

Arizona State Board of Nursing

Janet Napolitano
Governor

Joey Ridenour
Executive Director



Board Meeting Minutes

The regular meeting of the Arizona State Board of Nursing convened at 9:01 a.m., Monday, March 20, 2006, in the Board of Nursing Board Room, Suite 210, 1651 East Morten Avenue, Phoenix, Arizona, with Kathy Malloch, PhD, MBA, RN, FAAN, President, presiding.

BOARD MEMBERS PRESENT:

Kathy Malloch, PhD, MBA, RN, FAAN, President
Theresa Crawley, CRNA, MSHSA, Vice-President
Karen Hodges Hardy, RN, MSN, Secretary
Kathryn L. Busby, JD, Member
Trista Campbell, RN, BSN, Member
Patricia Johnson, LPN, Member
M. Hunter Perry, Member
Judy Rich, RN, Member
Steve Robertson, LPN, Member

LEGAL COUNSEL:

Daniel Christl, Assistant Attorney General
Michelle L. Wood, Assistant Attorney General
Ann Olson, Assistant Attorney General

STAFF:

Joey Ridenour, RN, MN, Executive Director
Judy Bontrager, RN, MN, Associate Director
Valerie Smith, RN, MS, Associate Director
Erica Bailey, Senior Investigator/Monitoring
Jeanne Bauer, Senior Investigator
Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings
Debra Blake, Paralegal/Hearing Department
Karen Grady, RN, MS, CS, FNP, Nurse Practice Consultant/Advanced Practice
Ron Lester, Senior Investigator
Patricia Midkiff, RN, MN, Nurse Practice Consultant
Sydney Munger, RN, MS, Nurse Practice Consultant
Betty Nelson, RN, MS, Nursing Assistant Consultant
Kirk Olson, Senior Investigator
Cory Polak, Senior Investigator
Pamela Randolph, RN, MSN, Nurse Practice Consultant/Education
Mary Rappoport, RN, MN, Nurse Practice Consultant
Jeanine Sage, RN, MSN, Nursing Assistant Consultant
Suanne Smith, RN, MS, Nurse Practice Consultant/CANDO
Sister Rachel Torrez, RN, MS, Nurse Practice Consultant
Nancy Twigg, RN, MSN, Nurse Practice Consultant
Rose Wilcox, RN, M Ed, Nurse Practice Consultant/Education
Pamela Wiggin, RN, MS, Nurse Practice Consultant/Monitoring
James Williams, Senior Investigator
Barbara Ritenour, Legal Secretary

I. Call to Order

The meeting was called to order at 9:01 a.m., Monday, March 20, 2006.

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

Malloch presided.

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

VII.C. President’s Report

VII.C.1. Introductions of New Board Members: Steven Robertson, LPN & Hunter Perry, Public Member - Malloch

Malloch introduced and Board members welcomed new Board members, Steven Robertson and Hunter Perry. They were each presented with a plaque and notice of appointment from the Governor.

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

II.A.1. Daniel Lee Adams LP016902 Christl

The proceeding began at 9:08 a.m. with the following Board members present: Johnson, Robertson, Crawley, Malloch, Hardy, Perry, Busby, Rich and Campbell.

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 Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

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

Christl addressed the Board.

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

Busby moved, Campbell seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 29 and Conclusions of Law the alleged violations in Paragraphs 1 through 8.

Busby moved, Hardy seconded, and it was unanimously carried to accept the Administrative Law Judge’s recommended Order to dismiss the applicant’s appeal and that prior denial of Adam’s application for reinstatement of practical nurse license be upheld and affirmed.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.C.3. Audrey Lynn Marsh RN085435 Wood

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Michelle Wood, Assistant Attorney General, represented the State.

Wood addressed the Board.

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

Busby moved, Crawley seconded, and after discussion, it was unanimously carried to rescind prior Board decision of July 21, 2005, to offer a Consent Agreement for a stayed revocation/suspension for 12 months followed by a stayed revocation/probation for 12 months followed by a 24 month standard probation or hearing, and accept the signed Consent Agreement for a stayed revocation/indefinite suspension with terms and conditions followed by a 12 month stayed revocation/probation followed by a 24 month standard probation to include terms and conditions.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.F.2. Carla Diers RN054302 Wood

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Michelle Wood, Assistant Attorney General, represented the State.

Wood addressed the Board.

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

Busby moved, Hardy seconded, to rescind prior Board decision of November 17, 2004, to offer a Consent Agreement for a Decree of Censure, and issue a letter of concern for failing to ensure that staff at Posada del Sol in Tucson, Arizona, were using appropriate insulin syringes, not tuberculin syringes, to administer insulin to residents. After discussion, the motion carried with seven in favor and two opposed.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	7	X	X	X		X		X	X	X
NO	2				X		X			
ABSTAIN	0									
ABSENT	0									

II.F.4. Anne Patryce Boyd RN088106 Wood

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Michelle Wood, Assistant Attorney General, represented the State.

Crawley knows Anne Boyd, but shows no bias.

Wood addressed the Board.

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

Johnson moved, Robertson seconded, and it was unanimously carried to modify prior Board decision of November 18, 2004 to offer an indefinite suspension pending successful completion of a pharmacology course followed by 24 months probation with terms and conditions, and accept the signed Consent Agreement for 24 months probation to include the attached stipulations.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.E.1. Sarah Joy Fifield CNA999988195 Christl

The proceeding began at 9:27 a.m., with the following Board members present: Johnson, Robertson, Crawley, Malloch, Hardy, Perry, Busby, Rich and Campbell.

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

Christl addressed the Board.

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

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

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.E.2. Amanda Lynn Laschet RN132552 Christl

The proceeding began at 9:29 a.m. with the following Board members present: Johnson, Robertson, Crawley, Malloch, Hardy, Perry, Busby, Rich and Campbell.

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

Christl addressed the Board.

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

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

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.E.5. Michele Marie Stinebuck RN110078 Christl

The proceeding began at 9:32 a.m. with the following Board members present: Johnson, Robertson, Crawley, Malloch, Hardy, Perry, Busby, Rich and Campbell.

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

Christl addressed the Board.

Busby moved, Hardy seconded, and it was unanimously carried to table Agenda Item II.E.5.

II.F.3. Ezekiel Tolu Opuroku LP036460 Christl

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

Kathy Lambert, attorney, was present, telephonically, and addressed the Board.

Christl addressed the Board.

Busby moved, Johnson seconded, and it was unanimously carried to rescind prior Board decision to offer a Consent Agreement for 36 months probation with terms and conditions, and accept signed Consent Agreement for 24 months probation with terms and conditions.

	VOTE	<u>Johnson,</u> <u>Patricia</u> Member	<u>Robertson,</u> <u>Steve</u> Member	<u>Crawley,</u> <u>Theresa</u> Vice Pres	<u>Malloch,</u> <u>Kathy</u> President	<u>Hardy,</u> <u>Karen</u> Member	<u>Perry,</u> <u>Hunter</u> Member	<u>Busby,</u> <u>Kathryn</u> Member	<u>Rich,</u> <u>Judith</u> Member	<u>Campbell,</u> <u>Trista</u> Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

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

AGENA #	Respondent Name	Lic/Cert #	Board Resolution	LegalStaff
II.B.1.	Dawn Marie Falk	RN093939	Revocation	A. Olson
II.B.2.	Minerva Martin	LP026120	Decree of Censure Order	Christl
II.B.3.	Linda Ellen Pate	RN037739	Revocation	Christl
II.B.5.	Melissa H. Cook	RN070956	36 month Stayed Suspension Order with terms and conditions	Wood
II.B.6.	Karen R. Erkitz	LP035842; CNA189349194	36 month Stayed Suspension/Probation Order with terms and conditions	Wood

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Michelle Wood and Ann Olson, Assistant Attorney Generals, represented the State.

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

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

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

Hardy moved, Crawley seconded, and it was unanimously carried to accept the State's recommended discipline for Agenda Items II.B.1-3, 5 & 6.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.C. Board Discussion and Decision Regarding Settlement Agreements on Cases Scheduled for Hearing and/or Administrative Law Judge Recommendations Regarding Settlement

II.C.1. Nikki Grace Miller RN086315; AP0258 Wood

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Michelle Wood, Assistant Attorney General, represented the State.

Wood addressed the Board.

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

Busby moved, Crawley seconded, and after discussion, it was unanimously carried to rescind prior Board decision to offer a Consent Agreement for a Decree of Censure, and accept the signed Consent Agreement for a \$250 Civil Penalty.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.C.2. Arlene Charlotte DeMattia LP037609 Christl

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

Terry Hall, attorney, was present and addressed the Board.

Christl addressed the Board.

Johnson moved, Crawley seconded, and it was unanimously carried to rescind prior Board decision of May 21, 2004, to offer a Consent Agreement for a 24 month probation with terms and conditions, and accept the signed Consent Agreement for 18 months probation to include the attached terms and conditions.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

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

AGENA #	Respondent Name	Lic/Cert #	Board Resolution	LegalStaff
II.D.1.	Derek D. Cook	CNA9999950914	Revocation	Christl
II.D.2.	Patricia A. Kearns	LP028441	Revocation	Christl
II.D.3.	Shannon Pearl Tew	CNA999994058	Revocation	Christl
II.D.4.	Shyloh Bay Blair	CNA100004602	Revocation	Wood
II.D.5.	Stephanie Nicole Collins	CNA999998348	Revocation	Wood
II.D.6.	Janet Coronel (aka: Rayes)	CNA100005505	Civil Penalty Order for \$50.00	Wood
II.D.7.	Carl W. Erickson	CNA572563873	12 month Stayed Revocation Order with terms and conditions	Wood
II.D.8.	Kathleen M. Geist-Dunlevy	CNA911218529	Revocation	Wood
II.D.10.	Hilda Juan	CNA312674803	Revocation	Wood
II.D.11.	Franki Lane	CNA999995355	Revocation	Wood
II.D.12.	Greg Macias	CNA999991643	Revocation	Wood
II.D.13.	Debbie M. Monroe	CNA999951847	Revocation	Wood
II.D.14.	Cherilyn L. Reese	CNA086551680	Revocation	Wood
II.D.15.	Sylvia Corinne Stidham (aka: Mendoza)	CNA100002864	Revocation	Wood
II.D.16.	Leonard Len Talley	CNA100002365	Revocation	Wood
II.D.17.	Cynthia Jean Teffer	CNA100004088	Revocation	Wood
II.D.18.	Carolyn Anne Thibodeau	CNA100003111	12 month Stayed Revocation Order with terms and conditions	Wood
II.D.19.	Anne Marie Gatten	RN115949	Revocation	Wood
II.D.20.	Alissia Faye Gentry	RN097626	Revocation	Wood

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

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

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

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

Busby moved, Perry seconded, and it was unanimously carried to accept the State’s recommended discipline for Agenda Items II.D.1- 8, and 10 - 20.

II.D.9. Michelle Gigous CNA999949133 Wood (aka: Balderrana; Jerez; Houser)

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Michelle Wood, Assistant Attorney General, represented the State.

Gigous was present, telephonically, and addressed the Board.

Wood addressed the Board.

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

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

Busby moved, Hardy seconded, and it was unanimously carried to impose an Order for 12 months stayed revocation suspension with terms and conditions followed by a 24 month stayed revocation with terms and conditions

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

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

II.E.3. Sharon Marie Norris CNA999992425 Wood

The proceeding began at 10:00 a.m., with the following Board members present: Johnson, Robertson, Crawley, Malloch, Hardy, Perry, Busby, Rich and Campbell.

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Michelle Wood, Assistant Attorney General, represented the State.

Wood addressed the Board.

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

Busby moved, Hardy seconded, and after discussion, t was unanimously carried to grant a review, rescind prior Board Order, accept the modified terms and the signed Consent Agreement for a \$100 Civil Penalty.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.E.4. Maureen Della Thiel RN088013 A. Olson

The proceeding began at 10:04 a.m., with the following Board members present: Johnson, Robertson, Crawley, Malloch, Hardy, Perry, Busby, Rich and Campbell.

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

Theil was present and addressed the Board.

Olson addressed the Board.

Campbell moved, Rich seconded, and after discussion, it was unanimously carried to deny request for rehearing/reconsideration.

	VOTE	<u>Johnson, Patricia</u> Member	<u>Robertson, Steve</u> Member	<u>Crawley, Theresa</u> Vice Pres	<u>Malloch, Kathy</u> President	<u>Hardy, Karen</u> Member	<u>Perry, Hunter</u> Member	<u>Busby, Kathryn</u> Member	<u>Rich, Judith</u> Member	<u>Campbell, Trista</u> Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.E.6. Mary Eileen Lipski RN000099141 Wood

The proceeding began at 10:08 a.m., with the following Board members present: Johnson, Robertson, Crawley, Malloch, Hardy, Perry, Busby, Rich and Campbell.

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Michelle Wood, Assistant Attorney General, represented the State.

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

Wood addressed the Board.

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

	VOTE	<u>Johnson, Patricia</u> Member	<u>Robertson, Steve</u> Member	<u>Crawley, Theresa</u> Vice Pres	<u>Malloch, Kathy</u> President	<u>Hardy, Karen</u> Member	<u>Perry, Hunter</u> Member	<u>Busby, Kathryn</u> Member	<u>Rich, Judith</u> Member	<u>Campbell, Trista</u> Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

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

II.F.1. Robin Lynn Hagen LP032674 A. Olson

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

Olson addressed the Board.

Terry Hall, attorney, was present and addressed the Board.

Busby moved, Crawley seconded, and it was unanimously carried to rescind prior Board decision of January 23, 2004, to offer a Consent Agreement for 36 months chemical dependency probation, and accept the signed Consent Agreement for 24 months probation to include the attached modified terms and conditions.

	VOTE	<u>Johnson, Patricia</u> Member	<u>Robertson, Steve</u> Member	<u>Crawley, Theresa</u> Vice Pres	<u>Malloch, Kathy</u> President	<u>Hardy, Karen</u> Member	<u>Perry, Hunter</u> Member	<u>Busby, Kathryn</u> Member	<u>Rich, Judith</u> Member	<u>Campbell, Trista</u> Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

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

II.G.1. Karen L. Rebel RN078320; LP02466 Christl
(aka: Hogue)

The Board was represented by Victoria Mangiapane, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

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

Christl addressed the Board.

Busby moved, Crawley seconded, and it was unanimously carried to rescind prior Board decision to issue a Notice of Charges, and accept the signed Consent Agreement for a 24 month stayed revocation probation with terms and conditions.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.I. Board Discussion and Decision Regarding RN Investigative Report, Summary Suspension

II.I.1. Kelly Ann Nopp LP028917; CNA48965993 Wood

The proceeding began at 10:15 a.m., with the following Board members present: Johnson, Robertson, Crawley, Malloch, Hardy, Perry, Busby, Rich and Campbell.

Torrez addressed the Board with additional information.

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

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

Busby moved, Perry seconded, that based upon the information presented at this meeting, all Board members verbally agreed, and offered a brief explanation of their reasons, that a showing of extraordinary circumstances or the possibility of irreparable harm has been made, supporting the need for a Summary Suspension. After discussion, Busby amended the motion to include that this motion is expedited and not standard. Perry concurred. The motion carried unanimously.

Busby moved, Crawley seconded, and it was unanimously carried to accept proposed preliminary Findings of Fact, amended to include Finding of Fact #8, the allegations and Conclusions of Law the alleged violations in the Findings of Public Emergency and Order of Summary Suspension.

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(E).

Busby moved, Hardy seconded, and it was unanimously carried to summarily suspend practical license No. LP028917 and CNA certificate No. CNA48965993 issued to Kelly Ann Nopp.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

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

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Arizona State University, Grand Canyon College, Glendale Community College, and Gateway community College Nursing Students regarding Board functions, policy and procedure. Questions were asked on ability to obtain a license if it has been denied in any other state, procedure for reporting criminal charges if a license is revoked by the Board, and how to acquire a position on the Board.

Johnson left the meeting at 10:27 a.m. and returned at 10:29 a.m. Hardy left the meeting at 10:30 a.m. and returned at 10:32 a.m.

II.I.1. Kelly Ann Nopp LP028917; CNA48965993 Wood

Hardy moved, Rich seconded, and it was unanimously carried to reopen Agenda Item II.I.1.

Wood addressed the Board with additional information.

Busby moved, Rich seconded, and it was unanimously carried to reaffirm prior Board Order, amended to include: accept Consent Agreement as offered, if signed, in lieu of summary suspension and hearing.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

The meeting recessed at 10:45 a.m. and reconvened at 11:15 a.m.

VII.A.3. Discuss National Council State Boards of Nursing Draft APRN Advisory Panel Vision Paper – Grady/Randolph/Rappoport/Ridenour

Malloch opened discussion on the National Council State Boards of Nursing (NCSBN) Draft Advanced Practice Registered Nurse (APRN) Advisory Panel Vision Paper and reported that opportunity for discussion was provided at the recent NCSBN mid-year delegate assembly meeting, and is expected be voted on at the August 2006 meeting. Ridenour reported that NCSBN has posted the 26 page document on it’s website and noted there are 8 main recommendations in the document. The controversial recommendations were anticipated to be item 2: APRN licensure will be in the categories and titles of nurse anesthetist, nurse midwife or nurse practitioner (Ridenour stated that the vision paper is recommending that the clinical nurse specialist no longer be recognized as an advanced practice (AP) nurse); and the other major area with anticipated dialogue and debate would be item 5: Requirements for licensure as a nurse practitioner will include successful completion of a core nurse practitioner licensure examination and a residency program. Malloch stated that the background of the document and the long-term goal is for more clarity about the practice of advanced practice, and the need for clinical experience in order to document the ability to practice. Pat Rehn for AzNA stated that they would like to be included in future meetings in order to represent the advanced practice nurses appropriately. Sally Doshier

of NAU agreed that Clinical Nurse Specialist's (CNS's) have concern that they be included, as part of the realm of it, being known as an advanced practice nurse. She stated that there is an overall approval of the steps Arizona has taken to put some formality around the title, role, and scope of the CNS requirements for certification. Vicki Buchda of May Clinic commented that the concern of leaving the CNS out of the titling of AP nurse is that it's a national definition which is widely accepted. Malloch suggested that the AP Committee identify overall advantages and disadvantages of the vision paper. Malloch further suggested a posting on the website to identify "tentative next steps", so people could track the process. Ridenour stated another consideration is the core requirements for AP passed by delegate assembly, and to review whether the vision paper supports those requirements when considering an AP compact. Malloch suggested an area on the ASBN website for dialogue to take place regarding the vision paper in an effort to receive comments and questions from the public regarding issues, advantages, accomplishments or lack of accomplishments of the paper.

III. Board Discussion and Decision Regarding Case Disposition Criteria Approved, Letter of Concern Summary Report Approved, Lapsed Licenses, and Reinstatement Applications (List Available in Board Office)

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

- III.A.1. RN/LPN Endorsement Applicants**
- III.A.2. RN/LPN Examination Applicants**
- III.A.3. RN/LPN Renewal Applicants**
- III.A.4. CNA Endorsement/Examination Applicants**
- III.A.5. CNA Renewal Applicants**
- III.A.6. AP/RN/LPN/CNA Respondents**
- III.A.7. School Nurse Certificate Applicants**
- III.A.8. Certified Registered Nurse Anesthetists Applying for Prescribing Authority**

Campbell moved, Crawley seconded, and it was unanimously carried to approve the applicants on the list to be dismissed by case disposition criteria and to grant licensure/certification to examination and endorsement applicants on the list pending successful completion of testing requirements, verification from original state licensure and receipt of negative state and federal criminal history.

III.B. Board Discussion and Decision Regarding Letter of Concern Summary Report Approved

- III.B.1. RN/LPN Endorsement Applicants**
- III.B.2. RN/LPN Examination Applicants**
- III.B.3. RN/LPN Renewal Applicants**
- III.B.4. CNA Endorsement/Examination Applicants**
- III.B.5. CNA Renewal Applicants**
- III.B.6. AP/RN/LPN/CNA Respondents**

Campbell moved, Hardy seconded, and it was unanimously carried to issue the Letters of Concern submitted and grant licensure/certification to examination and endorsement applicants on the list pending successful completion of testing requirements, verification from original state of licensure and receipt of no additional state and federal criminal history.

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

- III.D.2. Notice of Charges**
- III.D.2.a. David A. Koos CNA999995467 (Wiggin)**

Hardy moved, Busby seconded, and it was unanimously carried to adopt the attached Notice of Charges for Agenda Items III.D.2.a.

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

- III.E.1. Ricky E. Dorosky CNA456437803 (Sage)**
- III.E.2. Helen Elizabeth Burson LP035197 (Torrez)**
- III.E.5. Kathie L. Greenwalt CNA803880103 (Nelson)**
(aka: Ashenbrenner)

Johnson moved, Robertson seconded, and unanimously carried to adopt the attached Notice of Charges for Agenda Items III.E.1, 2 and 5.

III.F. Board Information Regarding Imposters & Cease and Desist Orders
1. Patricia Vincent (Hurtado)

A Cease and Desist letter was mailed to Vincent on March 15, 2006.

III.G. Board Information Regarding Court Ordered Revocations

- III.G.1. James C. Fitch LP038949 (Huff)**

A Court Ordered notice of revocation was issued to James C. Fitch on February 22, 2006.

V.A.2. Scott Leroy Garrett LP040105 (Twigg)

Twigg addressed the Board with additional information. Garrett was present and available for questions. Campbell moved, Hardy seconded, and after discussion, it was unanimously carried to issue an Interim Order for a sexual misconduct evaluation by a Board approved psychologist with expertise in sexual and boundary misconduct to be scheduled within 15 days and completed within 45 days, and return to the Board.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.A.3. Rebecca Wyatt Johnson RN057760 (Twigg)

Twigg addressed the Board and confirmed receipt of additional information. Rebecca Johnson was present and addressed the Board. Campbell moved, Johnson seconded, to offer a Consent Agreement for a 24 month probation to include the attached stipulations, or hearing. After discussion, Campbell amended the motion to include stipulation: may work in one facility in block assignments. Johnson concurred. The motion carried with eight in favor and one opposed.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X	X	X	X	X	X		X	X
NO	1							X		
ABSTAIN	0									
ABSENT	0									

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

- V.A.1. Judith Mary Atkins LP029571 (Twigg)**

Atkins was present and addressed the Board. Busby moved, Robertson seconded, to offer a Consent Agreement for a Decree of Censure, or hearing. After discussion, the motion failed with six opposed and three in favor.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	3		X	X				X		
NO	6	X			X	X	X		X	X
ABSTAIN	0									
ABSENT	0									

Johnson moved, Campbell seconded, to offer a Consent Agreement for 24 month probation to include the attached stipulations, or hearing. The motion carried with five in favor and four opposed.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	5	X			X	X	X			X
NO	4		X	X				X	X	
ABSTAIN	0									
ABSENT	0									

The meeting recessed at 12:27 p.m. and reconvened at 1:15 p.m. Busby left the meeting at 12:27 p.m.

V.G.1. Kathleen Gallagher LP036276 (Midkiff)

Midkiff addressed the Board with additional information. Campbell moved, Crawley seconded, and it was unanimously carried to accept the signed a Consent Agreement for a Decree of Censure, or hearing.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	7	X	X	X	X	X	X			X
NO	0									
ABSTAIN	0									
ABSENT	2							X	X	

Rich returned to the meeting at 1:19 p.m.

V.G.2. Suzanne Marie Blank RN104629 (Midkiff)

Blank was present and available for questions. Campbell moved, Johnson seconded to issue a letter of concern for failing to supervise the actions of an LPN who responded to a patient M.F.'s hypoglycemic event by giving M.F. peanut butter, which led to M.F.'s hospitalization for possible aspiration pneumonia in August 2005. After discussion, the motion carried with seven in favor and one abstained.

V.G.3. Linda Birch RN101509 (Midkiff)

Hardy knows Maggie Welch but shows no bias. Terry Hall, attorney, and Birch were present and addressed the Board. Campbell moved, Hardy seconded, to issue an Interim Order for an evaluation to be completed by a Board approved psychiatrist and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days and return to the Board. After discussion, the motion carried with seven in favor and one opposed.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	7	X	X		X	X	X		X	X
NO	1			X						
ABSTAIN	0									
ABSENT	1							X		

V.F.1. April Lynn Cobia RN117544; LP036533; CNA180199417 (Torrez)

Torrez addressed the Board with additional information. Cobia was present and addressed the Board. Dominique Barrett, attorney, was present and available for questions. Rich moved, Campbell seconded, to offer Consent Agreement for 24 month probation with the attached stipulations, amended to include: allowed to work

night shift, and a \$1000 Civil Penalty, or proceed to hearing. After discussion, Rich amended the stipulations to delete nursing ethics and documentation course. Campbell concurred. The motion carried with seven in favor and one opposed.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	7	X		X	X	X	X		X	X
NO	1		X							
ABSTAIN	0									
ABSENT	1							X		

V.H.1. Patricia Katherine Summers RN063979; AP1459 (Grady)

Johnson moved, Crawley seconded, and it was unanimously carried to table Agenda Item V.H.1.

V.H.3. Alejandrina Orpineda RN084752; AP0194 (Grady)

Hardy recused herself to avoid the appearance of impropriety, and left the meeting at 1:44 p.m. Orpineda was present and addressed the Board. Rich moved, Crawley seconded, to issue a Letter of Concern for inadequate follow up of a patient with pregnancy induced hypertension, on or about December 8, 1997, while employed by Women’s Health Specialists, Yuma, Arizona. After discussion, the motion failed with four opposed and three in favor. Johnson moved, Perry seconded, to offer a Consent Agreement for a Decree of Censure or hearing. The motion carried with four in favor and three opposed.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	4	X			X		X			X
NO	3		X	X					X	
ABSTAIN	0									
ABSENT	2					X		X		

Hardy returned to the meeting at 1:51 p.m.

V.A.5. Juana Rene Wells RN091197 (Twigg)

An attempt was made to contact Wells, telephonically. Julie Fernandez, complainant, was present and addressed the Board. Campbell moved, Hardy seconded, and after discussion, it was unanimously carried to issue a letter of concern for lack of professionalism in obtaining necessary information in caring for an infant.

V.A.6. Karen Jean Baker RN12798; LP038559; CNA999995346 (Twigg)

Julie Fernandez, complainant, was present and addressed the Board. Johnson moved, Rich seconded, to dismiss the case. After discussion, the motion failed with five opposed and three in favor. Campbell moved, Robertson seconded, to issue a letter of concern for showing lack of sensitivity in communicating and meeting the patient’s needs in October 2004. After further discussion, the motion carried with six in favor and two opposed.

V.A.10. Eric Todd Johansen RN111540 (Twigg)

Twigg addressed the Board with additional information. Johansen was present and addressed the Board. Johnson moved, Perry seconded, and it was unanimously carried to dismiss the case.

The meeting recessed at 2:28 p.m. and reconvened at 2:41 p.m.

V.E.4. Shea Anthony Luedke LP028484 (Munger)

Munger addressed the Board with additional information. Jerry Gaffaney, attorney was present and addressed the Board. Luedke was present and available for questions. Campbell moved, Johnson seconded, to offer a Consent Agreement for a 24 month probation to include the attached stipulations, or hearing. After discussion,

Campbell amended the motion to include as stipulation: night shift prohibited and direct supervision. Johnson concurred. The motion carried unanimously.

	VOTE	<u>Johnson, Patricia</u> Member	<u>Robertson, Steve</u> Member	<u>Crawley, Theresa</u> Vice Pres	<u>Malloch, Kathy</u> President	<u>Hardy, Karen</u> Member	<u>Perry, Hunter</u> Member	<u>Busby, Kathryn</u> Member	<u>Rich, Judith</u> Member	<u>Campbell, Trista</u> Member
YES	8	X	X	X	X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	1							X		

IV.B.3. Marvin Jennings RN098694 (Bailey)

Jennings was present and available for questions. Campbell moved, Rich seconded, and it was unanimously carried to offer a Consent Agreement for a 12 month stayed revocation/probation followed by 24 months standard probation to include the attached terms and conditions. If not signed, proceed to non-compliance hearing.

	VOTE	<u>Johnson, Patricia</u> Member	<u>Robertson, Steve</u> Member	<u>Crawley, Theresa</u> Vice Pres	<u>Malloch, Kathy</u> President	<u>Hardy, Karen</u> Member	<u>Perry, Hunter</u> Member	<u>Busby, Kathryn</u> Member	<u>Rich, Judith</u> Member	<u>Campbell, Trista</u> Member
YES	8	X	X	X	X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	1							X		

IV.B.4. Robert MacMaster RN107531 (Bailey)

Johnson recused herself to avoid the appearance of impropriety. Bailey addressed the Board with additional information. MacMaster was present and addressed the Board. Rich moved, Campbell seconded, to offer a Consent Agreement for a 12 month stayed revocation/probation followed by 24 months probation to include the attached stipulations amended to include: 36 months on site supervision. The motion carried with seven in favor and one abstained.

	VOTE	<u>Johnson, Patricia</u> Member	<u>Robertson, Steve</u> Member	<u>Crawley, Theresa</u> Vice Pres	<u>Malloch, Kathy</u> President	<u>Hardy, Karen</u> Member	<u>Perry, Hunter</u> Member	<u>Busby, Kathryn</u> Member	<u>Rich, Judith</u> Member	<u>Campbell, Trista</u> Member
YES	7		X	X	X	X	X		X	X
NO	0									
ABSTAIN	1	X								
ABSENT	1							X		

VII.B. Educational Reports and Rules

VII.B.3. Estrella Mountain CC/SouthWest Skill Center Application for Final Approval PN Program

Judy Crume and Clay Goodman were present and available for questions. Crawley moved, Perry seconded, and it was unanimously carried to grant full approval for 3 years with a site visit in one year.

VII.B.5. Application for new Site at Estrella Mountain CC for MCCDNP

Judy Crume and Clay Goodman were present and available for questions. Perry moved, Johnson seconded, and it was unanimously carried to approve the MCCDNP application for an additional site at Estrella Mountain Community College.

VII.B.13. Investigative Report Estrella Mountain CC/SouthWest Skill Center PN Program

Judy Crume and Clay Goodman were present and available for questions. Crawley moved, Rich seconded, and it was unanimously carried to issue a letter of concern to SouthWest Skill Center/Estrella Mountain Community College for allowing control of some aspects of the nursing program by persons other than the nursing administrator in 2005.

VII.B.4. Applications for Change in Mission and Goals Northern Arizona University

Sally Doshier and Eileen Decker were present and available for questions. Rich moved, Perry seconded, and it was unanimously carried to approve the Northern Arizona University application for program change in mission and goals.

VII.B.10. University of Mary Application to Conduct Clinical in Arizona

Sister Mariah Deitz was present, telephonically, and addressed the Board. Perry moved, Robertson seconded, and it was unanimously carried to approve University of Mary to conduct clinical in Arizona in Spring 2006 only.

VII.B.11. Change in Program Administrator Northern Arizona University

Information was provided to the Board regarding the resignation of Dr. Judith Sellers as Executive Director of the School of Nursing.

VII.B.6. Application for New Site and Increase in Enrollment – Baptist Health System

Judy Schueler was present and addressed the Board. Melanie Brady and Karen Stiefel were present, telephonically, and available for questions. Johnson moved, Perry seconded, and it was unanimously carried to approve the Baptist Health System application for an additional site and increase in enrollment.

IV.B.8. Judith Walker RN129503 (Bailey)

Bailey addressed the Board with additional information. Walker was present and addressed the Board. Johnson moved, Crawley seconded, and it was unanimously carried to table Agenda Item IV.B.8.

IV.C.6. Peggy Peterson RN102700 (Wiggin)

Wiggin addressed the Board with additional information. Peterson was present and available for questions. Campbell moved, Johnson seconded, and after discussion, it was unanimously carried to offer a Consent Agreement for 12 months stayed suspension/probation followed by 12 months probation with the attached terms and conditions, amended to delete: relapse prevention evaluation at 12 months. If not signed, proceed to noncompliance hearing.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X	X	X	X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	1							X		

IV.E.5. Colleen Ann Ornelas LP036676 (S. Smith)

Ornelas was present and addressed the Board. Crawley moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for a 24 month stayed revocation with the license suspended during the first 12 months and on probation the last 12 months, followed by a 24 month probation to include the attached stipulations, or hearing.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X	X	X	X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	1							X		

IV.C.4. Jo Marie Lerner RN117295 (Wiggin)
(aka: Lambdin)

Wiggin addressed the Board with additional information. Lerner was present and available for questions. Hardy moved, Perry seconded, and it was unanimously carried to table Agenda Item IV.C.4.

VIII. Call To The Public

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

A member of the public addressed the Board and was referred to the Ombudsmen office.

The meeting recessed at 4:13 p.m. and reconvened at 4:22 p.m.

VII.A.5. Educational Presentation on Arizona Hospital & Healthcare Association’s “Safe & Sound Patient Safety Program” – Alexander

Adda Alexander and Barbara Averyl offered an educational presentation on Arizona Hospital & Healthcare Association’s “Safe & Sound Patient Safety Program”. Malloch suggested including a page of the newsletter to be dedicated to key initiatives for safety basics.

IV.B.8. Judith Walker RN129503 (Bailey)

Hardy moved, Rich seconded, and it was unanimously carried to reopen Agenda Item IV.B.8. Christl addressed the Board with additional information. Walker verbally agreed that she would to abide by the terms of the Consent Agreement and submit to double UDS testing. Johnson moved, Robertson seconded, and it was unanimously carried to continue with current Consent Agreement which went into effective on February 16, 2006, with terms and conditions to include double UDS testing, and direct staff to investigate the complaint alleging positive alcohol testing on a day that Walker was working.

	VOTE	<u>Johnson, Patricia</u> Member	<u>Robertson, Steve</u> Member	<u>Crawley, Theresa</u> Vice Pres	<u>Malloch, Kathy</u> President	<u>Hardy, Karen</u> Member	<u>Perry, Hunter</u> Member	<u>Busby, Kathryn</u> Member	<u>Rich, Judith</u> Member	<u>Campbell, Trista</u> Member
YES	8	X	X	X	X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	1							X		

IV.C.4. Jo Marie Lerner RN117295 (Wiggin)
(aka: Lambdin)

Hardy moved, Crawley seconded, and it was unanimously carried to reopen Agenda Item IV.C.4. Wiggin addressed the Board with additional information. Lerner was present and available for questions. Johnson moved, Hardy seconded, to offer a Consent Agreement for stayed revocation/probation for 18 months followed by a standard probation for 18 months to include the attached terms. If not signed within 30 days, issue Complaint and Notice of Hearing. The motion carried with five in favor and three opposed.

	VOTE	<u>Johnson, Patricia</u> Member	<u>Robertson, Steve</u> Member	<u>Crawley, Theresa</u> Vice Pres	<u>Malloch, Kathy</u> President	<u>Hardy, Karen</u> Member	<u>Perry, Hunter</u> Member	<u>Busby, Kathryn</u> Member	<u>Rich, Judith</u> Member	<u>Campbell, Trista</u> Member
YES	5	X		X	X	X				X
NO	3		X				X		X	
ABSTAIN	0									
ABSENT	1							X		

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

II.H.1. Neal Christopher Jackson RN110090 (Barber)

Malloch knows Marie Gagnam but shows no bias. Barber addressed the Board, telephonically, with additional information. Jackson was present and addressed the Board. Jackson verbally agreed to the need for an evaluation. Crawley moved, Johnson seconded, and after discussion, it was unanimously carried to include additional findings of fact and conclusions of law in the Complaint and Notice of Hearing to be issued, based on the information contained in the investigative report.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X	X	X	X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	1							X		

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

V.A.7. La Donna R. Carroll LP022532 (Twigg)

Johnson moved, Perry seconded, and it was unanimously carried to issue a letter of concern for failing to maintain security of narcotics by placing a dose of narcotics within the reach of a confused resident while working at Desert Life Rehabilitation & Care Center in Tucson, Arizona.

V.A.8. James Clark Davies LP039894; CNA999994448 (Twigg)

Perry moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for a 36 month probation to include the attached stipulations, or hearing.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X	X	X	X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	1							X		

V.A.9. Darlene Robbins DeVries RN063590 (Twigg)

Rich recused herself to avoid the appearance of impropriety. Hardy moved, Perry seconded, to offer a Consent Agreement for a 24 month probation to include the attached stipulations, or hearing. The motion carried with seven in favor and one abstained.

V.A.11. Lena B. Lester LP018972 (Twigg)

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

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X	X	X	X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	1							X		

**V.A.12. Supatorn Pichitchlotorn Pirakitti RN105948 (Twigg)
(aka: Kumnurdee)**

Twigg addressed the Board with additional information. Campbell moved, to offer a Consent Agreement for a Decree of Censure, or hearing. The motion failed. Johnson moved, Hardy seconded, and it was unanimously carried to continue the investigation to determine the reason she did not disclose information to MRO, Occupational Health, and Board staff.

V.A.4. Patsy Shannon Weaver LP030542 (Twig)

An attempt was made to contact Weaver telephonically. Johnson moved, Crawley seconded, and after discussion, it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or hearing.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X	X	X	X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	1							X		

The meeting recessed at 5:43 p.m., Monday, March 20, 2006.

Arizona State Board of Nursing

Janet Napolitano
Governor

Joey Ridenour
Executive Director



Board Meeting Minutes

The regular meeting of the Arizona State Board of Nursing convened at 8:31 a.m., Tuesday, March 21, 2006, in the Board of Nursing Board Room, Suite 210, 1651 East Morten Avenue, Phoenix, Arizona, with Kathy Malloch, PhD, MBA, RN, FAAN, President, presiding.

BOARD MEMBERS PRESENT:

Kathy Malloch, PhD, MBA, RN, FAAN, President
Theresa Crawley, CRNA, MSHSA, Vice-President
Karen Hodges Hardy, RN, MSN, Secretary
Kathryn L. Busby, JD, Member
Trista Campbell, RN, BSN, Member
Patricia Johnson, LPN, Member
M. Hunter Perry, Member
Judy Rich, RN, Member
Steve Robertson, LPN, Member

LEGAL COUNSEL:

Daniel Christl, Assistant Attorney General
Michelle L. Wood, Assistant Attorney General
Ann Olson, Assistant Attorney General

STAFF:

Joey Ridenour, RN, MN, Executive Director
Judy Bontrager, RN, MN, Associate Director
Valerie Smith, RN, MS, Associate Director
Erica Bailey, Senior Investigator/Monitoring
Jeanne Bauer, Senior Investigator
Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings
Debra Blake, Paralegal/Hearing Department
Karen Grady, RN, MS, CS, FNP, Nurse Practice Consultant/Advanced Practice
Ron Lester, Senior Investigator
Patricia Midkiff, RN, MN, Nurse Practice Consultant
Sydney Munger, RN, MS, Nurse Practice Consultant
Betty Nelson, RN, MS, Nursing Assistant Consultant
Kirk Olson, Senior Investigator
Cory Polak, Senior Investigator
Pamela Randolph, RN, MSN, Nurse Practice Consultant/Education
Mary Rappoport, RN, MN, Nurse Practice Consultant
Jeanine Sage, RN, MSN, Nursing Assistant Consultant
Suanne Smith, RN, MS, Nurse Practice Consultant/CANDO
Sister Rachel Torrez, RN, MS, Nurse Practice Consultant
Nancy Twigg, RN, MSN, Nurse Practice Consultant
Rose Wilcox, RN, M Ed, Nurse Practice Consultant/Education
Pamela Wiggin, RN, MS, Nurse Practice Consultant/Monitoring
James Williams, Senior Investigator
Barbara Ritenour, Legal Secretary

I. Call to Order

The meeting was called to order at 8:31 a.m., Tuesday, March 21, 2006.

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

Malloch presided.

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

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

Lydia Bungay	CNA809248219	Immediately (Bailey)
Nikki Torres	RN132551	Immediately (Bailey)
Ryan Bolton	RN106954; LP032632	Immediately (Bailey)
Scott Lyons	RN129737	Immediately (Bailey)
Cindy Brown	RN087150	Immediately (Bailey)
Zulema Reed	LP036794	March 30, 2006 (Bailey)

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

IV.B. Board Discussion & Decision Regarding Non-Compliance/Compliance with Board Orders
IV.B.1. Cheryl Cowan RN123412 (Bailey)

Cowan was present, telephonically, and addressed the Board. Johnson moved, Busby seconded, and it was unanimously carried to terminate probation entered into on January 20, 2004.

IV.B.5. Shenna Nichols RN125632 (Bailey)

Nichols was present, telephonically, and addressed the Board. Perry moved, Crawley seconded, and it was unanimously carried to approve request to allow Nichols to fulfill the terms of Consent Agreement probation entered into on November 2, 2005, in the State of Illinois.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X	X	X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	1									X

Campbell arrived at the meeting at 8:42 a.m.

IV.B.6. Stephanie Okamura CNA1000005875 (Bailey)

Okamura was present and addressed the Board. Rich moved, Hardy seconded, to lift the suspension of Okamura’s certified nursing assistant certificate and continue with the terms of the original Consent Agreement. The motion carried with eight in favor and one abstained.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X	X	X	X	X	X	X	X	
NO	0									
ABSTAIN	1									X
ABSENT	0									

IV.B.7. Adrian Peric RN085548 (Bailey)

Peric was present, telephonically, and available for questions. Hardy moved, Perry seconded, and it was unanimously carried to amend Consent Agreement entered into on March 16, 2005, to allow Peric to work any shift.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

IV.B.10. Jon Wheat RN120488 (Bailey)

Perry moved, Busby seconded, and it was unanimously carried to terminate probation entered into on June 29, 2005.

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

IV.C.1. Carolyn Gallegos RN051479 (Wiggin)

Busby moved, Perry seconded, and it was unanimously carried to accept the signed Consent Agreement for an 18 month stayed revocation/probation followed by 18 months standard probation to include the attached stipulations.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

IV.C.2. Jess Iannoli RN115489; LP036052 (Wiggin)

Iannoli was present, telephonically, and available for questions. Busby moved, Crawley seconded, and it was unanimously carried to accept signed Consent Agreement #0511139 for payment of an Administrative penalty of \$150; upon receipt of payment, terminate Consent Agreement # 0212039.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

IV.C.3. Charlotte Igo RN115692 (Wiggin)

Malloch recused herself to avoid the appearance of impropriety, and left the meeting at 8:55 a.m. Crawley presiding. Igo was present, telephonically, and addressed the Board. Johnson moved, Busby seconded, and it was unanimously carried to terminate probation entered into on January 10, 2005.

Malloch returned to the meeting at 8:59 a.m.

IV.C.5. Shari Lind RN080709 (Wiggin)

An attempt was made to contact Lind, telephonically. Campbell moved, Busby seconded, to offer a Consent Agreement for an additional 24 months stayed revocation probation followed by 12 months standard probation to include the attached stipulations. If not signed within 30 days, adopt the attached Notice of Charges. The motion carried with eight in favor and one opposed.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X		X	X	X	X	X	X	X
NO	1		X							
ABSTAIN	0									
ABSENT	0									

IV.C.8. Marilyn Struse RN087488 (Wiggin)

Campbell knows Dr. Howard Robinson but shows no bias. Campbell moved, Robertson seconded, and it was unanimously carried to offer a Consent Agreement for 18 months stayed revocation/ probation followed by 18 months standard probation with terms and conditions recommended by the evaluator.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.I.1. Luis Mireles RN106228 (Wiggin)

Campbell moved, Johnson seconded, and it was unanimously carried to issue an Interim Order for a sexual misconduct evaluation to be completed by a Board approved evaluator who is at minimum Ph.D. prepared and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed with 45 days and return to the Board. If the Interim Order is not completed, adopt the attached Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

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

IV.D.1. Joel Ashenbaum RN102801 (Bailey)

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

IV.D.2. Lois Brown CNA256283103 (Bailey)

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

IV.D.3. Phillip Dean Burnside CNA1000004193 (Bailey)

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

IV.D.4. James T. Dixon CNA691317353 (Bailey)

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

IV.D.5. Amelia N. Dotson CNA999987210 (Bailey)
 Perry moved, Robertson seconded, and it was unanimously carried to adopt the attached Notice of Charges.

IV.D.6. John Robert Hamlin CNA999999054 (Bailey)
 Johnson moved, Robertson seconded, and it was unanimously carried to adopt the attached Notice of Charges.

IV.D.7. Norma Hernandez CNA999947410 (Bailey)
 Perry moved, Campbell seconded, and it was unanimously carried to adopt the attached Notice of Charges.

IV.D.8. Cindy R. Hollingsworth CNA445443286 (Bailey)
 Robertson moved, Perry seconded, and it was unanimously carried to adopt the attached Notice of Charges.

IV.D.9. Deborah L. Hutchison CNA042589613 (Bailey)
 Perry moved, Busby seconded, and it was unanimously carried to adopt the attached Notice of Charges.

IV.D.10. Rugheena Gaye Lomayaktewa CNA710593103 (Bailey)
 Hardy moved, Perry seconded, and it was unanimously carried to adopt the attached Notice of Charges.

IV.D.11. Judy J. Lunn RN134650 (Bailey)
 Perry moved, Robertson seconded, and it was unanimously carried to adopt the attached Notice of Charges.

IV.D.12. Michelle Morris CNA276511299 (Bailey)
 Busby moved, Perry seconded, and it was unanimously carried to adopt the attached Notice of Charges.

IV.D.13. Daniel H. Murray CNA1000000837 (Bailey)
 Busby moved, Perry seconded, and it was unanimously carried to adopt the attached Notice of Charges.

IV.D.14. Nancy L. Roberts RN109737 (Bailey)
 Busby moved, Perry seconded, and it was unanimously carried to adopt the attached Notice of Charges.

IV.D.15. Annitra Smith CNA592664441 (Bailey)
 Perry moved, Hardy seconded, and it was unanimously carried to adopt the attached Notice of Charges.

IV.D.16. Dolores Vindiola CNA999989181 (Bailey)
 Busby moved, Perry seconded, and it was unanimously carried to adopt the attached Notice of Charges.

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

IV.E.1. Colleen Marie Lemmer Endorsement Applicant (S. Smith)
 Hardy moved, Busby seconded, and it was unanimously carried to grant licensure upon meeting all requirements and accept signed CANDO Stipulated Agreement.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

IV.E.2. Nellie Vanaustin Dillistin RN049116 (S. Smith)
 Johnson moved, Busby seconded, and it was unanimously carried to adopt the attached Notice of Charges.

IV.E.3. Angela Marie Edwards RN126465 (S. Smith)

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

IV.E.4. Michelle Ann Lohof RN116964 (S. Smith)

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

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

IV.E.6. Brenda Busche White RN081808 (S. Smith)

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

IV.E.7. Heather Ann Herbein-Miner LP037944 (S. Smith)

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

IV.E.8. Trudy L. Haynes LP023925 (S. Smith)

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

V.B.1. Jennifer Ann Duick RN Endorsement Applicant (Rappoport)

Duick was present and available for questions. Perry moved, Crawley seconded, and it was unanimously carried to, upon meeting all licensure requirements and signing a Consent Agreement for 36-month probation to include the attached stipulations, grant licensure for RN Refresher Course only. Upon successful completion of RN Refresher Course, grant RN license. If not signed within 30 days, deny licensure, based upon the information contained in this investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms of the Consent Agreement offered at this meeting.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.B.2. Ellen Theresa Miller RN055945 (Reinstatement Applicant)(Rappoport) (aka: Koch; Karches)

Campbell moved, Hardy seconded, and it was unanimously carried to table Agenda Item V.B.2.

V.B.3. Alex Obnamia RN Endorsement Applicant (Rappoport)

Campbell knows Sharon Isihara but shows no bias. Rappoport addressed the Board with additional information. Busby moved, Perry seconded, and after discussion, it was unanimously carried to, upon meeting all licensure requirements, and upon signing a Consent Agreement for an indefinite suspension, followed by 36-month probation to include the attached stipulations and pending the completion of a Nurse Refresher Course, grant license. If Consent Agreement is not signed within 30 days, deny licensure based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.B.2. Ellen Theresa Miller RN055945 (Reinstatement Applicant)(Rappoport)
(aka: Koch; Karches)

Busby moved, Hardy seconded, and it was unanimously carried to reopen Agenda Item V.B.2. Miller was present and addressed the Board. Perry moved, Hardy seconded, and it was unanimously carried to, upon meeting all requirements and signing a Consent Agreement for 36 month probation to include the attached stipulations, grant licensure for RN Refresher Course only. Upon successful completion of RN Refresher Course grant RN license. If not signed within 30 days, deny licensure, based upon the information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms of the Consent Agreement offered at this meeting.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.B.4. David Joseph Ficorilli RN Endorsement Applicant (Rappoport)

Rappoport addressed the Board with additional information. Campbell moved, Rich seconded, to deny licensure based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application. After discussion Campbell amended the motion to include: deny Ficorilli's request to withdraw the application. Rich concurred. After further discussion, Campbell withdrew the motion. Busby moved, Perry seconded, and it was unanimously carried to grant Ficorilli's request to withdraw the application.

V.B.5. Diane Lynn Robb RN127554 (Rappoport)
(aka: McCoy)

Rappoport addressed the Board with technical corrections to the investigative report. Perry moved, Robertson seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or hearing.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.B.6. Eric Allen Cantrell Endorsement Applicant (Rappoport)

Perry moved, Hardy seconded, and it was unanimously carried to deny licensure and adopt the attached Order of Denial. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.B.7. Ernestine Harrison LP Endorsement Applicant (Rappoport)
(aka: Crank)

Malloch and Hardy know Linda Reisdorph but show no bias. An attempt was made to contact Harrison telephonically. Hardy moved, Perry seconded, and it was unanimously carried to grant licensure upon meeting all requirements and accept the signed Consent Agreement for a \$250 Civil Penalty.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.B.8. Katima Cochika Cook LP Endorsement Applicant (Rappoport)
(aka: Lewis)

Campbell knows Winnola Thompson but shows no bias. Cook was present, telephonically, and addressed the Board. Johnson moved, Hardy seconded, and it was unanimously carried to deny licensure and adopt the attached Order of Denial. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

Robertson left the meeting at 9:45 a.m. and returned at 9:46 a.m.

V.B.9. Felipa J. Vasquez RN Endorsement Applicant (Rappoport)
(aka: Felipa J. DeJesus Valenzuela)

Vasquez was present and available for questions. Perry moved, Hardy seconded, to grant licensure upon meeting all requirements and accept the signed Consent Agreement for a \$250 Civil Penalty. The motion carried with eight in favor and one abstained.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X		X	X	X	X	X	X	X
NO	0									
ABSTAIN	1		X							
ABSENT	0									

V.B.10. Beverly Holmes RN060562 (Reinstatement Applicant) (Rappoport)
(aka: Gow)

Rappoport addressed the Board and confirmed receipt of additional information. Holmes was present and available for questions. Holmes made a verbal request to withdraw her application. Busby moved, Perry seconded, and it was unanimously carried to grant Holmes' request to withdraw her application.

The meeting recessed at 9:57 a.m. and reconvened at 10:12 a.m.
 Crawley returned to the meeting at 10:13 p.m.

V.B.11. Geraldine Annette Price RN Endorsement Applicant (Rappoport)
(aka: Boley; Smith)

Price was present, telephonically, and addressed the Board. Campbell moved, Hardy seconded, to issue licensure upon meeting all requirements with a letter of concern for testing positive for cannabinoids on a for-cause urine drug screen while on duty, which resulted in a two-year probation issued by the Ohio State Board of Nursing, which was successfully completed on or about January 22, 2006. The motion carried with seven in favor and one abstained.

V.B.12. Sean Patrick Akin RN Endorsement Applicant (Rappoport)

Rich moved, Perry seconded, to grant licensure upon meeting all requirements and signing a Consent Agreement for a \$250 Civil Penalty. If not signed within 30 days, deny licensure based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting. After discussion, Rich withdrew the motion. Perry moved, Campbell seconded, to approve Akin’s request to withdraw application for licensure. After further discussion, the motion carried with seven in favor and one opposed.

V.B.13. Susan Villalobos RN112024; LP020992 (Rappoport)
(aka: Fessler; Hernandez)

Perry moved, Hardy seconded, and after discussion, it was unanimously carried to issue a letter of concern for failure to follow facility policy and procedures to maintain patient safety during a post-procedure discharge on or about July 23, 2003, while employed at East Valley Endoscopy, Mesa, Arizona; and failure to cooperate with a Board investigation and maintain a current address of record with the Board.

V.B.14. Mary Patricia Rathbun RN Endorsement Applicant (Rappoport)

Rathbun was present and addressed the Board. Perry moved, Campbell seconded, and it was unanimously carried to grant licensure upon meeting all licensure requirements, and issue a letter of concern for an August 17, 2000 disciplinary action by the Washington State Health Professions Quality Assurance Commission, Board of Nursing, 24 month probation and successfully completed on or about October 23, 2002.

V.B.15. Lynn Westrom LP Endorsement Applicant (Rappoport)
(aka: Bolen; Tanner)

Westrom was present and addressed the Board. Campbell moved, Perry seconded, and it was unanimously carried to grant licensure upon meeting all requirements and signing a consent agreement for a \$100 Civil Penalty. If not signed within 30 days, deny licensure based upon the information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms of the Consent Agreement offered at this meeting.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X	X	X	X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	1							X		

V.C.1. Terri L. Groover RN Endorsement Applicant (K. Olson)

Johnson moved, Robertson seconded, and it was unanimously carried to continue the investigation to allow Groover to obtain a psychological evaluation, to include a substance abuse relapse/recovery evaluation by a Board approved psychologist, to be scheduled within 15 days and completed within 45 days, and return to Board. If not completed, deny licensure based on the information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X	X	X	X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	1							X		

V.C.2. Clifford A. Keith RN091526 (K. Olson)

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

V.C.3. Werner Sean Koslowski LP Exam Applicant (K. Olson)

Olson addressed the Board with additional information. Crawley moved, Hardy seconded, and it was unanimously carried to continue the investigation to allow Koslowski the opportunity to obtain a substance abuse evaluation, to include an anger management by a Board approved psychologist, and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days and return to the Board. If the evaluation is not completed, deny licensure based upon the information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X	X	X	X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	1							X		

**V.D.1. Chere Benson Hall RN Endorsement Applicant (Polak)
(aka: Benson)**

Campbell moved, Perry seconded, to grant licensure upon meeting all licensure requirements, and issue a letter of concern for failure to cooperate in a Board investigation and for an aggravated assault arrest on October 22, 1994 by the Memphis, Tennessee Police Department. After discussion, the motion carried with six in favor and two opposed.

**V.D.2. Heather Sue Hearn RN Endorsement Applicant (Polak)
(aka: Godfrey; Frederick)**

Perry moved, Hardy seconded, and it was unanimously carried to deny licensure based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X	X	X	X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	1							X		

**V.D.3. Jonica Dawn Kleving RN Exam Applicant (Polak)
(aka: Johnson)**

Kleving was present and available for questions. Campbell moved, Perry seconded, and it was unanimously carried to grant licensure upon meeting all licensure requirements and signing a Consent Agreement for a 24 month probation, to include the attached stipulations. If not signed within 30 days, deny licensure based upon the information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms of the Consent Agreement offered at this meeting.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X	X	X	X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	1							X		

V.D.4. Kenneth Albert Sawyer RN Endorsement Applicant (Polak)

Polak addressed the Board with additional information. Campbell moved, Johnson seconded, and after discussion, it was unanimously carried to allow the Sawyer to withdraw his application as he has submitted a request to do so in conjunction with plans to move back to the State of Maine.

Busby returned to the meeting at 10:46 a.m.

V.D.5. Leesa Rosean Sanchez RN Endorsement Applicant (Polak) (aka: Edwards; Kelland)

Polak addressed the Board with additional information. David Derrickson, attorney, and Sanchez were present and addressed the Board. Perry moved, Hardy seconded, and after discussion, it was unanimously carried to grant licensure upon meeting all requirements and signing a Consent Agreement for a \$500 Civil Penalty within 30 days, or deny licensure based upon the information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.D.6. Martin E. Sanchez LP036693 (Polak)

Sanchez was present and available for questions. Busby moved, Perry seconded, and it was unanimously carried to offer a Consent Agreement for an indefinite suspension pending the successful completion of a relapse/recovery program, to be followed by a 36 month probation to include the attached stipulations. If not signed in 30 days, adopt the attached amended Notice of Charges.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.D.7. Debra Ann Vetter RN054667 (Polak)

Vetter was present, telephonically, and addressed the Board. Campbell moved, Johnson seconded, to offer a Consent Agreement for a 36 month probation to include the attached stipulations. If not signed in 30 days, adopt the attached Notice of Charges. After discussion Campbell amended the stipulations to include: must provide supervisor with a copy of the Consent Agreement and supervisor to provide a quarterly report to the Board, if Vetter leaves that position or works in any other type of nursing position the standard paragraph for supervision would then take effect, delete AA & nurse support group, individual counseling to occur with counselor who has knowledge in substance abuse disorders. Johnson concurred. After further discussion, Campbell further clarified the stipulations to read: stamping of license, individual counseling with a counselor who specializes in substance abuse disorders, to included additional treatment as recommended by the counselor, drug testing 1 time per month, abstain from alcohol, abstain from unauthorized drug use, proof of

prescriptions, notification of practice setting, quarterly performance evaluations, supervision to be performed by current non-clinical manager unless she returns to another form of nursing, onsite supervision, night shift prohibited, registry/traveling nurse/float pool/home health work/on-call prohibited. Johnson concurred. After further discussion, Campbell amended the stipulations to include: on-call allowed. Johnson concurred. The motion carried unanimously.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.E.5. Daniel Carter III RN109530 (Munger)

Malloch and Robertson know Mitzi Jobs but show no bias. Carter and his wife, Sharon Carter were present and addressed the Board. Busby moved, Perry seconded, to issue a letter of concern for entering into a romantic relationship with the daughter of a hospice patient within 2 months of the patient’s death in September 2003, while working for Hospice of the Valley, in Phoenix, Arizona; and for failing to disclose all states of licensure on an investigative questionnaire submitted to the Board on January 10, 2006. After discussion, Busby withdrew the motion. Busby moved, Perry seconded, and it was unanimously carried to dismiss the case.

V.E.6. Chad Everson Rumsey RN123050; CNA999952689 (Munger)

Rumsey was present and addressed the Board. Hardy moved, to offer a Consent Agreement for a 24 month probation, and license limited to male patients, with potential to lift limitation after 6 months of satisfactory employment and a recommendation to lift the limitation from the treating professional, to include the attached stipulations, or hearing. Motion failed. Johnson moved, Robertson seconded, to offer a Consent Agreement for a 24 month probation to include the attached stipulations, or hearing. After discussion, the motion carried with seven in favor and two opposed.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	7	X	X	X	X		X		X	X
NO	2					X		X		
ABSTAIN	0									
ABSENT	0									

V.F.4. Cindy Lavonne Levendusky LP038317 (Torrez)

Levendusky was present and addressed the Board. Rich moved, Busby seconded, and it was unanimously carried to issue a letter of concern for allegedly altering a Medication Administration Record (MAR) on or about September 21, 22, 23, 24, and 25, 2005 indicating that Humalog Insulin had been given, and then changing the entry to indicate the Insulin had not been given to resident M.M. while employed at Grandview Terrace Retirement Center in Sun City West, Arizona.

V.G.6. Mary Jane Murrill RN052494 (Midkiff)

Midkiff addressed the Board with additional information. Murrill was present and addressed the Board. Busby moved, Perry seconded, and it was unanimously carried to issue a letter of concern for failing to contact patient J.R.’s physician regarding clarification of Amiodarone orders and J.R.’s complaints of blurred vision on September 14, 2005 while employed by Banner Hospice.

V.G.9. Scott Robert Demar LP036635 (Midkiff)

Midkiff addressed the Board with additional information. Demar was present and addressed the Board. Campbell moved, Robertson seconded, and it was unanimously carried to table Agenda Item V.G.9.

Robertson left the meeting at 11:54 a.m. and returned at 11:57 a.m.
 Hardy left the meeting at 11:56 a.m. and returned at 11:57 a.m.

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Glendale Community College and Maricopa Skill Center Nursing Students regarding Board functions, policy and procedure. Questions were asked on how to acquire a position on the Board.

Rich left the meeting at 12:04 p.m.

V.H.1. Patricia Katherine Summers RN063979; AP1459 (Grady)

Hardy moved, Busby seconded, and it was unanimously carried to reopen Agenda Item V.H.1. Summers was present and available for questions. Campbell moved, Johnson seconded, and it was unanimously carried to Offer a Consent Agreement for a \$1000 Civil Penalty or hearing.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X	X	X	X	X	X	X		X
NO	0									
ABSTAIN	0									
ABSENT	1								X	

Rich returned to the meeting at 12:08 p.m.

V.H.6. Annesa Rae Erdman RN072338; AP1774 (Grady)

Grady addressed the Board with additional information. Erdman was present and addressed the Board. Campbell moved, Perry seconded, to offer a Consent Agreement for a \$500 Civil Penalty, or hearing. The motion carried with eight in favor and one abstained.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X	X	X	X	X	X	X		X
NO	0									
ABSTAIN	1								X	
ABSENT	0									

V.H.4. Emma M. Ruiz LP034065; CNA999947218 (Grady)

Grady addressed the Board with additional information. Allen Hyde, attorney, was present and addressed the Board. Ruiz was present and available for questions. Busby moved, Perry seconded, to offer a Consent Agreement for a \$500 Civil Penalty or hearing for complaint #2 and dismiss complaint #1. The motion carried with eight in favor and one opposed.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X		X	X	X	X	X	X	X
NO	1		X							
ABSTAIN	0									
ABSENT	0									

The meeting recessed at 12:10 p.m. and reconvened at 1:00 p.m.

V.J.2. Lynette Anne Porter TLP040933 (Williams)

Williams addressed the Board with additional information. Porter was present and addressed the Board. Rich moved, Busby seconded, and it was unanimously carried to table Agenda Item V.J.2.

V.K.1. Veronica Rodriguez LP029847 (Bauer)

Bauer addressed the Board and confirmed receipt of additional information. Rodriguez was present and available for questions. Busby moved, Perry seconded, and it was unanimously carried to issue a letter of concern for the misdemeanor assault on public servant on February 4, 2000 in Brazo’s County Texas and the misdemeanor DUI conviction on October 6, 2003 in Phoenix Municipal Court.

VI.B.7. Deborah A. Roberts CNA Exam Applicant (K. Olson)

Roberts was present and available for questions. Campbell moved, Hardy seconded, and it was unanimously carried to grant certification upon signing a Consent Agreement for a stayed revocation/indefinite suspension, pending completion of a Board-approved relapse prevention program, followed by a 24 month stayed revocation, and the attached stipulations. If not signed within 30 days, deny certification based upon the information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.E.1. Melissa A. Alcozar CNA Exam Applicant (Lester)

Alcozar was present and available for questions. Busby moved, Perry seconded, and it was unanimously carried to grant certification upon meeting all requirements, and issue a letter of concern for a misdemeanor conviction on March 1, 1989 for Possession of Marijuana and for the July 11, 2004 misdemeanor conviction of Domestic Violence Assault both in Tucson Municipal Court.

VI.E.7. Kefah Nyanchiri CNA Exam Applicant (Lester)

Lester addressed the Board with technical corrections to the stipulations. Nyanchiri was present and available for questions. Busby moved, Perry seconded, and it was unanimously carried to grant certification upon meeting all requirements and signing a Consent Agreement for an indefinite suspension pending completion of a relapse treatment program, followed by a 24 month stayed revocation with the attached stipulations as amended. If not signed within 30 days, deny certification based upon the information contained in this investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.E.9. Kate L. Stonehocker CNA Exam Applicant (Lester)

Stonehocker was present and addressed the Board. Busby moved, Perry seconded, and it was unanimously carried to grant certification upon meeting all requirements and issue a letter of concern for the misdemeanor conviction for DUI on October 10, 2002 in Rock county Circuit Court, Illinois.

VI.F.3. Margaret Ann Niesen RN086330 (Nelson)

Hardy recused herself to avoid the appearance of impropriety, and left the meeting at 1:44 p.m. Niesen was present and addressed the Board.

Campbell moved, Perry seconded, and it was unanimously carried to go into Executive Session on Agenda Item VI.E.9. for the purpose of reviewing confidential documents. Executive Session convened at 1:52 p.m. and adjourned at 1:59 p.m.

Rich moved, Johnson seconded, to offer a Consent Agreement for a 24 month probation to include the attached stipulations, amended to read: professional accountability/legal liability for nurses course, notification of practice settings, quarterly performance evaluations, monthly RN supervision of documentation, night shift prohibited unless employed with Indian Health Services; stipulations valid only with current employer, Nursing Solutions, and if Niesen obtains different employment, standard stipulations apply. After discussion, the motion carried unanimously.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X	X	X	X		X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1					X				

Hardy returned to the meeting at 2:17 p.m.

V.J.2. Lynette Anne Porter TLP040933 (Williams)

Busby moved, Perry seconded, and it was unanimously carried to reopen Agenda Item V.J.2. Porter was present and available for questions. Busby moved, Crawley seconded, and it was unanimously carried to grant licensure upon signing a Consent Agreement for a 24 month probation with the attached stipulations, amended to include: may work in home health for Gentiva Home Health Agency only, may not be assigned to more than two clients at any given time, the supervising RN of each client shall be provided with a copy of the Consent Agreement and provide input on the employer quarterly evaluation, may also be assigned through Gentiva Home Health to either of the two DDD facilities staffed by Gentiva Home Health without on-site supervision continued upon reporting on and reporting off duty to another RN whose been provided with a copy of the Consent Agreement and who shall provide input on the employers quarterly report; if Porter leaves Gentiva Home Health, the standard stipulations of no registry/home health would apply; twice monthly urine drug screen for the first six months, to be reduced to 1 time per month if compliant. If not signed within 30 days, deny licensure based upon the information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms of the Consent Agreement offered at this meeting.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.G.16. Jenny Lynn Wamsley CNA100003697 (Sage)

Wamsley was present and available for questions. Perry moved, Campbell seconded, and after discussion, it was unanimously carried to issue an Interim Order for a substance abuse evaluation by a Board approved evaluator to include any additional testing deemed necessary by the evaluator to be scheduled in 15 days and completed in 45 days and return to Board. If not completed adopt attached Notice of Charges.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.G.4. Rebecca Jo Hahn RN087853 (Midkiff)

Malloch knows Herb Geary but shows no bias. Midkiff addressed the Board with additional information. Hahn was present and addressed the Board. Campbell moved, Johnson seconded, to offer a Consent Agreement for an indefinite suspension with stipulations, followed by a 12 month stayed suspension/probation, followed by a 24 month probation to include the attached stipulations amended to include: entering into a rehabilitation program and allowing Hahn to obtain either psychological or psychiatric treatment, or hearing. The motion carried with five in favor and four opposed.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	5	X			X	X			X	X
NO	4		X	X			X	X		
ABSTAIN	0									
ABSENT	0									

II.E.5. Michele Marie Stinebuck RN110078 Christl

Hardy moved, Crawley seconded, and it was unanimously carried to reopen Agenda Item II.E.5.

William Shostak, attorney, was present, telephonically, and addressed the Board.

Christl addressed the Board.

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

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.F.1. Melinda Hern Perez LP023228 (Reinstatement Applicant) (Nelson)

Hardy recused herself to avoid the appearance of impropriety, and left the meeting at 1:24 p.m. Perez was present and addressed the Board. Johnson moved, to deny re-licensure and adopt the attached Order of Denial. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application. Motion failed. After discussion, Johnson moved, Crawley seconded, and it was unanimously carried to deny re-licensure and adopt the attached Order of Denial. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X	X	X	X		X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1					X				

The meeting recessed at 2:46 p.m. and reconvened at 3:02 p.m. Hardy returned to the meeting at 3:02 p.m.

V.E.1. Betty Clickner LP966304 (Munger) (aka: Broderick; Woodbury; Martin)

Munger addressed the Board with additional information. Johnson moved, Busby seconded, and it was unanimously carried to issue a letter of concern for failing to evaluate, document, and report to a physician

bruising on a patient's foot August 24, 2005, while working at Mountain View Manor. The patient was later diagnosed with a fractured bone in her foot.

V.E.2. Michael Jason Bradford (Texas RN 698628) (Munger)

Perry moved, Busby seconded, and it was unanimously carried to revoke the privilege to practice nursing in the state of Arizona, and issue a cease and desist order.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.E.3. Michael Douglas Roe RN128348 (Munger)

Munger addressed the Board with additional information. Busby moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or hearing.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.F.2. Bonnie Gay Jacobs-Murakami LP038392 (Torrez)

Rich moved, Campbell seconded, and after discussion, it was unanimously carried to offer a Consent Agreement for a \$250 Civil Penalty, or hearing.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.F.3. Jennifer Paige Swan RN125148 (Torrez)

Malloch knows Debra Pendergast but shows no bias. Campbell moved, Robertson seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or hearing.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.F.5. Michael Anthony Cabanes RN129150 (Torrez)

Torrez addressed the Board with additional information. Campbell moved, Crawley seconded, and it was unanimously carried to accept the signed Consent Agreement for an 18 month probation to include the attached stipulations, or hearing.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.F.6. Tamara Maurer RN078464; LP025203 (Torrez)

Malloch and Johnson know Kathy Scott and Marla Thomas, and Campbell knows Jeff Wider but show no bias. Torrez addressed the Board with additional information. Busby moved, Perry seconded, and it was unanimously carried to issue Interim Order for a chemical dependency evaluation to be completed by a Board approved evaluator who is at minimum Ph.D. prepared, and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed in 45 days, and to submit any additional records received from Maricopa Medical Center, and return to the Board. If the Interim Order is not completed, adopt the attached Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.F.7. Victoria Lynn Dinenna RN110514 (Torrez)

Torrez addressed the Board with additional information. Dinenna was present telephonically and available for questions. Busby moved, Perry seconded, and it was unanimously carried to offer Consent Agreement for 24 month Probation with the attached stipulations amended to include: night shift and registry allowed with present employer, Nurse Brokers, and in block assignments only, or proceed to hearing.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.F.8. Faith E. Madden RN023155 (Torrez)

Busby moved, Hardy seconded, and it was unanimously carried to issue a letter of concern for failing to document Narcotic medications from on or about September 28, 2005, until October 25, 2005, while employed at Paradise Valley Hospital in Paradise Valley, Arizona.

V.F.9. Mary Frances Lopez RN119733 (Torrez)

Torrez addressed the Board with additional information. Busby moved, Perry seconded, and it was unanimously carried to issue an Interim Order for a substance abuse evaluation to be completed by a Board approved evaluator who is at minimum Ph.D. prepared, and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed in 45 days and then return to the Board. If the Interim Order is not completed adopt the attached Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.F.10. Janet Martinez LP034177 (Torrez)

Busby moved, Perry seconded, and it was unanimously carried to issue an Interim Order for a chemical dependency evaluation for a substance abuse evaluation to be completed by a Board approved evaluator who is at minimum Ph.D. prepared, and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed in 45 days and then return to the Board. If the Interim Order is not completed, adopt the attached Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.G.5. Katherine Marie Kirkpatrick RN055871 (Midkiff)

Perry moved, Busby seconded, and it was unanimously carried to issue a letter of concern for maintaining a social, non-professional relationship with a patient and his family while assigned to his care in 2005 while employed by Hospice Family Care.

V.G.7. Cassandra Renee Heiser LP034614 (Midkiff)

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

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.G.8. Susan C. Holcomb LP023551 (Midkiff)

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

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.G.10. Michelle Lee West RN108072; LP033416 (Midkiff)

Malloch knows Herb Geary but shows no bias. Midkiff addressed the Board with additional information. Campbell moved, Johnson seconded, and it was unanimously carried to offer a Consent Agreement for a 12 month stayed suspension/probation, followed by a 24 month probation to include the attached stipulations and to be signed within 15 days, or hearing.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.G.11. Symiko Thacker LP039086; CNA999992913 (Midkiff)

Perry moved, Campbell seconded, to issue a letter of concern for administering a nitroglycerin tablet to a patient without a physician's order and failing to administer Emend to another patient for two days in June 2005 while employed by Good Shepherd Care Center. After discussion, the motion failed with five opposed and four in favor. Johnson moved, Robertson seconded, to offer a Consent Agreement for a Decree of Censure, or hearing. The motion carried with seven in favor and two opposed.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	7	X	X		X	X		X	X	X
NO	2			X			X			
ABSTAIN	0									
ABSENT	0									

V.G.12. Sheila Marie Mitchell LP030845 (Midkiff)

Johnson moved, Busby seconded, and after discussion, it was unanimously carried to issue a letter of concern for leaving the Chinle Nursing Home without another licensed nurse to direct staff and provide nursing direction on or about May 21, 2005.

V.G.13. Bonnie Ann Hutcheson RN065190 (Midkiff)

Campbell moved, Robertson seconded, and it was unanimously carried to offer a Consent Agreement for a \$100 Civil Penalty, or hearing.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.H.2. Marsha Ann Keechler RN080222; AP0141 (Grady)

Hardy recused herself to avoid the appearance of impropriety. Keechler was present, telephonically, and addressed the Board. Busby moved, Perry seconded, to offer a Consent Agreement for a Decree of Censure, or hearing. The motion carried with eight in favor and one abstained.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X	X	X	X		X	X	X	X
NO	0									
ABSTAIN	1					X				
ABSENT	0									

V.J.1. Robert Kirk Waitman RN Endorsement Applicant (Williams)

Perry moved, Hardy seconded, to grant licensure upon meeting all requirements and issue letter of concern for the December 16, 1986, conviction for misdemeanor Hit and Run/Injury, DUI Alcohol Injury in Superior Court of California in San Bernardino, California; for the February 13, 1992, January 13, 1993, convictions for misdemeanor Trespass in Superior Court of California in San Bernardino, California; and for the December 12, 1996, conviction for misdemeanor Driving Under Influence of Alcohol or Drug in Superior Court of California

in San Bernardino, California. The motion carried with eight in favor and one opposed.

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.A.1. Tanisha Dawn Batson CNA Exam Applicant (Williams)

Busby moved, Perry seconded, and it was unanimously carried to grant certification upon meeting all requirements, and issue letter of concern for the September 5, 2002, misdemeanor conviction for DUI Alcohol Drugs Toxic Vapor or Combination in, Tucson, Arizona.

VI.A.2. Bruce Hyman CNA Exam Applicant (Williams)

Williams addressed the Board with additional information. Hardy moved, Busby seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.A.3. Shannon Levette Jackson CNA Exam Applicant (Williams)

Rich moved, Hardy seconded, to deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application. The motion carried with seven in favor and two opposed.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	7	X	X	X	X	X	X		X	
NO	2							X		X
ABSTAIN	0									
ABSENT	0									

VI.A.4. Kristina Elaine Munoz CNA Endorsement Applicant (Williams) (aka: Bradley)

Perry moved, Hardy seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.A.5. Pamela Lynn Sawyer CNA Exam Applicant (Williams) (aka: Evans; Simpson)

Johnson moved, Robertson seconded, and after discussion, it was unanimously carried to deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.A.6. Tena Ann Veiver CNA Exam Applicant (Williams)
(aka: Grillo; Chester; Defort)

Williams addressed the Board and confirmed receipt of additional information. Perry moved, to continue the investigation to allow Veiver the opportunity to obtain a psychological evaluation with emphasis on relapse prevention by a Board approved evaluator and to include any additional testing deemed necessary by the evaluator to be scheduled within 15 days and completed within 45 days, and return to the Board. If the evaluation is not completed, deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting. After discussion, Perry withdrew the motion. Campbell moved, Busby seconded, and it was unanimously carried to grant certification upon meeting all requirements and signing a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days, deny certification based upon the information contained in the investigation report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.A.7. Kathy Dodson CNA Exam Applicant (Williams)

Busby moved, Perry seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.B.1. Richard G. Acedo CNA Exam Applicant (K. Olson)

Perry moved, Busby seconded, and it was unanimously carried to grant certification upon signing a Consent Agreement for a \$50 Civil Penalty within 30 days, or deny certification based upon the information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.B.2. Marlena N. Barreras CNA Exam Applicant (K. Olson)

Busby moved, Perry seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

**VI.B.3. Brenda M. Garcia CNA Exam Applicant (K. Olson)
(aka: Valdez)**

Rich moved, Hardy seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

**VI.B.4. Felicia A. Gore CNA Exam Applicant (K. Olson)
(aka: Chapman)**

Robertson moved, to deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application. Motion failed. Busby moved, Perry seconded, to continue the investigation to allow Gore the opportunity to obtain a psychological evaluation, to include a substance abuse evaluation by a Board approved psychologist to be scheduled within 15 days and completed within 45 days, and return to the Board. If the evaluation is not completed, deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting. After discussion, the motion carried with eight in favor and one opposed.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X		X	X	X	X	X	X	X
NO	1		X							
ABSTAIN	0									
ABSENT	0									

VI.B.5. Anthony R. McGrew CNA Exam Applicant (K. Olson)

Busby moved, Perry seconded, and it was unanimously carried to grant certification upon meeting all requirements and issue a letter of concern for the February 4, 2005 arrest by Woodland, Washington, Police Department for misdemeanor DUI, for which McGrew signed a Stipulated Continuance for 24 months, in Woodland District Court in Woodland, Washington.

VI.B.6. Jose A. Mungarro CNA Exam Applicant (K. Olson)

Busby moved, Perry seconded, and it was unanimously carried to grant certification upon meeting all requirements and signing a Consent Agreement for a \$50 Civil Penalty within 30 days, or deny certification based upon the information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.C.1. Edward Wayne Lee CNA Exam Applicant (Polak)

Busby moved, Perry seconded, and it was unanimously carried to continue the investigation to allow Lee the opportunity to obtain a psychological evaluation to include substance abuse and possible suicide/depression issues, to be completed by a Board approved Ph.D. prepared evaluator and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days and return to the Board. If the evaluation is not completed, deny certification based upon the information contained in this investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at the Board meeting.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.C.2. Ryan Oshea Stalling CNA Endorsement Applicant (Polak)

Busby moved, Perry seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.C.3. Lisa Elaine Welborn CNA Endorsement Applicant (Polak) (aka: Lonero; Lamb)

Polak addressed the Board with additional information. Rich moved, Campbell seconded, and after discussion, it was unanimously carried to deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.D.1. Michael Jerome Coleman CNA Exam Applicant (Bauer)

Perry knows Christy Jones but shows no bias. Perry moved, Hardy seconded, and after discussion, it was unanimously carried to deny certification and adopt the attached Order of Denial. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

Campbell left the meeting at 3:57 p.m. and returned at 3:59 p.m.

VI.D.2. Cynthia I. Goode CNA Exam Applicant (Bauer)

Bauer addressed the Board with additional information. Busby moved, Perry seconded, to continue the investigation to allow Goode the opportunity to obtain a substance abuse evaluation by a Board approved evaluator and to include any additional testing deemed necessary by the evaluator to be scheduled within 15 days and completed within 45 days, and return to the Board. If the evaluation is not completed, deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting. The motion carried with eight in favor and one abstained.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X	X	X	X	X	X	X	X	
NO	0									
ABSTAIN	1									X
ABSENT	0									

VI.D.3. Liberty R. Lopez CNA Exam Applicant (Bauer)

Bauer addressed the Board with additional information. Busby moved, Perry seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

**VI.D.4. Linda Diane McMahon CNA Endorsement Applicant (Bauer)
(aka: Gonzalez)**

Busby moved, Perry seconded, and it was unanimously carried to offer a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days, deny certification based on the information contained in the investigation report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.D.5. Jeanette C. Nunez CNA100005892 (Bauer)

Johnson moved, Robertson seconded, and it was unanimously carried to issue an Interim Order for a chemical dependency evaluation to be completed by a Board approved evaluator and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed with 45 days and then return

to the Board. If the Interim Order is not completed, adopt the attached Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	<u>Johnson, Patricia</u> Member	<u>Robertson, Steve</u> Member	<u>Crawley, Theresa</u> Vice Pres	<u>Malloch, Kathy</u> President	<u>Hardy, Karen</u> Member	<u>Perry, Hunter</u> Member	<u>Busby, Kathryn</u> Member	<u>Rich, Judith</u> Member	<u>Campbell, Trista</u> Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.D.6. Darlene Yazzie CNA597918353 (Bauer)

Bauer addressed the Board with additional information. Busby moved, Crawley seconded, and it was unanimously carried to continue the investigation to the May 2006 Board meeting.

VI.D.7. Gary S. Lewis CNA Exam Applicant (Bauer)

Rich moved, Busby seconded, and it was unanimously carried to deny certification and adopt the attached Order of Denial. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	<u>Johnson, Patricia</u> Member	<u>Robertson, Steve</u> Member	<u>Crawley, Theresa</u> Vice Pres	<u>Malloch, Kathy</u> President	<u>Hardy, Karen</u> Member	<u>Perry, Hunter</u> Member	<u>Busby, Kathryn</u> Member	<u>Rich, Judith</u> Member	<u>Campbell, Trista</u> Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

The meeting recessed at 4:06 p.m. and reconvened at 4:14 p.m.

VI.E.2. Josephine S. Asaro CNA Exam Applicant (Lester)

Asaro was present, telephonically, and addressed the Board. Lester addressed the Board with additional information. Asaro verbally acknowledged the need for and agreed to submit to an evaluation. Busby moved, Crawley seconded, and it was unanimously carried to continue the investigation to allow Asaro the opportunity to obtain a psychological evaluation for substance abuse by a Board approved evaluator and to include any additional testing deemed necessary by the evaluator to be scheduled within 15 days and completed within 45 days, and return to the Board. If the evaluation is not completed, deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

	VOTE	<u>Johnson, Patricia</u> Member	<u>Robertson, Steve</u> Member	<u>Crawley, Theresa</u> Vice Pres	<u>Malloch, Kathy</u> President	<u>Hardy, Karen</u> Member	<u>Perry, Hunter</u> Member	<u>Busby, Kathryn</u> Member	<u>Rich, Judith</u> Member	<u>Campbell, Trista</u> Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.E.3. Holly J. Coons CNA Exam Applicant (Lester)

Coons was present, telephonically, and addressed the Board. Coons verbally acknowledged the need for and agreed to submit to an evaluation. Busby moved, Perry seconded, and it was unanimously carried to continue the investigation to allow Coons the opportunity to obtain a psychological evaluation for chemical dependency for relapse/recovery by a Board approved evaluator to be scheduled within 15 days and completed within 45 days, and return to the Board. If the evaluation is not completed, deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.E.4. Mary L. Ellison CNA Recertification (Lester)

Rich moved, Johnson seconded, and after discussion, it was unanimously carried to deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.E.5. Frances L. Hernandez CNA Exam Applicant (Lester)

Perry moved, Robertson seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.E.6. Shirley R. Miller CNA Exam Applicant (Lester)

Miller was present, telephonically, and addressed the Board. Lester addressed the Board with additional information. Campbell moved, Robertson seconded, to continue the investigation to allow Miller the opportunity to obtain a psychological evaluation with an emphasis on theft, dishonesty and interpersonal skills by a Board approved evaluator and to include any additional testing deemed necessary by the evaluator to be scheduled within 15 days and completed within 45 days, and return to the Board. If the evaluation is not completed, deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting. After discussion, the motion carried with eight in favor and one opposed.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X	X	X		X	X	X	X	X
NO	1				X					
ABSTAIN	0									
ABSENT	0									

VI.E.8. Melisa Palmer CNA Endorsement Applicant (Lester)

Busby moved, Perry seconded, and it was unanimously carried to continue the investigation to allow Palmer the opportunity to obtain a psychological evaluation with emphasis on substance abuse by a Board approved evaluator and to include any additional testing deemed necessary by the evaluator to be scheduled within 15 days and completed within 45 days, and return to the Board. If the evaluation is not completed, deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.E.10. Tressa S. Thunderhawk CNA Exam Applicant (Lester)

Busby moved, Crawley seconded, to grant certification upon meeting all requirements with a letter of concern for a misdemeanor conviction of selling liquor to a minor on February 6, 2004 in Phoenix, Arizona. The motion carried with eight in favor and one opposed.

VI.E.11. Susan L. Williams CNA Exam Applicant (Lester)

(aka: Fjeldahl)

Perry moved, Busby seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.E.12. Katrina M. Yale CNA Exam Applicant (Lester)

(aka: Dahin)

Lester addressed the Board with technical corrections to the investigative report. Busby moved, Perry seconded to grant certification upon meeting all requirements and issue a letter of concern for a misdemeanor conviction on August 20, 2000, for Assault Domestic Violence in Mesa Municipal Court, and a misdemeanor conviction on November 16, 2005 for issuing a bad check in Yuma Justice Court. After discussion, the motion failed with five opposed and four in favor. Perry moved, Hardy seconded, to grant certification upon signing a Consent Agreement for a \$50 Civil Penalty within 30 days, or deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application. The motion carried with seven in favor and two opposed.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	7	X			X	X	X	X	X	X
NO	2		X	X						
ABSTAIN	0									
ABSENT	0									

VI.E.13. Penny L. Powskey CNA Exam Applicant (Lester)

Busby moved, Perry seconded, and it was unanimously carried to grant certification upon meeting all requirements and signing a Consent Agreement for a 12 month stayed revocation and to include the attached stipulations. If not signed within 30 days, deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.F.2. Janette C. Stricklin RN Exam Applicant; CNA418968803 (Nelson)

Hardy recused herself to avoid the appearance of impropriety. Busby moved, Perry seconded, to grant RN licensure upon meeting all requirements and signing a Consent Agreement for a \$100 Civil Penalty to include completion of an on-line course regarding Professional Accountability and Legal Liability for Nurses from National Council of State Boards of Nursing. If not signed within 30 days, deny licensure based upon the information contained in this investigative report. If an informal settlement conference is requested, the authority to settle is limited to the denial of the application. After discussion, the motion carried with eight in favor and one abstained.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X	X	X	X		X	X	X	X
NO	0									
ABSTAIN	1					X				
ABSENT	0									

VI.F.4. Frances Lorona CNA999996746 (Nelson)

Hardy recused herself to avoid the appearance of impropriety. Busby moved, Campbell seconded, to offer a Consent Agreement for a \$50 Civil Penalty, or hearing. The motion carried with eight in favor and one abstained.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X	X	X	X		X	X	X	X
NO	0									
ABSTAIN	1					X				
ABSENT	0									

VI.F.5. Debbie A. Tidwell CNA999996157 (Nelson)

Hardy recused herself to avoid the appearance of impropriety. Busby moved, Perry seconded, to offer a Consent Agreement for a \$50 Civil Penalty or hearing. The motion carried with eight in favor and one abstained.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X	X	X	X		X	X	X	X
NO	0									
ABSTAIN	1					X				
ABSENT	0									

VI.F.6. Rosann M. Romero CNA777814803 (Nelson)

Nelson addressed the Board and confirmed receipt of additional information. Rich moved, Perry seconded, and it was unanimously carried to adopt the attached Notice of Charges.

VI.G.1. Adewale Adeyemi CNA722308499 (Sage)

Perry moved, Busby seconded, and it was unanimously carried to offer a Consent Agreement for a \$50 Civil Penalty to be signed within 30 days or hearing.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.G.2. Rose Marie Baustian CNA100000199 (Sage)

Johnson moved, Campbell seconded, and it was unanimously carried to issue an Interim Order for a substance abuse evaluation to be completed by a Board approved evaluator who is at minimum PhD prepared, and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days and then return to the Board.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.G.3. Breanna Suzette Bolley CNA1000004230 (Sage)

Perry moved, Campbell seconded, and it was unanimously carried to offer a Consent Agreement for 12 month stayed revocation with terms to include a substance abuse evaluation by a Board approved Addictionist who is at minimum PhD prepared, followed by a 12 month stayed suspension, to be signed in 30 days or adopt attached Notice of Charges.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.G.4. Melissa Catherine Brockwell CNA1000003378 (Sage)

Busby moved, Perry seconded, and it was unanimously carried to offer a Consent Agreement for a 24 month stayed revocation with terms to include a substance abuse evaluation be completed by a Board approved evaluator, who is at minimum PhD prepared, and to include any additional testing deemed necessary by the evaluator, to be signed in 30 days or adopt attached Notice of Charges.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.G.5. Oasis Castillo CNA1000003089 (Sage)

Busby moved, Perry seconded, and it was unanimously carried to issue a letter of concern for improperly restraining a resident causing him to incur bruising while employed as a CNA at Santa Rosa Care Center on September 21, 2005.

VI.G.6. Richard Alan Ellington CNA1000001270 (Sage)

Busby moved, Perry seconded, and it was unanimously carried to issue a letter of concern for improperly restraining a resident while employed as a CNA on or about September 22, 2005, at Santa Rosa Care Center, in Tucson, Arizona.

VI.G.7. Denise Virgil CNA702497103 (Sage)

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

VI.G.8. Rachel Dawo CNA999993372 (Sage)

(aka: Fye)

Rich moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement for a 12 month stayed revocation with terms to include a psychological evaluation by a Board approved psychologist with a minimum of a PhD, to be signed within 30 days or adopt the attached Notice of Charges.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.G.9. Corena Victoria Magdaleno CNA100005208 (Sage)

Busby moved, Perry seconded, and it was unanimously carried to offer a Consent Agreement for a \$50 Civil Penalty to be signed within 30 days or hearing.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.G.10. Robie Mae Miller CNA999991088 (Sage)

Busby moved, Robertson seconded, to issue a letter of concern for abandoning her assigned client on May 1, 2005 while employed as a CNA at Angels PRN, a Home Health Agency in Yuma, Arizona. After discussion, the motion carried with five in favor and four opposed.

VI.G.11. Deborah Lucelle Monroe CNA100007471 (Sage)

(aka: Humphreys; Thompson)

Sage addressed the Board with additional information. Perry moved, Hardy seconded, and it was unanimously carried to issue an Interim Order for a substance abuse evaluation by a Board approved evaluator with a minimum of PhD and to include any additional testing deemed necessary by the evaluator, to be scheduled in 15 days and completed in 45 days and return to Board. If not completed, adopt attached Notice of Charges.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

The Board directed staff to notify DHS regarding Agenda Item VI.G.11.

VI.G.12. Jerri P. Moore CNA185348213 (Sage)

Johnson moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement for a \$100 Civil Penalty to be signed within 30 days or hearing.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

**VI.G.13. Emma Maria Ruiloba CNA Exam Applicant (Sage)
(aka: Gonzales)**

Busby moved, Perry seconded, to grant certification upon meeting all requirements and issue a letter of concern for a 2005 DUI in Tucson, Arizona. The motion carried with eight in favor and one opposed.

VI.G.14. Oscar Plantrillas Valenzuela CNA Exam Applicant Sage)

Valenzuela was present, telephonically, and addressed the Board. Busby moved, Perry seconded, to grant certification upon meeting all requirements and signing a Consent Agreement for a 12 month stayed revocation with terms. If not signed within 30 days, deny certification based on the information in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting. The motion carried with eight in favor and one opposed.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	8	X	X	X		X	X	X	X	X
NO	1				X					
ABSTAIN	0									
ABSENT	0									

VI.G.15. Galin S. Valev CNA Exam Applicant (Sage)

Busby moved, Perry seconded, and it was unanimously carried to continue the investigation to allow Valev to obtain a psychological evaluation by a Board approved PhD evaluator, to include a substance abuse evaluation, to be scheduled within 15 days and completed within 45 days and to include any additional testing deemed necessary by the evaluator. If not completed, deny certification based on the information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to denial of the application.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VII.C.3. Debriefing on Board Processes & Suggested Changes - All

Board members and staff discussed the flow of the meeting and all agreed that the dialogue was good, and the attentiveness of the respondents was impressive. Ridenour reported an average of 135 cases per day for this meeting. Ridenour also stated that the May Board meeting would possibly be held at the Medical Board offices if the Boardroom at the new offices for the Board of Nursing Board is not completed in time. Henriksen reported on a possible FTP site to download the Board packet. Security issues were discussed. Malloch commended Henriksen and Davitt for the high level of competence and service they provide during Board meetings.

The meeting recessed at 5:27 p.m., Tuesday, March 21, 2006.

Arizona State Board of Nursing

Janet Napolitano
Governor

Joey Ridenour
Executive Director



Board Meeting Minutes

The regular meeting of the Arizona State Board of Nursing convened at 8:32 a.m., Wednesday, March 22, 2006, in the Board of Nursing Board Room, Suite 210, 1651 East Morten Avenue, Phoenix, Arizona, with Kathy Malloch, PhD, MBA, RN, FAAN, President, presiding.

BOARD MEMBERS PRESENT:

Kathy Malloch, PhD, MBA, RN, FAAN, President
Theresa Crawley, CRNA, MSHSA, Vice-President
Karen Hodges Hardy, RN, MSN, Secretary
Kathryn L. Busby, JD, Member
Trista Campbell, RN, BSN, Member
Patricia Johnson, LPN, Member
Judy Rich, RN, Member
Steve Robertson, LPN, Member

BOARD MEMBERS ABSENT:

M. Hunter Perry, Member

LEGAL COUNSEL:

Daniel Christl, Assistant Attorney General
Michelle L. Wood, Assistant Attorney General
Ann Olson, Assistant Attorney General

STAFF:

Joey Ridenour, RN, MN, Executive Director
Judy Bontrager, RN, MN, Associate Director
Valerie Smith, RN, MS, Associate Director
Erica Bailey, Senior Investigator/Monitoring
Jeanne Bauer, Senior Investigator
Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings
Debra Blake, Paralegal/Hearing Department
Karen Grady, RN, MS, CS, FNP, Nurse Practice Consultant/Advanced Practice
Ron Lester, Senior Investigator
Patricia Midkiff, RN, MN, Nurse Practice Consultant
Sydney Munger, RN, MS, Nurse Practice Consultant
Betty Nelson, RN, MS, Nursing Assistant Consultant
Kirk Olson, Senior Investigator
Cory Polak, Senior Investigator
Pamela Randolph, RN, MSN, Nurse Practice Consultant/Education
Mary Rappoport, RN, MN, Nurse Practice Consultant
Jeanine Sage, RN, MSN, Nursing Assistant Consultant
Suanne Smith, RN, MS, Nurse Practice Consultant/CANDO
Sister Rachel Torrez, RN, MS, Nurse Practice Consultant
Nancy Twigg, RN, MSN, Nurse Practice Consultant
Rose Wilcox, RN, M Ed, Nurse Practice Consultant/Education
Pamela Wiggin, RN, MS, Nurse Practice Consultant/Monitoring
James Williams, Senior Investigator
Barbara Ritenour, Legal Secretary

I. Call to Order

The meeting was called to order at 8:32 a.m., Wednesday, March 22, 2006.

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

Malloch presided.

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

Busby arrived at the meeting at 8:35 a.m. and Campbell arrived at 8:36 a.m.

V.G.9. Scott Robert Demar LP036635 (Midkiff)

Hardy moved, Crawley seconded, and it was unanimously carried to reopen Agenda Item V.G.9. Demar was present and addressed the Board. Campbell moved, Johnson seconded, to offer a Consent Agreement for a Decree of Censure, or hearing, and refer facility to the Arizona Department of Health Services for investigation. The motion carried with five in favor and two opposed.

	VOTE	Johnson, Patricia Member	Robertson, Steve Member	Crawley, Theresa Vice Pres	Malloch, Kathy President	Hardy, Karen Member	Perry, Hunter Member	Busby, Kathryn Member	Rich, Judith Member	Campbell, Trista Member
YES	5	X	X	X				X		X
NO	2				X	X				
ABSTAIN	0									
ABSENT	2						X		X	

V.H.5. Robbin Lavon McKinion RN108244; AP1032; AP1033; LP022962; CNA818794641 (Grady)

Grady gave a brief review of documents presented. Roy Whipple, attorney, was present and addressed the Board. Busby moved, Crawley seconded, and it was unanimously carried to continue to the May 2006 Board meeting to allow McKinion the opportunity to submit additional response or evidence, in writing, to Board staff by April 17, 2006; during which time, McKinion's license would continue to be suspended.

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

VII.A. Executive Director's Report

VII.A.1. Discuss/Amend and/or Approve Board Minutes for January 25, 26 & 27, 2006; Special 2:00 p.m. January 26, 2006; and Executive Session Minutes for January 25, 2006

Crawley moved, Busby seconded, and it was unanimously carried to approve minutes from regular Board meeting of January 25, 26 and 27, 2006; special Board meeting January 26, 2006 at 2:00 p.m.; and Executive Session minutes from January 25, 2006.

VII.A.2. Pilot Study Medication Technician Update; Skills Test – Randolph

Randolph reported that the Pilot Study Medication Technician project is in the implementation phase and that pre-study data on medication error rates in the 6 pilot facilities is currently being collected by D & S Technologies. A workshop was recently held to train the educators on the curriculum and Randolph reported that training for certified medication technicians is scheduled to begin in April 2006. Hardy moved, Crawley seconded, and it was unanimously carried to approve the manual skills test as presented.

VII.A.4. Information on California RN Board Prevailing in Excelsior College Court Decision – Randolph/Ridenour

Information was provided to the Board regarding California RN Board prevailing in Excelsior College Court decision, in which the California Board prevailed.

VII.A.6. Update on ASBN New Offices/Move – Bontrager/Ridenour

Ridenour reported that the ASBN offices would move to 4747 N. 7th St, on April 6 & 7, 2006. Because the new offices on the second floor will not be completed, temporary quarters will be located on the first floor until approximately June 1, 2006. Ridenour reported that the cost of 2 moves means additional expenditures of resources on an already tight budget. The expense of moving twice is expected to be close to \$80,000. Ridenour commended Bontrager for her efforts in coordinating the move. Ridenour also stated that the May Board meeting would possibly be held at the Medical Board offices since the Boardroom at the new offices for the Board of Nursing Board will likely not be completed in time. Ridenour thanked Vince Femiano from Trans Western for working with the Board over the past year to secure the new location for Board offices.

VII.A.7. Update on Negotiation Skill Development Training with Marty Latz & Expectations of Staff Negotiation of Consent Agreements – Ridenour

Ridenour reported on the Negotiation Skill Development Training with Marty Latz and expectations of staff negotiating of Consent Agreements. All Investigative staff, Assistant AAGs attended as well as Malloch, Busby, Johnson and Ridenour. Ridenour stated development of these competencies better prepare staff and assistant attorney general's (AAG's) to use standards previously set in Board decision making. Board members expressed support for staff negotiating Consent Agreements based on precedents set on prior decisions.

VII.A.8. Update on FY 2006 Budget & AHCCS Funding for Certified Nursing Assistant Program – Serra/Bontrager/Ridenour

Ridenour reported that with moving expenses considered and additional funds from AHCCCS of \$129,500, a balanced budget would be possible.

VII.A.9. Update on Complaint Caseloads/Hearing Department/Personnel Changes – Smith/Barber/Blake/Christl/Bontrager (ORAL)

Complaint Caseloads: V. Smith reported 271 cases brought to Board at this meeting, of which 199 were investigative cases, and of those, 185 were first time to the Board. The investigative timeframe continues to improve with 6.3 months being the average. Smith reported that she expected work productivity to be maintained during the disruption of workflow over the 2 months when staff would be in office moving transition.

Hearing Department: Christl reported that 1 case would remain open after this meeting from 2003, which is awaiting an ALJ decision; 14 from 2004 all of which would be brought to the May 2006 Board meeting or hearing; cases scheduled for hearing has increased from 46 cases in 2003, to 121 in 2005, with 54 scheduled to date in 2006. In 2005, 42 cases deemed and 42 cases settled. In 2005, 58 cases settled without returning to the Board. Formal settlement conferences increased from 2 in 2002, to 27 in 2005, with 7 thus far in 2006 with a 98% success rate for settlement.

Personnel Changes: Bontrager reported Brent Sutter's promotion from license technician to a Legal Secretary I and Debra Kunkle's promotion from mailroom clerk to license technician.

VII.A.10. Three Recent Office of Inspector General (OIG) Reports Related to Nurse Aide Registries – Ridenour

Ridenour reported on the OIG reports regarding resources for the CNA program. The RN/LPN revenues have subsidized the CNA program since 1995 at a cost of \$300,000 to \$400,000 per year. The report was compiled from data gathered on a state-by-state basis by the OIG. Sixteen states have the Nurse Aide Registry residing within the Board of Nursing and the remainder is under Department of Health Services (DHS) or its equivalent. State Fees for Nurse Aide Registration: Ridenour stated that although 20% of states charge a fee for initial certification and 90% charge a fee for renewals, the OIG states that no fees are to be charged. Ridenour stated that this Board continues to support the CNA program, with anticipation that future legislation would allow for

additional resources for the CNA programs. Ridenour stated it should be a function of the Board of Nursing to protect the public from all levels of people providing nursing services.

Nurse Aide Registries: Long Term Care Facility Compliance and Practices: Ridenour stated this document states that it is expected that long term care facilities validate that a nursing assistant does not have a substantiated complaint.

Nurse Aide Registries: State Compliance & Practices: Recommendations were given for a National Databank for CNA's. Ridenour stated that it's difficult to track a CNA applicant's background when they hold a certification in one or more other states.

VII.A.11. Discuss the Arizona Medical Board's Draft Policy for the Treatment of Pain – Ridenour

The Board discussed the Arizona Medical Board's Draft Policy for the Treatment of Pain and did not have recommendations for changes.

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

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

VII.B.2. Grand Canyon University Program Approval

Busby moved, Hardy seconded, and it was unanimously carried to continue approval of the nursing program at Grand Canyon University.

VII.B.7. Application for Refresher Course Approval – Consolidated Learning Services

Busby moved, Crawley seconded, and it was unanimously carried to approve the Refresher program offered by Consolidated Learning Services.

VII.B.8. NCLEX Quarterly Reports

NCLEX Quarterly reports for Statewide and schools were provided to the Board.

VII.B.9. NCLEX RN Test Plan

NCLEX Test Plan was provided to the Board.

VII.B.12. Report from CNA Educator's Retreat 2006

Randolph reported a successful CNA Educator's Retreat 2006, which included roundtable discussions. Randolph commended Rose Wilcox for the outstanding job in surveying the CNA program.

VII.B.14. Clinical Nurse Specialist Name Change

Information was provided to the Board regarding the name change of the Clinical Nurse Specialist in Medical-Surgical Nursing Certifications, to Clinical Nurse Specialist in Adult Health Nursing Certification.

Robertson left the meeting at 9:57 a.m. and returned at 9:59 a.m.

VII.C. President's Report

VII.C.2. Update on National Council State Boards of Nursing Midyear Meeting, Chicago, Illinois – Busby/Hardy/Malloch

Busby, Hardy and Malloch, reported on the NCSBN Midyear meeting they attended. Malloch reported that she would be running for National Council's delegate at large. In light of the data lost in the effected states due to hurricane Katrina, this Boards disaster preparedness was discussed.

Johnson left the meeting at 10:08 a.m. and returned at 10:10 a.m.

The meeting recessed at 10:19 a.m. and reconvened at 10:30 a.m.

VII.E. Committee Reports

VII.E.1. Scope of Practice

VII.E.1.a. Draft Minutes of March 7, 2006 Committee Meeting

Crawley moved, Busby seconded, and it was unanimously carried to approve the draft minutes of March 7, 2006.

VII.E.1.b.1. Supervision of Unlicensed Nurse Externs by Registered Nurses

Busby moved, Hardy seconded, and it was unanimously carried to approve the Supervision of Unlicensed Nurse Externs by Registered Nurses advisory opinion.

VII.E.1.b.2. Suture/Staple Removal – Role of LPN

Hardy moved, Crawley seconded, and it was unanimously carried to approve Suture/Staple Removal – Role of LPN advisory opinion.

VII.E.1.b.3. Orders: Accepting, Transcribing, Signing-Off Orders

Busby moved, Hardy seconded, and it was unanimously carried to approve Orders: Accepting, Transcribing, Signing-Off Orders advisory opinion.

VII.E.1.b.4. Injection of Lidocaine: Local Infiltration for Femoral Sheath Removal

Busby moved, Hardy seconded, and it was unanimously carried to approve Injection of Lidocaine: Local Infiltration for Femoral Sheath Removal advisory opinion.

VII.E.1.b.5. Death, Assessment of

Busby moved, Crawley seconded, and it was unanimously carried to approve Death, Assessment of advisory opinion.

VII.E.1.b.6. Intra-Aortic Balloon Removal

Hardy moved, Busby seconded, and it was unanimously carried to approve Intra-Aortic Balloon Removal advisory opinion.

VII.E.1.b.7. Intra-Osseous Cannulation

Busby moved, Hardy seconded, and it was unanimously carried to approve Intra-Osseous Cannulation advisory opinion.

VII.E.1.b.8. Medication, Carrying by Licensed Nurses

Hardy moved, Busby seconded, and it was unanimously carried to approve Medication, Carrying by Licensed Nurses advisory opinion.

VII.E.1.b.9. Suture Mediated Closure Devices

Busby moved, Johnson seconded, and it was unanimously carried to approve Suture Mediated Closure Devices advisory opinion.

VII.E.1.b.10. Amniotomy

Busby moved, Hardy seconded, and it was unanimously carried to approve Amniotomy advisory opinion.

VII.E.1.b.11. Lumbar Puncture

Hardy moved, Busby seconded, and it was unanimously carried to approve Lumbar Puncture advisory opinion.

VII.E.1.b.12. Abandonment of Patients

Hardy moved, Busby seconded, and it was unanimously carried to approve Abandonment of Patients advisory opinion.

VII.E.1.b.13. Foley Catheter: Use of Instrumentation to Deflate a Malfunctioning Foley Catheter Balloon

Busby moved, Hardy seconded, and it was unanimously carried to approve Foley Catheter: Use of Instrumentation to Deflate a Malfunctioning Foley Catheter Balloon advisory opinion.

VII.E.1.b.14. Insertion (and Removal) of Laminari Sponge

Johnson moved, Hardy seconded, and it was unanimously carried to approve Insertion (and Removal) of Laminaria Sponge advisory opinion.

VII.E.1.b.15. Pacemaker Wires

Busby moved, Hardy seconded, and it was unanimously carried to approve Pacemaker Wires advisory opinion.

VII.E.1.b.16. Intrauterine Pressure Catheters

Busby moved, Hardy seconded, and it was unanimously carried to approve Intrauterine Pressure Catheters advisory opinion.

VII.E.3. Education

VII.E.3.a. Draft Minutes of February 10, 2006

Draft minutes of the February 10, 2006 Education Committee meeting were provided to the Board.

VII.E.3.b. Committee Evaluations

Information from Committee Evaluations was provided to the Board.

VII.E.4. Advanced Practice

VII.E.4.a. Draft Minutes from January 13, 2006

Draft minutes of the January 13, 2006 Advanced Practice Committee meeting were provided to the Board.

VII.E.4.b. Recommendations Regarding Advanced Practice Committee Appointments

Busby moved, Campbell seconded, and it was unanimously carried to appoint the applicants, James Mitchell and Carol Harrigan, to serve a 2 year term of the Advanced Practice Committee.

VII.D. A.A.G. Report

VII.D.1. Update on JRA's – Christl

Christl offered a brief update on Judicial Review Actions and stated that six matters are now in Superior Court, three of which are Judicial Review Actions and three Special Actions.

VIII. Call to the Public

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

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Glendale Community College and Arizona State University Nursing Students regarding Board functions, policy and procedure. Questions were asked about the scope of practice line, hearing cases and advisory opinions.

X. Adjournment

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

The meeting adjourned at 11:07 a.m., Wednesday, March 22, 2006.

Kathy Malloch, PhD, MBA, RN, FAAN, President