thunderbird Medical Center but shows no bias. Sandra Johnson was present and addressed the Board. Torrez addressed the Board with additional information. Johnson moved, Link seconded, and it was unanimously carried, for complaint #1, to issue a Letter of Concern for failing to follow facility policies regarding the documentation of medication from on or about November 01, 2007 to December 1, 2007, while employed at Banner Thunderbird Medical Center in Glendale, Arizona.

Hardy moved, Johnson seconded, and it was unanimously carried, for complaint #2, to offer a Consent Agreement for Decree of Censure or hearing.

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

V.F.6. Sherry Lynn Becker RN084036 (Torrez)

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

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

V.F.7. Claudia Hicks Noller LP004110 (Torrez)

Malloch and Scott know Marie Gagnam but show no bias. Hardy moved, Robertson seconded, and after discussion it was unanimously carried to issue a Letter of Concern for failing to assure that all patient assessments and care plans had oversight by an RN from on or about February through July 2008, while employed at Phoenix Baptist Hospital in Phoenix, Arizona.

V.F.8. Frank Peter Matthews LP023504 (Torrez)

Scott and Malloch know Marie Gagnam but show no bias. Matthews was present and available for questions. Hardy moved, Robertson seconded, to offer a Consent Agreement for Decree of Censure or hearing. After discussion the motion carried with seven in favor and one opposed.

	VOTE	Hardy, Karen Member	Robertson, Steve Member	Scott, Kathy Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Link, Denise Member	Woulard, Constance Member	Busby, Kathryn Member
YES	7	X	X	X		X	X	X	X	
NO	1				X					
ABSTAIN	0									
ABSENT	1									X

The Board directed staff to place all RN's involved in this case under investigation.

V.F.9. John Thomas Stauff LP036419 (Torrez)

Malloch and Scott know Nancy Zismann but show no bias. Complainant Nancy Zismann was present and available for questions. Stauff was present and available for questions. Hardy moved, Scott seconded, and it was unanimously carried to offer a Consent Agreement for Decree of Censure with a \$1,000 Civil Penalty or hearing.

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

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.E.3. Lindsey Court Lynn Alexander CNA Exam (Curatola)

Hardy moved, Robertson seconded, and it was unanimously carried to reopen Agenda Item VI.E.3. Johnson recused herself to avoid the appearance of impropriety and left the meeting at 11:05 a.m. Lester addressed the Board with additional information. Alexander was present and available for questions. Link moved, Hardy seconded, and it was unanimously carried, upon meeting all requirements issue certification and issue a Letter of Concern for issuing a bad check that went to warrant status that was later quashed and the case was dismissed on December 12, 2008 with West Mesa Justice Court in Mesa, Arizona, and for failure to cooperate with the Board investigation.

Busby left the meeting at 11:10 a.m.

VI.E.18. Lorlli Padilla CNA Exam (Curatola)

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

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

Johnson left the meeting at 11:18 a.m. and returned at 11:20 a.m.

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

V.M.1. Traci L. White LP035697 (Lester)

Hardy moved, Scott seconded, and it was unanimously carried to table Agenda Item V.M.1. for the purpose of allowing time for White to arrive at this meeting.

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.A.2. Franklin E. Dove CNA Exam (Lester)

Dove was present and available for questions. Link moved, Hardy seconded, and it was unanimously carried, upon meeting all requirements, grant certification, and issue a Letter of Concern for the misdemeanor conviction for DUI on July 1, 2004, in Bowie Justice Court, Bowie, Arizona.

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

V.M.1. Traci L. White LP035697 (Lester)

Hardy moved, Robertson seconded, and it was unanimously carried to reopen Agenda Item V.M.1. Lester addressed the Board with additional information. White was present and addressed the Board. Link moved, Robertson seconded, to offer a Consent Agreement for 36 months probation to include the attached terms. If not signed within 30 days, issue Notice of Charges based on the information found in the investigative report. The motion carried with seven in favor and one abstained.

	VOTE	Hardy, Karen Member	Robertson, Steve Member	Scott, Kathy Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Link, Denise Member	Woulard, Constance Member	Busby, Kathryn Member
YES	7	X	X	X	X	X		X	X	
NO	0									
ABSTAIN	1						X			
ABSENT	1									X

V.I.2. Tracy K. Benter RN094097 (Midkiff)

Midkiff addressed the Board and noted the deletion of #7 in the potential violations in the investigative report. Holly Gibson was present and available for questions. Benter was present and addressed the Board. Robertson moved, Hardy seconded, and after discussion it was unanimously carried to dismiss the complaint.

V.I.3. Patricia K. Klahn LP021024 (Midkiff)

Klahn and Holly Gibson were present and available for questions. Johnson moved, Robertson seconded, and it was unanimously carried to issue a Letter of Concern for failing to, by her own admission, correctly document nursing care and patient event times in patient H.H.'s medical record on or about October 8, 2008, while employed at Ridgecrest Healthcare in Arizona.

**V.I.4. Andrea M. Hooten LP033490 (Midkiff)
(aka: Johnson)**

Hooten and Holly Gibson were present and available for questions. Link moved, Johnson seconded, and it was unanimously carried to dismiss the complaint.

V.I.5. Lisa Nicole Novascone LP043208; RN Exam (Midkiff)

Novascone was present and addressed the Board. Holly Gibson was present and available for questions. Link moved, Perry seconded, and it was unanimously carried to dismiss and issue RN licensure upon meeting all requirements.

Link left the meeting at 11:30 a.m.

Busby returned to the meeting at 11:36 a.m.

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

VII.A. Executive Director's Report

VII.A.3. Proposed Policy Changes to Temporary License/Certificate for Cases under Investigation Requiring Subsequent Board Review/Approval – Smith/Ridenour

Busby moved, Hardy seconded, and it was unanimously carried to approve the proposed policy changes to temporary license/certificate for cases under investigation requiring subsequent Board review/approval.

VII.A.5. Hearing Department Cycle Times & Changes - Smith

Zack reported that Amy Foster, formerly serving with the Board as Assistant Attorney General, had been hired as a Senior Investigator.

VII.A.6. Update on Personnel /Assistant Attorney General Changes – Bontrager/Smith

Zack reported on the assignment of Emma Mamalay as part time Assistant Attorney General for the Board.

VII.A.7. Update Diligent Electronic Board Packet Final Offer – Davitt/Henriksen/Ridenour
Ridenour reported that, due to possible cutbacks, the Diligent Electronic Board Packet offer would not be considered at this time.

VII.A.9. Update on Nursing Workforce - Randolph
Ridenour stated that the Board continues to work with Arizona State University and Arizona Health Care Cost Containment System on workforce projections and that a report would be presented to the Board upon completion.

VII.A.10. Update on NCSBN Grant Application to Assess Nurse Competence – Randolph
Ridenour stated that the National Council State Board’s of Nursing Grant Application to Assess Nurse Competence had not been released yet.

VII.D. President’s Report

VII.D.2. Review & Approve 2009 Committee Chairs & Charges for Scope of Practice, Education Committee, and Advanced Practice Committee; Discuss if Additional Committee Needed for “Just Culture in Relation to Mandatory Reporting” – Malloch/All

Ridenour stated that a report regarding Just Culture would be brought to the Board after meeting with other stakeholders that share the responsibility of all groups.

Ridenour gave a brief overview of the Draft for an LPN Taskforce Committee and stated that the purpose of the committee was to draw together a diverse membership from education, long term care organizations, and various healthcare settings throughout the state that employ LPN’s and make recommendations to the Board on Licensed Practical Nurse matters.

Committee Chair/Co-Chair appointments and considerations were decided as follows:

Scope of Practice –Hardy/Scott/Johnson

Nurse Practice Act – Perry/Busby

Education – Malloch/Wouldard

Advanced Practice – Link

Just Culture – Hardy/Scott/Perry/Busby

LPN Advisory – Robertson/Johnson/Wouldard

VII.D.3. Update from NCSBN Area I Director and AzBN Staff Appointed to NCSBN Committees; Update on NCSBN Midyear Meeting March 2-4, 2009 - Malloch

Busby was assigned to attend NCSBN Midyear meeting if funds are available.

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

V.C.8. Louis C. Turner Jr. RN112365 (Olson)

Turner and attorney Kenneth Baker were present and addressed the Board. Busby moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for 24 months probation to include the attached stipulations, amended to include a recovery evaluation at 12 months, drug screens twice per month for the first 12 months and monthly for months 13-24, night shift permitted. If not signed within 30 days, issue Notice of Charges based upon information contained in the investigative report.

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

The meeting recessed at 12:16 p.m. and reconvened at 1:00 p.m.

Busby and Scott left the meeting at 12:16 p.m.

VI. Board Discussion and Decision Regarding CNA Investigative Reports
VI.D.1. Earlene Allen CNA447954353 (Sage)

Sage addressed the Board with additional information. Allen was present and available for questions. Hardy moved, Robertson seconded, and it was unanimously carried to offer a Consent Agreement for 12 months stayed revocation with terms to be signed in 30 days or issue a Notice of Charges based on information in the investigative report.

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

V. Board Discussion and Decision Regarding RN/LPN Investigative Reports
V.C.1. Goolpranee Alm RN102663 (Olson)

Alm was present and available for questions. Hardy moved, Robertson seconded, and it was unanimously carried to grant temporary reinstatement of licensure for a refresher course only, upon meeting all requirements and signing a Consent Agreement for a \$250 Civil Penalty, and grant licensure upon successful completion of a refresher course. If not signed within 30 days and payment not received within 60 days, issue a Notice of Charges based on the information contained in the investigative report.

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

V.C.9. Brett M. Albillar LP Exam (Olson)

Albillar was present and addressed the Board. Woulard moved, Johnson seconded, and after discussion it was unanimously carried, upon meeting all requirements and signing a Consent Agreement for 36 months probation to include the attached stipulations, to include a \$250 Civil Penalty, grant licensure. If not signed within 30 days or payment not received within 60 days, deny licensure based upon information contained in the investigative report.

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

V.D.15. Sue Garbwer RN092183; AP0849 (S. Nelson)
(aka: Burnett)

Garbner was present and available for questions. Woulard moved, Perry seconded, and it was unanimously carried to dismiss.

V.F.16. Lyndon Rubin Cang RN133060 (Torrez)

Torrez addressed the Board with additional information. Gang was present and addressed the Board. Hardy moved, Robertson seconded, and it was unanimously carried to issue an Interim Order for a psychological evaluation for anger management, 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	Hardy, Karen Member	Robertson, Steve Member	Scott, Kathy Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Link, Denise Member	Woulard, Constance Member	Busby, Kathryn Member
YES	6	X	X		X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	3			X				X		X

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

V.F.17. Karen Lavigne Evans RN074803 (Torrez)

Torrez addressed the Board with additional information. Evans was present and addressed the Board. Johnson moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for 24 months stayed revocation/probation, followed by 24 months standard probation to include the attached stipulations amended to include: registry with block assignments permitted, access to drugs permitted. If not signed within 15 days, issue Notice of Charges.

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

V.G.1. Lorraine C. Anderson RN074590 (Schettler)

Anderson was present and addressed the Board. Hardy moved, Robertson seconded, and it was unanimously carried to issue a Letter of Concern for failing to direct the family of J.B. to take their son immediately to the Emergency Room after receipt of the family’s second telephone call on January 25, 2008, and failure to document the precise times of the written addendum and all telephone calls made and received within the medical record; while working in PACU at the Surgery Center of Peoria, Arizona.

V.I.7. Katherine Marie Kirkpatrick RN055871 (Midkiff)

Kirkpatrick and Jeleane Simmons were present and addressed the Board. Midkiff addressed the Board with additional information. Perry moved, Robertson seconded, and it was unanimously carried to accept the signed Consent Agreement for 36 months probation, with attached stipulations, or hearing.

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

V.I.8. Alicia Sugrue RN125850 (Midkiff)

Robertson is affiliated with Hospice of the Valley but shows no bias. Midkiff addressed the Board with additional information. Sugrue was present and addressed the Board. Link moved, Robertson seconded,

and it was unanimously carried to offer a Consent Agreement for 24 months chemical dependency probation to include the attached stipulations or hearing.

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

V.J.2. Anthony M. Drake RN054012 (Bymers)

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

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

Woulard left the meeting at 2:10 p.m. and returned at 2:16 p.m.

V.J.3. James G. Gregory Jr. RN0103179; LP032328; CNA794503736 (Bymers)

Bymers addressed the Board with a technical correction to the Board option. Gregory was present and addressed the Board. Johnson moved, Hardy seconded, to issue an Interim Order for a neuropsychological evaluation to be completed by a Board approved evaluator and to include any additional testing deemed necessary by the evaluator, and who has expertise in substance abuse, to be completed within 60 days and then return to the Board. If the Interim Order is not completed, issue Notice of Charges and include the additional factual allegation and alleged violation for failure to comply with the Interim Order. The motion carried with six in favor and one abstained.

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

V.J.4. Roxanna Smith Markin LP020035 (Bymers)

Makin was present and available for questions. Hardy moved, Robertson seconded, and it was unanimously carried to issue an Interim Order for a neuropsychological evaluation to be completed by a Board approved evaluator who is at minimum PhD prepared, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and then return to the Board. If the Interim Order is not completed, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

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

V.J.5. William E. Wilkinson RN070664 (Bymers)

Bymers addressed the Board and confirmed receipt of additional information. Wilkinson was present and addressed the Board. Johnson moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for 12 months probation to include the attached stipulations amended to include: delete psychological evaluation, 6 months direct supervision followed by 6 months on site supervision, or hearing.

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

The meeting recessed at 2:29 p.m. and reconvened at 2:42 p.m.

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.D.16. Kelechi E. Onwuchekwa CNA1000017126 (Sage)

Onwuchekwa was present and available for questions. Johnson moved, Perry seconded, and it was unanimously carried to issue a Letter of Concern for transferring a resident inappropriately and arguing with her on September 22, 2008, while employed as a CNA at Coronado Care Center in Phoenix, Arizona.

**VI.D.17. Jennifer Lorene Pena CNA1000006032 (Sage)
(aka: Pina)**

Pena was present and available for questions. Link moved, Hardy seconded, and it was unanimously carried to issue an Interim Order for a psychological evaluation with emphasis on dishonesty and theft by a Board approved PhD evaluator and to include any additional testing deemed necessary by the evaluator to be scheduled within 15 days and completed within 45 days. If not completed, issue Notice of Charges based upon information contained in the investigative report.

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

**VI.F.4. Cynthia Debrew CNA Exam (Parlin)
(aka: Smith; Van)**

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

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

VI.F.5. Jay Anderson CNA999990872 (Parlin)

Anderson was present and addressed the Board. Link moved, Robertson seconded, and it was unanimously carried to offer a Consent Agreement for a \$250 Civil Penalty. If not signed within 30 days or payment not received within 60 days, issue a Notice of Charges based upon the information contained in the investigative report.

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

VI.G.1. Shanieka N. Brown CNA Exam (Blair)

Brown was present and available for questions. Link moved, Johnson 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	<u>Hardy, Karen</u> Member	<u>Robertson, Steve</u> Member	<u>Scott, Kathy</u> Member	<u>Perry, Hunter</u> Secretary	<u>Malloch, Kathy</u> President	<u>Johnson, Patricia</u> Vice Pres	<u>Link, Denise</u> Member	<u>Woulard, Constance</u> Member	<u>Busby, Kathryn</u> Member
YES	7	X	X		X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	2			X						X

VI.G.2. Christa Lloyd CNA Exam (Blair)

Lloyd was present and available for questions. Link moved, Johnson seconded, and it was unanimously carried, upon meeting all requirements, grant certification and issue a Letter of Concern for the January 24, 2008 conviction for DUI, in Phoenix Municipal Court.

VI.G.4. Delena McKnight CNA Endorsement (Blair)

McKnight was present and addressed the Board. Link moved, Robertson seconded, and it was unanimously carried, upon meeting all requirements, signing a Consent Agreement for a \$100 Civil Penalty, grant certification. If not signed within 30 days or payment not received within 60 days, deny certification based upon information contained in the investigative report.

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

VI.G.5. Cory C. Ortiz CNA100009283 (Blair)

Ortiz was present and addressed the Board. Perry moved, Hardy seconded, and it was unanimously carried to table Agenda Item VI.G.5.

VI.G.7. Emily Quarshie CNA100009130 (Blair)

Perry moved, Robertson seconded, and it was unanimously carried to issue a Letter of Concern for allegedly being verbally abusive to a patient on August 3, 2008 at Sabino Canyon Rehabilitation and Care Center in Tucson, Arizona.

Busby returned to the meeting at 2:55 p.m.

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

IV.D.3. Elizabeth A. Forsley-Plata RN151823 (Hurtado)

Link moved, Hardy seconded, and it was unanimously carried to approve request for Forsley-Plata to complete the terms of Consent Agreement and Order No. 0706071 in Maine, upon the state of Maine’s written approval.

IV.D.4. Jacqueline Keller CNA1000014787 (Hurtado)

Hardy moved, Johnson seconded, and it was unanimously carried to approve request to amend Consent Agreement and Order No. 0705128 entered into on January 3, 2008, for Keller to attend and participate in at minimum one AA/NA or other 12-step program meeting per week throughout the term of this Order.

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

IV.D.6. Sherri Ulibarri RN058001 (Hurtado)

Johnson moved, Busby seconded, and it was unanimously carried to approve request to amend Consent Agreement and Order No. 0610015 to allow Ulibarri to work up to 96 hours per 14 day pay period.

IV.E. Board Discussion & Decision to Adopt Notice of Charges for RN/LP/CNA Noncompliance

IV.E.1. Doris M. Huey CNA040941977 (Hurtado)

IV.E.2. Charo O. Lindsey TLP041187 (Hurtado)

IV.E.3. Diane M. McDonald RN077275 (Hurtado)

IV.E.4. Kay L. McBee RN038467; AP0058 (Hurtado)

IV.E.5. Stacey L. Mendez CNA1000002773 (Hurtado)

IV.E.6. Rudy C. Olague CNA999997473 (Hurtado)

IV.E.7. Johathan D. Neff CNA1000007491 (Hurtado)

Perry moved, Hardy seconded, and it was unanimously carried to issue Notice of Charges based upon information contained in the investigative report for Agenda Items IV.E.1-7.

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

V.C.2. Diana Juliet Carbajal LP039365 (Olson)

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

V.C.3. Stephanie L. Gavin RN Endorsement (Olson)

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

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

V.C.4. Joseph W. Matthews LP Endorsement (Olson)

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

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

**V.C.5. Jennifer E. McConnaughey TRN149769 (Olson)
(aka: Custer; Kirby; Ellinger)**

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

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

V.C.6. Kelly J. Snively RN Endorsement (Olson)

Olson addressed the Board with additional information. Hardy moved, Robertson seconded, and it was unanimously carried to grant licensure upon meeting all requirements, and issue a Letter of Concern for the August 26, 2008 entry into a misdemeanor intervention program for the charge of petit theft in the Thirteenth Judicial Circuit Court in Hillsborough County, Florida.

V.C.7. Gustav F. Schlueter RN Endorsement (Olson)

Link moved, Woulard seconded, and it was unanimously carried to grant licensure upon meeting all requirements and signing a Consent Agreement for 12 months Probation, with the attached stipulations. If not signed within 30 days, deny licensure based on the information contained in the investigative report.

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

VI. Board Discussion and Decision Regarding CNA Investigative Reports

**VI.B.1. Dallas M. Coates CNA099203641 (Olson)
(aka: Bortin)**

Link moved, Woulard seconded, and it was unanimously carried to grant reinstatement of certification upon signing a Consent Agreement for 12 months stayed revocation, with the attached stipulations. If not signed within 30 days, deny reinstatement of certification based upon the information contained in the investigative report.

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

VI.B.2. Matthew B. Schlepp CNA Exam (Olson)

Schlepp was present telephonically and addressed the Board. Link moved, Hardy seconded, and 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	Hardy, Karen Member	Robertson, Steve Member	Scott, Kathy Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Link, Denise Member	Woulard, Constance Member	Busby, Kathryn Member
YES	8	X	X		X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1			X						

VI.B.3. LaSheer D. Bowden CNA Endorsement (Olson)

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

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

**VI.B.4. Fidel Oscar Camacho CNA Exam (Olson)
(aka: Oscar Camacho)**

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

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

VI.B.5. Jeffrey L. Heaberlin CNA Endorsement (Olson)

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

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

VI.B.6. Daniel Luna CNA Exam (Olson)

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

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

VI.B.7. Jody D. Schroeder CNA Exam (Olson)

Link moved, Woulard 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 information contained in the investigative report.

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

VI.B.8. Monique A. Taylor CNA100002925 (Olson)

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

VI.G.5. Cory C. Ortiz CNA100009283 (Blair)

Hardy moved, Robertson seconded, and it was unanimously carried to reopen Agenda Item VI.G.5. Smith addressed the Board with additional information. Hardy moved, Robertson seconded, to be completed by a Board approved psychologist, 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 a Notice of Charges based on the information contained in the investigative report and include the factual allegations and alleged violations for failure to comply with the Interim Order. The motion carried with seven in favor and one abstained.

	VOTE	Hardy, Karen Member	Robertson, Steve Member	Scott, Kathy Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Link, Denise Member	Woulard, Constance Member	Busby, Kathryn Member
YES	7	X	X		X	X	X	X	X	
NO	0									
ABSTAIN	1									X
ABSENT	1			X						

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

V.D.1. Deena L. Dull LP025996 (S. Nelson)

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

V.D.2. Kenneth Greene Wayne Jr. RN138324 (S. Nelson)

Hardy moved, Robertson seconded, and it was unanimously carried to issue an Interim Order for an interpersonal relationships/anger evaluation to be completed by a Board approved psychologist and to include any 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 Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

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

V.D.3. Mandy Ann Haigh RN125214 (S. Nelson)
(aka: Clune)

Nelson addressed the Board with a technical correction to the investigative report. Link moved, Woulard seconded, and it was unanimously carried to issue Notice of Charges based upon information contained in the investigative report.

V.D.7. Wanda Stowe Jeffords RN070204 (S. Nelson)

Robertson moved, Hardy seconded, and it was unanimously carried to reopen Agenda Item V.D.7. Nelson addressed the Board with additional information. Judy Sobely and Ann Tanner were present telephonically and were available for questions. An attempt was made to contact Christine Tanner telephonically. Johnson moved, Link seconded, and it was unanimously carried to issue a Letter of Concern for offering to dispense Zofran for patient P.R. that was ordered for another patient on or about February 20, 2008 while working at Northern Arizona Hospice.

V.D.8. Isreal Lagunzad Julao RN151263 (S. Nelson)

Attorney Craig Marton was present telephonically and addressed the Board. An attempt was made to contact Julao telephonically. Perry moved, Johnson seconded, and it was unanimously carried to table Agenda Item V.D.8.

Link left the meeting at 3:25 p.m.

V.D.12. Sherri Lynn Olson LP044058 (S. Nelson)

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

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

V.D.13. Amber Lynn Harris RN143298 (S. Nelson)
(aka: Prigg)

Busby moved, Perry seconded, and it was unanimously carried to issue a Letter of Concern for a misdemeanor conviction on September 30, 2007 in Grand Rapids, Minnesota.

V.F.15. William Robert Nonnast II RN146537 (Torrez)

Torrez addressed the Board with additional information. Busby moved, Hardy seconded, and it was unanimously carried to issue a Letter of Concern for failing to notify the physician when there was a change in the condition of patient K.E. on or about September 15, 2007, while employed by MGA Healthcare Staffing and assigned to work at Boswell Hospital in Sun City, Arizona.

Link returned to the meeting at 3:31 p.m.

V.F.18. Maria Marguerite Preshiren RN129133 (Torrez)

An attempt was made to contact complainant Michael McCarthy telephonically. Johnson moved, Robertson seconded, to issue a Letter of Concern for failing to assess patient M. M. from on or about 1100 to 1400, and also for failing to assure that the proper laboratory blood work for M.M. was completed in a timely manner on or about April 12, 2008, while employed at Western Arizona Regional Medical Center in Bullhead City, Arizona. After discussion the motion failed with four opposed, three

in favor and one abstained. Hardy moved, Perry seconded, to offer a Consent Agreement for Decree of Censure or hearing. The motion carried with five in favor, two opposed and one abstained.

	VOTE	Hardy, Karen Member	Robertson, Steve Member	Scott, Kathy Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Link, Denise Member	Woulard, Constance Member	Busby, Kathryn Member
YES	5	X			X	X	X		X	
NO	2		X							X
ABSTAIN	1							X		
ABSENT	1			X						

V.F.19. Cynthia Carreon San Agustin RN130181 (Torrez)

Link moved, Hardy seconded, and it was unanimously carried to issue a Letter of Concern for writing an order for Ativan 1 mg. on or about September 2, 2008 for a resident when the physician intended the order to be Ativan 0.25 mg. while employed at Ridgecrest Healthcare in Phoenix, Arizona.

Robertson left the meeting at 3:35 p.m.

V.G.2. Elaine M. Bridgewater RN103649; LP033988 (Schettler)

Link moved, Woulard seconded, and it was unanimously carried to issue an Interim Order for a psychological evaluation with psychometric testing to be completed by a Board approved psychologist experienced in substance abuse, to include any additional testing deemed necessary by the evaluator, to be completed within 45 days. If the Interim Order is not completed, issue a Notice of Charges based upon the information contained in the investigative report, to include the factual allegations and alleged violations for failure to comply with the Interim Order.

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

**V.G.3. Belinda D. Kastigar RN112850 (Schettler)
(aka: Phipps)**

Schettler addressed the Board with additional information. Johnson moved, Link seconded, and it was unanimously carried to issue Interim Order for a substance abuse evaluation to be completed by a Board approved evaluator, who is at minimum PhD prepared, to include any additional testing deemed necessary by the evaluator, to be completed within 45 days, then return to the Board. If the Interim Order is not completed, issue a Notice of Charges, based on the information contained in the investigative report.

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

Robertson returned to the meeting at 3:37 p.m.

V.G.4. Kevin S. Loertscher RN144606; LP041591; CNA1000004141 (Schettler)

Malloch and Johnson know Colleen Hallberg but show no bias. Schettler addressed the Board with additional information. Loertscher *was present telephonically and available for questions. Busby moved, Woulard seconded, and it was unanimously carried to issue a Letter of Concern for failure to

contact a physician to clarify orders for oxygen delivery and notify the physician of the patient's changes in respiratory status on or about November 1, 2007, while employed at Banner Good Samaritan Medical Center.

V.G.7. Amber J. Kegley RN151207; LP042906; CNA1000006924 (Schettler)

Schettler addressed the Board with an amendment to the stipulations to allow a Board approved nurse practitioner as evaluator. Kegley was present telephonically and available for questions. Johnson moved, Perry seconded, and it was unanimously carried to offer a Consent Agreement for 12 months probation, with the attached stipulations as amended, and demonstration of full compliance with the stipulations, or hearing.

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

V.I.6. Kevin Kiyoshi Marugaki RN107259 (Midkiff)

Midkiff addressed the Board with additional information. Hardy moved, Robertson seconded, and it was unanimously carried to issue a Letter of Concern for unprofessional behavior by misusing hospital equipment to show a download a co-worker's significant other's picture on a department's computer screen saver and squirting lotion onto the picture, on or about August 27, 2008 while employed by Maricopa Medical Center, Phoenix, Arizona.

V.I.9. Peter Warren Connors TRN153322 (Midkiff)

Johnson is affiliated with Banner Thunderbird Medical Center and Johnson and Malloch know Sally Dimond but show no bias. Midkiff addressed the Board with additional information and confirmed receipt of additional information. Robertson moved, Woulard seconded, and it was unanimously carried, upon meeting all requirements and signing a Consent Agreement for a Decree of Censure and a \$600 Civil Penalty, grant licensure. If not signed within 30 days, deny licensure based upon the information contained in the investigative report.

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

**V.J.1. Barbara Ann Bronemann RN110151 (Bymers)
(aka: Rogers)**

Bronemann was present telephonically and addressed the Board. Busby moved, Link seconded, and it was unanimously carried to issue Notice of Charges based upon information contained in the investigative report.

The meeting recessed at 3:53 p.m. and reconvened at 4:00 p.m.

V.D.8. Isreal Lagunzad Julao RN151263 (S. Nelson)

Johnson moved, Link seconded, and it was unanimously carried to reopen Agenda Item V.D.8. Attorney Craig Marton was present telephonically and addressed the Board. Busby moved, Hardy seconded, and it was unanimously carried to continue the investigation to the March 2009 Board meeting.

VII. Board Reports for Discussion, Information, Staff Direction and/or Decision
VII.A. Executive Director’s Report
VII.A.2. Report from AzBN Legislative Liaison/Lobbyist on Senate Bill 1105, House Bill 2186, Senate Bill 1103, House Bill 2283 and Other Proposed 2009 Legislation Impacting the Nurse Practice Act/Board of Nursing – Greg Harris

Greg Harris, AzBN legislative liaison/lobbyist offered a report on the progress of House and Senate bills relating to AzBN.

Busby left the meeting at 4:20 p.m. Perry left the meeting at 4:25 p.m.

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

V.K.1. Catherine Passmann RN051899 (Parlin)

Parlin addressed the Board with additional information. Hardy moved, Johnson seconded, and it was unanimously carried to issue a Letter of Concern for depositing a check made out to Mesa General Hospital into her personal bank account on or about September 9, 2006.

V.K.2. Cherise Hall LP043265; CNA1000001638 (Parlin)

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

V.K.4. David Ward LP040185 (Parlin)

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

V.K.8. Randi Armijo RN146421; LP042646; CNA1000003391 (Parlin)

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

V.K.9. Todd Wagner RN145082 (Parlin)

Link moved, Johnson seconded, and it was unanimously carried to issue an Interim Order for a psychological evaluation to be completed by a Board approved evaluator who is at minimum PhD

prepared, and who has expertise in substance abuse and anger management and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and then return to the Board. If the Interim Order is not completed, 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	Hardy, Karen Member	Robertson, Steve Member	Scott, Kathy Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Link, Denise Member	Woulard, Constance Member	Busby, Kathryn Member
YES	6	X	X			X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	3			X	X					X

V.K.10. Kimberly Plant RN119481 (Parlin)

Johnson moved, Woulard seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue a Notice of Charges based upon the information contained in the investigative report.

	VOTE	Hardy, Karen Member	Robertson, Steve Member	Scott, Kathy Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Link, Denise Member	Woulard, Constance Member	Busby, Kathryn 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.F.1. Angela Browers CNA Endorsement (Parlin)
(aka: Alcaida)**

Parlin addressed the Board with additional information. Hardy moved, Link seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report.

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

VI.F.2. Angela Lajara CNA Exam (Parlin)

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

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

VI.F.3. Angela Thomas CNA Endorsement (Parlin)

Link moved, Hardy seconded, and it was unanimously carried, upon meeting all requirements, grant certification and issue a Letter of Concern for the May 27, 1994, misdemeanor conviction for Unlawful Use of Weapons and the August 9, 2002, misdemeanor conviction for Theft and Control of Stolen Property in Chicago, Illinois.

Busby returned to the meeting at 4:33 p.m.

VI.F.6. Jessica Sullivan CNA Endorsement (Parlin)

Robertson moved, Link seconded, to deny certification based upon information contained in the investigative report. The motion carried with six in favor and one abstained.

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

VI.F.7. Nahrain Youkhana CNA Exam (Parlin)

Link moved, Woulard seconded, and it was unanimously carried, upon meeting all requirements and 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	Hardy, Karen Member	Robertson, Steve Member	Scott, Kathy Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Link, Denise Member	Woulard, Constance Member	Busby, Kathryn Member
YES	7	X	X			X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	2			X	X					

Perry returned to the meeting at 4:34 p.m.

VI.F.8. Shashon Jones CNA Exam (Parlin)

Link moved, Robertson seconded, upon meeting all certification requirements and 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. The motion carried with seven in favor and one abstained.

	VOTE	Hardy, Karen Member	Robertson, Steve Member	Scott, Kathy Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Link, Denise Member	Woulard, Constance Member	Busby, Kathryn Member
YES	7	X	X			X	X	X	X	X
NO	0									
ABSTAIN	1				X					
ABSENT	1			X						

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

V.M.2. Mary K. Nikodym RN110942 (Lester)

Lester addressed the Board with additional information. Hardy moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for 18 months probation to include the attached terms. If not signed within 30 days, issue Notice of Charges based on the information found in the investigative report.

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

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.A.1. Melissa L. Dishman CNA Exam (Lester)

Lester addressed the Board with additional information. Link moved, Robertson seconded, to deny certification based upon information contained in the investigative report and at this meeting. The motion carried with seven in favor and one abstained.

	VOTE	Hardy, Karen Member	Robertson, Steve Member	Scott, Kathy Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Link, Denise Member	Woulard, Constance Member	Busby, Kathryn Member
YES	7	X	X		X	X	X	X	X	
NO	0									
ABSTAIN	1									X
ABSENT	1			X						

VI.A.3. Jennifer L. Guzman CNA Exam (Lester)

(aka: Meyer)

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

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

VI.A.4. Steve Haytasaingh CNA Exam (Lester)

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

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

VI.A.5. Susan M. Lovett CNA Exam (Lester)

(aka: Bones)

Lester addressed the Board with additional information. Link moved, Woulard seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report.

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

VI.A.6. Patricia A. McCoy CNA Endorsement (Lester)
(aka: Jones; Parker)

Link moved, Woulard seconded, and it was unanimously carried to continue the investigation to allow McCoy the opportunity to obtain a psychological evaluation with an emphasis on substance abuse to be completed by a Board approved evaluator who at minimum is PhD prepared with an expertise in substance abuse 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 certification based upon the information contained in the investigative report.

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

VI.A.7. Yvonne L. Redhorse CNA100005587 (Lester)

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

VI.A.8. Marsha Rosales CNA067316641 (Lester)
(aka: Abeyta)

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

VI.A.9. Angie Thompson CNA666575803 (Lester)

Lester addressed the Board with additional information. Link moved, Robertson seconded, and it was unanimously carried to issue Notice of Charges based upon information contained in the investigative report.

VI.A.10. Renee Tsinnie CNA Endorsement (Lester)

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

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

VI.A.11. Terrie L. Viers CNA Exam (Lester)

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

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

VI.A.12. Audrey Biard CNA Exam (Lester)

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

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

VI.A.13. Michelle M. Enos CNA Exam (Lester)

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

VI.C.1. Crystal Lynn Dotson CNA999987285 (B. Nelson)

Perry moved, Robertson seconded, and it was unanimously carried to issue a Letter of Concern for unprofessional behavior in managing a combative behavioral health client on or about August 30, 2006, resulting in termination of employment from Mara Villa Care Center in Phoenix, Arizona.

VI.C.2. Kathryn Louise Hess CNA100001557 (B. Nelson)

Hardy moved, Johnson seconded, and it was unanimously carried to issue an Interim Order for a psychological evaluation to be completed by a Board approved evaluator with expertise in anger management, 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 a Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

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

VI.C.3. Jacquelyn Mary Olivier CNA100005930 (B. Nelson)
(aka: Jackie M. Underwood)

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

VI.C.4. Shannon Jeanette Riddle CNA100001103 (B. Nelson)

Link moved, Hardy seconded, and it was unanimously carried to offer a 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	Hardy, Karen Member	Robertson, Steve Member	Scott, Kathy Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Link, Denise Member	Woulard, Constance Member	Busby, Kathryn Member
YES	8	X	X		X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1			X						

VI.D.2. Stella A. Begay CNA999951020 (Sage)
(aka: Barbara A. Totsoni)

Busby moved, Link seconded, and it was unanimously carried to issue a Letter of Concern for reportedly abusing two residents on August 8, 2008 while employed as a CNA at The Peaks Senior Living home, and for being arrested on July 11, 2008, for an open container of vodka in her vehicle.

VI.D.3. Guadalupe Candiliere CNA048874333 Sage)

Link moved, Johnson seconded, and it was unanimously carried to issue a Letter of Concern for accepting a check as a “down payment” for staying with a client full-time to see how it worked out, while employed by Nurses’ Network as a CNA.

VI.D.4. Shannon Leann Clayton CNA999994458 (Sage)

Link moved, Woulard seconded, and it was unanimously carried to issue a Letter of Concern for taking a suicidal patient to the shower without notifying or gaining permission from a nurse and locking the shower door, violating facility safety policies, and for fostering a personal relationship with the patient’s family while employed as a CNA on or about August 9, 2008 at St. Joseph’s Hospital.

VI.D.5. Sara Jane Collins CNA1000009975 (Sage)

Sage addressed the Board with an amendment to the stipulations to include: change psychiatric treatment to psychological treatment. Busby moved, Perry seconded, and it was unanimously carried to offer a Consent Agreement for 18 months stayed revocation with terms, to include psychological counseling. If not signed within 30 days, issue Notice of Charges based upon information contained in the investigative report.

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

VI.D.6. Mellisa Elise Evans CNA1000016994 (Sage)

Link moved, Hardy seconded, and it was unanimously carried to issue a Letter of Concern for leaving assignment before the end of a shift on October 10, 2008, without notifying an appropriate supervisor, while employed as a CNA at Quibuiiri Mission in Benson, Arizona.

VI.D.7. Jocelyn S. Dela Cruz CNA004893441 (Sage)

Busby moved, Link seconded, and it was unanimously carried to issue a Letter of Concern for reportedly rapping a resident on the head and telling her to “shut up”, while employed as a CNA in October 2008, at Avalon Shadow Mountain Care Center in Scottsdale, Arizona.

VI.D.8. Edith Doreen Garcia CNA1000001331 (Sage)
(aka: Cherry)

Perry moved, Link seconded, and it was unanimously carried to dismiss the complaint.

VI.D.9. Crystal V. Gardner CNA1000014064 (Sage)

Johnson moved, Link seconded, and it was unanimously carried to issue a Letter of Concern for yelling at a resident on July 20, 2008, while employed as a CNA at Suncrest Healthcare in Phoenix, Arizona.

VI.D.10. Chase Wellington Hardwicke CNA999998620 (Sage)

Link moved, Woulard seconded, and it was unanimously carried to offer a Consent Agreement for 18 months stayed revocation with terms to include alcohol abuse therapy by a Board approved therapist. If not signed within 30 days, issue Notice of Charges based upon information contained in the investigative report.

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

VI.D.11. Richard A. Ingram CNA382671103 (Sage)

Perry knows Carol Sarillo but shows no bias. Link moved, Johnson seconded, and it was unanimously carried to dismiss the complaint.

VI.D.12. Stephanie Marie Knight CNA1000010416 (Sage)

Link moved, Woulard 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 or issue Notice of Charges based upon information contained in the investigative report.

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

VI.D.13. Donald August Mason CNA1000009005 (Sage)

Link moved, Woulard seconded, and it was unanimously carried to offer a Consent Agreement for 12 months stayed revocation with terms to be signed in 30 days or issue Notice of Charges based upon information contained in the investigative report.

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

**VI.D.14. Rita M. Moore CNA999953572 (Sage)
(aka: James)**

Perry knows Michael Maconberg but shows no bias. Busby moved, Woulard seconded, and it was unanimously carried to issue a Letter of Concern for shutting a resident's door against her wishes on or about August 26, 2008, while employed as a CNA at Coronado Care Center, in Phoenix, Arizona.

VI.D.15. Vanessa Nicole Nevarez CNA1000005749 (Sage)

Link moved, Hardy seconded, and it was unanimously carried to offer a 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	Hardy, Karen Member	Robertson, Steve Member	Scott, Kathy Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Link, Denise Member	Woulard, Constance Member	Busby, Kathryn Member
YES	8	X	X		X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1			X						

VI.D.18. Anita M. Peru CNA999949460 (Sage)
(aka: Pery)

Sage addressed the Board with additional information. Link moved, Johnson seconded, and it was unanimously carried to dismiss the complaint.

VI.D.19. Dora Elsa Rice CNA100000754 (Sage)

Perry knows Melissa Ashline but shows no bias. Link moved, Johnson seconded, and it was unanimously carried to offer a 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	Hardy, Karen Member	Robertson, Steve Member	Scott, Kathy Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Link, Denise Member	Woulard, Constance Member	Busby, Kathryn Member
YES	8	X	X		X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1			X						

VI.D.20. Dorsey Marie Salazar CNA100008470 (Sage)
(aka: Aguilar-Cardenas; Flores; Alverio)

Hardy moved, Robertson 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 other testing deemed necessary by the evaluator. If not completed, issue a Notice of Charges based on information contained in the investigative report.

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

VI.D.21. Jessica Hernandez Siqyeuris CNA100005442 (Sage)
(aka: Owen; Forbes)

Link moved, Perry seconded, and it was unanimously carried to dismiss the complaint.

VI.D.22. Andrea Waddell CNA753238803 (Sage)

Sage addressed the Board with additional information. Link moved, Woulard seconded, and it was unanimously carried to offer a Consent Agreement for 12 months stayed revocation with terms to include a \$50 Civil Penalty. If not signed within 30 days, issue Notice of Charges based upon information contained in the investigative report.

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

VI.D.23. Laura Ann Wren CNA999993273 (Sage)

Link moved, Woulard seconded, and it was unanimously carried to issue a Letter of Concern for reportedly taking away resident’s call lights and failing to change a resident in a timely manner while employed as a CNA at the Citadel on June 28, 2008.

VI.G.3. Juanita Loftus CNA Exam (Blair)

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

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

VI.G.6. Matthew Thomas Park CNA Exam (Blair)

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

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

VI.G.8. Memory Rose CNA Exam (Blair)

Link moved, Woulard seconded, and it was unanimously carried to grant certification upon meeting all requirements and issue a Letter of Concern for the July 30, 2003 conviction for driving under the influence of drugs and possession of drug paraphernalia.

VI.G.9. Crystal Ann Ryan CNA Endorsement (Blair)

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

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

VI.G.10. Samantha Sandoval CNA Exam (Blair)

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

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

VI.G.11. Shondeen Swink CNA Exam (Blair)

Busby moved, Link seconded, and it was unanimously carried to continue the investigation to allow Swink the opportunity to obtain a psychological evaluation, to include an anger management evaluation, by a Board approved psychologist, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and then return to the Board. If the evaluation is not completed, deny certification based upon the information contained in the investigative report.

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

VI.G.12. Barbara Ann Fortin CNA Exam (Blair)

Robertson moved, Busby seconded, and it was unanimously carried, upon meeting all requirements and 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 information contained in the investigative report.

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

Johnson moved, Robertson seconded, and it was unanimously carried to reopen Agenda Item II.A. Smith addressed the Board with a technical correction to the nursing status of Jennifer Gresham, amended to change from CNA Endorsement to RN/LP Exam. Link moved, Robertson seconded, and it was unanimously carried to approve the amended list for III.A.

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. Evdokia Pirogova RN Endorsement (Bontrager)

Hardy moved, Robertson seconded, and it was unanimously carried to accept applicants' education to meet the educational requirement for licensure in Arizona. Grant license that is "Valid in AZ only" when all requirements are met.

VII.C.2. Susanne Carlson RN Endorsement (Bontrager)

Johnson moved, Link seconded, and it was unanimously carried to accept applicants' education to meet the educational requirement for licensure in Arizona. Grant license that is "Valid in AZ only" when all requirements are met.

VII.F. Committee Reports

VII.F.1. Scope of Practice

VII.F.1.a. Draft Minutes for December 2, 2008

Draft minutes were provided to the Board for December 2, 2008 Scope of Practice Committee meeting.

VII.F.1.b. Draft Advisory Opinions

VII.F.1.b.1. Dual Profession & Dual Healthcare Licensure/Certification

Busby moved, Woulard seconded, and it was unanimously carried to approve advisory opinion Dual Profession & Dual Healthcare Licensure/Certification

VII.F.1.b.2. Stress Testing: Pharmacological

Perry moved, Robertson seconded, and it was unanimously carried to approve advisory opinion Stress Testing: Pharmacological.

VII.F.1.b.3. Supervision of Unlicensed Nurse Externs' by RN's

Perry moved, Busby seconded, and it was unanimously carried to approve advisory opinion Supervision of Unlicensed Nurse Externs' by RN's.

VII.F.1.b.4. Subcutaneous Infusions by LPN's

Robertson moved, Woulard seconded, and it was unanimously carried to approve advisory opinion Subcutaneous Infusions by LPN's.

VII.F.1.c. Nitrous Oxide Administration

An update letter was provided to the Board from Banner Desert Medical Center regarding Nitrous Oxide Administration.

VII.F.2. Education

VII.F.2.a. Draft Minutes for December 9, 2008

Draft minutes were provided to the Board for the December 9, 2008 Education Committee meeting.

VII.F.3. Advanced Practice

VII.F.3.a. Draft Minutes for November 14, 2008

Draft minutes were provided to the Board for the November 14, 2008 Advanced Practice Committee meeting.

VII.F.3.b. Draft Advisory Opinions

VII.F.3.b.1. Use of Controlled Substances for the Treatment of Chronic Pain

Hardy moved, Robertson seconded, and it was unanimously carried to approve advisory opinion Use of Controlled Substances for the Treatment of Chronic Pain.

VII.F.3.b.2. Nurse Practitioner Description of Roles and Functions

After discussion, Perry moved, Link seconded, and it was unanimously carried to continue to the March 2009 Board meeting.

VII.F.3.b.3. Neonatal Circumcision (Retire)

Malloch moved, Hardy seconded, and it was unanimously carried to approve the retirement of advisory opinion Neonatal Circumcision.

VII.F.3.b.4. Clinical Nurse Specialists in Psychiatric Mental Health Nursing (Retire)

Busby moved, Perry seconded, and it was unanimously carried to approve the retirement of advisory opinion Clinical Nurse Specialists in Psychiatric Mental Health Nursing.

VII.F.3.c. Draft Feedback on APRN Model Act/Rules

Information was provided to the Board regarding draft feedback on APRN Model Act/Rules.

VII.D. President's Report

VII.D.1. Debriefing on Board Processes & Suggested Changes - All

Board members discussed the flow of the meeting.

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, Woulard seconded, and it was unanimously carried to adjourn the meeting.

The meeting adjourned at 5:21 p.m., Thursday, January 29, 2009.

Kathy Malloch, PhD, MBA, RN, FAAN, President

