

Arizona State Board of Nursing

Janice K. Brewer
Governor

Joey Ridenour
Executive Director



Board Meeting Minutes

The regular meeting of the Arizona State Board of Nursing convened at 2:03 p.m., Wednesday, November 7, 2012, 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
Patricia Johnson, LPN, 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
Carolyn Jo McCormies, RN, MS, FNP-BC, 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
Anna Finn, Assistant Attorney General
Emma Mamaluy, Assistant Attorney General

STAFF DIRECTORS:

Joey Ridenour, RN, MN, FAAN, Executive Director
Nikki Austin, JD, RN, Associate Director of Investigations/Compliance
Judy Bontrager, RN, MN, Associate Director of Operations
Pamela Randolph, RN, MSN, Associate Director of Education and Evidence Based Regulation
Kirk Olson, Lead Senior Investigator

STAFF:

Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings
Janeen Dahn, MSN, FNP, Nurse Practice Consultant/AP
Diva Galan, JD, Senior Investigator
Tamara Greabell, MA, BSN, RN, Nurse Practice Consultant
Teddylen Guffey, MHSA, RN, LNCC, Nurse Practice Consultant
Jan Kerrigan, RN, BSN, Nurse Practice Consultant
Kristi Hunter, MSN, FNP-C, Nurse Practice Consultant
Dolores Hurtado, Senior Investigator
Ruth Kish, RN, MN, Nurse Practice Consultant
Ron Lester, Senior Investigator
Debra McGinty RN, PhD, Administrator/Nursing Programs
Jennifer McWilliams, Legal Assistant

Linda Monas, Senior Investigator
Cristina Oates, Legal Assistant
Doug Parlin, Senior Investigator
Judy Pendergast, RN, Nurse Practice Consultant/CANDO
Mary Rappoport, RN, MN, Nurse Practice Consultant
Deborah Richards, Senior Investigator
Bonnie Richter, MSW, Senior Investigator
Jeanine Sage, RN, MSN, Nursing Assistant Consultant
Valerie Smith, RN, MS, FRE, Consultant to Exec Director
Dirk VandenBerg, Sr., Senior Investigator
Opal Wagner, RN, BSN, Nurse Practice Consultant
Barbara Melberg, Legal Secretary

I. Call to Order

The meeting was called to order at 2:03 p.m., Wednesday, November 7, 2012.

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

Quinn presided.

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

VII.A. Executive Directors Report – Ridenour

VII.A.4. Board Member Educational Session: Substance Abuse Disorders & Guidelines – Austin/Smith; & Proposed Guidelines for Non-Compliance with Random Drug Testing – Galan/Austin

Smith and Austin provided the educational session on Substance Abuse Disorders & Guidelines, and proposed Guidelines for Non-Compliance with Random Drug Testing

VII.A.2. Five Year Strategic Planning Session

Ridenour offered an overview of the program summary, the Board's four programs intended to protect the public and assure that consumers receive competent care.

VII.A.2.a. Update on Agency Program Summary – Bontrager/Austin/Randolph/Ridenour

Ridenour reviewed the agency Program Summary with the Board.

VII.A.2.b. FY 2014 Proposed Budget; Appropriation Increase Justification; Nurse Practice Consultant Justification – Orchard/Bontrager

Orchard reviewed the Appropriation Increase Justification. Busby moved, Berrigan seconded, and it was unanimously carried to accept fund increases for funding and FTE (full time employee).

VII.A.2.c. FY 2014 Proposed Information Technology Plan & Budget – Davitt/Henriksen/Orchard

Orchard provided an overview of the budget process. She stated that the Information Technology is part of the Appropriation Justification request. Busby moved, McCormies seconded, and it was unanimously carried to approve FY 2014 proposed Information Technology Plan & Budget.

VII.A.2.d. FY 2013-2017 Proposed Strategic Plan & Strategic Initiatives – Ridenour/All

Ridenour reviewed the functions of the agency divided into four major areas:

1. Licensing & Certification
2. Nursing Education Program Initial & Continuing Program Approval
3. Regulation – Enforcement/Investigations, Discipline & CANDO Program
4. Practice – Nursing regulation/statutes and scope of practice

Ridenour reviewed the current mission, proposed revised mission to be considered by Board members, vision and values.

Strategic Issues reviewed and discussed:

Goals

Strategic Initiatives reviewed, discussed and suggestions:

1. Governance Goal -

- a.) Education topics helpful in Governance Process suggested: new trends in nursing regulation, the investigative/disciplinary process (process, rights, NOC, CNOH), Hearing Department

process and timeframes, factors considered in recommending options/discipline, substantive policies, medical marijuana.

- b.) Evidence based decision making: continued educational Journal topics to include case studies in an effort to keep nurses from coming before the Board.
- c.) Enhance communication between the Board and consumers, key stakeholders and Advisory Committees to support change and innovation for improved public protection: continued educational articles in the Journal.
- d.) Just culture implementation discussion: staff to bring framework back to January 2013 Board meeting.
- e.) Educational outreach discussion: exploring options for webinars. Ridenour reported equipment has been ordered to stream Board meetings.

2. Licensure Goal –

- a.) Processes for licensure/certification: NCSBN is developing software for new licensing program database to include investigations, monitoring, CANDO for participating Boards, with a pilot program to begin next year.
- b.) Implement “promising practices” from NCSBN Commitment to Ongoing Excellence research: Ridenour as chair reported that data is being collected from employers, nurses, and educational programs.
- c.) Maximize use of technology for licensing application/verifications: discussed above regarding new graduate verification information on the website.
- d.) Electronic finger printing: working with Department of Public Safety to develop electronic fingerprinting.
- e.) Legislation in 2016 for Advanced Practice Registered Nurse Compact suggestions: should move forward with consensus model to allow all AP’s to practice to their full scope, to be uniform from state to state.

Suggestions regarding online licenses only without paper license, online verifications.

3. Investigative goal -

- a.) Effective alternative to discipline under the program for nurses who have substance abuse disorders (CANDO): expand and create name other than “CANDO”; explore ability to monitor.
- b.) Update disciplinary guidelines for consistent sanctions utilizing precedents: Will bring back to future meeting.
- c.) Improve processes for investigations and compliance: efforts to improve is ongoing; applicants in the past were not subject to Interim Orders – working to streamline and will be brought back to future Board meeting; Question regarding the possibility of allowing nursing students to apply 3-6 months prior to graduation if they have a record in order to begin the investigative process sooner. Board staff responded that programs should request students gather court records early; programs are now doing background checks.
- d.) Provide an effective probationary period for those that need monitoring as part of the discipline: staff will bring information to future Board meeting.
- e.) Promote evidence based regulation and practice breakdown research that provides for public protection.

Nursing education goal –

- a.) Review and improve educational rules that direct quality education regardless of educational delivery method: Randolph provided overview - working on rules.
- b.) Review and approve or deny nursing educational programs consistent with Board rules: working on rules.
- c.) Support statewide conferences to enhance competencies of nursing program faculty: nurse of future and competencies and common outcomes. Webinars being considered.
- d.) Review and investigative nursing program complaints and, evaluate for trends; report to nursing programs as is appropriate: looking for ways to improve

- e.) Obtain program admission and completion data and partner with programs/facilities to address issues: publish and partner with outcome index
- f.) Identify research topics related to nursing regulation and develop strategies to conduct research: working of ref. courses

Concerns were voiced regarding Hearing Department timeframes. Ridenour noted that Val Smith had been assigned to the Hearing Department to help while AAG staff is low.

Questions noted:

- More settlement conferences
- Options for internship
- Creating a standard for people holding a medical marijuana card, educational topics regarding medical marijuana, how long a person is considered impaired, just culture.

Busby moved, Dalton seconded, and it was unanimously carried to approve FY 2013-2017 Proposed Strategic Plan & Strategic Initiatives.

The meeting recessed at 4:27 p.m., Wednesday, November 7, 2012.

Arizona State Board of Nursing

Janice K. Brewer
Governor

Joey Ridenour
Executive Director



Board Meeting Minutes

The regular meeting of the Arizona State Board of Nursing convened at 8:01 a.m., Thursday, November 8, 2012, 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
Patricia Johnson, LPN, 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
Carolyn Jo McCormies, RN, MS, FNP-BC, Member
Kim Post, RN, BSN, MBA/HCM, NEA-BC, Member
Charleen L. Snider, BSN, RN, Member

LEGAL COUNSEL:

Elizabeth Campbell, Assistant Attorney General
Anna Finn, Assistant Attorney General
Emma Mamaluy, Assistant Attorney General

STAFF DIRECTORS:

Joey Ridenour, RN, MN, FAAN, Executive Director
Nikki Austin, JD, RN, Associate Director of Investigations/Compliance
Judy Bontrager, RN, MN, Associate Director of Operations
Pamela Randolph, RN, MSN, Associate Director of Education and Evidence Based Regulation
Kirk Olson, Lead Senior Investigator

STAFF:

Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings
Janeen Dahn, MSN, FNP, Nurse Practice Consultant/AP
Diva Galan, JD, Senior Investigator
Tamara Greabell, MA, BSN, RN, Nurse Practice Consultant
Teddylen Guffey, MHSA, RN, LNCC, Nurse Practice Consultant
Jan Kerrigan, RN, BSN, Nurse Practice Consultant
Kristi Hunter, MSN, FNP-C, Nurse Practice Consultant
Dolores Hurtado, Senior Investigator
Ruth Kish, RN, MN, Nurse Practice Consultant
Ron Lester, Senior Investigator
Debra McGinty RN, PhD, Administrator/Nursing Programs
Jennifer McWilliams, Legal Assistant

Linda Monas, Senior Investigator
Cristina Oates, Legal Assistant
Doug Parlin, Senior Investigator
Judy Pendergast, RN, Nurse Practice Consultant/CANDO
Mary Rappoport, RN, MN, Nurse Practice Consultant
Deborah Richards, Senior Investigator
Bonnie Richter, MSW, Senior Investigator
Jeanine Sage, RN, MSN, Nursing Assistant Consultant
Valerie Smith, RN, MS, FRE, Consultant to Exec Director
Dirk VandenBerg, Sr., Senior Investigator
Opal Wagner, RN, BSN, Nurse Practice Consultant
Barbara Melberg, Legal Secretary

I. Call to Order

The meeting was called to order at 8:02 a.m., Thursday, November 8, 2012.

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

Quinn presided.

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

VI. RN/LPN/CNA Investigative Reports

VI.O.8. Rachel Erdmann RN102203; AP3362 (Richards)

Richards addressed the Board with additional information. Attorney Flynn Carey and Erdmann were present and addressed the Board.

Busby arrived at the meeting at 8:15 a.m.

Johnson moved, Berrigan seconded, upon a determination of reasonable cause, based on the facts alleged in the investigative report and material presented at this Board meeting, to issue an Interim Order for a substance abuse/alcohol evaluation with a Board approved PhD prepared licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and return to the Board. If the Interim Order is not completed, based on 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. The motion carried with seven in favor, one opposed and one abstained.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Post Member	Busby Member
YES	7		X		X	X	X	X	X	X	
NO	1	X									
ABSTAIN	1										X
ABSENT	1			X							

VI.A.1. Shelly Hart RN122856; AP2659 (Dahn)

Hart and attorney Faren Akins were present and available for questions. Johnson moved, Dalton seconded, and it was unanimously carried to dismiss the complaint.

VI.A.2. Caren C. Shopshire RN022273; AP1748 (Dahn)

Shopshire and attorney Ken Baker were present and addressed the Board. McCormies moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to accept the signed Consent Agreement for a 6-month probation with 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							

VI.A.3. Katie Lee Watson LP044042 (Dahn)

Quinn 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.L.4. Janet Joselane LP043768 (Parlin)

Joselane and attorney Karen Owen were present and addressed the Board. Dalton moved, Snider seconded, and it was unanimously carried to issue a Letter of Concern for the March 12, 2012, misdemeanor Driving Under the Influence conviction in Tempe, Arizona.

**VI.L.11. Mary Viscusi RN113057 (Parlin)
(aka: Czajkowski; Boyd)**

Viscusi and attorney Christopher Rapp were present and addressed the Board. Johnson moved, Post seconded, and it was unanimously carried to issue a Letter of Concern for the November 29, 2000, Domestic Violence Assault arrest, and the August 20, 2012, misdemeanor Driving Under the Influence conviction in Gilbert, Arizona.

VI.O.10. Felicia Scaewater RN086691; CRNA0507 (Richards)

Attorney Robert Chelle was present and addressed the Board. Post moved, Gutierrez seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a \$250 Civil Penalty. If not signed within 30 days and payment not received within 60 days, issue Notice of Charges. After discussion the motion carried with eight in favor and one opposed.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez 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.17. Alicia Joy Sable RN160476 (Greabell)

McCormies moved, Johnson seconded, and it was unanimously carried to table Agenda Item VI.B.17.

**VI.B.2. Jane Lou Ryszka LP041036 (Greabell)
(aka: Pickens)**

Attorney Scott King was present and available for questions. Greabell addressed the Board with additional information that Ryszka had signed a voluntary surrender

**VI.B.6. Janet Elaine Moskop RN158174 (Greabell)
(aka: Palminiello; Fields)**

Greabell addressed the Board with additional information and requested continuation of the case. Moskop was present and available for questions. Attorney Scott King was present and addressed the Board. Busby moved, Dalton seconded, and it was unanimously carried to continue the investigation to allow Dr. Sucher to review documents.

VI.B.9. Emily Rukanzakanza LP035087; CNA019983441 (Greabell)

Rukanzakanza and attorney Gary Doyle were present telephonically and addressed the Board. Johnson moved, Dalton seconded, to issue a Letter of Concern for utilizing pre-signed order sheets to obtain refills of controlled substances on or around December 5, 2011, while employed as a LPN at Capri at the Pointe Rehab Center in Phoenix, Arizona, and for failing to report within ten days a conviction for Class 1 Misdemeanor Shoplifting in Phoenix, Arizona Municipal Court on or around January 8, 2007, and failing to disclose the conviction on her response to the Investigative Questionnaire. After discussion, the motion carried with six in favor and three opposed.

VI.D.5. Jessica Maria Sanchez RN114030; LP000032914; CNA941385103 (Kerrigan)

Kerrigan addressed the Board with additional information. Sanchez was present and available for questions. Attorney Teresa Sanzio was present and addressed the Board. Quinn moved, Post seconded, 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. After discussion, the motion carried with five in favor and four opposed.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	5	X	X				X	X		X	
NO	4				X	X			X		X
ABSTAIN	0										
ABSENT	1			X							

VI.D.6. Nwadiuto Jane Nwaohia LP046735 (Kerrigan)

Kerrigan addressed the Board with additional information. Nwaohia and attorney William Sandweg were present and addressed the Board. Quinn 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 suspension, not to exceed 12 months pending the successful completion of attached stipulations to be followed by a 24 month stayed suspension/probation to include the attached stipulations. If not signed within 15 days, issue Complaint Notice of Hearing.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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. Elliott Fisher LP035306; CNA280101339 (Kerrigan)

McCormies moved, Dalton 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 12-month probation to include a neuropsychological assessment with a Board approved psychologist to be completed within 30 days and to include the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.2. Ann Hoy RN079222 (Kerrigan)

Hoy was present and addressed the Board. Snider moved, Berrigan seconded, and it was unanimously carried to accept the signed Consent Agreement for 60 months Stayed Revocation to include the attached stipulations. During the Stay of Revocation, the license will be placed on probation to include the attached stipulations.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.1. Kirsten Sharayah Faulkner RN161876; CNA1000002798 (Kerrigan)

Faulkner was present, telephonically, and available for questions. Johnson 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 24-month stayed suspension during which time the license is placed on probation, and to include the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.3. Dawn Gilbertson RN101423 (Kerrigan)
(aka: Lawson)

Johnson moved, Berrigan seconded, and it was unanimously carried to dismiss the complaint.

VI.D.7. Heather Rose RN16263 (Kerrigan)

McCormies moved, Snider seconded, and it was unanimously carried to dismiss the complaint.

VI.E.2. Julie Northridge Townsend RN069526; AP1292 (Hunter)

Townsend was present and available for questions. Busby moved, Quinn seconded, to dismiss the complaint. The motion carried with eight in favor and one opposed.

VI.E.1. Nancy Louise Hunter RN105419; AP3991 (Hunter)

Snider moved, Dalton seconded, to issue a Letter of Concern for failing to discontinue a Risperdal for patient E.L. at the Power or Attorney's request from on or about May 18, 2012, through May 27, 2012, in Tucson, Arizona. After discussion, the motion failed with seven opposed and two in favor. McCormies moved, Berrigan seconded, 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. The motion carried with eight in favor and one opposed.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.E.3. Lenard Curry LP026896 (Hunter)

Curry was present and addressed the Board. Quinn moved, Dalton seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 24 months probation including the attached stipulations. If not signed within 30 days, issue Notice of Charges. The motion carried with seven in favor and two opposed.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	7	X	X		X	X	X	X		X	
NO	2								X		X
ABSTAIN	0										
ABSENT	1			X							

VI.E.4. Robyn Alane Wright RN084156 (Hunter)

Wright was present and available for questions. Johnson moved, Snider seconded, and it was unanimously carried to issue a Letter of Concern for delegating Venofer calculations from on or about October through December, 2010, to a patient care technician for who is not qualified to perform drug calculations.

VI.B.1. Cheryl Smith Nowell RN054631 (Greabell)

Nowell was present and available for questions. Berrigan moved, Snider 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>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.14. Tiffney L. Adams LP043248; CNA100006914 (Greabell)

Greabell addressed the Board with additional information. Adams was present and addressed the Board. Busby moved, Berrigan seconded, and it was unanimously carried to accept the signed Consent Agreement.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.16. Matthew Dean Laird RN141191 (Greabell)

Greabell addressed the Board with additional information. Laird was present and addressed the Board. Quinn moved, McCormies seconded, and it was unanimously carried, making a finding of reasonable cause, based upon the allegations in the investigative report, to issue an Interim Order for a Nurse Practice Evaluation to be completed by a Board approved evaluator, 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	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.4. Yoon Choi RN157733 (Guffey)

Choi was present and addressed the Board. Quinn 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 suspension not to exceed 12 months pending the successful completion of a psychological evaluation by a Board approved psychologist and completion of all treatment recommendations, to be followed by a 24 month stayed suspension/probation to include a Nurse Practice Evaluation and additional attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.5. Julie Lenore Gregory RN133671; LP039776 (Guffey)

Guffey addressed the Board with additional information. Gregory was present and addressed the Board. Quinn moved, Berrigan seconded, based upon the findings of fact and the statute/rule violations identified in the investigative report, to offer a Consent Agreement for a 36-month stayed suspension/probation to include the attached stipulations. 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>McCormics</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.C.6. Terri Altmire Lyons RN029032 (Guffey)

Lyons was present and addressed the Board. Post moved, Gutierrez seconded, 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 and to include a \$250 Civil Penalty. If not signed within 30 days, issue Notice of Charges. The motion carried with seven in favor and two opposed.

	VOTE	<u>Dalton</u> Member	<u>McCormics</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	7	X	X			X	X	X	X	X	
NO	2				X						X
ABSTAIN	0										
ABSENT	1			X							

The meeting recessed at 10:03 a.m. Busby left the meeting at 10:03 a.m.

The meeting reconvened at 10:20 a.m. Harrell arrived at the meeting at 10:20 a.m.

VI.C.9. Gary D. Ratajski LP033132; CNA054241589 (Guffey)

Ratajski was present and addressed the Board. Dalton moved, Berrigan seconded, to issue a Letter of Concern for failing to obtain vital signs, oximetry readings, perform neuro-checks and document his observations on patient L.H. after she received a narcotic overdose, while employed as an LPN at Highland Manor in Phoenix, Arizona, on or about March 21, 2011. After discussion, the motion carried with five in favor and four opposed.

VI.C.8. Maureen Mortel RN088302; CNA133948256 (Guffey)

Harrell moved, Post seconded, and it was unanimously carried to issue a Letter of Concern for failing to perform a nursing assessment and supervise the subsequent monitoring of patient L.H. on March 21, 2011, while working at Highland Manor in Phoenix, Arizona.

VI.C.7. Vickie Lee Heisler LP031936 (Guffey)

Heisler was present 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, 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>McCormics</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.3. Andrea Ownby-Adkins RN166873 (Guffey)

Snider moved, Post seconded, and it was unanimously carried to dismiss the complaint.

**VI.G.1. Rebecca Bonacci CNA Exam (Lester)
(aka: Bral)**

Bonacci was present and addressed the Board. Berrigan moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to deny certification.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.3. David Chambers CNA Exam (Lester)

Lester addressed the Board with additional information. Chambers was present and addressed the Board. Quinn moved, Johnson seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to deny certification. The motion carried with seven in favor and two opposed.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	7	X	X	X		X	X	X		X	
NO	2				X				X		
ABSTAIN	0										
ABSENT	1										X

VI.G.4. David Johnson CNA Exam (Lester)

Johnson was present and addressed the Board. Berrigan moved, McCormies seconded, to continue the investigation to allow applicant the opportunity to voluntarily obtain a psychological evaluation to include an anger management evaluation with a Board approved PhD prepared psychologist, to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and 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. The motion carried with six in favor and three opposed.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.H.1. Rachel Carroll RN164962 (McWilliams)

McWilliams addressed the Board with additional information. Carroll was present and available for questions. Snider moved, Gutierrez seconded, to continue the investigation to allow respondent the opportunity to voluntarily obtain a psychological evaluation, to include a substance abuse evaluation, to be completed 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, issue a Notice of Charges. The motion carried with seven in favor and two opposed.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	7			X	X	X	X	X	X	X	
NO	2	X	X								
ABSTAIN	0										
ABSENT	1										X

**VI.L.5. Jessica Hooper LP Exam (Parlin)
(aka: Rhodes)**

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

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

VI.L.2. Collette Warren CNA Exam (Parlin)
(aka: Webb)

Warren, Christine Bonenfant, and Jason Webb were present and addressed the Board. Harrell moved, Snider seconded, and after discussion, it was unanimously carried, upon meeting all certification requirements, to grant certification and issue a Letter of Concern for the April 20, 1994, Theft by Fraud arrest; the October 24, 1994, Theft of Credit Card arrest; the June 28, 1995, felony Possession of Dangerous Drugs conviction; the August 11, 1995, Assault arrest; the July 12, 1996, Disorderly Conduct arrest; the November 8, 1996, Assault and Driving Under the Influence arrest; the October 26, 1999, felony Possession of Narcotic Drugs conviction and the July 2, 2000, misdemeanor Criminal Damage conviction, in Maricopa County, Arizona.

VI.L.10. Sheldon Rast LP Exam (Parlin)

Rast was present and addressed the Board. Gutierrez moved, Dalton seconded, and it was unanimously carried, upon meeting all requirement, to grant licensure and issue a Letter or Concern for the March 14, 1988, misdemeanor conviction for Resistance in Denver County, Colorado, the December 23, 1991, no contest plea to the charge of misdemeanor Throwing Missiles in Denver County, Colorado, and the December 16, 2005, conviction for misdemeanor Crime Aboard an Aircraft in U.S. District Court in New Mexico.

VI.N.3. Theresa Marie Bogin L16579 (NM Compact) (Rappoport)
(aka: Wheeler Bogin; Ward)

Bogin was present, telephonically, and available for questions. Berrigan moved, Dalton seconded, and it was unanimously carried, for complaints #1 and #2, based upon the findings of fact and statute/rule violations identified in the investigative report, to issue Notice of Charges.

VI.P.4. Micha’el Lee Carter CNA Exam (Richter)

Carter was present and addressed the Board. Johnson moved, Gutierrez seconded, and it was unanimously carried, upon meeting all requirements, to grant certification and issue a Letter of Concern for the August 1999, conviction in Maricopa County Superior Court for Possession of Burglary Tools, a class six undesignated felony, and for the September 2001, conviction in Maricopa County Superior Court for Possession of Marijuana, a class one misdemeanor.

VI.P.13. Jamie Elizabeth McCutchan CNA Exam (Richter)
(aka: McCutchan; Passamonte)

McCutchan was present and addressed the Board. Johnson moved, Berrigan seconded, and it was unanimously carried, upon meeting all requirements, to grant certification and issue a Letter of Concern for the July 24, 2001, conviction in the Maricopa County Superior Court, Phoenix, Arizona for an amended charge of Attempted Possession of Equipment and/or Chemicals to Manufacture Dangers Drugs, a Class 4 Felony.

VI.Q.3. Blanca Aviles CNA1000015044 (Sage)
(aka: Aviles Tarazon)

Dalton moved, Snider seconded, and it was unanimously carried to issue a Letter of Concern for inappropriate treatment of resident A.M. on May 8, 2012, when Aviles pried sugar packets out of resident’s hand while employed as a CNA at Santa Rosa Care Center in Tucson, Arizona.

VI.Q.4. Leslie Joy Robinson CNA1000014692 (Sage)

Quinn moved, Gutierrez seconded, 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. The motion carried with five in favor and four opposed.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Post Member	Busby Member
YES	5	X					X	X	X	X	
NO	4		X	X	X	X					
ABSTAIN	0										
ABSENT	1										X

VI.R.2. Martha Flores CNA999993591 (VandenBerg)

Flores was present and addressed the Board. Johnson moved, Dalton 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 \$50 Civil Penalty. If not signed within 30 days and payment not received within 60 days, issue Notice of Charges.

	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

VI.R.6. Amy St. Martin RN Exam (VandenBerg)

St. Martin was present and addressed the Board. Snider moved, Gutierrez seconded, to grant licensure upon meeting all requirements and issue a Letter of Concern for being charged by the Tucson Police Department with Driving Under the Influence, with a Breath Alcohol Content of .094 on or about July 09, 2012, in Tucson, Arizona, which was dismissed due to prosecutor delay. The motion carried with six in favor and three opposed.

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Gateway Community College, Central Arizona College, Northern Arizona University, Arizona State University and Glendale Community College nursing students regarding Board function, policies and procedures. Questions were asked on:

- The definition of Decree of Censure and how it affects respondent
- Types of infractions that initiate triage and investigations
- How Board members avoid burn out
- If there will be regulation in the future so all nursing assistants must be certified
- Where complaints come from
- Board member positions, rewards of being a Board member, if they're reimbursed for their time and if they hold paid positions elsewhere

The meeting recessed at 12:02 p.m. and reconvened at 1:05 p.m.

VI.H.3. Humberto Gherna RN Exam (McWilliams)

Gherna was present and available for questions. McCormies moved, Dalton seconded, upon a determination of reasonable cause, based on the facts alleged in the investigative report, and material presented at this Board meeting, to issue an Interim Order for a substance abuse and anger management evaluation with a Board approved PhD prepared 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, deny licensure. After discussion, the motion carried with eight in favor and one opposed.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.H.8. Jenna Steimer RN Exam (McWilliams)

McWilliams addressed the Board with additional information. Steimer was present and addressed the Board. Post moved, McCormies 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, with 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 licensure.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.L.1. Jennifer Magnuson RN118140 (Parlin)

Parlin addressed the Board with additional information. Quinn moved, Dalton 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 24 months probation including the attached stipulations amended to include, onsite supervision by Dr. Zavala at current place of employment. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.L.13. Patricia Lopez LP040460; RN144863 (Parlin)

Lopez was present and addressed the Board. Quinn moved, Post 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 24 months probation including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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. Applicants for Reissuance & Investigative Reports

V.B.1. Audrey Lynn Hollatz RN085435 Olson (aka: Marsh; White; Gurcius)

Olson addressed the Board with a technical correction to the investigative report. Hollatz was present and addressed the Board. Quinn 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 requirements and signing a Consent Agreement for 36 months stayed revocation during which time the license is placed on probation, followed then by 12 months standard probation to include the attached stipulations, to grant temporary licensure for RN Refresher Course only. Upon successful completion of the

RN Refresher Course, grant RN licensure under applicable terms. If not signed within 30 days, deny licensure based upon the findings of fact and statute/rule violations identified in the investigative report.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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. RN/LPN/CNA Investigative Reports

VI.B.13. Lisa Elwood LP047405; CNA999994681 (Greabell)

Elwood was present and addressed the Board. Johnson moved, Gutierrez 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>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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. Kari Sue Anderson RN Endorsement (Olson) (aka: Houston)

Olson addressed the Board with additional information. Anderson was present and addressed the Board. Berrigan moved, Snider seconded, and after discussion, it was unanimously carried to continue the investigation to allow Anderson the opportunity to voluntarily 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 licensure.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.1. Maria L. Rubi RN113765 (Olson)

Johnson moved, Dalton 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 18 months probation including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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

Gutierrez left the meeting at 1:51 p.m.

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

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.D. Imposters, Cease & Desist Orders & Court Ordered Revocations

Agenda #	Name	License/Certificate #	Staff
III.D.1.	Sarah D. Childers	RN045339	Hurtado
III.D.2.	Tina Lee Donlin	CNA1000021329	Hurtado

Information was provided to the Board regarding Cease and Desist letters sent to the names listed above.

IV. Lapsed Licenses & Certificates, Felony Bar Cases, Notice of Charges, Notice of Denial of Application for Licensure/Certification, Applicants for Licensure/ Accept Signed Consent Agreement

IV.A. Lapsed Licenses & Certificates: Possible Administrative Penalty

IV.A.1. Board Staff Recommendation: Offer Consent Agreement (Driver)

Agenda #	Name	License/Certificate #	Penalty Amount
IV.A.1.b.	David Palomo	CNA704558103	\$25
IV.A.1.c.	Kathryn Bourgault	CNA999948701	\$25
IV.A.1.d.	Amelia Villarreal	CNA123667803	\$25
IV.A.1.e.	Renato Cruz	CNA1000004095	\$50
IV.A.1.f.	Trisha Stuart	LP044407	\$100
IV.A.1.g.	Kerri Akers	RN128972	\$100

Johnson moved, Snider 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 6 months 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.

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

IV.A.2. Board Staff Recommendation: Accept Signed Consent Agreement (Driver)

Agenda #	Name	License/Certificate #	Penalty Amount
IV.A.2.a.	David Blodgett	CNA999994127	\$25
IV.A.2.b.	Kana Parenti	CNA1000016494	\$25
IV.A.2.c.	Tara Randazzo	CNA999950957	\$25
IV.A.2.d.	Marylou Galvez	CNA1000014541	\$75

Johnson moved, Berrigan seconded, and it was unanimously carried, based on the Finding of Fact and statute/rule violations identified in the investigative report, to accept the signed Consent Agreement and paid Administrative Penalty for the amount stated for working on an expired license/certificate; and referral of the employer will be made to the Department of Health Services for licensees/certificate holders working on a lapsed license for three months or greater.

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

IV.A.3. Board Staff Recommendation: Accept Signed Consent Agreement/Grant Licensure (Rappoport)

Agenda #	Name	License/Certificate #	Penalty Amount
IV.A.3.a.	Lois Wendy Berkowitz	TRN176602	\$500

Johnson moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute and rule violations identified in the investigation report, and upon meeting all licensure requirements, to accept the signed Consent Agreement for an Administrative Penalty in the amount stated, and grant licensure.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Post Member	Busby Member
YES	8	X	X	X	X	X	X	X		X	
NO	0										
ABSTAIN	0										
ABSENT	2								X		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.a.	Jennifer Ordonez-Devyver	CNA Exam	Lester

Johnson moved, McCormies seconded, and it was unanimously carried to adopt the attached Order of Denial for Agenda Items IV.B.1.a.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Post Member	Busby Member
YES	8	X	X	X	X	X	X	X		X	
NO	0										
ABSTAIN	0										
ABSENT	2								X		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.	Stephen James Lynd	RN172725	Monas

Monas addressed the Board and requested continuance due to new information. Quinn moved, McCormies seconded, and unanimously carried to continue the investigation.

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

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

Quinn moved, Dalton 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. Applicants for Reissuance & Investigative Reports

V.B.2. Bruce Wayne Elmendorf RN129546 Kish

Kish addressed the Board with additional information. Snider moved, Quinn seconded, and it was unanimously carried to continue the investigation to allow applicant the opportunity to obtain an evaluation, possibly in another State, with a Board approved PhD prepared psychologist with expertise in substance use disorders, 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	<u>Dalton</u> Member	<u>McCormics</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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. RN/LPN/CNA Investigative Reports

VI.F.1. Michael Scott Andrews LP Exam (Kish)

Kish addressed the Board and confirmed the receipt of additional information. Berrigan moved, Snider seconded, and it was unanimously carried to continue the investigation to allow applicant the opportunity to obtain a psychiatric/addictionologist evaluation with a Board approved evaluator, 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.

	VOTE	<u>Dalton</u> Member	<u>McCormics</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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. Applicants for Reissuance & Investigative Reports

V.B.3. Robert Jones RN089481 (McWilliams)

McCormics moved, Dalton seconded, and it was unanimously carried, upon meeting all licensure requirements, to grant re-issuance of licensure.

VI. RN/LPN/CNA Investigative Reports

VI.H.2. Alessandra Felix CNA Exam (McWilliams)

McWilliams addressed the Board with additional information. Snider moved, Quinn 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 12-month stayed suspension to include the attached stipulations, to grant certification. If not signed within 30 days, deny certification.

	VOTE	<u>Dalton</u> Member	<u>McCormics</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.H.5. Carol Mariner CNA Exam (McWilliams)

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

	VOTE	<u>Dalton</u> Member	<u>McCormics</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.H.6. Erik Martinez RN Exam (McWilliams)

Snider moved, Berrigan seconded, to grant licensure upon meeting all requirements, and issue a Letter of Concern for the August 27, 2012, misdemeanor conviction for DUI in Scottsdale City Court. The motion carried with seven in favor and two opposed.

VI.H.7. Charles Natsyn CNA Exam (McWilliams)

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 deny certification.

	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

VI.H.9. Tammy Wheat RN127961 (McWilliams)
(aka: Riccardo; Quigley; White)

Post moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for the January 18, 2011, misdemeanor conviction in Peoria Municipal Court for DUI, and failure to report the charge within 10 days as required.

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

V.C.1. Devin James Welker RN159646 (Rappoport/Galan)

Berrigan moved, McCormies seconded, and it was unanimously carried to table Agenda Item V.C.1.

V.C.3. Cheryl Lynn (Buckler) Adams RN128378 (Rappoport/Galan)

Johnson moved, Dalton seconded, and it was unanimously carried to approve respondent's request to amend the 2012 Consent Agreement and Order No. 0909026, to state that, "Respondent shall work any shift, but shall not work more than 92 scheduled hours within a 14-day period."

V.C.6. Ashley Rae Gumeringer RN171287 (Rappoport/Galan)

Post moved, Snider seconded, and it was unanimously carried to approve request to amend Consent Agreement and Order No. 1012090, paragraph 11 (page 12), to allow Gumeringer to work until 1:00 a.m. at Yuma Regional Medical Center, Yuma, Arizona.

V.C.7. Maryellen Hawco Jeffrey RN079790; LP023755; CNA222203376 (Rappoport/Galan)

Snider moved, Berrigan seconded, to approve request to amend Consent Agreement and Order No. 08111080, paragraph 6 (page 16), to remove Access to Drugs term and allow Jeffrey the ability to administer controlled/prohibited medications. After discussion, Berrigan withdrew the second. Johnson seconded. After further discussion, the motion carried unanimously.

V.C.8. Steven Alden McConnell LP043965; CNA999989778 (Rappoport/Galan)

McCormies moved, Harrell seconded, and it was unanimously carried to approve request to amend Consent Agreement and Order No. 1101084, paragraph 6 (page 7), to allow respondent to work under the on-site supervision of a registered nurse in good standing and/or a licensed practical nurse in good standing, as long as the supervising nurse completes quarterly audits of five (5) medication administration records on patients for whom respondent has administered medications, for the duration of the probation, to be submitted with his scheduled quarterly performance evaluations.

V.C.9. Colin Donald Robertson RN156092; CNA999997282 (Rappoport/Galan)

Quinn moved, Post seconded, and it was unanimously carried to approve request to amend Consent Agreement and Order No. 1106099, paragraph 13 (page 13), to allow respondent to work on-call in a GI Lab contingent upon working on-call with the Charge Nurse or the Nurse working with Robertson being aware of his Consent Agreement and Order No. 1106099.

V.C.10. Carolyn Sue Williams RN116583; AP1831 (Rappoport/Galan)

Post moved, Snider seconded, and it was unanimously carried to approve request to terminate Consent Agreement and Order No.0901099 entered into on August 31, 2010 and continue to be monitored by the Pennsylvania Board of Nursing.

V.C.11. Sherri Lynn Flores CNA621743809 (Rappoport/Galan)

Quinn moved, Berrigan seconded, and it was unanimously carried to approve request to amend Reissuance Consent Agreement and Order No. 1203116, paragraph 3 (page 6), to allow Respondent to work under the direct supervision of a licensed practical nurse or registered nurse in good standing only while employed as a CNA at Infinia of Camp Verde, a long term care facility in Camp Verde, Arizona.

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

V.D.1. Willie Charles Bell CNA1000019500 (Oates)

Snider moved, Harrell seconded, and it was unanimously carried, based upon the finding of fact and statute/rule violations identified in the monitoring non-compliance report, to issue Notice of Charges.

Barbara Krouch Toyama RN068761 (Oates)

Gutierrez moved, Berrigan seconded, and it was unanimously carried, based upon the finding of fact and statute/rule violations identified in the monitoring non-compliance report, to issue Notice of Charges.

V.D.3. Sheree Nelson Weisz RN061958 (Oates)

Quinn moved, Gutierrez seconded, and it was unanimously carried, based upon the finding of fact and statute/rule violations identified in the monitoring non-compliance report, to issue Notice of Charges.

V.D.4. Sandal Fritz Wronko RN057533; LP018953 (Oates)

Quinn moved, McCormies seconded, and it was unanimously carried, based upon the finding of fact and statute/rule violations identified in the monitoring non-compliance report, to issue Notice of Charges.

V.E. Notice of Charges for RN/LP/CNA Noncompliance

V.E.1. Kevin Joseph Milles LP043941 (Rappoport/Galan)

Post 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, to issue Notice of Charges.

V.E.2. Kara Jean Buresh RN121495 (Rappoport/Galan)

Gutierrez moved, Quinn seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the monitoring non-compliance report, to issue Notice of Charges.

V.F. CANDO Eligibility/Noncompliance & Investigative Reports

**V.F.1. Ruby May Parks RN146100 (Pendergast)
(aka: Heintz)**

Berrigan moved, Quinn seconded, and it was unanimously carried to table Agenda Item V.F.1.

VI. RN/LPN/CNA Investigative Reports

VI.B.3. Shoko Williams RN120940 (Greabell)

Johnson moved, Berrigan seconded, and it was unanimously carried to continue the investigation to allow respondent to complete a Nurse Practice Evaluation by a Board approved evaluator, 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, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>McCormics</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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. Brenda Yvonne Hill LP023929 (Greabell)

Snider moved, Dalton seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 12-month probation requiring a visual Fitness for Duty Exam by a Board approved ophthalmologist and to include the additional attached stipulations. If not signed within 30 days, issue Notice of Charges. The motion carried with eight in favor and one opposed.

	VOTE	<u>Dalton</u> Member	<u>McCormics</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.B.7. Susan B. Eaton RN025042 (Greabell)

Greabell addressed the Board with additional information. Dalton 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.10. Stephanie Marie Speidel RN079931 (Greabell)

Harrell moved, Post seconded, and it was unanimously carried to issue a Letter of Concern for falsifying an employment application to Crisis Response Network in Tucson, Arizona on or around September 20, 2011, when respondent stated she was still employed but actually had been terminated from Sonora Behavioral Health in Tucson, Arizona, on or around August 26, 2011, and for failing to clarify two different Morphine Sulfate Immediate Release orders for patient S.C. taken from Dr. Farietta as a telephone and verbal orders on or around August 11, 2011, while employed as a RN at Sonora Behavioral Health in Tucson, Arizona.

VI.B.11. Dollie Marie Allan RN098566 (Greabell)

Greabell addressed the Board with additional information. Post 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 stayed suspension/probation with the attached amended stipulations. If the findings of the evaluation required by the Consent Agreement identify that respondent has a substance use disorder or is in need of treatment, the length of the stayed suspension/probation will be at minimum 36 months with the attached stipulations. If the findings from the evaluation do not find respondent to have a substance use disorder or in need of treatment, the length of the stayed suspension/probation will be at minimum 18 months with the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>McCormics</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.12. Daylon Donald Stoykovich RN156000 (Greabell)

Dalton moved, McCormics seconded, and it was unanimously carried, making a finding of reasonable cause, based upon the allegations in the investigative report, issue an Interim Order for a psychological evaluation to be completed by a Board approved licensed psychologist with expertise in anger management, 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	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

VI.B.15. Lacesiha Marie Geeter RN164255 (Greabell)

An attempt was made to contact Geeter 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 accept the signed Consent Agreement for a Decree of Censure to include a \$250 Civil Penalty.

	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

VI.B.19. Janel Jennifer Murray RN134111 (Greabell)

Dalton 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 a Complaint and Notice of Hearing.

VI.G.2. Sarah Bronson CNA Exam (Lester)

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

	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

**VI.G.5. Mindy Henke CNA Exam (Lester)
(aka: Dunseth; Ailor)**

Lester addressed the Board with additional information. Post moved, Berrigan seconded, to continue the investigation to allow applicant the opportunity to voluntarily obtain a psychological evaluation with emphasis on anger management to be completed by a Board PhD prepared licensed psychologist 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. The motion carried with eight in favor and one opposed.

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

**VI.G.6. Tara Holdren CNA 999991946 (Lester)
(aka: Goodnight; Holman)**

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, to issue Notice of Charges.

VI.G.7. Katrina Olmstead CNA Endorsement (Lester)

Gutierrez 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 requirements and signing a Consent Agreement for a 36-month stayed revocation to include the attached stipulations, to grant certification. If not signed within 30 days, deny certification.

	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

**VI.J.1. Nancy Allared CNA Exam (Monas)
(aka: Harris; Ballard; Washebeck)**

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 deny certification.

	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

VI.J.2. Jamie Frank RN Endorsement (Monas)

Monas addressed the Board with additional information. Post moved, Harrell seconded, and it was unanimously carried to continue the investigation to allow applicant the opportunity to voluntarily obtain an addiction evaluation with an emphasis on substance use disorder, by a Board approved addictionist, 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.

	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

VI.L.3. Courtney Duffy RN139887 (Parlin)

Johnson recused herself to avoid the appearance of impropriety. Post moved, Dalton seconded, to issue a Letter of Concern for the April 4, 2012, misdemeanor Driving Under the Influence conviction in Glendale, Arizona. The motion carried with eight in favor and one abstained.

VI.L.6. Kelly Rasmussen LP Endorsement (Parlin)

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

	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

VI.L.7. Kyle Goodman RN146532 (Parlin)

Parlin addressed the Board with additional information. Gutierrez moved, Quinn seconded, and after discussion, it was unanimously carried, to continue the investigation to allow respondent the opportunity to voluntarily obtain a psychological evaluation to include a substance abuse evaluation with a Board approved licensed psychologist, to include any additional testing deemed necessary by the evaluator, to

be scheduled and completed within 45 days and return to the Board. If not completed, issue Notice of Charges.

	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

**VI.L.8. Meredith Abdi CNA880519641; RN147896 (Parlin)
(aka: Looper)**

Quinn 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.

Shawna Walker CNA Exam (Parlin)

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

	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

**VI.L.12. Shannon Boyer RN154660 (Parlin)
(aka: Snider; Bane)**

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, issue an Interim Order for a psychiatric evaluation by a Board approved psychiatrist, who has expertise in substance abuse, 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	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

The meeting recessed at 3:00 p.m. and reconvened at 3:17 p.m.

Harrell returned to the meeting at 3:18 p.m.

VI.N.1. Pamela Wemple Kellogg LP025138; CNA229643920 (Rappoport)

Quinn moved, Berrigan seconded, and it was unanimously carried, to issue a Letter of Concern for administering a controlled substance belonging to resident G.S. to resident G.O., who did not have the same ordered medication available in the medication cart, on or about May 14, 2012, while employed as the Resident Care Director at Emeritus Senior Living facility in Glendale, Arizona.

**VI.N.2. Karen K. Hubbell RN Endorsement (Rappoport)
(aka: Perkins)**

Rappoport addressed the Board with additional information. Dalton moved, Post seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to issue an Order of Denial.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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

McCormies returned to the meeting at 3:20 p.m.

VI.O.1. Sarah Coyne CNA Exam (Richards)

Richards addressed the Board with additional information. Coyne was present, telephonically, and available for questions. Harrell moved, Dalton seconded, and it was unanimously carried, to continue the investigation to allow applicant the opportunity to voluntarily obtain a substance abuse evaluation with a Board approved PhD prepared evaluator, to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and 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>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.O.2. Leila Pascarella RN164509 (Richards)
(aka: Wiggins)**

Gutierrez moved, Johnson 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.O.3. Mario Mendivil RN113742 (Richards)

Post moved, McCormies seconded, and it was unanimously carried, based upon the findings of fact identified in the investigative report, to issue a Letter of Concern for drinking and driving on May 12, 2012, leading to a Driving Under the Influence (DUI) arrest and May 16, 2012, DUI charges, in Glendale, Arizona.

VI.O.4. Anna Obregon CNA1000026991 (Richards)

Dalton 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 a Letter of Concern for the Misdemeanor Driving Under the Influence conviction of October 25, 2011 in Phoenix, Arizona Municipal Court, and for failing to report the charges to the Board within 10 days, as required by statute and rule.

VI.O.6. Christa Myers RN143310 (Richards)

An attempt was made to contact Myers telephonically and a message was left that the Board would move forward with the case. Johnson moved, Harrell seconded, and it was unanimously carried to issue an Interim Order for a psychological evaluation, to include a gambling addiction evaluation with 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 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 for failure to comply with the Interim Order.

	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

VI.O.7. Samantha Blees CNA Exam (Richards)

McCormies recused herself and left the meeting at 3:29 p.m. Post moved, Berr seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all requirements, signing a Consent Agreement for a \$50 Civil Penalty and payment of the Civil Penalty, to grant certification. If not signed within 30 days or payment not received within 60 days, deny certification.

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

McCormies returned to the meeting at 3:30 p.m.

VI.O.9. Jessica Leach RN164173 (Richards)

Berrigan moved, Quinn seconded, and it was unanimously carried to table Agenda Item VI.O. 9.

V.F. CANDO Eligibility/Noncompliance & Investigative Reports

V.F.3. Karen Ann Swain RN110699 (Pendergast/Kerrigan)

Kerrigan addressed the Board with additional information. Johnson moved, Snider seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to accept the signed Stipulated Agreement for a minimum, 36 months CANDO participation.

VI. RN/LPN/CNA Investigative Reports

**VI.P.1. Michelle Aundrea Benitez CNA Exam (Richter)
(aka: Riddle; Hayes)**

Johnson moved, Gutierrez seconded, and it was unanimously carried, upon meeting all requirements, to grant certification and issue a Letter of Concern for the December 02, 2004, conviction in the East Tempe Justice Court for misdemeanor Driving Under the Influence.

VI.P.2. Jason Ryan Bither CNA Exam (Richter)

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 deny certification.

	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

VI.P.3. Nicole Broncheau-Begay CNA Exam (Richter)

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 deny certification.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.P.5. Christina Ann Clark RN125716 (Richter)

Gutierrez moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for the September 1, 2011, arrest by the California Highway Patrol for Driving Under the Influence (DUI) with a subsequent conviction for the misdemeanor DUI on or about March 9, 2012, in the San Mateo County Superior Court and for failing to report the charge to the Board within ten days as required by statute and rule.

VI.P.6. Vernice Delaware CNA Endorsement (Richter)

Post moved, Gutierrez seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to deny certification. The motion carried with eight in favor and one abstained.

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

VI.P.7. Briana Yatasha Dillard CNA Exam (Richter)

McCormies 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, to issue an Interim Order for a substance abuse evaluation with a Board approved PhD prepared licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and 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>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.P.8. Montana Duke Grant CNA Exam (Richter)

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

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.P.9. Lindsay Ann Grimes CNA Endorsement (Richter)

Post moved, Berrigan seconded, and it was unanimously carried to continue the investigation to allow applicant the opportunity to voluntarily obtain a psychological evaluation with an emphasis on substance abuse with a Board approved PhD prepared evaluator, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and 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>McCormics</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.P.10. Bersgin Racole Hartfield CNA1000014341 (Richter)

Dalton moved, Snider 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 \$50 Civil Penalty. If not signed within 30 days and payment not received within 60 days, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>McCormics</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.P.11. Mary Agnes Joaquin LP019500 (Richter)

Richter addressed the Board with additional information. Post moved, Quinn 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, to issue an Interim Order for a substance abuse evaluation with a Board approved PhD prepared licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and 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; and additionally, for working on an expired license, based on the findings of fact and statute/rule violations identified in the investigative report, to accept the signed Consent Agreement for \$100 Administrative Penalty.

	VOTE	<u>Dalton</u> Member	<u>McCormics</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.P.12. Jan Georgios Klein RN Endorsement (Richter)

Harrell moved, Snider 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, to issue an Interim Order for a substance abuse evaluation with a Board approved PhD prepared 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>McCormics</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.P.14. Nancy Hope Retzlaff CNA Exam (Richter)
(aka: Bonnell; Shaw)**

Quinn moved, Gutierrez seconded, and it was unanimously carried to table Agenda Item VI.P.14.

VI.P.15. Kayla Glynn Shreve 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, to deny certification.

	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

VI.P.16. Melissa Sue Travis CNA Endorsement (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, to deny certification.

	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

VI.P.17. Donna Denise Wiliford CNA Exam (Richter)

Dalton moved, Johnson seconded, and it was unanimously carried, upon meeting all requirements, to grant certification and issue a Letter of Concern for the May 10, 2004, arrest for Possession of Marijuana, Possession of a Controlled Substance and Possession of Drug Paraphernalia in Indianapolis, Indiana.

VI.P.18. Geri Sue Wilson CNA Exam (Richter)

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

	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

VI.P.19. Julio Alberto Zepeda CNA Exam (Richter)

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

	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

Dalton left the meeting at 3:50 p.m. and returned at 3:53 p.m.

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Gateway Community College and Eastern Arizona College nursing students. Questions were asked on:

- Timeframe for re-applying for licensure/certification after denial

VI. RN/LPN/CNA Investigative Reports

VI.Q.1. Marc Allen Anderson CNA1000029828 (Sage)

Quinn 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.Q.2. Jenise Earlene Ashburn RN167926 (Sage)

Post moved, Dalton 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	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

**VI.Q.5. Margaret Louise Browder CNA1000031720 (Sage)
(aka: Mann)**

Dalton moved, Post seconded, and it was unanimously carried, based upon the findings of fact, statute/rule violations identified in the investigative report, to offer a Consent Agreement for a 36 month stayed revocation with attached stipulations to include a substance abuse evaluation with a Board approved PhD prepared evaluator, to be signed within 30 days or issue a Notice of Charges

	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

VI.Q.6. Eula Magdalene Burbank CNA1000012376 (Sage)

Johnson moved, Gutierrez 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	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

VI.Q.7. Ignacio Castillo CNA999992758 (Sage)

Dalton 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 Decree of Censure. If not signed within 30 days, issue Notice of Charges.

	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

VI.Q.8. Douglas Allen Dunham CNA1000027538 (Sage)

Post moved, Gutierrez seconded, and it was unanimously carried to issue a Letter of Concern for a urine drug screen positive for marijuana on March 9, 2012, and not being initially honest with Board staff about the incident.

VI.Q.9. Sherri Renee Eschberger RN112003 (Sage)

Berrigan recused herself to avoid the appearance of impropriety. Gutierrez moved, Johnson seconded, 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. The motion carried with eight in favor and one abstained.

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

VI.Q.10. Carmen M. Wall CNA703712897 (Sage)

Berrigan recused herself to avoid the appearance of impropriety. Dalton moved, Snider seconded, 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. The motion carried with eight in favor and one abstained.

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

**VI.Q.11. Shelly Ann Harper CNA1000019880 (Sage)
(aka: Leiter)**

Gutierrez moved, Post 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 \$50 Civil Penalty. If not signed within 30 days and payment not received within 60 days, issue Notice of Charges.

	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

VI.Q.12. Amber Marie Jessup CNA1000016658 (Sage)

Post moved, Gutierrez 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 \$100 Civil Penalty. If not signed within 30 days and payment not received within 60 days, issue Notice of Charges.

	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

**VI.Q.13. Nitzia Olivia Lipson CNA1000019511 (Sage)
(aka: Fimbres Du)**

Dalton moved, McCormies seconded, and it was unanimously carried to issue a Letter of Concern for flipping a resident's call light off and on again at the call light panel while employed as a CNA on July 20, 2012, while employed at La Solana Care & Rehab in Douglas, Arizona.

**VI.Q.14. Vanessa Michelle Lopez CNA1000027133 (Sage)
(aka: Byus)**

McCormies moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for walking off the job and abandoning her residents without notifying an appropriate supervisor on March 3, 2012, while employed as a CNA at Glencroft Care Center in Glendale, Arizona.

VI.Q.15. Gunter Wolfgang Martens CNA1000019327 (Sage)

Johnson moved, Gutierrez seconded, to issue a Letter of Concern for resigning her employment and leaving her assigned shift rather than float to unit 3 because the residents preferred female CNAs, while employed as a CNA at Glendale Care Center in Glendale, Arizona on February 27, 2012. After discussion, the motion failed with six opposed and three in favor.

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

**VI.Q.16. Okunola Oluwasegun (Olu) CNA1000011611 (Sage)
(aka: Okunda)**

Sage addressed the Board with additional information. Johnson moved, Post seconded, to issue a Letter of Concern for falling asleep while sitting with a suicidal patient at Banner Thunderbird Hospital, who then walked out of the hospital on June 12, 2012. The motion carried with five in favor and four opposed.

VI.Q.17. Claudia Schroeder Ostrander RN046682 (Sage)

Quinn moved, Snider seconded, and it was unanimously carried to issue a Letter of Concern for sleeping while on duty on or about July 15, 2012, while employed at St. Joseph’s Hospital in Phoenix, Arizona.

VI.Q.18. Adriann Marie Pena CNA1000030651 (Sage)

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 offer a Consent Agreement for an 18 month stayed revocation with stipulations to include a substance abuse evaluation with a Board approved PhD prepared evaluator, to be signed within 30 days or issue a Notice of Charges.

	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

VI.Q.19. Gilbert Arthur Ramos CNA999996202 (Sage)

Dalton moved, Snider 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 12-month stayed revocation with stipulations to include a substance abuse evaluation. If not signed within 30 days, issue a Notice of Charges.

	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

VI.Q.20. Sonia Marie Sandoval CNA999998065 (Sage)

Quinn moved, Berrigan seconded, and it was unanimously carried to rescind prior Board decision of September 2012.

Quinn moved, Snider 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 24 month stayed revocation with revised stipulations to include a substance abuse evaluation with a Board approved PhD prepared evaluator, to be signed within 30 days or issue a Notice of Charges.

	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

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.7. Laurie Beauprey CNA1000018733 (VandenBerg)

VandenBerg addressed the Board with additional information. Post moved, Dalton seconded, and after discussion, 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, to issue an Interim Order for a substance abuse evaluation with a Board approved PhD prepared 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>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.S.3. Cecila Malvini RN079859 (Austin)

An attempt was made to contact Malvini telephonically and a message was left that the Board would move forward with the case. Quinn moved, Berrigan seconded, and it was unanimously carried to recind prior Board decision from September 2012.

Quinn 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 suspension not to exceed 12 months to include the attached stipulations to be followed by a minimum 36 month stayed revocation/probation to include the attached stipulations, and allow respondent to complete the addiction evaluation with a Board approved evaluator in the State of Florida. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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

VIII. Call to the Public

No members of the public requested to speak

The meeting recessed at 4:38 p.m., Thursday, November 8, 2012.

Arizona State Board of Nursing

Janice K. Brewer
Governor

Joey Ridenour
Executive Director



Board Meeting Minutes

The regular meeting of the Arizona State Board of Nursing convened at 8:00 a.m., Friday, November 9, 2012, 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
Patricia Johnson, LPN, 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
Carolyn Jo McCormies, RN, MS, FNP-BC, Member
Kim Post, RN, BSN, MBA/HCM, NEA-BC, Member
Charleen L. Snider, BSN, RN, Member

LEGAL COUNSEL:

Elizabeth Campbell, Assistant Attorney General
Anna Finn, Assistant Attorney General
Emma Mamaluy, Assistant Attorney General

STAFF DIRECTORS:

Joey Ridenour, RN, MN, FAAN, Executive Director
Nikki Austin, JD, RN, Associate Director of Investigations/Compliance
Judy Bontrager, RN, MN, Associate Director of Operations
Pamela Randolph, RN, MSN, Associate Director of Education and Evidence Based Regulation
Kirk Olson, Lead Senior Investigator

STAFF:

Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings Janeen Dahn, MSN, FNP, Nurse Practice Consultant/AP Diva Galan, JD, Senior Investigator Tamara Greabell, MA, BSN, RN, Nurse Practice Consultant Teddylen Guffey, MHSA, RN, LNCC, Nurse Practice Consultant Jan Kerrigan, RN, BSN, Nurse Practice Consultant Kristi Hunter, MSN, FNP-C, Nurse Practice Consultant Dolores Hurtado, Senior Investigator Ruth Kish, RN, MN, Nurse Practice Consultant Ron Lester, Senior Investigator Debra McGinty RN, PhD, Administrator/Nursing Programs Jennifer McWilliams, Legal Assistant	Linda Monas, Senior Investigator Cristina Oates, Legal Assistant Doug Parlin, Senior Investigator Judy Pendergast, RN, Nurse Practice Consultant/CANDO Mary Rappoport, RN, MN, Nurse Practice Consultant Deborah Richards, Senior Investigator Bonnie Richter, MSW, Senior Investigator Jeanine Sage, RN, MSN, Nursing Assistant Consultant Valerie Smith, RN, MS, FRE, Consultant to Exec Director Dirk VandenBerg, Sr., Senior Investigator Opal Wagner, RN, BSN, Nurse Practice Consultant Barbara Melberg, Legal Secretary
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I. Call to Order

The meeting was called to order at 8:00 a.m., Friday, November 9, 2012.

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

Quinn presided.

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

II.C. Settlement Conference Cases and Proposed Consent Agreements

II.C.3. Jennifer Lynn Leroy RN152561 Campbell

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

Campbell addressed the Board and noted that no agreement had been reached in the settlement conference.

Leroy was present and available for questions. Attorney Scott King was present and addressed the Board with request for a Letter of Concern.

Post moved, Dalton seconded, and it was unanimously carried to uphold the original Board decision to offer a Consent Agreement for a Decree of Censure.

	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.A. Administrative Law Judge (ALJ) Recommendations

II.A.1. Luis Fernando Kortright CNA Exam Campbell

The proceeding began at 8:19 a.m. with the following Board members present: Quinn, Johnson, Berrigan, Dalton, McCormies, Harrell, Snider, Gutierrez and Post.

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. Elizabeth Campbell, Assistant Attorney General, represented the State.

Campbell addressed the Board and requested the Board accept the Administrative Law Judge's recommended findings of fact and conclusions of law and to uphold denial of certification.

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

Johnson moved, Quinn seconded, and it was unanimously carried to accept as Findings of Fact the findings contained in Paragraphs 1 through 21.

Johnson moved, Gutierrez seconded, and it was unanimously carried, to accept as Conclusions of Law the violations in Paragraphs 1 through 13.

Johnson moved, Berrigan seconded, and it was unanimously carried to deny the applicant’s appeal and that prior denial of Kortright’s application for nursing assistant certification be upheld and affirmed.

	VOTE	<u>Dalton</u> Member	<u>McCormics</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.B. Motion to Deem Allegations Admitted for Failure to Respond to Complaint and Notice of Hearing & Recommended Discipline

II.B.1. Dawn Stroup RN097342 Campbell

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

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

Campbell addressed the Board and recommended the appropriate discipline.

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

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

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

	VOTE	<u>Dalton</u> Member	<u>McCormics</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.B. Motion to Deem Allegations Admitted for Failure to Respond to Complaint and Notice of Hearing & Recommended Discipline

AGENA #	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.B.2.	Dean Robins Wentworth	RN162375; AP3608	Revocation	Campbell

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

Campbell addressed the Board and recommended the Board choose the appropriate discipline.

Wentworth was present, telephonically, and addressed the Board.

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

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

Wentworth was given the opportunity to respond to the recommended discipline.

After discussion, Johnson moved, Berrigan seconded, and it was unanimously carried to rescind the States Motion to Deem Allegations Admitted.

The Board directed staff to obtain information from the State of Texas.

Quinn moved, McCormies seconded, and it was unanimously carried to defer the case for consideration to the January 2013, Board meeting.

II.C. Settlement Conference Cases and Proposed Consent Agreements

II.C.1. Janet Day RN Applicant Campbell

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

Campbell addressed the Board and recommended the Board accept the proposed Consent Agreement.

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

Johnson moved, Berrigan seconded, and it was unanimously carried to accept the proposed Consent Agreement for a Decree of Censure.

	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.C.2. Michelle Peters RN090110; AP1836 Campbell

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

An attempt was made to contact Peters telephonically.

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

II.C.4. Shirley Joyce Lentine RN019979 Campbell

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

Campbell addressed the Board and recommended the Board accept the proposed Consent Agreement with recommended amendments.

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

Johnson moved, Dalton seconded, and it was unanimously carried to offer a Consent Agreement for 24 months stayed revocation/probation followed by 12 months standard probation.

	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.C.5. Michelle Ann Zack**LP043948****Campbell**

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

Campbell addressed the Board and recommended the Board accept the proposed Consent Agreement

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

Johnson moved, Quinn seconded, and it was unanimously carried to offer the proposed Consent Agreement for 18 months stayed revocation/probation. If not signed, proceed to the scheduled November 16, 2012, hearing.

	VOTE	Dalton Member	McCormics 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.D. Motion to Deem Allegations Admitted for Failure to Respond to Notice of Charges & Recommended Discipline

AGENA	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.D.1.	Edward H. Dawahoy	CNA999991375	Revocation	Campbell
II.D.2.	Elizabeth Ann Forsley-Plata	RN151823	Revocation	Campbell
II.D.3.	Vanessa R. Heath	CNA1000014258	Revocation	Campbell
II.D.4.	Kimberly Marie Houlahan	RN140063	Revocation	Campbell
II.D.5.	Heather Catherine Lunkin	CNA1000025276	Revocation	Campbell
II.D.6.	Lisa Jean Montgomery	RN078391	Revocation	Campbell
II.D.7.	Benjamin Thomas O'Neal	LP031779	Revocation	Campbell
II.D.8.	Victoria Lynn Plants	LP029332	Revocation	Campbell
II.D.9.	Janet Delaine Pressley-Hemnes	LP025006	Revocation	Campbell
II.D.10.	Marlon L. Ritchie	CNA999992905	Revocation	Campbell
II.D.11.	Emily Veronica Roberts	RN151488	Revocation	Campbell
II.D.12.	Paul A. Schroeder	RN081745	Revocation	Campbell
II.D.13.	Kelly Jean Snively	RN156163	Revocation	Campbell
II.D.14.	Anita Yennie Tierney	LP014186	Revocation	Campbell
II.D.15.	Melanie April Walker	CNA999952940	Revocation	Campbell
II.D.16.	Tammy J. Tsosie	CNA1000022948	Revocation	Campbell
II.D.17.	Peter Hiarm Watts	RN104884	Revocation	Campbell
II.D.18.	Melinda Wauneka	CNA999953447	Revocation	Campbell
II.D.19.	Lillian M. Webb	LP017948	Revocation	Campbell
II.D.20.	Ellen Wolf	CNA795005429	Revocation	Campbell

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

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

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

Johnson moved, Dalton 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.

Johnson moved, McCormies seconded, and it was unanimously carried to accept the State's recommended discipline for Agenda Items II.D.1. through 20.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.C. Settlement Conference Cases and Proposed Consent Agreements

II.C.2. Michelle Peters RN090110; AP1836 Campbell

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

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

Campbell addressed the Board and recommended the Board dismiss the complaint.

Peters was present, telephonically, and available for questions. Attorney Kelly McDonald was present and addressed the Board.

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

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

**II.F.1. Angela Lee Pietraszewski RN146638 Barber
(aka: Toland; Suttmiller)**

The Board was represented by Christopher Munns, Assistant Attorney General, Division of Solicitor General.

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

Barber addressed the Board with an overview of the request.

Dalton moved, McCormies seconded, and it was unanimously carried to rescind the Notice of Charges issued on July 31, 2012, and amend Consent Agreement & Order No. 0810010 by allowing Pietraszewski to complete the terms of the 24 months practice probation in the State of Michigan.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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

**II.G.1. Ernest Esteban and Adult Care Learning Systems RN133038; LP030781
Campbell**

(aka: Diddel-Esteban)

Campbell addressed the Board and noted that the State opposes the motion to continue. Johnson moved, Dalton seconded, and it was unanimously carried to issue a Complaint and Notice of Hearing.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.D.17. Peter Hiarm Watts

RN104884 Campbell

Berrigan moved, McCormies seconded, and it was unanimously carried to reopen Agenda Item II.D.17. for the purpose of allowing Watts to address the Board. Quinn moved, Berrigan seconded, and it was unanimously carried to reaffirm prior Board decision for revocation.

VI.O.5. Danelle Onate

RN153354 (Richards)

Richards addressed the Board and confirmed the receipt of additional information. Onate and attorney Kathleen Lambert were present and addressed the Board. Johnson moved, Gutierrez seconded, and it was unanimously carried to issue a Letter of Concern for the Driving Under the Influence arrest of April 20, 2012, and subsequent charges of April 20, 2012, in Tucson Municipal Court, Tucson, Arizona.

VI.C.1. Traci Nicoles Cowles

RN169597 (Guffey)

Complainants Amber Owens and Kaitriona Von Rothschild were present and addressed the Board. Cowles was present and available for questions. Attorney Kelly McDonald was present and addressed the Board. Post moved, Berrigan seconded, and it was unanimously carried to dismiss the complaint.

The meeting recessed at 9:57 a.m. and reconvened at 10:15 a.m.

VI.C.2. Leigh Ann Bowie

RN084389 (Guffey)

Bowie and attorney Kelly McDonald were present and available for questions. Quinn moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for documenting "normal sinus rhythm" on patient W.W. on or about August 6, 2011, when patient W.W. was not being monitored at time, while employed as a RN at Banner Staffing Services in Phoenix, Arizona.

**VI.B.5. Pauline Roxanne Burden
(aka: Bouthner; Winchester)**

LP046409 (Greabell)

Burden was present and available for questions. Attorney Kelly McDonald was present and addressed the Board. Berrigan moved, Gutierrez seconded, to issue a Letter of Concern for failing to fax medication orders to the pharmacy at time of admission for patient T.L., while employed as LPN at Immanuel Campus of Care in Phoenix, Arizona. The motion carried with eight in favor and one opposed.

The Board directed staff to refer the facility and hospital in this case to Department of Health Services.

VI.O.11. Stephanie Muller

CNA10000138; RN168787 (Richards)

Muller was present and available for questions. Attorney Kelly McDonald was present and addressed the Board. Johnson moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for the misdemeanor domestic violence arrest of April 3, 2012, by Surprise Police Department, and the misdemeanor Disorderly Conduct and Assault – Intent Reckless Injure charges, (filed on or about April 5, 2012 in Surprise Municipal Court,) and for failing to report the charges to the Board within 10 days, as required by statute and rule.

VI.B.17. Alicia Joy Sable

RN160476 (Greabell)

Berrigan moved, Snider seconded, and it was unanimously carried to reopen Agenda Item VI.B.17. Greabell addressed the Board with additional information. Sable was present and available for questions. Attorney Kelly McDonald was present and addressed the Board. Quinn moved, Snider seconded, and it was unanimously carried to continue the investigation to the January 2013 Board meeting.

VI.T. 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

VI.T.1. Susan Lynn Lawler LP038471 (Greabell)

The proceeding began at 10:51 a.m. with the following Board members present: Quinn, Johnson, Berrigan, Dalton, McCormies, Harrell, Snider, Gutierrez and Post.

Lawler 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, 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.

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, 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 make a finding that public health safety and welfare imperatively requires emergency action and issue an Order summarily suspending the license of Susan Lawler pending further hearing. The hearing shall be promptly instituted and determined.

	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

It was therefore ordered that the license of Susan Lawler be suspended effective with the service of the written Order, and that Lawler 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.

McCormies moved, Gutierrez seconded, and it was unanimously carried to reopen Agenda Item VI.T.1. It was included that the Hearing for summary suspension is to be scheduled within 60 days.

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

V.C.1. Devin James Welker RN159646 (Rappoport/Galan)

Berrigan moved, McCormies seconded, and it was unanimously carried to reopen Agenda Item V.C.1. Welker was present and addressed the Board. Johnson moved, Gutierrez seconded, to approve request to amend Consent Agreement and Order No. 1106008, paragraph 4 (page 8), to allow lifting of the suspension early and revert respondent's license to 36-month stayed suspension/probation to allow Respondent to work while he is still attending his aftercare program, which must be completed no later than March 2013. After discussion, Johnson amended the motion to include: allow lifting of the suspension on December 9, 2012. Gutierrez concurred. The motion carried unanimously.

	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

V.C.2. Sarah McLain RN113175 (Rappoport/Galan)

McLain was present and addressed the Board. Quinn moved, Dalton seconded, and it was unanimously carried to keep the stay in place and continue with the current Consent Agreement.

The Board directed staff to write a letter to respondent to clarify that Consent Agreement remains in full effect.

	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

V.F. CANDO Eligibility/Noncompliance & Investigative Reports

**V.F.1. Ruby May Parks RN146100 (Pendergast)
(aka: Heintz)**

Berrigan moved, Snider seconded, and it was unanimously carried to reopen Agenda Item V.F.1. Pendergast addressed the Board with additional information. Parks was present and addressed the Board. Quinn moved, Johnson seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a 48-month stayed revocation to include the attached stipulations. For the first 12 months the license will be placed on suspension and for the duration of the stayed revocation, the license will be placed on probation. If not signed within 30 days, issue Notice of Charges. The motion carried with seven in favor and two opposed.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Post Member	Busby Member
YES	7		X	X		X	X	X	X	X	
NO	2	X			X						
ABSTAIN	0										
ABSENT	1										X

V.F.2. Jeremy Ryan Tabeling RN140061 (Pendergast)

Pendergast addressed the Board with additional information. Quinn moved, Snider seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a 48-month stayed revocation to include the attached stipulations. For the first 12 months the license will be placed on suspension and for the duration of the stayed revocation, the license will be placed on probation. If not signed within 15 days, issue Notice of Charges. The motion carried with six in favor and three opposed.

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

VI. RN/LPN/CNA Investigative Reports

VI.J.4. Paul Rivera CNA Exam (Monas)

Rivera was present and addressed the Board. Johnson moved, McCormies seconded, and after discussion, it was unanimously carried to continue the investigation to allow Rivera the opportunity to voluntarily obtain a psychological evaluation, to include psychological evaluations for potential sexual misconduct, 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>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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.S.1. Esperanza Felix CNA128361103 (Austin)
(aka: Garcia; Amaral)

Felix was present and addressed the Board. Dalton moved, Harrell seconded, , upon meeting all reinstatement requirements, including submission of all reinstatement application and fees, based upon the findings of fact and statute/rule violations identified in the January 2012 investigative report, offer respondent a Consent Agreement for a Decree of Censure to be signed within 30 days or deny respondent's request to reinstate her nursing assistant certificate. After discussion, Dalton withdrew the motion. Dalton moved, McCormies seconded, to table Agenda Item VI.S.1 to the January 2013 Board meeting. The motion carried with eight in favor and one opposed.

The Board requested legal advice for the January 2013 meeting regarding this case.

Berrigan left the meeting at 11:42 a.m. Johnson left the meeting at 11:44 a.m.

Berrigan and Johnson returned to the meeting at 11:47 a.m.

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Gateway Community College nursing students regarding Board functions, policies and procedures.

VI. RN/LPN/CNA Investigative Reports

VI.O.9. Jessica Leach RN164173 (Richards)

Berrigan moved, Dalton seconded, and it was unanimously carried to reopen Agenda Item VI.O.9. Quinn moved, Berrigan seconded, and it was unanimously carried, based on the findings of fact and statute/rules violations identified in the investigative report, to offer a Consent Agreement for 36 months probation, to include a substance abuse evaluation with a Board approved PhD prepared evaluator. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</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

The meeting recessed at 11:55 a.m. and reconvened at 1:02 p.m.

VI.J.5. Juanita Myrtis Crews RN143944 (Monas)
(aka: Smith; Jones)

Complainant Clarence Peterson was present and addressed the Board. Monas addressed the Board with additional information. Quinn 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.

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

VII.B. Educational Reports and Rules – Randolph/McGinty/Wagner

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. Proposed Revisions to the Certified Nursing Assistant Written Manual Skills Exam
Johnson moved, McCormies seconded, and it was unanimously carried to accept and approve the proposed changes to the CNA Testing with effective date on February 1, 2013.

VII.B.3. Brown Mackie College – Phoenix Associate Degree Nursing Program 12-month Provisional Report

Kitty Rogers was present and available for questions. Johnson moved, Berrigan seconded, and it was unanimously carried to continue provisional approval of the Brown Mackie College Phoenix Associate Degree Nursing Program.

VII.B.4. Brown Mackie Phoenix Associate Degree Program Investigative Report

Kitty Rogers was present and available for questions. Snider moved, Berrigan seconded, and it was unanimously carried to dismiss the complaint against the Brown Mackie Phoenix Associate Degree Nursing Program.

VII.B.5. Chandler Gilbert Community College Associate Degree Nursing Program Update

Snider moved, Dalton seconded, and it was unanimously carried to notify program that under R4-19-212 (A), (B) and (C), the administrator is required to submit reports of the NLNAC site visits.

VII.B.6. East Valley Institute of Technology Practical Nursing Program Investigative Report

Dalton moved, Snider seconded, and it was unanimously carried to dismiss the complaint against the East Valley Institute of Technology Practical Nursing Program.

VII.B.7. Southwest Skills Center Practical Nursing Program Renewal of Approval Follow-Up Report

Sandy Maas was present and available for questions. Snider moved, McCormies seconded, and it was unanimously carried to accept the Southwest Skills Center Practical Nursing Program One Year Report as evidence of resolution of deficiencies and continue full approval.

VII.B.8. Pima Community College Associate Degree Nursing Program Concurrent Enrollment Plan with Northern Arizona University Baccalaureate Program

Snider moved, Berrigan seconded, and it was unanimously carried to approve the Pima Community College - Northern Arizona University Concurrent Enrollment Program

VII.B.9. Mohave Community College Practical Nursing Program Application for Full Approval

Snider moved, Berrigan seconded, and it was unanimously carried to grant full approval to the Mohave Community College Practical Nursing Program for a period of five years with a report to the Board within 12 months accompanied by evidence that all contracts “allow(s) faculty members of the program the right to participate in selecting learning experiences for students”. If a report is not received or the Program does not provide sufficient evidence that the potential deficiency is remedied, return to the Board for a determination of status.

VII.B.10. MedStar Academy RN Refresher Program Application

Linda Rose was present and available for questions. Snider moved, Berrigan seconded, and it was unanimously carried to approve the Medstar Academy, Inc. RN Refresher Hybrid Program.

VII.B.11. Accord Healthcare Institute Nursing Assistant Training Program Follow-up Report
Snider moved, McCormies seconded, and it was unanimously carried to accept report that the deficiencies have been remedied.

VII.B.12. Gila Community College Globe Nursing Assistant Training Program Follow-up Report

McCormies recused herself to avoid the appearance of impropriety and left the meeting at 1:19 p.m. Snider moved, Berrigan seconded, and it was unanimously carried to accept report that the deficiencies have been remedied.

McCormies returned to the meeting at 1:20 p.m.

VII.B.13. Article 3 and R4-19-101 Notice of Proposed Rulemaking

Harrell moved, Snider seconded, and it was unanimously carried to approve Article 3 and R4-19-101 Notice of Proposed Rulemaking with suggested changes.

VII.B.14. Article 2 and R4-9-702 Notice of Docket Opening and Notice of Proposed Rulemaking

Dalton moved, Snider seconded, and it was unanimously carried to approve Article 2 and R4-9-702 Notice of Docket Opening and Notice of Proposed Rulemaking.

VII.B.15. Article 5 Notice of Docket Opening and Notice of Proposed Rulemaking

Snider moved, Dalton seconded, and it was unanimously carried to approve Article 5 Notice of Docket Opening and Notice of Proposed Rulemaking as amended.

VII.B.16. Education Practice Summit Survey Results

Information was provided to the Board regarding Education Practice Summit Survey Results.

VII.B.17. 3rd quarter NCLEX Results

The Board was provided with the 3rd quarter NCLEX Results.

VII.B.18. Lake Hills Inn MA Training Program Application for Initial Approval

Snider moved, Berrigan seconded, and it was unanimously carried to approve Lake Hills Inn MA Training Program application for 4-year approval.

Busby arrived at the meeting at 1:31 p.m.

VI. RN/LPN/CNA Investigative Reports

**VI.J.3. Chelsea Hatcher CNA Exam (Monas)
(aka: Blakeman)**

Monas addressed the Board with additional information and to delete fact #9 in rules from the investigative report. Snider moved, Gutierrez seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to deny certification. The motion carried with nine in favor and one abstained.

	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	1										
ABSENT	0										X

VI.P.14. Nancy Hope Retzlaff CNA Exam (Richter)
(aka: Bonnell; Shaw)

Berrigan moved, Snider seconded, and it was unanimously carried to reopen Agenda Item VI.P.14. Retzlaff was present, telephonically, and addressed the Board. McCormies moved, Berrigan seconded, and it was unanimously carried, upon meeting all requirements, to grant certification and issue a Letter of Concern for the conviction on or about January 17, 1990, in Clark County (Nevada) District Court, for Conspiracy to Possess Drugs, a Gross Misdemeanor and for an arrest in or about August 1995, for Under the Influence, a misdemeanor in Clark County, Nevada.

VI.P.15. Kayla Glynn Shreve CNA Exam (Richter)

Berrigan moved, McCormies seconded, and it was unanimously carried to reopen Agenda Item VI.P.15. Snider moved, Dalton seconded, and it was unanimously carried to reconsider denial of certification. Busby moved, Dalton seconded, and it was unanimously carried, to rescind prior decision to deny certification, and continue for further investigation.

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

VII.A. Executive Directors Report – Ridenour

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

VII.A.1.a. September 19-20, 2012 Regular Board Meeting Minutes

VII.A.1.c. September 20, 2012 Executive Session Minutes

Busby moved, Dalton seconded, and it was unanimously carried to approve minutes of September 19-20, 2012 regular Board meeting, and to approve minutes of September 20, 2012 Executive Session.

VII.A.5. Annual Review of Fee Structure and Recommended Change to Convenience Fee – Orchard/Ridenour

Busby moved, Snider seconded, and it was unanimously carried to approve fee increase as recommended.

VII.A.6. Proposed Revisions to Public Records & Information Related to Pending Investigations – Ridenour/Austin

Busby moved, Snider seconded, and it was unanimously carried to approve revisions to Public Records & Information Related to Pending Investigations.

VII.A.7. Proposed Letter of Support for Development & Implementation of Ethical Education/Remediation with the Lincoln Center for Applied Ethics – Randolph/Austin/Ridenour

Quinn moved, Johnson seconded, and it was unanimously carried to approve Letter of Support for Development & Implementation of Ethical Education/Remediation with the Lincoln Center for Applied Ethics, and to continue with reports to the Board.

VII.A.3. Introduction of Cindy Helmich, CNO Selected for Six Month Nurse Executive Internship - Ridenour

Ridenour introduced and welcomed Cindy Helmich, CNO selected for six month Nurse Executive internship with the Board.

VII.D. A.A.G. Report – Mamaluy/Campbell/Finn

VII.D.1. Introduction New Assistant AG Anna Finn - Campbell

Campbell introduced and welcomed Anna Finn, new Assistant Attorney General to the Board.

VII.D.2. Updates & Other New Appointments - Campbell

Campbell reported updates in the Hearing Department and anticipated appointment of an additional attorney in January 2013.

VII.E. Committee Reports

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

VII.E.2.a. Draft Minutes of Education Committee Meeting – October 19, 2012

Education Advisory Committee meeting draft minutes of October 19, 2012, were provided to the Board.

VII.E.3. Advanced Practice – Quinn/Busby/Randolph/Dahn

VII.E.3.a. Draft Minutes of Advanced Practice Committee Meeting – September 26, 2012

Advanced Practice meeting draft minutes of September 26, 2012, were provided to the Board.

VII.C. President’s Report – Quinn

VII.C.1. Election of Board Officers Calendar Year 2013 – Quinn/All

Board members indicated their interest in serving as officers on the Board for 2013.

Johnson moved, Berrigan seconded, and it was unanimously carried to nominate Quinn for President. Quinn accepted.

Berrigan moved, Johnson seconded, and it was unanimously carried to nominate McCormies for Vice President. McCormies accepted.

Gutierrez moved, McCormies seconded, and it was unanimously carried to nominate Berrigan for Secretary. Berrigan accepted.

VII.C.2. Board Members Appointed to Attend NCSBN 2013 Midyear Meeting in San Jose, California March 11-13, 2013, & NCSBN Delegates to Annual Meeting in Rhode Island, August 14-16, 2013 - Quinn/All

After discussion, Quinn moved, Berrigan seconded, and it was unanimously carried to approve the following people for upcoming NCSBN meetings:

NCSBN Midyear: Gutierrez, Dalton, and McCormies as alternate

NCSBN Annual: Ridenour and Quinn

VI. RN/LPN/CNA Investigative Reports

VI.J.5. Juanita Myrtis Crews RN143944 (Monas) (aka: Smith; Jones)

Busby moved, McCormies seconded, and it was unanimously carried to reopen Agenda Item VI.J.5. Monas addressed the Board with additional information. Busby moved, McCormies seconded, and it was unanimously carried to include as finding of fact and statute/rule violations #5: On or about August 8, 2012, respondent provided a statement to the Board in which she wrote that she was laid off from her job at Banner Health where she was employed as a Registered Nurse. On November 7, 2012, Banner Health provided employment records that indicated that respondent voluntarily went from a full time employee, to a part-time employee, to per diem, and ultimately chose to resign from her employment with Banner.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Post Member	Busby Member
YES	10	X	X	X	X	X	X	X	X	X	X
NO	0										
ABSTAIN	0										
ABSENT	0										

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

VII.C. President's Report – Quinn

VII.C.3. Debriefing on Board Processes and Suggested Changes – Quinn/All

Topics of discussion:

- Suggestion cards
- Grouping of multiple respondents on one case
- Clarity of investigative reports
- Speaking directly into microphones
- Grouping investigative cases with attorneys
- Options for Notice of Charges and revocations

VIII. Call to the Public

No members of the public requested to speak

X. Adjournment

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

The meeting adjourned at 2:37 p.m., Friday, November 9, 2012.

Randy C. Quinn, CRNA, President