

Arizona State Board of Nursing

Doug Ducey
Governor

Joey Ridenour
Executive Director



Board Meeting Minutes

The regular meeting of the Arizona State Board of Nursing convened at 12:00 p.m., Wednesday, July 1, 2015, 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 TELEPHONICALLY:

- Kim Post, RN, BSN, MBA/HCM, NEA-BC, Member
- Jana Machesky, LPN, Member
- Kathryn L. Busby, JD, Member

BOARD MEMBERS PRESENT:

- Randy C. Quinn, CRNA, President
- Carolyn Jo McCormies, RN, MS, FNP-BC, Vice President
- Theresa (Terri) Berrigan, LPN, C-AL, Secretary
- Lori Gutierrez, BS, RN-C, Member
- M. Shawn Harrell, RN, MS, Member
- Melanie Logue, PhD, DNP, APRN, CFNP, FAANP, Member
- Brandon Dale, Member

BOARD MEMBERS ABSENT:

- Dr. Melinda Preston, Psych NP, Member

LEGAL COUNSEL:

- Elizabeth Campbell, Assistant Attorney General
- Sunita Krishna, Assistant Attorney General

STAFF DIRECTORS:

- Joey Ridenour, RN, MN, FAAN, Executive Director
- Janeen Dahn, PHD., FNP-C Associate Director of Investigations
- Valerie Smith, RN, MS, FRE, Associate Director
- 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 Max Barker, Senior Investigator Stephanie Chambers, RN, MN, Nurse Practice Consultant Ronda Doolen, RN, BSN, MSN, Education Program Administrator Tamara Greabell, MA, BSN, RN, Nurse Practice Consultant Kathleen Harrington, RN, Nurse Practice Consultant Jan Kerrigan, RN, BSN, Nurse Practice Consultant/CANDO Kristi Hunter, MSN, FNP-C, Nurse Practice Consultant/AP Cherie Wade, RN, BSN, NPC, Nurse Practice Consultant Frank Curatola, Senior Investigator Sue Bushong, Senior Investigator</p>	<p>Ruth Kish, RN, MN, Nurse Practice Consultant Jennifer Ingram, Senior Investigator Linda Monas, Senior Investigator Kirk Olson, Senior Investigator David Elson, Senior Investigator Cindy Mand, RN, BSN, Nurse Practice Consultant Michael Pilder, MSN, RN, APHN-BC, Nurse Practice Consultant Michelle Morton, Senior Investigator Daniel Phelan, B.S., M. Adm Senior Investigator Bonnie Richter, MSW, Senior Investigator Naira Kutnerian, Administrative Assistant II</p>
---	--

I. Call to Order

The meeting was called to order at 12:00 p.m., Wednesday, July 1, 2015.

The following Board members were present: Quinn, McCormies, Berrigan, Harrell, Gutierrez, Machesky, Post, Busby, Logue, and Dale.

Quinn presided.

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

II.A. 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.A.3. Karen Merle King RN106795; AP2526 (Greabell)

The proceeding began at 12:04 p.m., with the following Board members present: Quinn, McCormies, Berrigan, Harrell, Gutierrez, Machesky, Post, Logue and Dale.

Elizabeth Campbell, Assistant Attorney General, provided legal advice.

Greabell addressed the Board with information, Attorney Kim Kent and King were present and addressed the Board.

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

Harrell moved, McCormies seconded, 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.

	VOTE	Gutierrez Member	Post Member	Dale Member	Logue Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Preston Member	Harrell Member	Machesky Member	Busby Member
YES	8	X		X	X	X	X	X		X	X	
NO	0											
ABSTAIN	1		X									
ABSENT	2								X			X

Board members discussed whether 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).

McCormies moved, Berrigan 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 to make a finding that public health safety and welfare imperatively requires emergency action and issue an Order summarily suspending the license/certificate of

Karen King RN106795/AP2526 pending further hearing. The hearing shall be promptly instituted and determined.

	VOTE	<u>Gutierrez</u> Member	<u>Post</u> Member	<u>Dale</u> Member	<u>Logue</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Machesky</u> Member	<u>Busby</u> Member
YES	8	X		X	X	X	X	X		X	X	
NO	0											
ABSTAIN	1		X									
ABSENT	2								X			X

It was therefore ordered that the license/certificate of RN106795/AP2526 be suspended effective with the service of the written Order, and that Karen King will immediately cease practice as a nurse/advanced practice nurse. This suspension shall remain in effect pending a public hearing and final decision by the Arizona State Board of Nursing pursuant to A.R.S. § 32-1664.

Post appeared telephonically 12:10 p.m.

II.A. 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.A.1. Geniece Mavis Peaches RN162537; CNA999995235 (Greabell)

The proceeding began at 12:42 p.m., with the following Board members present: Quinn, McCormies, Berrigan, Harrell, Gutierrez, Machesky, Post, Busby, Logue and Dale.

Peaches was present telephonically and addressed the Board. Peaches was not represented by legal counsel.

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

Harrell 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.

Board members discussed whether 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).

McCormies moved, Berrigan 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 to make a finding that public health safety and welfare imperatively requires emergency action and issue an Order summarily suspending the license/certificate of Geniece Peaches RN162537/CNA999995235 pending further hearing. The hearing shall be promptly instituted and determined.

	VOTE	<u>Gutierrez</u> Member	<u>Post</u> Member	<u>Dale</u> Member	<u>Logue</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Machesky</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X	X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	1								X			

It was therefore ordered that the license/certificate of RN162537/CNA999995235 be suspended effective with the service of the written Order, and that Geniece Peaches RN162537/CNA999995235 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.

II.A. 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.A.2. Meredith Joann Abdi RN147896 (Greabell)

The proceeding began at 1:00 p.m., with the following Board members present: Quinn, McCormies, Berrigan, Harrell, Gutierrez, Machesky, Post, Busby, Logue and Dale.

Greabell addressed the Board with additional information. Abdi was not present and was not represented by legal counsel.

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

McCormies moved, Harrell 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.

Board members discussed whether 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).

McCormies moved, Harrell 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 to make a finding that public health safety and welfare imperatively requires emergency action and issue an Order summarily suspending the license of Meredith Abdi RN147896 pending further hearing. The hearing shall be promptly instituted and determined within 60 days.

	VOTE	Gutierrez Member	Post Member	Dale Member	Logue Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Preston Member	Harrell Member	Machesky Member	Busby Member
YES	10	X	X	X	X	X	X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	1								X			

It was therefore ordered that the license of RN147896 be suspended effective with the service of the written Order, and that Meredith Abdi RN147896 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.A. 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.A.4. Guy Caraffa RN063537; CRNA0671 (Elson)

The proceeding began at 1:10 p.m., with the following Board members present: Quinn, McCormies, Berrigan, Harrell, Gutierrez, Machesky, Post, Busby, Logue and Dale.

Caraffa was present and addressed the Board and was not represented by legal counsel.

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

Harrell moved, Berrigan 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.

Board members discussed whether 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).

Harrell moved, Logue 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 to make a finding that public health safety and welfare imperatively requires emergency action and issue an Order summarily suspending the license/certificate of Guy Caraffa RN063537/CRNA0671 pending further hearing. The hearing shall be promptly instituted and determined.

	VOTE	Gutierrez Member	Post Member	Dale Member	Logue Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Preston Member	Harrell Member	Machesky Member	Busby Member
YES	10	X	X	X	X	X	X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	1								X			

It was therefore ordered that the license/certificate of RN063537/CRNA0671 be suspended effective with the service of the written Order, and that Guy Caraffa RN063537/CRNA0671 will immediately cease practice as a nurse/certified register nurse anesthetist. 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.A. 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.A.5. James McAvoy Jr. RN124750; AP3968 (Elson)

The proceeding began at 1:18 p.m., with the following Board members present: Quinn, McCormies, Berrigan, Harrell, Gutierrez, Machesky, Post, Busby, Logue and Dale.

McAvoy Jr, was not present and was not represented by legal counsel.

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

McCormies moved, Harrell 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.

Board members discussed whether 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).

McCormies moved, Harrell 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 to make a finding that public health safety and welfare imperatively requires emergency action and issue an Order summarily suspending the license/certificate of James McAvoy Jr. RN124750/AP3968 pending further hearing. The hearing shall be promptly instituted and determined within 60 days.

	VOTE	<u>Gutierrez</u> Member	<u>Post</u> Member	<u>Dale</u> Member	<u>Logue</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Machesky</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X	X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	1								X			

It was therefore ordered that the license/certificate of RN124750/AP3968 be suspended effective with the service of the written Order, and that James McAvoy Jr. RN124750/AP3968 will immediately cease practice as a nurse/advanced practice nurse. This suspension shall remain in effect pending a public hearing and final decision by the Arizona State Board of Nursing pursuant to A.R.S. § 32-1664.

III.A. Non-Compliance/Compliance with Board Orders

III.A.1. Mark Allen Hansen RN122665; AP1758 (Greabell)

Hansen was present and addressed the Board. Quinn moved, McCormies seconded, and it was unanimously carried to allow Respondent to continue on current Consent Agreement with terms and conditions and issue a Letter of Concern for submitting a random drug test on June 10, 2015, that was out of range for temperature and allow Respondent to enter stepdown pursuant to the order when he is eligible.

Busby recused from the meeting 1:41 p.m.

III.A.2. Elisabeth Louise Shooter LP040397 (Greabell)

Quinn moved, Berrigan seconded, and it was unanimously carried, offer Respondent a revised Consent Agreement for a minimum 2 month probation with terms and conditions to be signed within 30 days of the Board meeting. Consent Agreement and Order No. 1205011 remains in effect until the matter is resolved.

Agenda Item VII.A.1.c.

	VOTE	Gutierrez Member	Post Member	Dale Member	Logue Member	Berrigan Secretary	Quinn President	McCormies V. Pres	Preston Member	Harrell Member	Machesky Member	Busby Member
YES	9	X	X	X	X	X	X	X		X	X	
NO	0											
ABSTAIN	1											X
ABSENT	1								X			

IV. 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).

No members of the public requested to speak

V. Adjournment

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

The meeting adjourned at 1:45 p.m., Wednesday, July 1, 2015.

Randy C. Quinn, CRNA, President