

Arizona State Board of Nursing

Janice K. Brewer
Governor

Joey Ridenour
Executive Director



The regular meeting of the Arizona State Board of Nursing convened at 8:00 a.m., Thursday, July 24, 2014, in the Board of Nursing Board Room, Suite 200, 4747 N. 7th Street, Phoenix, Arizona, with Randy C. Quinn, CRNA, President, presiding.

BOARD MEMBERS PRESENT:

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

BOARD MEMBERS ABSENT:

Kim Post, RN, BSN, MBA/HCM, NEA-BC, Member

LEGAL COUNSEL:

Elizabeth Campbell, Assistant Attorney General
Carrie Smith, Assistant Attorney General
Sara Selzer, Assistant Attorney General

STAFF DIRECTORS:

Joey Ridenour, RN, MN, FAAN, Executive Director
Valerie Smith, RN, MS, FRE, Associate Director of Investigations
Nikki Austin, JD, RN, Associate Director to Monitoring/CANDO/Hearings
Judy Bontrager, RN, MN, Associate Director of Operations
Pamela Randolph, RN, MSN, Associate Director of Education and Evidence Based Regulation

STAFF:

<p>Katrina Alberty, Senior Investigator Frederick Arias, Senior Investigator Max Barker, Senior Investigator Frannie Breed, RN, BSN, Education Consultant Stephanie Chambers, RN, MN, Nurse Practice Consultant Janeen Dahn, Ph.D., FNP-C, Nurse Practice Consultant/AP Ronda Doolen, RN, BSN, MSN, Education Program Administrator Diva Galan, JD, Senior Investigator Tamara Greabell, MA, BSN, RN, Nurse Practice Consultant Jan Kerrigan, RN, BSN, Nurse Practice Consultant/CANDO Kristi Hunter, MSN, FNP-C, Nurse Practice Consultant Ruth Kish, RN, MN, Nurse Practice Consultant</p>	<p>Jennifer McWilliams, Senior Investigator Kirk Olson, Senior Investigator Linda Monas, Senior Investigator Michael Pilder, MSN, RN, APHN-BC, Nurse Practice Consultant Michelle Morton, Senior Investigator Daniel Phelan, BS, M.ADM, Senior Investigator Rosemary Powell, RN, MA, Nurse Practice Consultant Bonnie Richter, MSW, Senior Investigator Carla Stapleton, MHA, RN, Nurse Practice Consultant Sister Rachel Torrez, RN, MS, Nurse Practice Consultant Kristen Wilson, RN, MSN, CNS, PMHNP, BC, NPC Barbara Melberg, License Tech II Naira Kutnerian, Administrative Assistant II</p>
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I. Call to Order

The meeting was called to order at 8:00 a.m., Thursday, July 24, 2014.

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

Quinn presided.

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

VI.B.21. Lisa Dolores Nunez RN112300 (Richter)

Attorney Lisa Counters and Nunez were present and addressed the Board. Snider moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Stipulated Agreement for, at minimum, 36-month CANDO participation with requirements to refrain from the practice of nursing until authorized to return to practice by CANDO, paragraph 6, page 1 waived. If not signed within 30 days, issue Notice of Charges.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	8	X	X	X	X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	2									X	X

VI.H.3. Thomas Grabauskas RN177673; (Arias)

Grabauskas was present and available for questions. Attorney Lisa Counters was present and addressed the Board. Johnson moved, Snider seconded, upon a determination of reasonable cause, based on the facts alleged in the investigative report, and material presented at this Board meeting, and at no cost to the Board, issue an Interim Order for a psychological evaluation, to include a *substance abuse* evaluation, by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and then return to the Board. If the Interim Order is not completed within 45 days, based upon the findings of fact and statute/rule violations identified in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations of statute and rule for failure to comply with the Interim Order. After discussion the motion failed with six opposed and two in favor.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	2		X	X							
NO	6	X			X	X	X	X	X		
ABSTAIN	0										
ABSENT	2									X	X

Gutierrez moved, Harrell seconded, and it was unanimously carried to issue a Letter of Concern for the August 26, 2002, DUI conviction and the May 20, 2013, DUI conviction both in Phoenix, Arizona.

**VI.J.2. Kristal Jendro LP049445 (Kish)
(aka: Criswell; Layne)**

Attorney Lisa Counters was present and addressed the Board. Harrell moved, Johnson seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	8	X	X	X	X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	2									X	X

VI.N.3. Rebecca Lee Elsmore RN115870 (Chambers)
(aka: Kenyon)

Elsmore was present telephonically and available for questions. Attorney Lisa Counters was present and addressed the Board. Harrell moved, Gutierrez seconded, and it was unanimously carried to issue a Letter of Concern for testing positive for marijuana on a pre-employment saliva drug test at University Medical Center on or about May 7, 2012, and for making false written statement to the Board staff in the course of the investigation by writing that she was not asked to sign the chain of custody form that accompanied the saliva sample to the lab and that she did not see her sample being placed in a secure container.

VI.B.20. Sonya Marie Velasquez RN146174 (Richter)

Attorney Teresa Sanzio was present and addressed the Board. Quinn moved, McCormies seconded, and it was unanimously carried to issue a Letter of Concern for your conviction on or about August 14, 2012, in the Pinal County (Arizona) Superior Court, for an amended charge of Attempted Unlawful Use of Means of Transportation, a class one misdemeanor, and an amended charge of Driving Under the Influence of an Intoxicating Liquor While Impaired to the Slightest Degree, a class one misdemeanor as the result of an arrest on or about May 5, 2012, by the Maricopa Police Department (Arizona) in Maricopa, Arizona.

VI.J.3. Monica Acosta-Chagolla RN079538 (Kish)

Attorney Teresa Sanzio was present and addressed the Board. Snider moved, Johnson seconded, and it was unanimously carried to dismiss the complaint.

VI.Q.2. Patricia Jon Talboy RN179821 (Powell)
(aka: Anderson)

Attorney Teresa Sanzio was present and addressed the Board. Dalton moved, Berrigan seconded, and after discussion it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	8	X	X	X	X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	2									X	X

VI.J.1. Martha Carlson TX Compact; RN516301 (Kish)

Kish addressed the Board with additional information. Carlson was present and available for questions. Attorney Scott King was present and addressed the Board. Quinn moved, McCormies seconded, and after discussion it was unanimously carried to issue a Letter of Concern for failing to follow policy for documentation of medication in the PACU at Chandler Regional Medical Center, and for failing to report the charges to the Board within ten days as required by the statutes and rules, to accurately document narcotic administration in April and May 2012.

Busby arrived at the meeting at 8:57 a.m.

VI.K.6. Paul David Sterrett RN073682; AP2354 (Dahn)

Sterrett was present and available for questions. Attorney Scott King was present and addressed the Board. McCormies moved, Gutierrez seconded, and it was unanimously carried to dismiss the complaint.

VI.K.1. Katherine Marie Hardy RN129539; AP2027 (Dahn)

Hardy and attorney Bruce Crawford were present telephonically and addressed the Board. Busby moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.K.2. Crestfield Moody RN091127/AP2197 (Dahn)

Complainant B.S. was present telephonically and addressed the Board. Moody and attorney Tosca Henry were present and addressed the Board. Quinn moved, Snider seconded, making a finding of reasonable cause, based upon the allegations in the investigative report and information presented at the Board meeting, and at no cost to the Board, issue an Interim Order for a psychosexual misconduct evaluation to be completed by a Board approved licensed psychologist who has expertise in professional sexual misconduct, and to include any additional testing deemed necessary by the evaluator, to be completed with 45 days and then return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order. After discussion the motion failed with six opposed and three in favor

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

Busby moved, Gutierrez seconded, to issue a Letter of Concern for failing to have a chaperone present in the room for a genital examination with a female patient, boundary issues, and incomplete documentation on “Patient A” on or about February 12, 2014, in Page, Arizona

VI.J.4. Sharon Lutman LP043859 (Kish)
(aka: Cherwinski; Sanchez)

Kish addressed the Board and confirmed receipt of additional information. Lutman was present and available for questions. Attorney D. Jay Ryan was present and addressed the Board. Johnson moved, Berrigan seconded, on a determination of reasonable cause, based upon the facts alleged in the investigative report and at no cost to the Board, issue an Interim Order for a substance abuse evaluation to be completed by a Board approved evaluator who is at minimum PhD prepared, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and then return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order. After discussion, Johnson withdrew the motion. Busby moved, Berrigan seconded, and it was unanimously carried to table Agenda Item VI.J.4.

The meeting recessed at 9:59 a.m. and reconvened at 10:17 a.m.

Gutierrez returned to the meeting at 10:19 a.m.

VI.F.6. Crystal Lenore Smith RN162876 (McWilliams)
(aka: Reid; Williams)

Smith was present and available for questions. Attorney Lianne Sefcovic was present and addressed the Board. Johnson moved, Busby seconded, on a determination of reasonable cause, based upon the allegations in the investigative report and material presented at this Board meeting, at no cost to the Board, issue an Interim Order for a comprehensive psychological evaluation to be completed by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and then return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order. The motion carried with eight in favor and one abstained.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	8	X	X	X	X	X	X		X		X
NO	0										
ABSTAIN	1							X			
ABSENT	1									X	

VII.L.1. Suzanne Michelle Daniels RN165488 (Hunter)
(aka: Listemann; Carter)

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

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VII.L.2. Lise Gourdeau Cote RN160113; AP3479 (Hunter)

Cote was present and available for questions. Attorney Katherine Corcoran was present and addressed the Board. McCormies moved, Gutierrez seconded, and it was unanimously carried to dismiss the complaint.

VII.L.3. Louisa Christine Perea RN139796 (Hunter)

Hunter addressed the Board with additional information. Perea and attorney Aaron Bradford were present telephonically and addressed the Board. Quinn moved, Snider seconded, to issue a Letter of Concern for a medication error made on or about May 1, 2009, while employed at Northern Cochise Community Hospital in Wilcox, Arizona, Respondent mistakenly administered Dilaudid 2 mg intravenously into patient A.A., a 93-year-old female, resulting in respiratory arrest and death. After discussion the motion carried with eight in favor and one opposed.

VI.J.4. Sharon Lutman LP043859 (Kish)
(aka: Cherwinski; Sanchez)

Busby moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item VI.J.4. McCormies moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations

identified in the investigative report, offer a Consent Agreement for a minimum 12 month stayed suspension/probation, followed by a minimum 24 month standard probation, and to include the attached stipulations as amended. If not signed within 30 days, issue Notice of Charges.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.J.5. Renee Merrill RN123785 (Kish)

Merrill was present and available for questions. Attorney Kathy Lambert was present and addressed the Board. Gutierrez moved, McCormies seconded, and it was unanimously carried to issue a Letter of Concern for failing to document as needed medication administration according to agency policy while employed and on duty at Oro Valley Hospital, Oro Valley, AZ in or around December, 2012 through April, 2013.

VI.J.6. Carol Valiquette RN Applicant (Kish) (aka: Johnson; Thompson)

Kish addressed the Board with additional information. McCormies moved, Gutierrez seconded, and it was unanimously carried, Grant licensure upon meeting all requirements, and issue a Letter of Concern for incorrectly documenting a physician’s medication order and changes in that order, administering hydrocodone IO mg when 5mg documented as ordered on February 8, 2012 at Lucas County Hospital in Chariton, Iowa, and for your stayed revocation by the California Board of Nursing, issued February 28, 2014, and stayed, related to the February 8, 2012 practice and documentation error in Iowa.

VI.I.2. Brenda Yurida Lugo-Cardenas CNA Exam (Barker)

Lugo-Cardenas was present and available for questions. Johnson moved, Busby seconded, and it was unanimously carried to dismiss the matter, and upon meeting all requirements, grant certification.

VI.I.3. Luis Cisneros CNA Exam (Barker)

Cisneros was present and addressed the Board. Busby moved, Berrigan seconded, and it was unanimously carried, upon meeting all certification requirements, grant certification and issue a Letter of Concern for your arrest on June 9, 2013 by Phoenix (Arizona) Police Department for driving under the influence of alcohol, and underage drinking and driving that was not prosecuted in court; and for your lack of cooperation during a Board investigation by not answering all the questions on a Board issued investigative questionnaire in an accurate manner.

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

V.C.3. Kevin Mineweaser RN164538 (Sutter/Austin)

Austin addressed the Board with additional information. Mineweaser was present and available for questions. McCormies moved, Busby seconded, and it was unanimously carried to terminate Consent Agreement and Order No. 1109023 and issue a Letter of Concern for:

1. Failing to submit to a random drug test on December 4, 2013;
2. Failing to timely submit monthly prescriber reports regarding the continued need for a mood altering substance;
3. Failing to timely cause his immediate supervisor to inform the Board, in writing and on employer letterhead, acknowledgment of the supervisor’s receipt of a copy of the Order; and
4. Failing to cause his new supervisor at Aurora Behavioral Health Systems to timely inform the Board, in writing and on employer letterhead, acknowledgment of the new supervisor’s receipt of a copy of the Consent Agreement and Order.

VI. RN/LPN/CNA Investigative Reports

**VI.L.4. Lionelle Trofort VA license working on privilege in AZ (Hunter)
(aka: Leah)**

Hunter addressed the Board with additional information. Complainant Angela Claw was present and addressed the Board. Trofort was present telephonically and addressed the Board. Snider moved, Busby seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to issue Notice of Charges.

IV.B.2. Felony Bar Cases

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

Agenda #	Name	License/Certificate #	Staff
IV.B.2.d.	Karla Melissa Bojorquez (aka: Jimenez-Leon; Medina; Leon)	CNA999994240	Monas

Monas addressed the Board with additional information and request to delete finding of fact 5 and rule 23 from the investigative report. Bojorquez was present and available for questions. McCormies moved, Dalton seconded, and unanimously carried to adopt the attached Notice of Charges.

IV.B. Felony Bar Cases

IV.B.1. Board Staff Recommendation: Adopt Order of Denial for Applicants

Agenda #	Name	License/Certificate #	Staff
IV.B.1.b.	Setimia Denise Ager	CNA Exam	Alberty

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

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

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

V.B.2. Steven Alden McConnell LP043965 Greabell

McConnell was present and addressed the Board. Gutierrez moved, McCormies seconded, and it was unanimously carried to Terminate Consent Agreement and Order No. 1101084 and issue Letter of Concern for failing to work a minimum of 16 hours per week since the effective date of Consent Agreement and Order No. 1101084.

V.B.5. Tiffany Alice White Horn RN150360 Greabell

Horn was present and addressed the Board. Johnson moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute violation identified in the investigative report, offer a Consent Agreement for a Decree of Censure to be signed within thirty days and then terminate Consent Agreement and Order No. 1010019. If not signed within thirty days, issue Notice of Charges and Consent Agreement and Order No. 1010019 shall remain in effect until the matter is resolved.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

IV.B. Felony Bar Cases

IV.B.1. Board Staff Recommendation: Adopt Order of Denial for Applicants

Agenda #	Name	License/Certificate #	Staff
IV.B.1.b.	Setimia Denise Ager	CNA Exam	Alberty

Berrigan moved, Snider seconded, and it was unanimously carried reopen Agenda Item IV.B.1.b. for the purpose of allowing Ager to address the Board. No further action was taken.

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

V.B.6. Peggy A. Wallace LP031364 Greabell

Wallace was present and addressed the Board. Dalton moved, Gutierrez seconded, to terminate Consent Agreement and Order No. 0710116 (“Order”) and issue a Letter of Concern for failing to work as a LPN a minimum of sixteen hours a week from on or around September 22, 2008 to the present. After discussion Dalton withdrew the motion.

Snider moved, McCormies seconded, and it was unanimously carried to terminate Consent Agreement and Order No. 0710116.

V.B.9. Michelle Lynn Johnson RN089083 Greabell

Dalton moved, Berrigan seconded, and it was unanimously carried to table Agenda Item V.B.9.

V.B.15. James Ray Lamb AP2293;RN093041;CNA983174103 Greabell

Lamb was present and available for questions. McCormies moved, Dalton seconded, and after discussion it was unanimously carried to dismiss Investigation Case No. 1401091 and allow Respondent to complete an online course on physical assessment and documentation pursuant to paragraph 4, page 18 of the Order.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

V.B.17. Sherylann Helen Krukowski RN069250 Greabell

Greabell addressed the Board and confirmed receipt of additional information. Krukowski was present and addressed the Board. Busby moved, Johnson seconded, and it was unanimously carried to allow Respondent to continue on Consent Agreement and Order No. 102079 and

- Revert Respondent to standard probation;
- Issue a Letter of Concern for failing to submit to a random drug test on August 3, 2012, and for having an unauthorized absence from Nurse Recovery Group on July 10, 2013;
- Deny Respondent’s request to access and administer controlled substances;
- Deny Respondent’s request to reduce AA attendance; and
- Excuse Respondent from obtaining treatment with a pain specialist.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Gateway Community College and Pima Medical Institute nursing students regarding Board functions, policies and procedures. Questions were asked on:

- Criteria for opening a case
- Qualifications and expertise of investigators
- How to obtain a position on the Board
- Deadline for reporting a complaint
- Complaint categorization
- Definition of Decree of Censure
- Advisement on how to question a supervisor's request
- How and when complaints are submitted to the Board.

The meeting recessed at 12:18 p.m. and reconvened at 1:01 p.m.

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

V.C.2. Theresa Marson RN151909 (Sutter/Austin)

Marason was present and available for questions. Busby moved, Dalton seconded, and it was unanimously carried to terminate Consent Agreement and Order No. 1105085.

V.C.6. Derek Byrne RN146211; LP040391; CNA1000000434 (Sutter/Austin)

Byrne was present and available for questions. Johnson moved, Dalton seconded, and it was unanimously carried to Grant Respondent's request to transition to step-down pursuant to paragraph 26, page 18, of Consent Agreement and Order No. 0809051-NUR, and issue a Letter of Concern for failing to attend Nurse Recovery Group on May 8, 2013, June 12, 2013, July 17, 2013, October 16, 2013, November 20, 2013, and March 19, 2014.

V.C.7. Maria Rubi RN113765 (Sutter/Austin)

Rubi was present and available for questions. McCormies moved, Dalton seconded, and it was unanimously carried to terminated Consent Agreement and Order No. 1106030 and issue a Letter of Concern for failing to submit a random urine drug test on May 6, 2013 and September 16, 2013.

V.C.8. Jeremy Leonard RN178865 (Sutter/Austin)

Dalton moved, Snider seconded, and it was unanimously carried to allow Respondent to continue on Consent and Order No. 1112070 and revert Respondent to stayed revocation/probation pursuant to the terms and conditions of the Order.

V.C.11. Sherry James CNA1000006859 (Sutter/Austin)

James was present and available for questions. Busby moved, Harrell seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the monitoring report, issue Notice of Charges.

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

V.B.20. Elisabeth Louise Shooter LP040397 Greabell

Shooter was present and available for questions. Dalton moved, Busby seconded, and it was unanimously carried to allow Respondent to continue on Consent Agreement and Order No. 1205011 and revert Respondent to

standard probation with terms and conditions and issue a Letter of Concern for failing to submit to random urine drug testing on November 14, 2013.

VI. RN/LPN/CNA Investigative Reports

**VI.A.3. Doris Jean Cox LP Endorsement (Monas)
(aka: Barnes)**

Cox was present and available for questions. McCormies moved, Berrigan seconded, and it was unanimously carried to continue the investigation to allow Applicant the opportunity to obtain a substance abuse evaluation to be completed by a Board approved psychologist, and at no cost to the Board, 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, based upon the findings of fact and statute/rule violations identified in the investigative report, deny licensure.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

**VI.B.2. Paola Soto Anaya CNA Exam (Richter)
(aka: Anaya)**

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

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.B.11. Robert Kioko Makau CNA Exam (Richter)

Makau was present and addressed the Board. Busby moved, Johnson seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all certification 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 of the civil penalty not received within 60 days, deny certification. After discussion the motion carried with eight in favor and one opposed.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	8	X	X	X	X		X	X	X		X
NO	1					X					
ABSTAIN	0										
ABSENT	1									X	

**VI.B.13. Perrie Lou O'Connor CNA Exam (Richter)
(aka: Hansen; Cockrell)**

O'Connor was present and addressed the Board. Johnson moved, Snider seconded, and it was unanimously carried to continue the investigation to allow Applicant the opportunity to complete a substance abuse evaluation with a Board approved licensed psychologist, at no expense to the Board, and to include any additional testing deemed necessary by the evaluator to be scheduled and completed within 45 days and then return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.B.24. Amanda Rachelle Feagins CNA Exam (Richter)

Feagins was present and addressed the Board. Busby moved, Snider seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all certification requirements, and signing a Consent Agreement for a Decree of Censure, grant certification. If not signed within 30 days, deny certification. After discussion the motion carried with eight in favor and one opposed.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	8	X	X	X	X		X	X	X		X
NO	1					X					
ABSTAIN	0										
ABSENT	1									X	

VI.A.6. Bruce Langevin CNA Exam (Monas)

Langevin was present and available for questions. Busby moved, Dalton seconded, and it was unanimously carried to grant certification upon meeting all requirements, and issue a Letter of Concern for Applicant's 1984, arrest for Spousal Abuse, a misdemeanor, for which he was required to complete an anger management class, his 1986 arrest for Theft, a misdemeanor, dismissed after Applicant's completion of a diversion program, and his May 16, 2011, charge of DUI, dismissed after Applicant successfully completed a diversion program.

**VI.A.4. Stephanie Henes LP Exam (Monas)
(aka: Santos)**

Henes was present and addressed the Board. Harrell moved, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all licensure requirements and signing a Consent Agreement for a Decree of Censure, grant licensure. If not signed within 30 days, deny licensure. The motion failed for lack of a second.

Busby moved, Berrigan seconded, and it was unanimously carried to grant licensure upon meeting all requirements, and issue a Letter of Concern for Applicant's May 8, 2006, conviction of Theft by Control and/or Misrepresentation and/or By Controlling Stolen Property with a Value of \$1,000 or more, but less than \$2,000, a felony, and Count twelve, Forgery, a felony; and your history of illegal drug use from 1998 – 2006.

VI.C.5. Perry Lee Riepe RN Exam (Morton)

Riepe was present and addressed the Board. Busby moved, Berrigan seconded, to grant licensure upon meeting all requirements, and issue a Letter of Concern for his November 15, 2005 misdemeanor conviction of DUI in the East Mesa Justice Court, in Mesa, Arizona, and his July 13, 2006 misdemeanor conviction of interfering with Judicial Proceedings in the Gilbert Municipal Court, in Gilbert, Arizona. After discussion the motion carried with eight in favor and one opposed.

VI.C.11. Lindsey Rachford RN Exam (Morton)

Morton addressed the Board with additional information. Rachford was present and available for questions. Busby moved, Dalton seconded, and it was unanimously carried, upon meeting all licensure requirements, grant licensure and issue a Letter of Concern for the December 17, 2012, misdemeanor conviction of Extreme DUI, in the Glendale City Court in Glendale, Arizona.

VI.D.7. Diana Moore CNA1000034061 (Pilder)
(aka: Young; White)

Moore was present and addressed the Board. Snider moved, Dalton seconded, to dismiss the complaint. After discussion the motion failed with five opposed and four in favor.

Gutierrez moved, Berrigan seconded, to issue a Letter of Concern for telling a resident to sit down and shut up while working as a CNA at Sun West Choice Healthcare & Rehabilitation in Sun City West. The motion carried with eight in favor and one opposed.

VI.D.8. Fredericka Moseley RN038909 (Pilder)

Moseley was present and addressed the Board. Quinn moved, Johnson seconded, and it was unanimously carried to issue a Letter of Concern for pre-charting patients’ records while employed at Banner Boswell Medical Center in Sun City, Arizona, which resulted in termination of Respondent’s employment with Banner Boswell Medical Center in Sun City, Arizona in or about 2010 – 2012.

VI.D.9. Deborah Quarry RN064702 (Pilder)

An attempt was made to contact Quarry telephonically and a message was left that the Board would move forward with the case. McCormies moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for pre-charting patients’ records while employed at Banner Boswell Medical Center in Sun City, Arizona, which resulted in termination of Respondent’s employment with Banner Boswell Medical Center in Sun City, Arizona in or about 2010 – 2012.

VI.D.10. Mark Newton RN162648 (Pilder)

Busby moved, McCormies seconded, and it was unanimously carried, to table Agenda Item VI.D.10.

VI.F.7. Lynn Marie Haines RN129257 (McWilliams)

Haines was present and addressed the Board. Busby moved, McCormies seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a minimum 24-month probation, to include a substance abuse evaluation by a board-approved PhD level evaluator to be completed within 30 days, and to include the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.H.5. Marcus Thomas CNA Exam (Arias)

Arias addressed the Board with additional information. Thomas was present and addressed the Board. Busby moved, Dalton seconded, and it was unanimously carried, based upon the findings of facts identified in the investigative report, upon meeting all certification requirements, grant certification and issue a Letter of Concern for the arrest for possession of tetrahydrocannabinols (THC), a misdemeanor, in Milwaukee, Wisconsin on or about January 20, 2003 and for the arrest on or about March 6, 2012, for operating after a suspended license and possession of tetrahydrocannabinols (THC), both misdemeanors in Glendale, Wisconsin.

VI.H.6. Christine Teresa Tsosie LP Exam (Arias)
(aka: Fowler)

Tsosie was present and addressed the Board. Busby moved, Gutierrez seconded, and it was unanimously carried, upon meeting all licensure requirements, grant licensure and issue a Letter of Concern for Applicant’s:

- 1) Arrest for shoplifting items at a department store and false information to police on or about January 29, 2000, in Flagstaff, Arizona
- 2) Arrest for assault-domestic violence in which Applicant assaulted a male friend on or about April 7, 2001, in Flagstaff, Arizona
- 3) Arrest for aggravated assault in which Applicant threw a bottle nearly striking a female victim, in Phoenix, Arizona on or about March 25, 2002, in Flagstaff, Arizona
- 4) Arrest for disorderly conduct-domestic violence in Page, Arizona, in which Applicant prevented a male family member from driving away in his vehicle by hiding his vehicle keys on or about March 8, 2012.

Harrell left the meeting at 2:27 p.m.

VI.N.2. Priscilla Marielvey Olivarez RN Applicant (Chambers)

Olivarez was present and addressed the Board. Quinn moved, Berrigan seconded, and it was unanimously carried, Continue the investigation to allow applicant, at no cost to the Board, the opportunity to obtain a substance use disorder evaluation to be completed by a Board approved evaluator who is at minimum a Ph.D., 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, based upon the findings of fact and statute/rule violations identified in the investigative report, deny licensure.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	8	X	X	X	X	X	X	X			X
NO	0										
ABSTAIN	0										
ABSENT	2								X	X	

VI.P.1. Caroline Ngame Wasswa CNA Exam (Galan) (aka: Kiwanuka)

Wasswa was present and addressed the Board. Busby moved, McCormies seconded, and it was unanimously carried to table Agenda Item VI.P.1.

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

VI.P.2. Gregory Randall Averitt CNA1000022845; RN Exam(Galan) (aka: Everitt)

Galan addressed the Board with additional information. Averitt was present and addressed the Board. Quinn moved, Dalton seconded, and it was unanimously carried, continue the investigation to allow Applicant the opportunity to obtain a psychological evaluation, to include an anger management and substance abuse evaluation, at no cost to the Board, by a Board approved licensed doctoral level psychologist, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and then return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny licensure and issue a Notice of Charges for CNA1000022845.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.R.1. Lori Ann Gibbs RN Applicant (Greabell)

Gibbs was present and addressed the Board. Quinn moved, Busby seconded, and it was unanimously carried to continue the investigation to allow Applicant to obtain a neuropsychological evaluation by a Board approved

provider. The evaluation shall be completed within 45 days of this Board meeting and then return to the Board. If the evaluation is not completed within 45 days, deny licensure.

VI.S.1. Gina Fleer LP028293 (Austin)
(aka: Kilgore)

Fleer was present and addressed the Board. Snider moved, Dalton seconded, and it was unanimously carried, upon meeting all licensure requirements, grant a temporary licensure for a Refresher Course Only, and upon successful completion of a Refresher Course, grant reissuance of licensure.

VI.E.5. Kimberley Anderson LP Exam (Alberty)

Anderson was present and addressed the Board. Busby moved, Snider seconded, and it was unanimously carried to grant licensure upon meeting all requirements, and issue a Letter of Concern for her Theft and Forgery arrest, on or about February 20, 1998, DUI arrest, on or about, April 15, 1992, and for her January 17, 2000 felony arrest, for Possession of Dangerous Drugs and Possession of Drug Paraphernalia that was dismissed on or about March 1, 2002.

VI.E.1. Allison Rose Juraska CNA100024077; RN Exam (Alberty)

Juraska was present and addressed the Board. Busby moved, Berrigan seconded, and after discussion it was unanimously carried to issue a Letter of Concern (to both Applicant’s nursing assistant certificate and RN license) for your February 2007, misdemeanor Shoplifting conviction in Phoenix Municipal Court (Arizona) case 1360893901, and for failing to disclose the conviction on 2011 and 2012 employment applications, and for failing to disclose the charge and provide police and court records to the Board in response to Board issued questionnaire; for your May 17, 2013 misdemeanor DUI conviction, and for failing to report the DUI charges to the Board within 10 days as required; and upon meeting all licensure requirements, grant RN license.

VI.S.1. Gina Fleer LP028293 (Austin)
(aka: Kilgore)

Berrigan moved, Gutierrez seconded, and it was unanimously carried, to reopen Agenda Item VI.S.1. Snider moved, Busby seconded and it was unanimously carried to amend prior motion to include: If refresher course is not completed within six months, deny re-issuance.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

The meeting recessed at 3:16 p.m. and reconvened at 3:31 p.m. Berrigan returned to the meeting at 3:32 p.m.

VI.D.1. Nicole Arellano CNA999996098 (Pilder)

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

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	8	X	X	X	X		X	X	X		X
NO	1					X					
ABSTAIN	0										
ABSENT	1									X	

VI.D.2. Robert Cuddeback CNA1000038748 (Pilder)

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

**VI.D.3. Mark Duran CNA Exam (Pilder)
(aka: Markie Anthony Duran)**

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

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.D.4. Anna Go CNA1000035186 (Pilder)

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

**VI.D.5. Rangi Harvey CNA1000033342 (Pilder)
(aka: Stedman; Gibson)**

Johnson moved, Snider seconded, and it was unanimously carried to issue a Letter of Concern for accepting an instructor’s position at Adult Care Learning Systems in Scottsdale, Arizona in 2012 while a CNA and unqualified to teach.

VI.D.6. Mona Lopez CNA1000029266 (Pilder)

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

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

**VI.D.11. Jeanne Patera CNA1000033559 (Pilder)
(aka: Williams; Kennedy; Mosley; Gonzales; Peterson)**

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

**VI.D.12. Tiffany Kneeling CNA999947708; RN Applicant (Pilder)
(aka: Parr)**

Kneeling was present, telephonically, and available for questions. Johnson moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all licensure requirements, signing a Consent Agreement for a \$250 Civil Penalty and payment of the Civil Penalty, grant licensure. If not signed within 30 days and payment not received within 60 days, deny licensure.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.D.13. Shirley Dolan CNA999951934 (Pilder)

Busby moved, Snider seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue Notice of Charges. After discussion the motion carried with six in favor and three opposed.

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

VI.P.1. Caroline Ngame Wasswa CNA Exam (Galan) (aka: Kiwanuka)

Busby moved, Harrell seconded, and it was unanimously carried, to reopen Agenda Item VI.P.1. Busby moved, Berrigan seconded, and it was unanimously carried to grant certification upon meeting all requirements and issue a Letter of Concern for the August, 2003 issue, report #302143-000, in El Mirage, Arizona, and the February 2005 arrest, report #0-031365 in Maricopa County, Arizona.

VI.P.3. Patricia Ann Clem RN Endorsement (Galan)

Busby moved, Snider seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all licensure requirements and signing a Consent Agreement for a \$250 Civil Penalty and Decree of Censure, grant licensure. If not signed within 30 days, deny licensure.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.B.1. Amanda Gene Abasta CNA Endorsement (Richter)

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

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.B.3. Robert Wayne Brashear CNA Exam (Richter)

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

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.B.4. Jamie Florence Clark CNA1000024691 (Richter)
(aka: Gibson; Sanford; O'Donnell)

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

VI.B.5. Alexandra Taylor Conboy CNA Exam (Richter)

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

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.B.6. Estelle Faye Cragg CNA Exam (Richter)

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

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.B.7. Damien Jude Cwiklinski RN Endorsement (Richter)

Dalton moved, Snider seconded, upon meeting all licensure requirements, grant license, and issue a Letter of Concern for the conviction on or about March 10, 2006, in the 59th District Court, (Michigan) case number W052172 for Operating While Under the Influence (OWI), a misdemeanor; the conviction on or about May 20, 2008, in the State of Michigan 58th Judicial District Court case number HU-08-028544, for an amended charge of Reckless Driving, a misdemeanor and for failure to cooperate fully with the Board's investigation. After discussion the motion failed with six opposed and three in favor.

McCormies moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all licensure/certification 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 of the Civil Penalty not received within 60 days, deny licensure.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.B.8. Toree Monique Decker CNA100000775 (Richter)

Busby moved, Harrell seconded, to issue a Letter of Concern for the December 28, 2011, Driving Under the Influence arrest by Tempe Police Department in Tempe, Arizona, which resulted in the DUI conviction, a class one misdemeanor in Tempe Municipal Court on February 14, 2012 and for failing to report the DUI charge to the Board within ten days as required by statute and rule. After discussion the motion carried with seven in favor and two opposed.

VI.B.9. Krystal Denean Ehrlich CNA Exam (Richter)

Busby moved, Snider seconded, upon meeting all requirements, grant certification, and issue a Letter of Concern for the October 21, 2011, arrest by Tempe Police Department for Driving Under the Influence for which she was convicted on or about April 12, 2012, in Tempe Municipal Court; and for failure to cooperate with the Board. After discussion the motion carried with seven in favor and two opposed.

VI.B.10. Kadri Tufts Haggerty CNA Exam (Richter)

Gutierrez moved, McCormies seconded, and it was unanimously carried, upon meeting all certification requirements, grant certification, and issue a Letter of Concern for the February 22, 1998 misdemeanor conviction for Retail Theft in the Palm Beach County Court (Florida) case number 50-1998-MM-005572 and for the June 14, 2011, conviction for an amended charge of Retail Theft, 2nd Degree, a misdemeanor in Sixth Judicial Circuit Court, Oakland County (Michigan) case number 98-157925FH.

VI.B.12. Jennifer Jehovah Martinez CNA Endorsement (Richter)

Busby moved, Berrigan seconded, and it was unanimously carried, upon meeting all certification requirements, grant certification, and issue a Letter of Concern for the December 12, 2008 conviction in the Superior Court of Arizona, County of Yuma, case number 2008-01294, for Attempted Hindering Prosecution in the First Degree, a class six felony, which on or about January 14, 2011, was designated a class one misdemeanor after Applicant's successful completion of probation.

VI.B.14. Alexander Edwin Oglesby CNA Exam (Richter)

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

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.B.15. Lisa Shanta Polk CNA1000389 (Richter)

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

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

**VI.B.16. Medea Michelle Ponce CNA Exam (Richter)
(aka: Brito)**

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

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.B.17. Daniel Felix Powyszynski CNA Exam (Richter)

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

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.B.18. Amanda Louise Stewart RN166750 (Richter)

Busby moved, Harrell seconded, and it was unanimously carried to issue a Letter of Concern for the conviction for Extreme Driving Under the Influence (DUI), a class one misdemeanor on or about May 3, 2012, in Lake Havasu Consolidated Court (Arizona), case number TR201200926, as a result of the arrest on or about March 15, 2012, for Extreme DUI by Lake Havasu City Police.

**VI.B.19. Roxanne Cornejo CNA1000018474 (Richter)
(aka: Magallanes)**

Johnson moved, Dalton seconded, to issue a Letter of Concern for the November 20, 2013, conviction in Goodyear Municipal Court (Arizona) case number CR2013-00510 for Disorderly Conduct/Domestic Violence, a class one misdemeanor and for failure to report the charge to the Board within ten days as required by statute and rule. After discussion the motion failed with five opposed and four in favor.

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

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	8	X	X	X	X	X	X	X	X		
NO	1										X
ABSTAIN	0										
ABSENT	1									X	

**VI.B.22. Karen Lynn Hoyt-Hass CNA643355559 (Richter)
(aka: Hoyt)**

Busby moved, Snider seconded, and it was unanimously carried to issue a Letter of Concern for the October 25, 2013 conviction in Gilbert Municipal Court (Gilbert, Arizona) for Driving Under the Influence, a class one misdemeanor and for failing to report the charge to the Board within ten days as required by statute and rule.

VI.B.23. Danielle Francine Wilson RN1289410; LP038243 (Richter)

An attempt was made to contact Wilson telephonically and a message was left that the Board would move forward with the case. Snider moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, deny licensure.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.B.25. Francisco Roman, Jr. CNA1000028761 (Richter)

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

**VI.Q.1. Shelby Leigh Hall
(aka: Richert)**

RN062934

(Powell)

Powell addressed the Board with additional information. Busby moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for a 12 month stayed suspension during which time the license is placed on probation followed then by a minimum 24 month probation, and to include the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

IV.B.2. Felony Bar Cases

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

Agenda #	Name	License/Certificate #	Staff
IV.B.2.c.	Brandess Kristina Feuchster	CNA1000041050	Monas

Feuchster was present and available for questions. Busby moved, Berrigan seconded, and unanimously carried to adopt the attached Notice of Charges.

VI. RN/LPN/CNA Investigative Reports

VI.A.1. Erin Briney CNA Exam (Monas)

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

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.A.2. Tina Catanzaro CNA Exam (Monas)

Busby moved, Berrigan seconded, to grant certification upon meeting all requirements, and issue a Letter of Concern for Applicant's October 12, 1992, conviction of Minor in Possession of Alcohol, a misdemeanor and her failure to disclose this incident in response to the Board issued questionnaire, her August 12, 1998, conviction of Driving Under the Influence of Alcohol, committed on or about April 30, 1998, and her April 13, 1998, conviction of Possession of Marijuana, a misdemeanor, committed on or about April 13, 1998. After discussion the motion carried with eight in favor and one opposed.

VI.A.5. Kimber Kennedy CNA Exam (Monas)

Berrigan moved, Snider seconded, and it was unanimously carried to grant certification upon meeting all requirements, and issue a Letter of Concern failure to comply with the Board's investigation, by not providing a detailed explanation for the 2001 admission of Theft, and failing to provide any police and court records, regarding the incident.

VI.A.7. Wakkuna Raquel Ned CNA Exam (Monas)

Johnson moved, Berrigan seconded, and it was unanimously carried to continue the investigation to allow applicant the opportunity to obtain a psychological evaluation, to include a substance abuse evaluation, at no cost to the Board, by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and then return to the Board. If the evaluation is

not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.A.8. Brandi Williams LP Endorsement (Monas)
(aka: Kramer)

Busby moved, Dalton seconded, and it was unanimously carried to grant licensure upon meeting all requirements, and issue a Letter of Concern for Applicant’s September 19, 2013, conviction in the San Bernardino Superior Court (CA), of Reckless Driving, a misdemeanor committed on, January 27, 2013, with a blood alcohol concentration of .155 and .170 respectively.

VI.A.9. Judith H. York-Foltz CNA Exam (Monas)
(aka: York)

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

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.E.4. Yinabi Woldebruk Woldeab CNA1000020663 (Alberty)

Woldeab was present telephonically and available for questions. Quinn moved, Johnson seconded, and it was unanimously carried, upon a determination of reasonable cause, based on the facts alleged in the investigative report, and material presented at this Board meeting, and at no cost to the Board, issue an Interim Order for a psychosexual misconduct evaluation, that shall include a polygraph examination, to be completed by a Board approved licensed psychologist who has expertise in professional sexual misconduct, and to include any additional testing deemed necessary by the evaluator, to be completed within 30 days and then return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations of statute and rule for failure to comply with the Interim Order

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

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

V.B.9. Michelle Lynn Johnson RN089083 Greabell

Berrigan moved, McCormies seconded, and it was unanimously carried to reopen Agenda Item V.B.9. Johnson was present telephonically and addressed the Board. Busby moved, Snider seconded, and it was unanimously carried to continue the investigation to allow Respondent seven days to sign the necessary Release of Information form authorizing Board staff to provide Dr. K Kalyani Phansi, M.D. with collateral information to be considered

as part of Dr. Phansi's evaluation, and then return to Board. If the Release of Information form is not signed within seven days, and Dr. Phansi's evaluation is not produced within thirty days, issue Notice of Charges. Consent Agreement and Order No. 1004007 shall remain in effect and enforceable, and Respondent's license shall remain on suspension until the matter is resolved.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI. RN/LPN/CNA Investigative Reports

VI.C.1. Patsy Ruth Armstrong CNA Reissuance Exam (Morton)

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

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.C.2. Lisa B. Cano CNA Exam (Morton)

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

VI.C.3. Anthony Mwithiga Gitonga CNA Endorsement (Morton)

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

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

**VI.C.6. Michelle Kaye Robinson-Julye RN162288 (Morton)
(aka: Julye)**

Busby moved, McCormies seconded, and it was unanimously carried to issue a Letter of Concern for Respondents on or about April 25, 2012 positive pre-employment urine drug screen for Vicodin, and failing to document the administration of a narcotic on a patients Medication Administration Record.

VI.C.7. Dina Ann Spangler CNA Exam (Morton)

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

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.C.8. Alethea Mae Sueing CNA Reissuance Exam (Morton)

Snider moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the monitoring non-compliance report, deny re-issuance of certification.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.C.9. Logan Emmett Turner RN Endorsement (Morton)

Busby moved, Harrell seconded, and it was unanimously carried to grant licensure upon meeting all requirements, and issue a Letter of Concern for the September 23, 2004, misdemeanor conviction of vandalism in the Superior Court of California in San Luis Obispo, California, and the February 9, 2011, misdemeanor conviction of reckless driving in the Reno Municipal Court in Reno, Nevada.

VI.C.10. Kenneth Lee Underwood RN Renewal (Morton)

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

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.C.12. Nicholas Dinicola (Morton)

Busby moved, Dalton seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all licensure requirements and signing Consent Agreement for a Decree of Censure, grant licensure. If not signed within 30 days, deny licensure. After discussion the motion carried with eight in favor and one opposed.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	8	X	X	X	X		X	X	X		X
NO	1					X					
ABSTAIN	0										
ABSENT	1									X	

VI.C.13. Janet Lee Joselane LP043768 (Morton)

Busby moved, Dalton seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to issue Notice of Charges. After discussion the motion carried with eight in favor and one opposed.

VI.C.14. Gail Elizabeth Anderson RN173803 (Morton)

McCormies moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations listed in the investigative report, issue a Complaint and Notice of Hearing.

VI.E.2. Aisha Lynn Davis CNA Exam (Alberty)

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

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.E.3. Victor Sindayigaya CNA1000014230 (Alberty)

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

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

The meeting recessed at 4:54 p.m., Thursday, July 24, 2014

Arizona State Board of Nursing

Janice K. Brewer
Governor

Joey Ridenour
Executive Director



The regular meeting of the Arizona State Board of Nursing convened at 8:02 a.m., Friday, July 25, 2014, in the Board of Nursing Board Room, Suite 200, 4747 N. 7th Street, Phoenix, Arizona, with Randy C. Quinn, CRNA, President, presiding.

BOARD MEMBERS PRESENT:

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

BOARD MEMBERS ABSENT:

Kim Post, RN, BSN, MBA/HCM, NEA-BC, Member

LEGAL COUNSEL:

Elizabeth Campbell, Assistant Attorney General
Carrie Smith, Assistant Attorney General
Sarah Selzer, Assistant Attorney General

STAFF DIRECTORS:

Joey Ridenour, RN, MN, FAAN, Executive Director
Valerie Smith, RN, MS, FRE, Associate Director of Investigations
Nikki Austin, JD, RN, Associate Director to Monitoring/CANDO/Hearings
Judy Bontrager, RN, MN, Associate Director of Operations
Pamela Randolph, RN, MSN, Associate Director of Education and Evidence Based Regulation

STAFF:

Katrina Alberty, Senior Investigator
Frederick Arias, Senior Investigator
Max Barker, Senior Investigator
Frannie Breed, RN, BSN, Education Consultant
Stephanie Chambers, RN, MN, Nurse Practice Consultant
Janeen Dahn, Ph.D., FNP-C, Nurse Practice Consultant/AP
Ronda Doolen, RN, BSN, MSN, Education Program Administrator
Diva Galan, JD, Senior Investigator
Tamara Greabell, MA, BSN, RN, Nurse Practice Consultant
Jan Kerrigan, RN, BSN, Nurse Practice Consultant/CANDO
Kristi Hunter, MSN, FNP-C, Nurse Practice Consultant
Ruth Kish, RN, MN, Nurse Practice Consultant

Jennifer McWilliams, Senior Investigator
Kirk Olson, Senior Investigator
Linda Monas, Senior Investigator
Michael Pilder, MSN, RN, APHN-BC, Nurse Practice Consultant
Michelle Morton, Senior Investigator
Daniel Phelan, BS, M.ADM, Senior Investigator
Rosemary Powell, RN, MA, Nurse Practice Consultant
Bonnie Richter, MSW, Senior Investigator
Carla Stapleton, MHA, RN, Nurse Practice Consultant
Sister Rachel Torrez, RN, MS, Nurse Practice Consultant
Kristen Wilson, RN, MSN, CNS, PMHNP, BC, NPC
Barbara Melberg, License Tech II
Naira Kutnerian, Administrative Assistant II

I. Call to Order

The meeting was called to order at 8:02 a.m., Friday, July 25, 2014.

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

Quinn presided.

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

II.A. Administrative Law Judge (ALJ) Recommendations

II.A.1. Kenneth T. Wilson CNA999994832 Campbell

The proceeding began at 8:05 a.m. with the following Board members present: Quinn, McCormies, Berrigan, Dalton, Harrell, Johnson, Snider, Gutierrez and Busby.

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. Carrie Smith, Assistant Attorney General, represented the State.

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

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

Busby moved, Johnson seconded, and it was unanimously carried to accept as Findings of Fact the findings contained in Paragraphs 1 through 28.

Busby moved, Gutierrez seconded, and it was unanimously carried, to accept as Conclusions of Law the violations in Paragraphs 1 through 8.

Busby moved, Gutierrez seconded, and it was unanimously carried to accept the Administrative Law Judge’s recommended Order to affirm order summarily suspending respondent’s certified nursing assistant certificate and revoke nursing assistant certification No. CNA999994832, previously issued to Kenneth Wilson.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

II.C. Motion to Deem Allegations Admitted for Failure to Respond to Notice of Charges and Recommended Discipline

AGENA	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.C.1.	Joanna Ahumada	CNA1000026250	Decree of Censure	Campbell

II.C.2.	Kolette Jasmine Ayala	CNA1000029002	Revocation	Campbell
II.C.3.	Tammie Lyne Bernal	CNA1000028425	Decree of Censure	Campbell
II.C.4.	Margeret Clarke	RN124758	Revocation	Campbell
II.C.5.	Benedette Epium	LP047864; CNA431082803	Revocation	Campbell
II.C.6.	Yasiman Esmaeili	CNA1000036238	Revocation	Campbell
II.C.7.	Elizabeth Swingle Grau	LP026517	Revocation	Campbell
II.C.8.	Angela Gregory	CNA1000019165	Revocation	Campbell
II.C.9.	Deanna Helen Heyde	CNA1000014910	Decree of Censure	Campbell
II.C.11.	Amanda Marie Limbrick	CNA1000021988	Revocation	Campbell
II.C.12.	Charles Thomas Ihle	RN178850; LP027632	Revocation	Campbell
II.C.13.	Casaundra Jones	CNA1000029579	Decree of Censure	Campbell
II.C.14.	Christina Grace Mack	CNA1000009327	Revocation	Campbell
II.C.15.	Dawn M. Mease (aka: Bracamonte; Gaona; Crocker)	CNA285008744	Revocation	Campbell
II.C.16.	Rebecca Lynn Mellen	RN166108; CNA1000018114	Revocation	Campbell
II.C.17.	Jenny Rose Mendoza (aka: Cilinite; Tirado)	LP036592	Revocation	Campbell
II.C.18.	Clark J. Mitchell	CNA1000031918	Decree of Censure	Campbell
II.C.19.	Brenda Renee Montano	CNA1000016554	Revocation	Campbell
II.C.20.	Roberta Phillips (aka: Banister)	CNA1000006615	Revocation	Campbell
II.C.21.	Deborah Marie Pierce	RN136819	Revocation	Campbell
II.C.22.	Frances Katherine Tate (aka: Franolich)	CNA1000012560	Revocation	Campbell
II.C.23.	Ramon Patrick Vargas	CNA1000036152	Revocation	Campbell
II.C.24.	Kelley Marie Waugh	RN171463	Revocation	Campbell
II.C.25.	John Edward Wells	RN075373	Revocation	Campbell
II.C.26.	Loretta Jane Xenos	RN111990	Revocation	Campbell
II.C.27.	Kellie A. Yates	CNA083363803	Revocation	Campbell
II.C.28.	Ira Nathan Yedlin	RN162970; AP3666	Revocation	Campbell
II.C.29.	Candace Bonnie Basil	RN137253	Revocation	Campbell
II.C.30.	Jennifer Marie Eason	CNA1000014074	Revocation	Campbell
II.C.31.	Rolando Rene Oquita	RN107753	Revocation	Campbell
II.C.32.	Rebecca Lamont Ross (aka: Bohl; Warner; Hill)	CNA935773641	Revocation	Campbell
II.C.33.	Thomas Jack Stallings	RN092604	Revocation	Campbell
II.C.34.	Theodore Vavaroutsou	RN118675; CNA008654490	Revocation	Campbell
II.C.35.	Camille D. Solomon	CNA1000034062	Revocation	Campbell

The Board was represented by Christopher Munns, Assistant Attorney General, Division of Solicitor General. Carrie Smith, Assistant Attorneys General, represented the State.

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

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

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

McCormies moved, Dalton seconded, and it was unanimously carried to accept the State’s recommended discipline for Agenda Items II.D.1.-9 and 11-35.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

II.E. Request to Rescind Prior Board Decision to Consider Alternative Action

II.E.1. George Afreh Addison RN Applicant Campbell

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

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

Busby moved, Quinn seconded, and it was unanimously carried, upon compliance with California, accept the signed Consent Agreement for a \$250 Civil Penalty and grant licensure upon meeting all requirements and payment of the Civil Penalty within 60 days.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

II.G. Hearing Department Investigative Reports and/or Issue Notice of Charges and/or Issue Complaint and Notice of Hearing

II.G.1. Kathleen Holahan Shrewsbury RN063241 Campbell

Busby moved, Dalton seconded, and it was unanimously carried to issue a Complaint and Notice of Hearing.

II.G.2. William Lonon Jr. CNA Applicant Campbell

Smith addressed the Board with additional information. Busby moved, Berrigan seconded, and it was unanimously carried to continue to the September, 2014, Board meeting.

II.H. Settlement Conference Cases and Proposed Consent Agreements

II.H.1. Fred Lee Hazeslip RN145823 Campbell

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

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

Busby moved, Gutierrez seconded, and it was unanimously carried to accept the signed Consent Agreement for a 12 month probation to include the attached stipulations.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

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

II.I.1. Debra Ann McIsaac RN129308; LP038737; CNA169948659 Wilson (aka: Venable; Bichard; Dreyer)

The proceeding began at 8:14 a.m., with the following Board members present: Quinn, McCormies, Berrigan, Dalton, Harrell, Johnson, Snider, Gutierrez, and Busby.

McIsaac was present and addressed the Board.

Busby moved, Berrigan seconded, and it was unanimously carried to table Agenda Item II.I.1.

II.I.4. Philipnoel Turelen Tabla RN088263 Dahn

The proceeding began at 8:21 a.m. with the following Board members present: Quinn, McCormies, Berrigan, Dalton, Harrell, Johnson, Snider, Gutierrez, and Busby.

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

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

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

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

Busby moved, Dalton seconded, and it was unanimously carried, based upon the information presented at this meeting, the findings of fact and statute/rule violations identified in the investigative report, and make a finding that public health safety and welfare imperatively requires emergency action and issue an Order summarily suspending the license of Philipnoel Tabla pending further hearing. The hearing shall be promptly instituted and determined within 60 days.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

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

II.I.5. Michelle Marie Martinez RN129204 Hunter

The proceeding began at 8:28 a.m., with the following Board members present: Quinn, McCormies, Berrigan, Dalton, Harrell, Johnson, Snider, Gutierrez, and Busby.

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

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

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

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

Busby moved, Dalton seconded, and it was unanimously carried, based upon the information presented at this meeting, the findings of fact and statute/rule violations identified in the investigative report, and make a finding that public health safety and welfare imperatively requires emergency action and issue an Order summarily suspending the license of Michelle Martinez pending further hearing. The hearing shall be promptly instituted and determined within 60 days.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

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

II.I.6. Audrey Ruth Lewis RN177821 Hunter

The proceeding began at 8:31 a.m. with the following Board members present: Quinn, McCormies, Berrigan, Dalton, Harrell, Johnson, Snider, Gutierrez, and Busby.

Hunter addressed the Board with additional information.

Lewis was present, telephonically, and available for questions.

Busby moved, Berrigan seconded, and it was unanimously carried to table Agenda Item II.I.6.

II.I.7. Tracy Jean Keith RN184648 Hunter

The proceeding began at 8:41 a.m. with the following Board members present: Quinn, McCormies, Berrigan, Dalton, Harrell, Johnson, Snider, Gutierrez, and Busby.

Hunter addressed the Board with additional information.

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

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

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

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

Busby moved, Dalton seconded, and it was unanimously carried, based upon the information presented at this meeting, the findings of fact and statute/rule violations identified in the investigative report, and make a finding that public health safety and welfare imperatively requires emergency action and issue an Order summarily suspending the license of Tracy Keith pending further hearing. The hearing shall be promptly instituted and determined within 60 days.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

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

II.I.8. Adam D. Babb RN142708 Wilson

The proceeding began at 8:47 a.m. with the following Board members present: Quinn, McCormies, Berrigan, Dalton, Harrell, Johnson, Snider, Gutierrez, and Busby.

Carrie Smith informed the Board that Babb’s attorney had filed a motion to continue.

Wilson addressed the Board with additional information.

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

Busby moved, Quinn seconded, and it was unanimously carried to deny motion to continue.

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

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

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

Busby moved, Dalton seconded, and it was unanimously carried, based upon the information presented at this meeting, the findings of fact and statute/rule violations identified in the investigative report, and make a finding that public health safety and welfare imperatively requires emergency action and issue an Order summarily suspending the license of Adam Babb pending further hearing. The hearing shall be promptly instituted and determined within 60 days.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

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

Busby moved, Quinn seconded, and it was unanimously carried to include Conclusion of Law A.R.S. § 32-1601 (16) (d) and (j).

VI. RN/LPN/CNA Investigative Reports

VI.G.2. Daniel Scott Gillis RN182831; CNA1000032532 (Olson)

Olson addressed the Board with additional information. Busby moved, Harrell seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for a minimum 36-month probation to include the attached stipulations, amended to include: ethics course completion. If not signed within 30 days, issue a Notice of Charges for RN18283 and CNA1000032532.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

Snider left the meeting at 9:04 a.m.

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

V.B.1. Paula Jean Beall LP047345 Greabell

Johnson moved, Berrigan seconded, and it was unanimously carried, based on the findings of fact and statute violation, issue Complaint and Notice of Hearing and require Respondent to attend AA/NA or an equivalent program a minimum of two times weekly. Consent Agreement and Order No. 1402036 remains in effect.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	8	X	X		X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	2			X						X	

VI. RN/LPN/CNA Investigative Reports

VI.D.10. Mark Newton RN162648 (Pilder)

Carrie Smith informed the Board of a request from Newton’s attorney for continuance.

Busby moved, McCormies seconded, and it was unanimously carried to continue to the September, 2014, Board meeting.

VI.C.4. Christina Elizabeth Pelaez RN Exam (Morton)

Carrie Smith informed the Board of a request from Pelaez’s attorney for continuance. Busby moved, Quinn seconded, and it was unanimously carried to continue to the September, 2014, Board meeting.

Snider returned to the meeting at 9:06 a.m.

VI.N.4. Toni Hofmeister Papin RN063339 (Chambers)

Carrie Smith informed the Board of a request from Papin’s attorney for continuance.

Busby moved, Quinn seconded, and it was unanimously carried to continue to the September, 2014, Board meeting.

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

II.I.2. Timothy Rodger Miller RN134844; AP2246; AP30587 Wilson

The proceeding began at 9:06 a.m. with the following Board members present: Quinn, McCormies, Berrigan, Dalton, Harrell, Johnson, Snider, Gutierrez and Busby.

Wilson addressed the Board with a brief summary of the case.

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

Busby moved, Berrigan seconded, and it was unanimously carried to table Agenda Item II.I.2.

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

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

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

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

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

III.C. Board Information Regarding Lapsed Licenses/Certificates Signed Consent Agreement (List Available in the Board Office)

Information was provided to the Board regarding Lapsed License/Certificates Signed Consent Agreement.

IV. Licenses & Certificates – Administrative Penalty, Felony Bar Cases, Notice of Charges, Notice of Denial of Application for Licensure/Certification, Applicants for Licensure
IV.A. Lapsed Licenses & Certificates: Possible Administrative Penalty
IV.A.1. Board Staff Recommendation: Offer Consent Agreement (Drafton)

Agenda #	Name	License/Certificate #	Penalty Amount
IV.A.1.a.	Romeo Albrigo	CNA1000012215	\$25
IV.A.1.b.	Christopher Dutton	CNA1000031493	\$50
IV.A.1.c.	Emmanuel R. Hidalgo	CNA1000007960	\$50
IV.A.1.d.	Josefa Orias Llorente	CNA1000016090	\$50
IV.A.1.e.	Yevgeniya Mykhaylyuk	CNA1000010878	\$25
IV.A.1.f.	Marsha Nelson	CNA999990370	\$75
IV.A.1.g.	Sara Nelson	CNA1000017059	\$25
IV.A.1.h.	Erma Salas	CNA139986103	\$25
IV.A.1.i.	Andrea Thomas	CNA1000003794	\$25
IV.A.1.j.	Charlene Todacheenie	CNA898275353	\$25

McCormies moved, Gutierrez seconded, and it was unanimously carried, based on the Finding of Fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for an Administrative Penalty for the amount stated for working on an expired license/certificate. If the Administrative Penalty is not paid within 60 days of the effective date of the order, issue Notice of Charges; and referral of the employer will be made to the Department of Health Services for licensee/certificate holders working on a lapsed license/certificate for three months or greater.

IV.B. Felony Bar Cases

IV.B.1. Board Staff Recommendation: Adopt Order of Denial for Applicants

Agenda #	Name	License/Certificate #	Staff
IV.B.1.a.	Gail Rork	CNA Exam	Monas

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

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

IV.B.2. Felony Bar Cases

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

Agenda #	Name	License/Certificate #	Staff
IV.B.2.a.	Stephanie Lynn Plante	CNA1000014989	Richter
IV.B.2.b.	Verna Sherman Age (aka: Davis; Sherman; Burton)	CRNA171702	Barker
IV.B.2.e.	Michael Seanoree Hindman	CNA1000037758	Monas
IV.B.2.f.	Maria Artemia Rodriguez	CNA1000042839	Monas
IV.B.2.g.	Joleen Marie Hegerle (aka: Owaski)	LP045059	Olson
IV.B.2.h.	Ursula Ann St. Clair (aka: Carpenter; Hoppes)	RN168476	Olson
IV.B.2.i.	Ashley Brianne Robinette	LP042395	Chambers

Busby moved, Snider seconded, and unanimously carried to adopt the attached Notice of Charges for Agenda Items IV.B.2.a-c and e-i.

Harrell left the meeting at 9:51 a.m.

IV.D. Board Staff Recommendation: Grant Licensure

IV.D.1. Susan A. Crane AP Applicant Bontrager

Crane was present telephonically and addressed the Board. Busby moved, Snider seconded to grant Nurse Practitioner status to applicant based on the additional education obtained 1997- 1999, and her history of functioning in a Nurse Practitioner role in Iowa. After discussion the motion carried with eight in favor and one opposed.

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

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

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

V.B.3. Rebecca Ellen Cole LP044841 Greabell (aka: McColley)

Busby moved, Quinn seconded, and it was unanimously carried to table Agenda Item V.B.3.

The meeting recessed at 9:42 a.m. and reconvened at 10:02 a.m.

Harrell returned to the meeting at 10:02 a.m.

VI. RN/LPN/CNA Investigative Reports

VI.J.7. Patricia Kudlach Leitner RN055597 (Kish)

Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for 12 month stayed suspension/probation, and include the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.C.2. Lisa B. Cano CNA Exam (Morton)

Johnson moved, McCormies seconded, and it was unanimously carried to reopen Agenda Item VI.C.2.

Quinn moved, Johnson seconded, and it was unanimously carried to grant certification upon meeting all requirements, and issue a Letter of Concern for the March 25, 1986, Driving While Intoxicated arrest by the Glendale Police Department, in Glendale, Arizona, and the on or about September 10, 2012 misdemeanor conviction of Disorderly-Conduct-Domestic Violence in the Peoria Municipal Court in Peoria, Arizona.

VI.H.1. Abigail Aguilera Ramos CNA Exam (Arias)

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

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.H.2. Ramona Carla Allen RN Exam (Arias)

Gutierrez moved, Dalton seconded, and it was unanimously carried, based upon the findings of facts identified in the investigative report, upon meeting all licensure requirements, grant licensure and issue a Letter of Concern for Applicant’s DUI arrest in Albuquerque, New Mexico on or about July 26, 2008 and for the DUI arrest in Cibola County, New Mexico, on or about September 4, 2011.

VI.H.4. Michael Spencer CNA1000014752 (Arias)

Quinn moved, McCormies seconded, and it was unanimously carried, based upon the findings of facts identified in the investigative report, issue a Letter of Concern for the positive test for cannabis while at work on or about January 13, 2014.

VI.H.7. Kevin James Walsh CNA Endorsement (Arias)

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

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.F.1. Victoria Baldwin RN175440 (McWilliams)

Busby moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for the May 15, 1998, charge of Facilitating a Theft in Phoenix, Arizona, which was later dismissed upon completion of a diversion program and the failure to disclose this incident in response to the Board questionnaire; and the December 3, 2012, misdemeanor DUI conviction in Phoenix Municipal Court in Phoenix, Arizona.

VI.F.2. Avonna Burmfield CNA1000033122 (McWilliams) (aka: Lusk)

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

VI.F.3. Savanna Rae Cusher CNA Exam (McWilliams)

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

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.F.4. Juan Manuel Maldonado CNA1000034195 (McWilliams)

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

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.F.5. Elizabeth Marie Norman RN158610 (McWilliams)

Harrell moved, Snider seconded, and it was unanimously carried to issue a Letter of Concern for the June 29, 2012, conviction of DUI with BAC greater than .15, a misdemeanor, in Phoenix Municipal Court in Phoenix, Arizona.

VI.F.8. Nicholas H. Richards CNA Exam (McWilliams)

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

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

**VI.F.9. Donna Jean Tash RN106766 (McWilliams)
(aka: Depastino; Evans; Lindsey)**

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

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.F.10. Kelly Danielle Dale RN Exam (McWilliams)

Snider moved, Johnson seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, deny licensure and issue a Notice of Charges for CNA1000020242.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

V.I.9. Jenna Marie Van Heek RN Endorsement (Barker)

Van Heek was present and addressed the Board. McCormies moved, Dalton seconded, and it was unanimously carried, upon meeting all requirements, grant licensure and issue a Letter of Concern for the convictions of possession of alcohol by a minor, a misdemeanor, on October 9, 2007, November 27, 2007, February 5, 2008, and December 2, 2008, in South Dakota; and for the lack of cooperation during a Board investigation by not providing a five year work history, as required and directed on the Board issued investigative questionnaire.

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

V.C.4. Kristin Golden RN164181 (Sutter/Austin)

Golden was present and addressed the Board. Dalton moved, Busby seconded, and it was unanimously carried to terminate Consent Agreement and Order No. 1109012 and issue a Letter of Concern for failing to ensure timely submission of quarterly performance evaluations and failing to timely initiate psychological treatment per the evaluator’s recommendations.

V.C.5. Sharon Peckinpaugh RN094546; CNA449486103 (Sutter/Austin)

McCormies moved, Dalton seconded, and it was unanimously carried to terminate Consent Agreement and Order No. 1105084 and issue a Letter of Concern for (1) failing to submit an acknowledgement letter from her employer in a timely manner on company letterhead; and (2) failing to submit three quarterly performance evaluations in a timely manner on or about June 30, 2012, December 31, 2013, and March 31, 2014.

V.C.9. Janet Thurston RN135369; AP2281; AP2282 (Sutter/Austin)

Johnson moved, Berrigan seconded, and it was unanimously carried to allow Respondent to continue on Consent Agreement and Order No. 1009046 until November 2014, when Respondent is anticipated to complete the Montana State Nurse Assistance Program, and then return to Board.

V.C.10. Lorrie Jackson LP026634; CNA355978363 (Sutter/Austin)

Johnson was present and addressed the Board. Busby moved, Berrigan seconded, and after discussion it was unanimously carried based upon the findings of fact and statute/rule violations identified in the monitoring report, to issue Notice of Charges.

V.C.12. Nora Gregoire RN0082587; LP015732 (Sutter/Austin) (aka: Willes)

Gregoire was present and addressed the Board. Busby moved, McCormies seconded, and it was unanimously carried to allow Respondent to be reverted to standard probation, reduce drug testing frequency to once per month and issue a Letter of Concern for failing to submit a timely pharmacy profile in January 2012 and failing to cause your prescribing provider to submit timely monthly reports in November 2012, December 2012, February 2013, March 2013, May 2013, June 2013, August 2013, and September 2013.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

V.C.14. Trisha Murray RN114949 (Sutter/Austin)

Busby moved, Dalton seconded, and after discussion it was unanimously carried to terminate Consent Agreement and Order No. 1103078 and issue a Letter of Concern for failing to submit timely reports from her treatment provider, timely acknowledgment letters from her on-site supervisor, and for repeatedly working more than three consecutive shifts during the probationary period.

V.C.15. Sylvia Kelly RN030564 (Sutter/Austin)

Austin addressed the Board with additional information. Busby moved, Dalton seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to issue Notice of Charges. The motion carried with five in favor and four opposed.

VI. RN/LPN/CNA Investigative Reports

VI.S.2. Jinnifer Bos CNA1000030075 (Austin)

An attempt was made to contact Bos, telephonically. Austin addressed the Board and confirmed receipt of additional information. Busby moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and file a complaint with the Arizona Department of Education.

VI.S.3. Stacy Doriott RN112992 (Austin)

Doriott was present telephonically and addressed the Board. Busby moved, McCormies seconded, and it was unanimously carried to administratively close the case without further action.

VI.G.1. Martasha Dee Black CNA Exam (Olson)

Busby moved, Dalton seconded, and it was unanimously carried to grant certification upon meeting all requirements, and issue a Letter of Concern for the March 7, 2013, conviction of assault, a misdemeanor, in Phoenix Municipal Court in Phoenix, Arizona.

**VI.G.3. Cynthia Whitt Gonzales RN083444; LP027066 (Olson)
(aka: Cynthia Lee Gonzales)**

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

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

**VI.G.4. Kelly L. Haeffelin LP037154 (Olson)
(aka: Wyse)**

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

VI.G.5. Richard John Hofmeister RN147116 (Olson)

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

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

**VI.G.6. Brenda Lynn Painter LP030765 Reissuance (Olson)
(aka: Howard; Aldrich; Robertson)**

Olson addressed the Board and confirmed receipt of additional information. Busby moved, Dalton seconded, and it was unanimously carried to continue the investigation to allow Applicant the opportunity to obtain a psychological evaluation, to include a substance abuse relapse/recovery evaluation, at no cost to the Board, by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and then return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny re-issuance of licensure.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.G.7. Francine Roanhorse LP045058 (Olson)

Olson addressed the Board and confirmed receipt of additional information. Quinn moved, Busby seconded, and it was unanimously carried to issue a Letter of Concern for Respondent's February 7, 2012, conviction, pursuant to a guilty plea, of extreme DUI with an alcohol concentration of .15 or more, a misdemeanor, in Phoenix City Court in Phoenix, Arizona, and for her failure to report the charges to the Board within 10 days as required by statute and rule.

**VI.G.8. Tammy Lynn Williams RN Endorsement (Olson)
(aka: Self; Myers; Jones; Owens)**

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

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

**VI.N.1. Anna Michelle Bowers RN169764 (Chambers)
(aka: Chreen)**

An attempt was made to contact Bowers, telephonically. Busby moved, Dalton seconded, and after discussion it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative

report, to offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue Notice of Charges.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.N.5. Joshua Daniel Richards LPL038793 (Chambers)

Busby moved, Quinn seconded, and it was unanimously carried, Based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for suspension, not to exceed 24 months, pending the completion of a psychiatric evaluation by a Board approved psychiatrist, and confirmation is received from psychiatrist, that respondent is safe to return to practice. If the evaluation is not completed within 24 months of the signed Agreement, or it is determined that Respondent is unable to safely return to the practice of nursing, the license shall be automatically revoked. Upon the successful completion of the terms of suspension, Respondent’s license will be placed on a minimum of 24-month probation to include the attached stipulations. If Consent Agreement is not signed within 30 days, issue Complaint and Notice of Hearing.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.N.6. Barbara Jean Swogger LP028395 (Chambers)

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

VI.N.7. James Patrick Westley RN Endorsement (Chambers)

Quinn moved, McCormies seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, issue an Order of Denial.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

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

V.C.1. Sara Nash Jeffers RN064730 (Flores)

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

V.C.13. Lou Ann Gramlich RN151045 (Flores)

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

VI. RN/LPN/CNA Investigative Reports

**VI.I.1. Ava Marsena Burden CNA Endorsement (Barker)
(aka: Boone; Jones)**

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

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.I.4. Austyn Gilbert CNA Exam (Barker)

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

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.I.5. Rashe Ravon Hodge CNA Exam (Barker)

Johnson moved, Berrigan seconded, and it was unanimously carried, upon meeting all requirements, grant certification and issue a Letter of Concern for the December 12, 2000 conviction of possession of stolen property, a misdemeanor, in the Thatcher Municipal Court in Thatcher, Arizona; the February 13, 2005 and March I, 2007 convictions of assault, a misdemeanor, in the Phoenix Municipal Court in Phoenix, Arizona; and for not providing all documents required in the investigative questionnaire by the Board.

VI.I.6. Matthew Jerome Lolley CNA Exam (Barker)

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

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.I.7. Joseph Carlos Ochoa CNA Exam (Barker)

An attempt was made to contact Ochoa, telephonically. Johnson moved, Busby seconded, and it was unanimously carried, based upon the findings of fact and stature/rule violations identified in the investigative report, deny certification.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

VI.I.8. Robert Charles Quist RN Endorsement (Barker)

Barker addressed the Board with additional information. Snider moved, Gutierrez seconded, to allow Applicant to withdraw his application for licensure as a registered nurse in the State of Arizona. After discussion the motion carried with seven in favor and two opposed.

VI.K.5. Sarah Louise Bivens RN112082; AP1245 (Dahn)
(aka: Smallwood; Hillyard)

Bivens was present, telephonically, and available for questions. Busby moved, Dalton seconded, and it was unanimously carried to dismiss the complaint.

VI.K.7. April Colon RN105773; AP4597 (Dahn)
(aka: Cumigad)

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

VI.K.8. Susan Sophia Park RN159828; AP3469 (Dahn)

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

VI.K.9. Sharon Pfeiffer RN054569; AP0199 (Dahn)

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

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

V.B.19. Mark Allen Hansen RN122665; AP1758 Greabell

Greabell addressed the Board with additional information. Hansen was present and addressed the Board. Busby moved, McCormies seconded, and it was unanimously carried to allow Respondent to continue on Consent Agreement and Order No. 1204013 and reduce Respondent’s drug testing to a minimum of once per month for the duration of the Order and issue a Letter of Concern for having two unauthorized absences from Nurse Recovery Group and for failing to submit monthly performance evaluations for the first twelve months of clinical practice. Respondent shall not be required to complete the remaining six months of aftercare or the outpatient behavioral health assessment and treatment. Respondent shall begin outpatient behavioral health assessment and treatment.

V.B.14. Dawn E. Witek RN177125 (WI) Greabell

Greabell addressed the Board with additional information. Busby moved, Berrigan seconded, and it was unanimously carried to continue the investigation to allow Respondent to obtain a substance use disorder re-evaluation by a Board-approved evaluator who is at minimum Ph.D. prepared and who has expertise in substance use disorders within thirty days of the Board meeting and then return to the Board. If the evaluation is not completed within thirty days, lift the stay of revocation and revoke Respondent’s Arizona Privilege to Practice ((Wisconsin single-state compact license number RN177125) for a minimum period of five years pursuant to the terms and conditions of Consent Agreement and Order No. 1303046.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Gateway Community College, Brookline College, Grand Canyon University and Maricopa Community College nursing students regarding Board functions, policies and procedures. Questions were asked on:

- Definition of Letter of Concern and Decree of Censure.
- Investigation process
- Term of Consent Agreement

The meeting recessed at 11:37 a.m. and reconvened at 12:34 p.m.

VI. RN/LPN/CNA Investigative Reports

VI.M.1. Vanessa Cranswick RN118559 (Wilson)

Cranswick was present telephonically and addressed the Board. Quinn moved, Snider seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for a stayed suspension, not to exceed 12 months pending the completion of a substance abuse evaluation of a Board-approved evaluator who is at minimum, Ph.D. 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 is safe to return to practice, to be followed by a 36-month probation to include the attached stipulations. If not signed within 30 days, issue Notice of Charges. The motion carried with eight in favor and one abstained.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	8	X	X	X	X	X	X	X	X		
NO	0										
ABSTAIN	1										X
ABSENT	1									X	

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

V.C.14. Trisha Murray RN114949 (Sutter/Austin)

Quinn moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item V.C.14. No further action taken.

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

V.B.3. Rebecca Ellen Cole LP044841 Greabell (aka: McColley)

McCormies moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item V.B.3. Busby moved, Gutierrez seconded, and it was unanimously carried to Terminate Consent Agreement and Order No. 0901084

V.B.4. Debrah Anne Delos-Santos RN131245 Greabell

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

V.B.7. Taylor L. Wall RN113053; LP034910 Greabell

Wall was present and available for questions. Quinn moved, Busby seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for a Decree of Censure to be signed within 30 days. If not signed within thirty days, issue Notice of Charges. Consent Agreement and Order No. 0912016 remains in effect until the matter is resolved. Terminate Consent Agreement and Order No. 0912016 when the Decree of Censure is signed and returned by Respondent.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

V.B.8. Sharon Lee Pickens RN044133 Greabell

McCormies moved, Dalton seconded, and it was unanimously carried to:

- (1) Issue a Letter of Concern for failing to submit to random urine drug testing on October 28, 2013; January 20, 2014 and April 9, 2014 and for failing to submit monthly reports from your one medical provider while prescribed a controlled substance from November 30, 2013 to

January 31, 2014; and March 31, 2014; and

(2) Allow Respondent to complete psychiatric treatment with an advance practice registered nurse with certification in psychiatric mental health (PMHNP); and

(3) Allow Respondent to continue on Consent Agreement and Order No. 1202046, which remains in effect; and

(4) Respondent does not need to complete a relapse prevention evaluation.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

V.B.10. Kimberly Ann Ghramm RN090737 Greabell

Ghramm was present, telephonically, and available for questions. McCormies moved, Johnson seconded, and it was unanimously carried to allow Respondent to continue on Consent Agreement and Order No. 1002117 and issue a Letter of Concern for:

(1) Failing to cause her immediate supervisor at Sierra Blanca Rehabilitation to notify the Board in writing, within three calendar days of date of hire, for acknowledgement of the supervisor’s receipt of a copy of the Order and the employer’s ability to comply with the conditions of probation;

(2) Submitting monthly reports late on July 9, 2014, from her medical provider regarding the continued need for a controlled substance that the provider has prescribed to Respondent since the effective date of the Order, for the months of December, 2013 to June, 2014.

(3) Failing to cause your surgical provider in or around March, 2014 to notify the Board in writing of their awareness of Respondent’s history of substance use and Board Order, within one week of issuing a prescription for a controlled substance on or around March 1, 2014.

V.B.16. Leslie Joy Amadeo LP047503 Greabell

Greabell addressed the Board and confirmed receipt of additional information. Amadeo was present and addressed the Board. Johnson moved, Dalton seconded, and it was unanimously carried to accept the signed Consent Agreement for Decree of Censure. Terminate Consent Agreement and Order No. 1011101.

	VOTE	<u>Dalton</u> Member	<u>Johnson</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Gutierrez</u> Member	<u>Harrell</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

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

VII.B. Educational Reports and Rules – Randolph/Doolen

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

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

VII.B.2. Education Updates

a. Arizona Western College Administration Change

Information was provided regarding personnel changes at Arizona Western College.

b. Everest College Phoenix Program Change

Information was provided regarding personnel changes Everest College Phoenix

- c. **Carrington College Administration Change**
Information was provided regarding personnel changes at Carrington College
- d. **Carrington College Regional Accreditation Update**
Information was provided regarding institutional accreditors change at Carrington College.
- e. **Grand Canyon University Administration Change**
Information was provided regarding personnel changes at Grand Canyon University.

VII.B.3. Northland Pioneer College Nursing Program Investigative Report

Busby moved, Snider seconded, and it was unanimously carried to issue a Letter of Concern to Northland Pioneer College Nursing Program for failure to consistently interpret and enforce written clinical attendance policies as outlined in student handbook in Spring Semester, 2014; and on or about February 16, 2014, failure of the nursing program administrator to clearly communicate a decision regarding enforcement the urine drug screen policy to a faculty member.

VII.B.4. East Valley Institute of Technology Program Investigative Report and LPN Program Request for Rule/Statute Variance

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

McCormies recused herself and left the meeting at 1:10 p.m.

VII.B.5. Eastern Arizona College RN Program Application for Program Change

Busby moved, Snider seconded, and it was unanimously carried to approve the application for program change to increase total credit hours for Eastern Arizona College RN Program.

VII.B.6. Northland Pioneer College RN Program Application for Program Change

Busby moved, Dalton seconded, and it was unanimously carried to approve the application for program change for Northland Pioneer College RN program to include BSN concurrent enrollment program option.

VII.B.7. Northland Pioneer College Refresher Program Approval/Renewal

Busby moved, Berrigan seconded, and it was unanimously carried to renew the approval of Northland Pioneer College RN Refresher Program.

VII.B.8. Arizona Western College RN Program Application for Program Change

Busby moved, Quinn seconded, and it was unanimously carried to approve the application for program change to decrease total credit hours for Arizona Western College RN Program.

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

VII.B.9. Pima Medical Institute – Mesa & Pima Medical Institute – Tucson RN Programs Application for Program Change

Busby moved, Snider seconded, and it was unanimously carried to approve the application for program change to decrease total credit hours for Pima Medical Institute –Mesa and Pima Medical Institute –Tucson Nursing Program.

VII.B.10. Chamberlain College of Nursing Phoenix Campus RN Program Application for Program Change

Johnson moved, Busby seconded, and it was unanimously carried to approve the application for program change to increase student admission capacity for the 2014 calendar year for Chamberlain College of Nursing Phoenix Campus BSN Program.

VII.B.11. GateWay Community College RN Refresher Program Approval/Renewal

Busby moved, McCormies seconded, and it was unanimously carried to renew the approval of Gateway Community college RN Refresher Program.

VII.B.12. Innovative Academic Solution LPN Refresher Renewal Extension Request

Busby moved, Gutierrez seconded, and it was unanimously carried to extend the renewal deadline for Innovative Academic Solution LPN Refresher until September 30, 2014.

VII.B.13. 2014 Quarterly Reports

McCormies moved, Busby seconded, and it was unanimously carried to direct staff to:

1. No longer routinely include NCLEX Quarterly Reports on the Board Agenda,
2. Bring any Education Committee recommendations regarding NCLEX Quarterly Reports to the Board for a Decision, and
3. Continue to provide the Board with any composite report based on NCLEX Quarterly Reports

VII.B.14. Notice of Docket Opening and Notice of Proposed Rulemaking

Busby moved, Gutierrez seconded, and it was unanimously carried to approve Notice of Docket Opening and Notice of Proposed Rulemaking.

VII.B.15. Summary and Analysis of Annual Report

Information was provided to the Board regarding Summary and Analysis of Annual Report.

VII.E. Committee Reports

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

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

Education Advisory Committee meeting draft minutes of June 6, 2014, were provided to the Board.

VII.E.2.b. Committee Goals 2014 – 2016

McCormies moved, Busby seconded, and it was unanimously carried to approve Education Advisory Committee Goals 2014 - 2016.

VII.E.2.c. Appointment of Education Members Recommendations for 2014-2016

Busby moved, McCormies seconded, and it was unanimously carried to approve Appointment of Education Members Recommendations for 2014 – 2016.

VII.E.2.d. Education Advisory Committee Evaluation

Information was provided to the Board regarding Education Advisory Committee Evaluation.

VII.A. Executive Directors Report – Ridenour

VII.A.5. NCSBN Annual Meeting August 13-15, 2014 – 2014 Board of Director Recommendations – Ridenour/Quinn

Randolph offered a summary of the NCSBN Board of Director’s recommended change to model rules that would allow for programs to send students across state lines without providing any jurisdiction for the host state.

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

II.I.1. Debra Ann McIsaac RN129308; LP038737; CNA169948659 Wilson (aka: Venable; Bichard; Dreyer)

Busby moved, Berrigan seconded, and after discussion it was unanimously carried to reopen Agenda Item II.I.1. McIsaac was present and addressed the Board. Busby moved, Dalton seconded, and it was unanimously carried to accept the signed Consent Agreement

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X
NO	0										
ABSTAIN	0										
ABSENT	1									X	

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

VII.E. Committee Reports

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

VII.E.1.a. Scope of Practice Committee Minutes June 3, 2014

Scope of Practice Committee meeting draft minutes of June 3, 2014, were provided to the Board.

VII.E.1.b. Advisory Opinion Draft Amniotomy

VII.E.1.c. Advisory Opinion Draft Fetal Spiral Electrodes

VII.E.1.d. Advisory Opinion Draft OB GYN Therapeutic Diagnostic Ultrasound

VII.E.1.e. Advisory Opinion Draft Registered First Nurse Assistant - RNFA

VII.E.1.f. Advisory Opinion Draft Fluoride FAQ

VII.E.1.g. Advisory Opinion Draft Blood Cell Salvage

Busby moved, Johnson seconded, and it was unanimously carried to approve Advisory Opinions VII.E.1.b-g., as amended.

VII.A. Executive Directors Report – Ridenour

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

VII.A.1.a. May 15-16, 2014, Regular Board Meeting Minutes

Snider moved, Johnson seconded, and it was unanimously carried to approve minutes of May 15-16, 2014, regular Board meeting.

VII.A.2. Update on Report to Legislature Regarding Long Term Funding Strategies for Certified Nursing Assistant Program – Orchard/Bontrager/Ridenour

Ridenour gave an update on the Legislative Report to be submitted to OSPB and JLBC by November 1, 2014, regarding recommendations that will ensure the long term financial stability of the CNA program. Ridenour noted that viable options are being explored and would be brought to an Ad Hoc committee and for Board member review at the September 2014 Board meeting.

VII.A.3. Update on 2014 Legislation Signed by Governor: Volunteer Nurses Working in Free Clinics – Bontrager/Ridenour

Bontrager offered explanation of the Volunteer Health Service Registration form. The nurse would agree to render services at a free clinic that does not provide abortions, restricts services to providing care at a free

medical clinic, provide services that a RN/LPN is authorized to provide in Arizona, and provide no more than 14 days of service during a calendar year. Requirements include that a nurse hold an active/unrestricted RN/LPN license in a state, territory or possession of the United States, has never had a license revoked or suspended, and is not the subject of an unresolved complaint. Busby moved, Quinn seconded, and it was unanimously carried to approve the RN/LPN Volunteer Health Service Registration form.

VII.A.4. Proposed Board Meeting Dates Calendar Year 2015 – Flores/Ridenour

Busby moved, Berrigan seconded, and it was unanimously carried to approve the proposed Board meeting dates for calendar year 2015.

VII.A.6. Proposed Revisions: Advisory Committees Policies & Responsibilities – Ridenour

Busby moved, Berrigan seconded, and it was unanimously carried to approve proposed revisions for Advisory Committee Policies & Responsibilities.

VII.A.7. House Bill – 2087: Health Regulatory Boards Training Requirements – Ridenour

Ridenour reported on HB 2087 and noted that a training advisory team, comprised of employees from Department of Administration, Arizona Learning Center, office of the Attorney General and office of the Auditor General, has been formed to address the training requirements identified in the statute and to create a curriculum.

VII.A.8. Update APRN Consensus Model & APRN Compact – APRN Consensus Workshop October 25, 2014 – Scottsdale Healthcare Shea Campus Conference Center – Quinn

Quinn gave an update on the upcoming APRN Consensus workshop, noting Ridenour would be a speaker at the conference.

VII.A.9. Update on Personnel Changes & Attorney General Coverage Due to Leaves/Vacancies – Smith/Bontrager/Austin/Ridenour

Ridenour introduced Daniel Phelan and noted he has joined the staff as Senior Investigator.

VII.D. A.A.G. Report – Carrie Smith

VII.D.1. Updates, New Processes, Accomplishments – Campbell/Smith

Carrie Smith offered an update on the Hearing Department and noted the following:

- Sarah Selzer is back from medical leave
- Carrie Smith has been transferred to the Medical Board
- Elizabeth Campbell will be back with the Board as advisor
- The Board will now have 1.5 as opposed to 2.0 A.A.G.s on staff
- Ridenour will bring a long term strategy to the September 2014 Board meeting.

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

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

V.B.11. Kathleen Ann Karaszewski AP3583; RN059186 Greabell

Karaszewski was present, telephonically, and available for questions. Johnson moved, Dalton seconded, and it was unanimously carried, based on the findings of fact and statute violations identified in the investigative report, offer a Consent Agreement for a Decree of Censure to be signed within thirty days. If Respondent fails to sign the Consent Agreement within thirty days, issue Notice of Charges. Consent Agreement and Order No. 1202035 remains in effect.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	8	X	X	X	X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	2									X	X

V.B.12. Stephanie Lynn Stevens RN177901 Greabell

Johnson moved, Berrigan seconded, and after discussion it was unanimously carried to offer a Consent Agreement for Stayed revocation/suspension not to exceed 6 months pending completion of a substance abuse evaluation with terms and conditions to be followed by a limited license for purposes of Refresher Course Only not to exceed 12 months to be followed by a minimum 24 month stayed revocation/probation with terms and conditions to be signed within thirty days. If not signed within thirty days, issue Notice of Charges. Consent Agreement and Order No. 1012102-NUR remains in effect until the matter is resolved.

	VOTE	Dalton Member	Johnson Member	Snider Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Gutierrez Member	Harrell Member	Post Member	Busby Member
YES	8	X	X	X	X	X	X	X	X		
NO	0										
ABSTAIN	0										
ABSENT	2									X	X

V.B.13. Zipporah Ruth Amie CNA1000011790 Greabell

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

VI. RN/LPN/CNA Investigative Reports

VI.R.2. Cindy Janette Romo RN Endorsement (Greabell)

McCormies moved, Harrell seconded, and it was unanimously carried, upon meeting all licensure requirements, and upon proof of termination from your Stipulated Settlement and Disciplinary Order Case No. 2011-299 with the California Board of Nursing, grant licensure and issue a Letter of Concern for your June 6, 2010, misdemeanor DUI conviction in the Superior Court of the State of California, Probation Order Case No. 10WM04796.

VI.R.3. Lindsay Ann Bailey RN156777 (Greabell)

Bailey was present telephonically and addressed the Board. Snider moved, Johnson seconded, and it was unanimously carried to dismiss Investigation Case No. 1304148 and upon meeting all licensure requirements, grant licensure.

The meeting recessed at 2:28 p.m. and reconvened at 3:02 p.m.

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

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

II.I.2. Timothy Rodger Miller RN134844; AP2246; AP30587 Wilson

Berrigan moved, Snider seconded, and it was unanimously carried to reopen Agenda Item II.I.2. Miller and attorney Teresa Sanzio were present and available for questions. McCormies moved, Snider seconded, and it was unanimously carried to accept the signed Consent Agreement for 12 months stayed suspension/probation followed by 6 months probation to include the attached stipulations

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

VI. RN/LPN/CNA Investigative Reports

VI. RN/LPN/CNA Investigative Reports

VI.R.3. Lindsay Ann Bailey RN156777 (Greabell)

Berrigan moved, Gutierrez seconded, and it was unanimously carried to reopen Agenda Item VI.R.3. Greabell addressed the Board with additional information. Snider moved, Gutierrez seconded, and it was unanimously carried to amend prior Board motion to read: dismiss Investigation Case No. 130148 and upon meeting all licensure requirements, grant licensure.

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).

Attorney Christine Cassetta was present and addressed the Board and requested a case be placed on the September 2014 Board Agenda.

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

II.I.6. Audrey Ruth Lewis RN177821 Hunter

Berrigan moved, Johnson seconded, and it was unanimously carried to reopen Agenda Item II.I.6.

An attempt was made to contact Lewis telephonically.

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

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

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

Johnson moved, Snider seconded, and it was unanimously carried, based upon the information presented at this meeting, the findings of fact and statute/rule violations identified in the investigative report, and make a finding that public health safety and welfare imperatively requires emergency action and issue an Order summarily suspending the license of Audrey Lewis pending further hearing. The hearing shall be promptly instituted and determined within 60 days.

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

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

The Board directed staff to terminate summary suspension and accept the Consent Agreement if signed prior to Hearing. After discussion, Quinn moved, Johnson seconded, and it was unanimously carried to amend the Consent Agreement stipulations to include: psychological evaluation within 60 days; drug testing 2 times per month for first 18 months and monthly thereafter under the stayed revocation/probation.

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

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

VII.C. President’s Report – Quinn

VII.C.2. Debriefing on Board Processes and Suggested

Positive comments were made regarding:

- Receiving the bulk of the cases early was helpful.
- Placement of the most current employment placed first on the investigative reports were helpful
- Names and case numbers at top and bottom of each page of investigative report were helpful

Ridenour noted there would be a retirement dinner scheduled for Johnson in September.

Ridenour reported there has been no word from the Governor’s office regarding selection of a new Board member to replace Johnson.

X. Adjournment

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

The meeting adjourned at 3:30 p.m., Friday, July 25, 2014.

Randy C. Quinn, CRNA, President