

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 9:03 a.m., Wednesday, May 16, 2007, in the Board of Nursing Board Room, Suite 200, 4747 N. 7th Street, Phoenix, Arizona, with Karen Hardy, RN, MSN, President, presiding.

BOARD MEMBERS PRESENT:

Karen Hardy, RN, MSN, President
Theresa Crawley, CRNA, MSHSA, Vice-President
Patricia Johnson, LPN, Secretary
Kathryn L. Busby, JD, Member
Denise Link, DNS, WHCNP, FNAP, Member
Kathy Malloch, PhD, MBA, RN, FAAN, Member
M. Hunter Perry, Member
Steve Robertson, LPN, Member

BOARD MEMBERS ABSENT:

Constance G. Woulard, RN, MSN, Member

LEGAL COUNSEL:

Daniel Christl, Assistant Attorney General
Ann Olson, Assistant Attorney General
Kim Zack, Assistant Attorney General

STAFF:

Joey Ridenour, RN, MN, Executive Director
Judy Bontrager, RN, MN, Associate Director of Operations
Pamela Randolph, RN, MSN, Associate Director of Education and Evidence Based Regulation
Valerie Smith, RN, MS, Associate Director of Investigations
Erica Bailey, Senior Investigator/Monitoring
Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings
Debra Blake, Paralegal/Hearing Department
Jeanne Crain, Senior Investigator
Karen Grady, RN, MS, CS, FNP, Nurse Practice Consultant/Advanced Practice
Thereasa Huff, Investigator
Ron Lester, Senior Investigator
Connie Linck, RN, MN, CNAA, BC
Sydney Munger, RN, MS, Nurse Practice Consultant
Betty Nelson, RN, MS, Nursing Assistant Consultant
Stephanie Nelson, R.N., M.S.N., Nurse Practice Consultant
Kirk Olson, Senior Investigator
Cory Polak, Senior Investigator
Mary Rappoport, RN, MN, Nurse Practice Consultant
Jeanine Sage, RN, MSN, Nursing Assistant Consultant
Sister Rachel Torrez, RN, MS, Nurse Practice Consultant
Nancy Twigg, RN, MSN, Nurse Practice Consultant
James Williams, Senior Investigator
Barbara Melberg, Legal Secretary

I. Call to Order

The meeting was called to order at 9:03 a.m., Wednesday, May 16, 2007.

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

Hardy presided.

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

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

II.A.1. Sandra Ellen Chuck NC 064909 (Compact) Christl

The proceeding began at 9:06 a.m. with the following Board members present: Johnson, Robertson, Crawley, Malloch, Hardy, Perry, Busby, and Link.

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 Jo Foster, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

Chuck was present and addressed the Board.

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.

Johnson moved, Crawley seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 86, and Conclusions of Law the alleged violations in Paragraphs 1 through 10.

Malloch moved, Crawley seconded, and it was unanimously carried to accept the Administrative Law Judge's recommended Order to revoke privilege under the Nurse Licensure Compact to practice nursing in the State of Arizona, and issue a cease and desist Order.

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

II.A.2. Rebecca Jo Hahn RN087853 Christl

The proceeding began at 9:13 a.m. with the following Board members present: Johnson, Robertson, Crawley, Malloch, Hardy, Perry, Busby, and Link.

All Board members answered affirmatively that they had received and read the transcript of the hearing and the Administrative Law Judge recommendation.

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

II.A.4. Wakgari Mamo Dabalo CNA1000000790 A. Olson

The proceeding began at 9:18 a.m. with the following Board members present: Johnson, Robertson, Crawley, Malloch, Hardy, Perry, Busby, and Link.

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 Jo Foster, Assistant Attorney General, Division of Solicitor General. Ann Olson, Assistant Attorney General, represented the State.

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

Olson 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.

Johnson moved, Crawley seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 37, and Conclusions of Law the alleged violations in Paragraphs 1 through 11.

Johnson moved, Crawley seconded, and it was unanimously carried to accept the Administrative Law Judge’s recommended Order to revoke nursing assistant # CNA1000000790 issued to Wakgari Mamo Dabalo.

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

II.A.5. Janet Lauren Grace RN104123 A. Olson

The proceeding began at 9:21 a.m. with the following Board members present: Johnson, Robertson, Crawley, Malloch, Hardy, Perry, Busby, and Link.

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 Jo Foster, Assistant Attorney General, Division of Solicitor General. Ann Olson, Assistant Attorney General, represented the State.

Grace was present and addressed the Board.

Olson 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 did not agree that disciplinary action should be considered in this matter.

Busby moved, Link seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 17, and Conclusions of Law the alleged violations in Paragraphs 1 through 7.

Johnson moved, Perry seconded, to accept the Administrative Law Judge’s recommended Order dismiss the complaint. After discussion, the motion carried with seven in favor and one opposed.

II.A.7. Christopher J. Taras RN094548 Christl

The proceeding began at 9:40 a.m. with the following Board members present: Johnson, Robertson, Crawley, Malloch, Hardy, Perry, Busby, and Link.

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 Jo Foster, Assistant Attorney General, Division of Solicitor General. Daniel Christl, Assistant Attorney General, represented the State.

Taras was present and addressed the Board.

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, seven Board members agreed that disciplinary action should be considered in this matter, one abstained.

Johnson moved, Crawley seconded, to accept as Findings of Fact the allegations contained in Paragraphs 1 through 72 and Conclusions of Law the alleged violations in Paragraphs 1 through 7. The motion carried with six in favor and two abstained.

Link moved, Crawley seconded, and it was unanimously carried to rescind the prior motion for Board members to agree that disciplinary action should be considered in this matter, and to revote the decision. Based upon the hearing transcripts, the Administrative Law Judge’s Findings of Fact, Conclusions of Law, Recommendation, and the information presented at this meeting, six Board members agreed that disciplinary action should be considered in this matter, two abstained.

Malloch moved, Link seconded, to accept the Administrative Law Judge’s recommended Order to place professional license #RN094548 on probation for 24 months with terms and conditions set forth in Order #0509046. Terms to include: 12 months direct supervision and 12 months on site supervision. The motion carried with six in favor and two abstained.

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

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

II.B.1. Nancy Jean Whelton RN106268 A. Olson

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

Whelton was present and addressed the Board.

Olson addressed the Board.

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

Johnson moved, Malloch 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.

Malloch moved, Crawley seconded, and it was unanimously carried to accept the State’s recommended discipline for revocation of professional nurse license #RN106268 issued to Nancy Jean Whelton.

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

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

II.C.1. Suzanne P. Ross Feeley RN071694 A. Olson

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

Hardy recused herself to avoid the appearance of impropriety and left the meeting at 10:12 a.m. Crawley presided.

Teressa Sanzio, attorney, was present, telephonically, and addressed the Board.

Olson addressed the Board.

Johnson moved, Busby seconded, and after discussion it was unanimously carried to terminate Consent Agreement and Order No. 0310097, and accept signed Consent Agreement and Order No. 0608118 for 24 months probation with the attached stipulations.

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

Hardy returned to the meeting at 10:16 a.m.

II.C.5. Karen Jean Lynn RN128327; LP038607 A. Olson

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

Olson addressed the Board.

Attorney Teresa Sanzio was present, telephonically, and addressed the Board.

Busby moved, Perry seconded, and it was unanimously carried to rescind the Board decision of September 21, 2005, to offer a Consent Agreement a Decree of Censure and a \$2,000 Civil Penalty, or hearing, and accept the signed Consent Agreement for a Decree of Censure.

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

II.C.2. Deborah Lucelle Monroe CNA100007471 A. Olson

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

Olson addressed the Board.

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

Johnson moved, Busby seconded, and it was unanimously carried to accept the signed modified Consent Agreement for a 24 month stayed revocation with terms and conditions.

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

II.C.3. Millicent Lynette Hanks RN118958 A. Olson

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

Olson addressed the Board.

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

Busby moved, Link seconded, and it was unanimously carried to accept the signed modified Consent Agreement for a 24 month stayed revocation with terms and conditions to include a \$400 Civil Penalty.

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

**II.C.4. Cynthia Jean Kelly
(aka: Hart)**

RN129237

A. Olson

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

Olson addressed the Board.

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

Link moved, Robertson seconded, and it was unanimously carried to accept the signed modified Consent Agreement for 36 months probation with terms and conditions.

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

The meeting recessed at 10:29 a.m. and reconvened at 10:48 a.m.

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

AGENA #	Respondent Name	Lic/Cert #	Board Resolution	LegalStaff
II.D.2.	Sandra Jean Balke	RN128780	Revoke	A. Olson
II.D.3.	Leann Michelle Beaver	CNA704611599	Revoke	A. Olson
II.D.4.	Lee Ann Billie	CNA515397803	Revoke	A. Olson
II.D.5.	Fernando Bocanegra	CNA999953566	Revoke	A. Olson
II.D.6.	Joyce Ellen Chamberlin (aka: Burnett; Snell)	LP035441	Revoke	A. Olson
II.D.7.	Melissa Ann Freand	CNA999993669	Revoke	A. Olson
II.D.9.	Melissa Ann Mruskovich	RN091432; AP1271	Revoke	A. Olson
II.D.10.	Dallas Charlene Reed (aka: Vandermeuse)	CNA999996278	Revoke	A. Olson
II.D.12.	Jacob Ernest Stonechek	CNA1000005893	Revoke	A. Olson
II.D.13.	Kay F. Hargis	CNA999947647	Issue an Order for 12 months stayed revocation followed by 12 months stayed suspension both with terms and conditions.	
II.D.14.	Aleita Frances Watson	CNA999997763	Revoke	A. Olson
II.D.15.	Michelle Lee West	RN108072; LP033416	Revoke	A. Olson

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

Olson addressed the Board.

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

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

Link moved, Busby 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.

Malloch moved, Busby seconded, and it was unanimously carried to accept the State’s recommended discipline for Agenda Items II.D.2-7, 9, 10, and 12-15.

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

II.D.1. Brytni Alana Avelar CNA1000003050 A. Olson

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

Olson addressed the Board.

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

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

Malloch 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.

Malloch moved, Perry seconded, and it was unanimously carried to accept the State’s recommended discipline to revoke nursing assistant certification #CNA1000003050 issued to Brytni Alana Avelar.

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

II.D.8. Pamela Ann Glorie RN123121 A. Olson

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

Olson addressed the Board.

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

Busby moved, Link seconded, and it was unanimously carried to continue.

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

II.E.1. Lauramelia Gonzales Castillo LP027835 Christl

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

Castillo was present and addressed the Board.

Christl addressed the Board.

Johnson moved, Hardy seconded, to deny request for rehearing/reconsideration. The motion failed with five opposed and three in favor.

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

After discussion, Busby moved, Perry seconded, and it was unanimously carried to table Agenda Item II.E.1.

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

**II.F.1. Rowena Aquino Faulkner RN128701 A. Olson
(aka: Aquino; Patay; Raquiza)**

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

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

Olson addressed the Board.

Busby moved, Perry seconded, and it was unanimously carried to rescind prior Board decision to accept the signed modified Consent Agreement for 24 months probation with terms and conditions.

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

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

II.G.1. Nancy M. Acheson LP024034 (Barber/Torrez)

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

Barber addressed the Board.

Malloch moved, Crawley seconded, and it was unanimously carried to vacate the dismissal for complaint #1. Complaint #1 and Complaint #4 substantiate a pattern, and support the need for the Interim Order. Therefore, reissue the Interim Order for an anger management 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 return to the Board. If the Interim Order is not completed within the timeline, issue the Complaint and Notice of Hearing and include a Finding of Fact alleging failure to comply with the Interim Order, and additional findings based on the information in this investigative report. Dismiss complaint #2 and #3.

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

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

II.H.1. Nathaniel Angeles Dela Cruz CNA1000001909 (A. Olson)

The proceeding began at 11:22 a.m. with the following Board members present: Johnson, Robertson, Crawley, Malloch, Hardy, Perry, Busby, and Link.

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

Dela Cruz was present and addressed the Board.

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.

Malloch moved, Perry seconded, and it was unanimously carried to accept proposed preliminary Findings of Fact and Conclusions of Law of 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).

Johnson moved, Perry seconded, and it was unanimously carried to summarily suspend nursing assistant certification # CNA1000001909.

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

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

II.H.2. Louise A. Drommond RN066851; LP021966 A. Olson

The proceeding began at 11:42 a.m. with the following Board members present: Johnson, Robertson, Crawley, Malloch, Hardy, Perry, Busby, and Link.

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

Drommond was present and addressed the Board.

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.

Johnson moved, Malloch seconded, and it was unanimously carried to accept proposed preliminary Findings of Fact and Conclusions of Law of 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).

Johnson moved, Link seconded, and it was unanimously carried to summarily suspend professional license #RN066851 and practical license #LP021966.

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

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

Robertson left the meeting at 12:10 p.m. and returned at 12:12 p.m.

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

III.E.3. Patricia M. James RN045558; LP005932 (Munger)

James was present and addressed the Board. Munger addressed the Board with additional information. Malloch moved, Johnson seconded, and after discussion unanimously carried to adopt the attached Notice of Charges based upon information contained in the investigative report and the information received at this meeting.

IV.B. Board Discussion & Decision Regarding Non-Compliance/Compliance with Board Orders – Barber/Bailey

IV.B.1. Jeffery Albro RN132007 (Bailey)

Perry knows Ann Nichols but shows no bias. Bailey addressed the Board with additional information. Albro was present and addressed the Board. Malloch moved, Link seconded, and it was unanimously carried to continue.

IV.B.10. Lynnette Porter LP040933 (Bailey)

Porter was present and addressed the Board. Bailey addressed the Board with additional information. Busby moved, Link seconded, and after discussion it was unanimously carried to grant request for early termination entered into on April 14, 2006.

Johnson left the meeting at 12:38 p.m. and returned at 12:40 p.m.

IV.B.12. Chad Rumsey RN123050; CNA999952689 (Bailey)

Bailey addressed the Board and confirmed receipt of additional information. Rumsey was present and addressed the Board. Busby moved, Crawley seconded, to grant request for termination of Consent Agreement entered into on April 10, 2006. The motion carried with five in favor, two opposed, and one abstained.

IV.D.1. Amanda Kay Schreiner RN Exam (Linck)

Betty Macaila and Schreiner were present and addressed the Board. Busby moved, Perry seconded, and it was unanimously carried to grant licensure upon meeting all requirements and accept signed CANDO Stipulated Agreement.

IV.D.4. Kelly Lee Tate RN136595 (Linck)

Tate was present and addressed the Board. Malloch moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for 24 months stayed revocation with the license suspended for the first 12 months, followed by 12 months stayed revocation probation, then followed by 24 months standard probation to include the attached stipulations, or hearing.

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

The meeting recessed at 12:49 p.m. and reconvened at 1:20 p.m.

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

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.E.4. Paul Steven Sokolowski RN135203 (B. Nelson)

Malloch knows Kim Lamar but shows no bias. Nelson addressed the Board with an amendment to the stipulations. Sokolowski was present and available for questions. Attorney Robert Jarvis was present and addressed the Board. Malloch moved, Johnson seconded, to offer a Consent Agreement for 12 months probation to include the attached stipulations, amended to include: on call allowed with Southwest Ambulance only, indirect supervision, night shift allowed, quarterly reports, or hearing. The motion carried with seven in favor and one abstained.

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

III.G. Board Discussion & Decision Regarding RN/LPN Compact Investigative Cases

III.G.1. Steven B. Frank 149421 (TN); RN Endorsement (Munger)

Attorney Anthony Fernandez was present and addressed the Board. Malloch moved, Busby seconded, and it was unanimously carried to table Agenda Item III.G.1.

V.G.4. Richard Joseph Henely RN046579 (Munger)

An attempt was made to contact witness, Diane Webber telephonically. Teresa Sanzio, attorney, was present and addressed the Board. Malloch moved, Perry seconded, and it was unanimously carried to table Agenda Item V.G.4.

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

V.H.2. Brian James Keller RN126518 (Torrez)

Attorney Craig Martin was present and available for questions. Keller was present and addressed the Board. Busby moved, Link seconded, and it was unanimously carried to issue a letter of concern for refusing to submit a “for cause” urine drug screen on or about June 7, 2006, while employed at Tempe St. Luke’s Hospital.

Perry left the meeting at 1:49 p.m. and returned at 1:56 p.m.

V.H.5. Katherine Maria Farago RN109521 (Torrez)

Attorney Kevin Nicholas and Farago were present and addressed the Board. Malloch moved, Johnson seconded, to offer a Consent Agreement for Decree of Censure with a \$500 Civil Penalty or hearing. After discussion the motion carried with five in favor, two opposed and one abstained.

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

Busby left the meeting at 2:02 p.m.

V.H.4. Anna Maaria Medina Skouson LP031381 (Torrez)

Torrez addressed the Board with additional information. Attorney Jess Lorona and Skouson were present and available for questions. Malloch moved, Perry seconded, and it was unanimously carried to dismiss the case.

V.B.2. Jared Adam Day LP Exam (Rappoport)

Rappoport addressed the Board with additional information. Attorney Dan Terrell was present and addressed the Board and Day was present and available for questions. Johnson moved, Robertson seconded, and it was unanimously carried to grant licensure upon meeting all requirements and signing a Consent Agreement for 24 months stayed suspension probation, followed by 24 months probation, to include the attached stipulations. If not signed within 30 days, deny license 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	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	7		X	X	X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	2	X						X		

III.G. Board Discussion & Decision Regarding RN/LPN Compact Investigative Cases

III.G.1. Steven B. Frank 14942 (TN); RN Endorsement (Munger)

Link moved, Malloch seconded, and it was unanimously carried to reopen Agenda Item III.G.1. Munger addressed the Board and confirmed receipt of additional information and offered additional information. Attorney Anthony Fernandez was present and addressed the Board. Frank was present and available for questions. Malloch moved, Link seconded, and it was unanimously carried to upon meeting all requirements and signing a Consent Agreement for 24 months probation, to include the attached stipulations, grant licensure. If not signed within 30 days, deny licensure based upon information contained in the investigative report, revoke the privilege to practice in Arizona, and issue a cease and desist order. 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	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	7		X	X	X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	2	X						X		

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

V.G.4. Richard Joseph Henely RN046579 (Munger)

Malloch moved, Perry seconded, and it was unanimously carried to reopen Agenda Item V.G.4. An attempt was made to contact witness Diane Webber telephonically. Munger addressed the Board with additional information. Teresa Sanzio, attorney, was present and addressed the Board. Hardy moved, Johnson seconded, to issue an Interim Order for a sexual misconduct evaluation to be completed by Steven Gray, PhD, to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days, then return to the Board. After discussion, the motion failed with four opposed and three in favor.

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

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

Malloch moved, Perry seconded, and it was unanimously carried to go into Executive Session on Agenda Item V.G.4. for the purpose of reviewing confidential documents and to obtain legal advice. Executive Session convened at 2:50 p.m. and adjourned at 3:00 p.m.

Malloch withdrew the motion to offer a Consent Agreement for a Decree of Censure, or hearing.

Robertson moved, Johnson seconded, to proceed to hearing. After discussion, the motion carried with six in favor and one opposed.

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

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

IV.D.3. Natasha Lyn Oliver RN097137 (Linck)

Linck addressed the Board and confirmed receipt of additional information. Oliver was present and addressed the Board. Malloch moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for 24 months stayed revocation with the license suspended for the first 12 months followed by 12 months stayed revocation probation, then followed by 24 months standard probation to include the attached stipulations, or hearing.

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

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

V.A.4. Peggy Lee Luesse RN129137 (Twigg) (aka: Schmidt)

Twigg addressed the Board and confirmed receipt of additional information. Luesse was present, telephonically, and addressed the Board. Attorney Mirle Turchik was present and available for questions. Johnson moved, Robertson seconded, and after discussion it was unanimously carried to dismiss the case.

The meeting recessed at 3:48 p.m. and reconvened at 4:03 p.m.

V.I.1. Carol Jane Kison RN107046 (Grady)

Link, Crawley and Malloch know Ann McNamara, and Link knows Lisa O'Neil but show no bias. Grady addressed the Board with additional information. Attorney Scott Shuman and Kison were present and available for questions. Link moved, Malloch seconded, and it was unanimously carried to issue a letter of concern for failing to fulfill faculty requirements for the supervision of nursing students in a preceptorship rotation, and directing students to put her name on the evaluation forms, in or about July and August 2006, while employed as a clinical instructor by Rio Salado College.

V.I.2. Martha Carr Oyler RN043144; AP0061 (Grady)

Link is affiliated with ASU but shows no bias. Grady addressed the Board and confirmed receipt of additional information. Karen Hall, complainant was present and available for questions. Attorney Cynthia Leigh was present and addressed the Board. Oyler was present, telephonically, and addressed the Board. Teresa Sanzio, attorney, was present and addressed the Board. Link moved to offer a Consent Agreement for 12 months probation to include the attached stipulations, amended to include: peer review by a Board approved psych mental health nurse practitioner, six chart reviews per month, may provide on call service to patients, delete pharmacology course, or hearing. After discussion, Link withdrew the motion. Link moved, Robertson seconded, and after discussion it was unanimously carried to continue the investigation for review of a randomly selected sample of 25 patient records from the last 6 months by

PMHNP. A summary of that review will be provided to the Board for consideration at the July 2007 Board meeting.

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

V.I.3. Sue Ann Himmelberger RN040550; AP1124 (Grady)

Link knows Himmelberger but shows no bias. Grady addressed the Board with a technical correction to the IR. Himmelberger was present and addressed the Board. Attorney DeeDee Holden was present and addressed the Board. Malloch moved, Perry seconded, and it was unanimously carried to dismiss the case.

V.I.5. Virginia Marie Kelsch RN071853; AP0103 (Grady)

Grady addressed the Board and confirmed receipt of additional information. Kelsch and attorney Mary Pryor were present and addressed the Board. Malloch moved, Perry seconded, and it was unanimously carried to dismiss the case.

Link left the meeting at 5:29 p.m.

V.I.6. Carolyn K. Langdon RN022204; AP0017 (Grady)

Grady addressed the Board and confirmed receipt of additional information. Langdon and attorney Mary Pryor were present and addressed the Board. Perry moved, Robertson seconded, to dismiss the case. The motion failed with three opposed and three in favor. Crawley moved, Malloch seconded, to issue a letter of concern for writing admission orders after the fact for another nurse practitioner and failing to document an assessment on or about October 20, 2000 at Scottsdale Healthcare Shea while employed by Neonatology Associates, Phoenix, Arizona. The motion carried with four in favor and two opposed.

V.H.6. Sandra Claire Thomas RN105564 (Torrez)

Perry and Malloch know Debra Pendergast but show no bias. Torrez addressed the Board with additional information. Thomas and attorney Judith Abramson were present and addressed the Board. Malloch moved, Judith seconded, and it was unanimously carried to offer Consent Agreement for 24 months probation with the attached stipulations, amended to include: psychological and relapse prevention evaluation at 12 months, relapse prevention therapy, and other requirements to include: may be “on call” for one full weekend and three weekdays in one month only while employed at Mayo Clinic Hospital in the Endoscopy lab; may complete the terms of Consent Agreement in the State of Colorado or New Mexico; psychiatric evaluation to be completed by an evaluator with expertise in substance abuse and psychiatric disorders; psychiatric treatment only if recommended by evaluator; Thomas may arrange for random UDS testing with her present employer Mayo Hospital Mayo Clinic Hospital. The testing must meet the Board’s standards. Thomas may also be tested in the State of New Mexico when she is traveling, or hearing.

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

IV.B. Board Discussion & Decision Regarding Non-Compliance/Compliance with Board Orders – Barber/Bailey

IV.B.7. Marilyn Kobrzycki RN092854 (Bailey)

Bailey addressed the Board with additional information. Teressa Sanzio, attorney, was present and addressed the Board. Malloch moved, Perry seconded, and it was unanimously carried to terminate probation entered into on May 18, 2006.

IV.B.15. Walter Zawadzki RN054811; LP013179 (Bailey)

Bailey addressed the Board and confirmed receipt of additional information. Teressa Sanzio, attorney, was present and addressed the Board. Zawadzki was present, telephonically, and available for questions. Robertson moved, Johnson seconded, to deny request for termination of Consent Agreement entered into on May 18, 2006. After discussion, Robertson withdrew the motion. Malloch moved, Robertson seconded, and it was unanimously carried to terminate Consent Agreement if full compliance continues for 6 months on November 16, 2007.

IV.B.8. Megan Mytczynsky RN123625 (Bailey)

Mytczynsky and attorney Terry Hall was present and addressed the Board. Malloch moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for 24 months stayed revocation/probation followed by 24 months standard probation with terms and conditions. If not signed within 30 days, issue Notice of Charges based on information contained in the investigative report.

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

The meeting recessed at 6:39 p.m., Wednesday, May 16, 2007.

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 8:30 a.m., Thursday, May 17, 2007, in the Board of Nursing Board Room, Suite 200, 4747 N. 7th Street, Phoenix, Arizona, with Karen Hardy, RN, MSN, President, presiding.

BOARD MEMBERS PRESENT:

Karen Hardy, RN, MSN, President
Theresa Crawley, CRNA, MSHSA, Vice-President
Patricia Johnson, LPN, Secretary
Kathryn L. Busby, JD, Member
Denise Link, DNS, WHCNP, FNAP, Member
Kathy Malloch, PhD, MBA, RN, FAAN, Member
M. Hunter Perry, Member
Steve Robertson, LPN, Member

BOARD MEMBERS ABSENT:

Constance G. Woulard, RN, MSN, Member

LEGAL COUNSEL:

Daniel Christl, Assistant Attorney General
Ann Olson, Assistant Attorney General
Kim Zack, Assistant Attorney General

STAFF:

Joey Ridenour, RN, MN, Executive Director
Judy Bontrager, RN, MN, Associate Director of Operations
Pamela Randolph, RN, MSN, Associate Director of Education and Evidence Based Regulation
Valerie Smith, RN, MS, Associate Director of Investigations
Erica Bailey, Senior Investigator/Monitoring
Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings
Debra Blake, Paralegal/Hearing Department
Jeanne Crain, Senior Investigator
Karen Grady, RN, MS, CS, FNP, Nurse Practice Consultant/Advanced Practice
Thereasa Huff, Investigator
Ron Lester, Senior Investigator
Connie Linck, RN, MN, CNA, BC
Sydney Munger, RN, MS, Nurse Practice Consultant
Betty Nelson, RN, MS, Nursing Assistant Consultant
Stephanie Nelson, R.N., M.S.N., Nurse Practice Consultant
Kirk Olson, Senior Investigator
Cory Polak, Senior Investigator
Mary Rappoport, RN, MN, Nurse Practice Consultant
Jeanine Sage, RN, MSN, Nursing Assistant Consultant
Sister Rachel Torrez, RN, MS, Nurse Practice Consultant
Nancy Twigg, RN, MSN, Nurse Practice Consultant
James Williams, Senior Investigator
Barbara Melberg, Legal Secretary

I. Call to Order

The meeting was called to order at 8:30 a.m., Thursday, May 17, 2007.

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

Hardy presided.

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

III. Board Discussion and Decision Regarding Case Disposition List Approved, Letter of Concern Summary List Approved, Lapsed Licenses, Licensure Decisions and Compact Licensure Decisions

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

III.A.1. RN/LPN Endorsement Applicants

III.A.2. RN/LPN Examination Applicants

III.A.3. RN/LPN Renewal Applicants

III.A.4. CNA Endorsement/Examination Applicants

III.A.5. CNA Renewal Applicants

III.A.6. AP/RN/LPN/CNA Respondents

III.A.7. School Nurse Certificate Applicants

III.A.8. Certified Registered Nurse Anesthetists Applying for Prescribing Authority

III.A.9. Education Programs

III.A.10. RN/LPN Compact Nurses

Crawley moved, Johnson 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 List Approved

III.B.1. RN/LPN Endorsement Applicants

III.B.2. RN/LPN Examination Applicants

III.B.3. RN/LPN Renewal Applicants

III.B.4. CNA Endorsement/Examination Applicants

III.B.5. CNA Renewal Applicants

III.B.6. AP/RN/LPN/CNA Respondents

III.B.7. School Nurse Certificate Applicants

III.B.8. Prescribing and Dispensing Certificate Applicants

Crawley moved, Link seconded, and it was unanimously carried to approve cases submitted by Summary Report and grant licensure/certification to examination and endorsement applicants on the list and issue attached letter of concern 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.1. Order of Denial

III.D.1.a. Cassandra Lynn Graham CNA Exam (Williams)

Malloch moved, Johnson seconded, and it was unanimously carried to adopt the attached Order of Denial and revoke temporary certification issued to Cassandra Graham.

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

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

**III.E.1. Brenda L. Howell RN064798 (Twigg)
(aka: Bench)**

III.E.2. Michael Lee Scott RN119781 (Twigg)

III.E.4. Kathryn Ann Tober RN084319 (Munger)

Malloch moved, Perry seconded, and unanimously carried to issue Notice of Charges for Agenda Items III.E.1, 2, & 4.

III.F. Board Discussion and Decision Revocation Compact RN/LPN Privilege

III.F.1. Jerome Kim Kontos VN184613 (TX); LP34145 (WI) (Rappoport)

III.F.2. Kera Lee Williams RN40871 (AR)

Johnson moved, Perry seconded, and it was unanimously carried to deny licensure based upon the information contained in this investigative report and revoke the privilege to practice nursing in the state of Arizona, and issue a cease and desist order. If an informal settlement conference is requested the authority to settle is limited to the denial of the application for Agenda Item III.F.1., and to adopt the Order to revoke the privilege to practice nursing in the State of Arizona and issue a cease and desist Order for Agenda Item III.F.2.

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

III.H. Board Information Regarding Imposters, Cease and Desist Orders and Court Revocations (Huff)

- Hester Shorter May 3, 2007**
- Michelle Rurka April 27, 2007**
- Diana L. Craig February 13, 2007**

A cease and desist letter was sent to the above listed on dates given.

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

- Marlena Lancaster RN138461 Immediately**
- Marjorie Fromm LP011792 June 2, 2007**
- Kelsie Pate RN128151 June 16, 2007**
- Colleen Kane RN085203 June 28, 2007**

Judith Colby-Nielsen RN044665 July 21, 2007

Connie Wilson-Kakin RN136109 July 24, 2007

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

Busby arrived at the meeting at 8:41 a.m.

IV.B. Board Discussion & Decision Regarding Non-Compliance/Compliance with Board Orders – Barber/Bailey

IV.B.2. Maria Calzada RN107811 (Bailey)

Bailey addressed the Board with additional information. Calzada was present, telephonically, and available for questions. Johnson moved, Malloch seconded, to offer a Consent Agreement for 12 months stayed revocation/probation followed by 12 months standard probation with terms and conditions, and a \$1,000 Civil Penalty. If not signed within 30 days, issue Notice of Charges based upon information contained in the investigative report. The motion carried with seven in favor and one abstained.

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

IV.B.3. Patricia Dire RN107811 (Bailey)

Dire was present, telephonically, and addressed the Board. Crawley moved, Link seconded, and it was unanimously carried to amend Consent Agreement entered into on June 27, 2003 to allow Dire to work 92 hours per fourteen day period and work any shift with on-site supervision.

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

IV.B.4. Margaret DuSold LP040023 (Bailey)

DuSold was present, telephonically, and addressed the Board. Johnson moved, Link seconded, and it was unanimously carried to deny request for termination of Consent Agreement entered into on April 20, 2005.

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

IV.B.5. Holli Hartley-Cobb RN052454 (Bailey)

Hartley-Cobb was present, telephonically, and available for questions. Busby moved, Link seconded, to grant request for early termination entered into on September 21, 2005. After discussion the motion carried with seven in favor and one opposed.

IV.B.6. Marilyn Helm RN084153 (Bailey)

An attempt was made to contact Helm telephonically. Bailey addressed the Board with additional information. Busby moved, Link seconded, and it was unanimously carried to approve request for Helm to complete the terms of Consent Agreement in Wisconsin, upon the State of Wisconsin’s written approval.

IV.B.9. Lynette Pierson LP041676 (Bailey)

Perry recused himself to avoid the appearance of impropriety and left the meeting at 9:13 a.m. Bailey addressed the Board with additional information. Robertson is affiliated with Hospice of the Valley but shows no bias. Pierson was present, telephonically, and addressed the Board. Busby moved, Link seconded, and it was unanimously carried to terminate probation entered into on August 3, 2006.

IV.B.11. Kristi Pranke RN071157 (Bailey)

An attempt was made to contact Pranke telephonically. Johnson moved, Robertson seconded, and it was unanimously carried to deny request for early termination and allow Pranke to enter step-down phase of her probation.

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

IV.B.13. Christina Sharp RN127552 (Bailey)

Sharpe was present, telephonically, and available for questions. Perry moved, Johnson seconded, and it was unanimously carried to terminate probation entered into on March 1, 2006.

IV.B.14. Kimberly A. Wood LP033602; CNA642073739 (Bailey)

Wood was present, telephonically, and available for questions. Link moved, Crawley seconded, and it was unanimously carried to approve request to work 96 hours per 14 day pay period.

IV.B.16. Janet Martinez LP034177 (Bailey)

An attempt was made to contact Martinez telephonically. Bailey addressed the Board with additional information. Johnson moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement for 12 months suspension/stayed revocation followed by 12 months stayed revocation/probation, followed by standard 24 months standard probation with terms and conditions. If not signed within 30 days, issue Notice of Charges based upon information contained in the investigative report.

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

Malloch left the meeting at 9:30 a.m. and returned at 9:34 a.m.

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

V.F.4. Michael Kinder RN106172 (S. Nelson)

Nelson addressed the Board and confirmed receipt of additional information. Attorney Rosemary Cook was present and addressed the Board. Kinder was present and available for questions. Crawley moved, Link seconded, to offer a Consent Agreement for 18 months probation to include the attached stipulations, or hearing. The motion carried with seven in favor and one abstained.

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

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

IV.C.1. Laura Barnes RN065967 (Bailey)

IV.C.2. Penny Lea Fairman RN038753 (Bailey)

IV.C.3. Tammy Phillips LP023895 (Bailey)

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

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

IV.D.2. Patricia Louise Brough RN133259 (Linck)

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

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

V.A.1. Rick C. Bianchi RN122949 (Twigg)

Twigg addressed the Board and confirmed receipt of additional information. Bianchi was present, telephonically, and addressed the Board. Busby moved, Link seconded, and it was unanimously carried to issue an Interim Order for a psychological evaluation with an emphasis on professional boundaries and sexual misconduct by a Board approved evaluator to be scheduled in conjunction with the California Board of Nursing, who will take the lead on approving and providing this Board with the information on the evaluator and the evaluation results, and then return to the Board. If the Interim Order is not completed, issue Notice of Charges based on information contained in the investigative report.

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

V.A.2. Lisa M. Efaw LP037468; CNA628256641 (Twigg) (aka: Simental)

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

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

V.A.3. Deborah Angelyn Jones RN128815 (Twigg)

Twigg addressed the Board with additional information. Johnson moved, Link seconded, and it was unanimously carried to issue an Interim Order for a psychiatric evaluation to be completed by a Board approved psychiatrist 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, issue Notice of Charges based on information contained in the investigative report.

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

V.A.5. Josefina Mincher RN096638 (Twigg) (aka: Yslava)

Twigg addressed the Board with additional information. Mincher was present and addressed the Board. Malloch moved, Johnson seconded, and it was unanimously carried to offer Consent Agreement for 24 months probation with attached stipulations, or hearing.

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

V.A.6. Elizabeth M. Montgomery LP037842; CNA378837703 (Twigg) (aka: Steiner)

Montgomery was present and available for questions. Malloch moved, Robertson seconded, and it was unanimously carried to issue letter of concern for accepting a position title and job description that included responsibilities outside of the scope of practice as a licensed practical nurse on or about March 13, 2006 while employed at Hospice Family Care in Tucson, Arizona.

V.A.7. Janet W. Taylor RN016834 (Twigg)

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

V.A.8. Radu Gavril Timis RN105218 (Twigg)

Hardy knows Steve Lindy but shows no bias. Johnson moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or hearing.

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

V.A.9. Kathleen Ann Tobias RN109853; CNA999950687 (Twigg)
(aka: Kosiorowski)

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

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

V.A.10. Teresa Lynn Waldo RN131096 (Twigg)
(aka: Scott)

Waldo was present, telephonically, and addressed the Board. Malloch moved, Crawley seconded, to issue an Interim Order for a substance abuse evaluation to be completed by a Board approved addictionist 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, issue Notice of Charges based on information contained in the investigative report. After discussion, Malloch amended the motion to change the evaluation timeframe, to be scheduled within 30 days and completed within 60 days. Crawley concurred. The motion carried unanimously.

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

The meeting recessed at 10:13 a.m. and reconvened at 10:30 a.m.

V.B.5. Monique Lorraine Buchter RN Endorsement (Rappoport)
(aka: Shenk; Labe)

Butcher was present and available for questions. Perry moved, Crawley seconded, and it was unanimously carried to dismiss the complaint, grant licensure upon meeting all requirements, and accept the signed Consent Agreement for an \$800 Civil Penalty.

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

V.B.3. Shawn Edward Smith RN134537 (Rappoport)

Smith was present and addressed the Board. Link moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement for 6 months probation to include the attached stipulations or hearing.

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

V.C.2. Lynette S. Crandall RN Endorsement (K. Olson)
(aka: Ball; Esteves)

Crandall was present and available for questions. Busby moved, Perry seconded, and it was unanimously carried to continue the investigation to allow Crandall the opportunity to obtain a psychological evaluation, by a Board approved psychologist, and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days and then return to the Board. If the 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	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	8	X	X	X	X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	1							X		

V.C.3. Michele M. Dunsworth RN Exam (K. Olson)
(aka: Eason)

Perry knows the Administrative Director of Banner Estrella Medical Center, and Malloch knows Rosanne Eller but show no bias. Olson addressed the Board with additional information. Dunsworth was present and available for questions. Malloch moved, Johnson seconded, and it was unanimously carried to continue the investigation to allow Dunsworth the opportunity to obtain a psychological evaluation, to include a substance abuse evaluation, by a Board approved psychologist, and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days and then return to the Board. If the evaluation is not completed, 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.

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

V.C.4. Amber D. Durfield LP040482; CNA999997437 (K. Olson)
(aka: Lynn)

Durfield was present and addressed the Board. Malloch moved, Robertson seconded, and it was unanimously carried to issue an Interim Order for a psychological evaluation with emphasis on credibility to include a substance abuse evaluation to be completed by a Board approved psychologist and to include any additional testing deemed necessary by the evaluator to be scheduled within 15 days and completed within 45 days and then return to the Board. If the Interim Order is not completed adopt Notice of Charges based upon information contained in the investigative report and include the factual allegations and alleged violations for failure to comply with the Interim Order.

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

V.C.5. Erica L. Finefrock RN Exam (K. Olson)

Finefrock was present and addressed the Board. Malloch moved, Crawley seconded, and it was unanimously carried to continue the investigation to allow Finefrock the opportunity to obtain a psychological evaluation, to include an anger management and substance abuse evaluation, by a Board approved psychologist, and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days and then return to the Board. If the 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	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	8	X	X	X	X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	1							X		

Link left the meeting at 10:55 a.m. and returned at 11:01 a.m.

**V.C.7. Lisa L. Hatchell RN Exam (K. Olson)
(aka: Hill; Adams)**

Hatchell was present and addressed the Board. Perry moved, Robertson seconded, to grant licensure upon meeting all requirements and signing a Consent Agreement for a \$250 Civil Penalty, and payment of the Civil Penalty. If not signed within 30 days or payment not received within 60 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. The motion carried with seven in favor and one abstained.

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

V.C.10. David R. Wilson RN Exam (K. Olson)

Wilson was present and available for questions. Johnson moved, Malloch seconded, and it was unanimously carried to grant licensure upon meeting all requirements and issue a letter of concern for multiple drug and alcohol related arrests and convictions from 1988 to 2000, including a 2000 misdemeanor DUI conviction, in Orange County, California.

V.D.3. John David Hacker TRN142840 (Polak)

Crawley is affiliated with Phoenix Indian Medical Center but shows no bias. Hacker was present and available for questions. Johnson moved, Malloch seconded, to grant licensure upon meeting all requirements and signing a Consent Agreement for 36 months 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. The motion failed with four opposed and four in favor.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	4		X		X	X				X
NO	4	X		X			X		X	
ABSTAIN	0									
ABSENT	1							X		

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

V.D.5. Shannon Marie Ott RN118591 (Polak)

Attorney Jonathan Dessarles was present and addressed the Board. Ott was present and available for questions. Crawley moved, Johnson seconded, and it was unanimously carried to issue an Interim Order for a psychiatric 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 then return to the Board. If not completed, adopt Notice of Charges based upon the information contained in the investigative report and include the factual allegations and alleged violations for failure to comply with the Interim Order.

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

V.D.6. Heather Brooke Pottgen RN107514 (Polak)

Pottgen was present and addressed the Board. Johnson moved, Crawley seconded, and after discussion it was unanimously carried to offer a Consent Agreement for 12 months probation to include the attached stipulations, amended to include: night shift allowed and permitted to complete the terms of the Consent Agreement in the State of Illinois, or hearing.

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

V.F.1. James Andrews LP041035 (S. Nelson)

Andrews was present and addressed the Board. Johnson moved, Robertson seconded, and it was unanimously carried to issue a letter of concern for submitting a urine drug screen positive for Morphine on or about October 2006 while working at Westminister of Scottsdale in Scottsdale, Arizona.

**V.F.3. Elaine Cyscon LP024408 (S. Nelson)
(aka: Beecroft; Jakobsen; Kleinart)**

Cyscon was present and available for questions. Johnson moved, Perry seconded, and it was unanimously carried to dismiss the case.

V.F.5. Christina Krisa RN121838 (S. Nelson)

Nelson addressed the Board with additional information. Attorney Scott King and Krisa were present and available for questions. Malloch moved, Perry seconded, and it was unanimously carried to dismiss the case.

V.F.6. Sandra McNally RN039861 (S. Nelson)

Nelson addressed the Board with additional information. McNally was present and available for questions. Johnson moved, Link seconded, and it was unanimously carried to dismiss the case.

V.F.7. Johnette Perrizo LP041496 (S. Nelson)

Perry knows Karen Mitchell but shows no bias. Perrizo was present and addressed the Board. Crawley moved, Link seconded, and it was unanimously carried to issue a letter of concern for failing to follow proper medication administration procedure and wasting of narcotics while working at Beatitudes Campus in Phoenix, Arizona

V.F.9. Stephanie Warder RN112134 (S. Nelson) (aka: Carelli)

Malloch knows Susan Ubanks but shows no bias. Warder was present and available for questions. Crawley moved, Robertson seconded, and it was unanimously carried to issue a letter of concern for failing to submit a for cause urine drug screen on or about September 27, 2006 while working at Flagstaff Medical Center.

Busby left the meeting at 11:43 a.m.

V.H.1. Sara Savacool Ellery-Williams RN041822 (Torrez)

Ellery-Williams was present and addressed the Board. Crawley moved, Malloch seconded, and it was unanimously carried to offer a Consent Agreement for 18 months probation to include the attached stipulations amended to delete class on pain management, and include requirements Behavioral medicine psychologist to address issues of pain management and cognitive aspects of pain management for the psychological treatment, present NP provider may continue to prescribe medications for the psychiatric treatment, and may work as a medical transcriptionist as long as the supervisory stipulations can be met for the notice of practice settings.

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

V.H.13. Lillian I. McFadden LP028451 (Torrez)

McFadden was present and available for questions. Malloch moved, Crawley seconded, and it was unanimously carried to issue an Interim Order for a neuropsychological evaluation to be completed by a Board approved neurophysiologist and to include any additional testing deemed necessary by the evaluator, to be scheduled writing 15 days and completed in 45 days and then return to the Board.

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

V.H.9. Mavis Lieske Kelly LP036954 (Torrez)

Link knows James Guidry but shows no bias. Terry Grainger and Leslie Robinson were present and addressed the Board. Malloch moved, Johnson seconded, and it was unanimously carried to issue a letter of concern for failing to maintain an accurate recording on the narcotic sheet for the amount of Methadone remaining in the container after administering the ordered amount of Methadone to E.O on or about November 22, 2006, while employed at Evergreen Sun City Health and Rehabilitation Center in Sun City, Arizona.

V.H.10. Bonnie Wheeler Young LP019855 (Torrez)

Link knows James Guidry but shows no bias. Terry Grainger and Leslie Robinson were present and addressed the Board. Malloch moved, Johnson seconded, and it was unanimously carried to issue a letter of concern for failing to maintain an accurate recording on the narcotic sheet for the amount of Methadone remaining in the container after administering the ordered amount of Methadone to E. O. on or about November 22, 2006, while employed at Evergreen Sun City Health and Rehabilitation Center in Sun City, Arizona.

V.H.11. Joan E. Elliott LP015733 (Torrez)

Link knows James Guidry but shows no bias. Terry Grainger and Leslie Robinson were present and addressed the Board. Johnson moved, Malloch seconded, and it was unanimously carried to issue a letter of concern for failing to maintain an accurate recording on the narcotic sheet for the amount of Methadone remaining in the container after administering the ordered amount of Methadone to E.O on or about November 22, 2006, while employed at Evergreen Sun City health and Rehabilitation Center in Sun City, Arizona.

V.H.12. Myrtle V. Ligons LP011297 (Torrez)

Link knows James Guidry but shows no bias. Terry Grainger and Leslie Robinson were present and addressed the Board. Johnson moved, Crawley seconded, and it was unanimously carried to issue a letter of concern for failing to maintain an accurate recording on the narcotic sheet for the amount of Methadone remaining in the container after administering the ordered amount of Methadone to E.O. on or about November 22, 2006, while employed at Evergreen Sun City Health and Rehabilitation Center in Sun City, Arizona.

Robertson left the meeting at 12:16 p.m. and returned at 12:18 p.m.

V.J.1. Candace Sharae Huff RN Exam (Williams)

Williams addressed the Board and confirmed receipt of additional information and reported a technical correction to the investigative report. Huff was present and addressed the Board. Malloch moved, Link 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 license 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 application. After discussion, the motion carried with six in favor and one abstained.

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

V.D.3. John David Hacker TRN142840 (Polak)

Johnson moved, Perry seconded, and it was unanimously carried to reopen Agenda Item V.D.3. Link moved, Crawley seconded, and it was unanimously carried to continue the investigation to the July 2007 Board meeting to allow staff to receive clarification of the evaluation, and extend temporary RN license to August 1, 2007.

V.H.14. Barbara Maddux Grexa RN050756 (Torrez)

Torrez addressed the Board and confirmed receipt of additional information. Grexa was present and addressed the Board. Johnson moved, Malloch seconded, and it was unanimously carried to offer a Consent Agreement for 18 months probation with the attached stipulations amended to include: allowed to fulfill the requirements of the Consent Agreement in the State of Colorado, psychological treatment, and other requirements to include may work nights as long as the supervision stipulation can be met; may work only for Banner Professional Registry as long as she is assigned only to Banner Baywood Hospital and Banner Baywood Heart Hospital; and delete: psychological evaluation, or hearing.

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

The meeting recessed at 12:33 p.m. and reconvened at 1:09 p.m.

Crawley left the meeting at 1:30 p.m. and returned at 1:37 p.m.

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.E.2. David Mahonri Moriancumer Widdison CNA100003612 (B. Nelson) (aka: David Michael Gilliespie II)

Nelson addressed the Board with additional information. Attorney Mark Hanson was present and addressed the Board. Widdison was present and available for questions. Malloch moved, Johnson seconded, to offer a Consent Agreement for stayed suspension to include a \$500 Civil Penalty and attend a Health Ethics course and view a Boundary Violations video, to be completed within 6 months, or hearing. The motion carried with six in favor and one abstained.

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

VI.G.5. Cynthia Denise Kelsey CNA999996386 (Crain) (aka: Sneed)

Crain addressed the Board and confirmed receipt of additional information. Attorney Craig Lyon and Kelsey were present and addressed the Board. Crawley moved, Johnson seconded, and it was unanimously carried to offer a Consent Agreement for 12 months stayed revocation pending successful completion of a relapse recovery evaluation by a Board approved evaluator who is, at minimum, PhD prepared and has expertise in the area of substance abuse and successful completion of any treatment recommendations to be followed by a 24 month stayed suspension to include the attached stipulations

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

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Apollo College and Arizona State University Nursing Students regarding Board functions, policies and procedures. Questions were asked on the CANDO program.

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.D.11. Katie M. Rekucki CNA9999995567

Lester addressed the Board with and amended Board option. Rekucki was present and addressed the Board. Johnson moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement for 6 months stayed suspension to include the attached stipulations amended to include: allow completion of stipulations in either a CNA or Nurse Extern position. If not signed, issue Notice of Charges based upon the information contained in the investigative report.

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

Busby returned to the meeting at 2:03 p.m.

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

V.G.1. Joanne Pilon RN139873 (Munger)

(aka: Jarnagan)

Johnson moved, Link seconded, to offer a Consent Agreement for an indefinite suspension, pending completion of psychiatric and substance abuse evaluations by a Board approved evaluator, with a determination of safety to practice. If not signed within 10 days, issue a Complaint and Notice of Hearing. The motion carried with seven in favor and one abstained.

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

V.G.2. Maxine Tishie RN132131 (Munger)

(aka: Chee; Gorman)

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

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

V.G.3. Cathy Colleen Robbins RN065672 (Munger)

Munger addressed the Board with additional information. Johnson moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement for 36 months probation to include the attached stipulations, or hearing.

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

V.G.5. Joseph Clayton Hall, Jr. RN105256 (Munger)

Munger addressed the Board with additional information. Malloch moved, Busby seconded, and it was unanimously carried to continue the investigation.

V.H.3. James P. Gillcoatt RN089620 (Torrez)

Torrez addressed the Board with additional information. Crawley moved, Malloch seconded, and it was unanimously carried to offer Consent Agreement for 12 months probation with the attached stipulations or proceed to hearing.

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

V.H.7. Willa Marie Ridgell RN065870; LP019176 (Torrez)

Crawley is affiliated with Phoenix Indian Medical Center but shows no bias. Torrez addressed the Board with additional information. Malloch moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for 24 months probation with the attached stipulations or hearing.

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

V.H.8. Regina Shelton Hopkins LP011410 (Torrez)

Johnson moved, Link seconded, and after discussion it was unanimously carried to issue a letter of concern for using profanity when speaking to a resident on or about November 8, 2006, while employed at Kivel Campus of Care in Phoenix, Arizona.

V.H.16. Christy Renee Oetting RN122381 (Torrez)

Johnson is affiliated with Banner Thunderbird Hospital and knows Sally Diamond but shows no bias. Crawley moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or hearing.

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

V.I.4. Susan Marie Vitus RN022298; AP0067 (Grady)

Grady addressed the Board with additional information. Crawley moved, Malloch seconded, to issue an Interim Order for an independent psychological evaluation with psychometric testing by a Board approved evaluator who is at minimum PhD prepared, to be scheduled within 15 days and completed within 45 day and then return to the Board. If the Interim Order is not completed, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order. The motion carried with seven in favor and one abstained.

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

V.B.1. Diann Lynn Casper RN Endorsement (Rappoport) (aka: Phillips; Mayer)

Link moved, Malloch seconded, and it was unanimously carried to permit withdrawal of application; re-application initiates an investigation.

V.B.4. Melissa Bonde Terns RN Endorsement (Rappoport)

Rappoport addressed the Board with additional information. Terns was present, telephonically, and addressed the Board. Busby moved, Robertson seconded, and it was unanimously carried to grant licensure upon meeting all requirements and providing the Board with proof of successful completion of NYS probation.

V.B.6. Corie Lee Shaffer RN Endorsement (Rappoport) (aka: Killeen)

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

V.C.1. Therese A. Auler RN Endorsement (K. Olson) (aka: Leach; Digiagni)

Auler was present, telephonically, and available for questions. Perry moved, Robertson seconded, to continue the investigation to allow Auler the opportunity to obtain a psychological evaluation, to include a substance abuse evaluation, by a Board approved psychologist, and to include any additional testing deemed necessary by the evaluator, to be scheduled within 30 days and completed within 60 days and

then 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. The motion carried with seven in favor and one opposed.

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

Link left the meeting at 2:37 p.m.

V.C.6. Andre J. Hairston RN Exam (K. Olson)

Busby moved, Crawley 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, the motion failed with five opposed and two in favor.

	VOTE	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	2	X					X			
NO	5		X	X	X	X				X
ABSTAIN	0									
ABSENT	2							X	X	

Malloch moved, Perry seconded, to continue the investigation to allow Hairston the opportunity to obtain a psychological evaluation, to include an sexual misconduct evaluation, by a Board approved psychologist, and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days and then return to the Board. If the 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. The motion carried with six in favor and one opposed.

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

V.C.8. Elmer R. Jackson LP041306 (K. Olson)

Olson addressed the Board with additional information. An attempt was made to contact Jackson telephonically. Johnson moved, Crawley seconded, and it was unanimously carried to issue an Interim Order for a psychological evaluation, to include a relapse recovery evaluation, to be completed by a Board approved psychologist, and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days and then return to the Board. If the Interim Order is not completed, adopt the attached Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

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

V.C.9. Lara M. Lorrin RN Endorsement (K. Olson)
(aka: Watson)

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

V.C.11. Sarah E. Pollicino (K. Olson)

Olson addressed the Board with additional information. Johnson moved, Crawley 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	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	7	X	X	X	X	X	X			X
NO	0									
ABSTAIN	0									
ABSENT	2							X	X	

V.D.1. Melissa Kelly Bombino RN Exam (Polak)
(aka: Corl)

Bombino was present, telephonically, and addressed the Board. Crawley moved, Johnson seconded, and it was unanimously carried to grant licensure upon meeting all requirements and issue a letter of concern for a July 11, 1995, felony conviction in the General Court of Justice, Superior Court Division, in Guilford County, North Carolina, case 95CRS27195, for possession of a schedule 1 controlled substance, (LSD), a January 19, 1998 misdemeanor conviction for DUI in the Superior Court, South Lake Tahoe Division (CA), case SL98M00477 and for failure to disclose a felony conviction when asked on an employment application.

V.D.4. Thomas Lee Hemphill RN Endorsement (Polak)

Hemphill was present, telephonically, and addressed the Board. Busby moved, Perry seconded, and it was unanimously carried to grant licensure upon meeting all requirements and issue a letter of concern for an arrest on November 9, 1973 in Vernon County, Mo., a misdemeanor arrest on March 17, 1984, and for failure to furnish, in writing, a full and complete explanation of a matter to the Board.

V.F.2. Joseph Boniella LP038899 (S. Nelson)

Malloch moved, Johnson seconded, and it was unanimously carried to issue an Interim Order for a psychiatric evaluation to be completed by a Board approved psychiatrist that specializes in addiction medicine and to include any additional testing deemed necessary by the evaluator, to be scheduled within 30 days and completed within 60 days and then return to Board. If the Interim Order is not completed, adopt Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

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

V.F.8. Sherrill Schmidt RN098931 (S. Nelson)

Crawley moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for indefinite suspension pending completion of a substance abuse evaluation by a Board approved addictionologist 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 Board.

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

The meeting recessed at 3:01 p.m. and reconvened at 3:19 p.m. Busby returned to the meeting at 3:21p.m.

V.J.2. Myron Montell Dubose TRN125424 (Williams)

Williams addressed the Board with additional information. Perry moved, Crawley 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. The motion carried with six in favor and one abstained.

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

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.A.1. Tresha Louise Chavez CNA Exam (Williams)

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

**VI.A.2. Latasha Tywona Harding CNA Endorsement (Williams)
(aka: Zachry; Johnson)**

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

VI.A.3. Anna Marie Loftus CNA Endorsement (Williams)

Busby moved, Crawley seconded, and it was unanimously carried to grant certification upon meeting all requirements and issue letter of concern for the May 23, 1997, misdemeanor conviction for theft in Lake Havasu, Arizona and for the July 22, 1998, misdemeanor theft/petty theft conviction in Vista, California that was subsequently designated an infraction.

**VI.A.4. Daniel Vincent Gallegos CNA Exam (Williams)
(aka: Abdon; Danny Boy)**

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

VI.A.5. Mary Amber Twigg CNA Exam (Williams)

Williams addressed the Board and confirmed receipt of additional information. Johnson 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	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	7	X	X	X	X	X	X			X
NO	0									
ABSTAIN	0									
ABSENT	2							X	X	

VI.A.7. Gilbert Ray Ramos CNA Exam (Williams)

Crawley moved, Malloch seconded, and it was unanimously carried to continue the investigation to allow Ramos the opportunity to obtain a psychological evaluation with emphasis on substance abuse by a Board approved evaluator, who is at minimum PhD prepared and has expertise in substance abuse, to be completed within 45 days and include any additional testing deemed necessary by the evaluator and then return to the Board. If the evaluation is not completed, 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 terms offered at this meeting.

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

VI.A.9. Irene Harrelson CNA Endorsement (Williams)

Busby moved, Crawley seconded, and after discussion it was unanimously carried to grant certification upon signing a Consent Agreement for 24 months stayed revocation with 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	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	7	X	X	X	X	X	X			X
NO	0									
ABSTAIN	0									
ABSENT	2							X	X	

VI.A.10. Jason Edward Craig CNA Exam (Williams)

Busby moved, Crawley seconded, and it was unanimously carried to grant certification upon signing a Consent Agreement for 24 months stayed revocation with 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	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	7	X	X	X	X	X	X			X
NO	0									
ABSTAIN	0									
ABSENT	2							X	X	

VI.A.11. Jacob C. Hyde CNA Exam (Williams)

Busby moved, Robertson seconded, to continue the investigation to allow Hyde the opportunity to obtain an evaluation by a Board approved evaluator and return to the July 2007 Board meeting. After discussion, Busby withdrew the motion. Malloch moved, Hardy seconded, and it was unanimously carried to continue the investigation to the July 2007 Board meeting to allow Hyde the opportunity to obtain a second evaluation. If not completed grant certification upon signing a Consent Agreement for stayed revocation/indefinite suspension to include attached terms, followed by 24 months stayed revocation with 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 terms of the Consent Agreement offered at this meeting.

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

VI.A.13. Kyra Dee Estes CNA Exam (Williams)

Williams addressed the Board with additional information. Perry moved, Crawley 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	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	7	X	X	X	X	X	X			X
NO	0									
ABSTAIN	0									
ABSENT	2							X	X	

VI.A.6. Carmen Luz Williams CNA Endorsement (Williams)
(aka: Rodriquez; Reyes)

Williams addressed the Board with additional information. Busby moved, Perry seconded, and it was unanimously carried to continue the investigation to allow Williams the opportunity to obtain a psychological evaluation with emphasis on substance abuse by a Board approved evaluator, who is at minimum PhD prepared and has expertise in substance abuse, to be completed within 45 days and include any additional testing deemed necessary by the evaluator and the return to the Board. If the evaluation is not completed, 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 terms offered at this meeting.

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

VI.D.1. Pete Aranda CNA Exam (Lester)

Lester addressed the Board with additional information. Crawley 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	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	7	X	X	X	X	X	X			X
NO	0									
ABSTAIN	0									
ABSENT	2							X	X	

VI.D.2. Karen A. Bright CNA Exam (Lester)
(aka: McDonald; Monroe)

Johnson moved, Malloch 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 terms offered at this meeting. The motion carried with six in favor and one opposed.

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

VI.D.3. Heidi J. Brunette CNA Exam (Lester)

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

VI.D.7. Rae L. Howell CNA Exam (Lester)

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

VI.D.8. Michael W. Ryan CNA Endorsement (Lester)

Busby moved, Perry seconded, and it was unanimously carried to continue the investigation to allow Ryan the opportunity to obtain a psychological evaluation with emphasis on substance abuse and relapse recovery issues by a Board approved evaluator who is at minimum PhD prepared with an expertise in substance abuse and relapse recovery and to include any additional testing deemed necessary by the evaluator to be scheduled within 15 days and completed within 45 days, and then return to the Board. If the 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	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	7	X	X	X	X	X	X			X
NO	0									
ABSTAIN	0									
ABSENT	2							X	X	

**VI.D.9. Loretta L. Sanders CNA Exam (Lester)
(aka: Ashley)**

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

VI.D.10. Kinga C. Hadzik CNA Exam (Lester)

Busby moved, Malloch seconded, and it was unanimously carried to grant certification upon meeting all requirements and issue a letter of concern for a misdemeanor conviction for an alcohol related Reckless Driving on July 21, 2005, in Pinal County Justice Court, Precinct #3 in Eloy, Arizona.

**VI.E.1. Sonja Miguel Aragon CNA999994828 (B. Nelson)
(aka: Reyes; Zuniga; Miguel)**

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

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

VI.F.4. Marianne B. Encarnacion CNA10000010314 (Sage)

Malloch moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for 12 months stayed revocation with terms to include a \$100 Civil Penalty, to be signed within 30 days or issue a Notice of Charges based on information in the investigative report.

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

VI.F.5. Antoinette M. Gray CNA005607379 (Sage)

Perry knows Susan Link but shows no bias. Johnson moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement for 12 months stayed revocation with terms, to include enrollment in a Board approved college level course, or receiving counseling by a Board approved counselor, relating to interpersonal relations/communication with difficult individuals, to be signed within 30 days or issue a Notice of Charges based on the information in the investigative report.

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

VI.F.6. Timothy Injeti CNA162880641 (Sage)

Hardy moved, Malloch seconded, and it was unanimously carried to issue an Interim Order for a substance abuse evaluation to be done by a Board approved PhD evaluator with expertise in substance abuse, to be scheduled in 15 days and completed in 45 days and return to the Board. If not completed, issue a Notice of Charges based on the information in the investigative report.

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

VI.F.7. Lisa A. Jordan CNA806633270 (Sage)

Crawley moved, Hardy seconded, and it was unanimously carried to issue an Interim Order for a psychological evaluation, to include substance abuse, by a PhD Board approved evaluator with expertise in substance abuse and to include any further testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days and then return to Board. If not completed, issue a Notice of Charges based on information in the investigative report.

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

**VI.F.9. Lesly A. Marroquin CNA999993022 (Sage)
(aka: Smith)**

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 issue a Notice of Charges based on information in the investigative report.

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

VI.F.11. Marjorie Louise Rabatine CNA999989451 (Sage)

Perry knows Wendy Gores but shows no bias. Malloch moved, Johnson seconded, to offer a Consent Agreement for an indefinite suspension with terms pending an evaluation by a Board approved addictionist and confirmation of safety to practice, and to include any additional testing deemed necessary by the evaluator, followed by 24 months stayed revocation to include the attached terms. If not completed, issue a Notice of Charges based on information in investigative report. After discussion the motion carried with six in favor and one opposed.

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

VI.F.12. Kila Delphine Randell CNA100003768 (Sage)

Johnson moved, Hardy seconded, and it was unanimously carried to issue a letter of concern for reportedly verbally and emotionally abusing two residents on January 10, 2007 and January 11, 2007 respectively while employed as a CNA at Santa Rosa Care Center, in Tucson, Arizona, and for reported sleeping on duty twice while employed as a CNA by Interim Health Care, in Tucson, Arizona in 2006.

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

VI.F.13. Elizabeth Marie Zuniga CNA99991118 (Sage)
(aka: Vernagus)

Sage addressed the Board with additional information. Crawley moved, Malloch seconded, and after discussion it was unanimously carried to offer a Consent Agreement for 18 months stayed revocation with terms to include a psychological evaluation by a Board approved evaluator with a PhD, to be signed within 30 days or issue a Notice of Charges based on the information in the investigative report.

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

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

II.E.1. Lauramelia Gonzales Castillo LP027835 Christl

Perry moved, Crawley seconded, and it was unanimously carried to reopen Agenda Item II.E.1. The Board was represented by Christopher Munn, Assistant Attorney General, Division of Solicitor General, who was available by telephone. Daniel Christl, Assistant Attorney General, represented the State.

A. Olson addressed the Board.

Castillo was present and available for questions.

Busby moved, Perry seconded, to grant motion for review and accept the signed Consent Agreement for indefinite stayed revocation suspension followed by 12 months stayed revocation/probation followed by 24 months standard probation to include the attached terms and conditions. After discussion, Busby amended the motion to include the reason for granting request for review as: Administrative Code R4-19-608 (B), newly discovered evidence. Perry concurred. The motion carried unanimously.

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

VI.G.1. Melissa Marie David CNA Exam (Crain)
(aka: Malvern)

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

VI.G.2. Kellie M. Dylan CNA770729173 (Crain)

Johnson moved, Robertson seconded, and it was unanimously carried to issue an Interim Order for a psychological evaluation to be completed by a Board approved evaluator, who is at minimum PhD and has expertise in the area of substance abuse and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days and then return to the Board. If the Interim Order is not completed, issue Notice of Charges 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	<u>Busby, Kathryn</u> Member	<u>Malloch, Kathy</u> Member	<u>Perry, Hunter</u> Member	<u>Johnson, Patricia</u> Secretary	<u>Hardy, Karen</u> President	<u>Crawley, Theresa</u> Vice Pres	<u>Woulard, Constance</u> Member	<u>Link, Denise</u> Member	<u>Robertson, Steve</u> Member
YES	7	X	X	X	X	X	X			X
NO	0									
ABSTAIN	0									
ABSENT	2							X	X	

VI.G.3. Delana Regina Hyten CNA Exam (Crain)

Crain addressed the Board with a technical correction to the investigative report. Malloch moved, Johnson 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	<u>Busby, Kathryn</u> Member	<u>Malloch, Kathy</u> Member	<u>Perry, Hunter</u> Member	<u>Johnson, Patricia</u> Secretary	<u>Hardy, Karen</u> President	<u>Crawley, Theresa</u> Vice Pres	<u>Woulard, Constance</u> Member	<u>Link, Denise</u> Member	<u>Robertson, Steve</u> Member
YES	7	X	X	X	X	X	X			X
NO	0									
ABSTAIN	0									
ABSENT	2							X	X	

VI.G.4. Tiffany V. Kelley CNA Exam (Crain)

Crain addressed the Board with additional information. Malloch moved, Crawley 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	<u>Busby, Kathryn</u> Member	<u>Malloch, Kathy</u> Member	<u>Perry, Hunter</u> Member	<u>Johnson, Patricia</u> Secretary	<u>Hardy, Karen</u> President	<u>Crawley, Theresa</u> Vice Pres	<u>Woulard, Constance</u> Member	<u>Link, Denise</u> Member	<u>Robertson, Steve</u> Member
YES	7	X	X	X	X	X	X			X
NO	0									
ABSTAIN	0									
ABSENT	2							X	X	

**VI.G.6. Christy Ann May CNA Endorsement (Crain)
(aka: Young)**

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

VI.G.7. Annetta Maria Richardson CNA Exam (Crain)

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

VI.G.8. Lena Santonocito CNA060253466 (Crain)

Crain addressed the Board with additional information. Robertson moved, Crawley seconded, and it was unanimously carried to issue Notice of Charges based on 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	Busby, Kathryn Member	Malloch, Kathy Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Crawley, Theresa Vice Pres	Woulard, Constance Member	Link, Denise Member	Robertson, Steve Member
YES	7	X	X	X	X	X	X			X
NO	0									
ABSTAIN	0									
ABSENT	2							X	X	

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

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

VII.C. President’s Report

VII.C.2. NCSBN Area I Director Update – Malloch

Malloch reported on preparations being made for the upcoming NCSBN Delegate Assembly.

VII.C.3. NCSBN Annual Meeting August 2007 Updates & Candidates for Election to Board of Directors – Malloch

Malloch announced her candidacy for NCSBN Board of Directors. Johnson moved, Crawley seconded, and it was unanimously carried to support Malloch as NCSBN Area I Director.

VII.E. Committee Reports

VII.E.1. Scope of Practice

VII.E.1.a. SOP Committee Appointments for 2007-2009 - Bontrager

Busby moved, Crawley seconded, and it was unanimously carried to reappoint the applicants who are marked “accept” to serve an additional two-year term on the Scope of Practice committee and appoint the applicants who are marked “accept” to serve a two-year term on the Scope of Practice committee.

VII.E.2. Education (Randolph)

VII.E.2.a. Draft Minutes of April 20, 2007

Draft minutes for the April 20, 2007 Education Committee meeting were provided to the Board.

VII.E.3. Advanced Practice (Grady)

VII.E.3.a. Draft Minutes of April 13, 2007

Draft minutes for the April 13, 2007 Advanced Practice Committee meeting were provided to the Board.

VII.E.4. Pilot Study Medication Technician (Randolph)

VII.E.4.a. Draft Minutes of April 24, 2007

Draft minutes for the April 24, 2007 Pilot Study Medication Technician Committee meeting were provided to the Board.

The meeting recessed at 4:55 p.m., Thursday, May 17, 2007.

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 8:33 a.m., Friday, May 18, 2007, in the Board of Nursing Board Room, Suite 200, 4747 N. 7th Street, Phoenix, Arizona, with Karen Hardy, RN, MSN, President, presiding.

BOARD MEMBERS PRESENT:

Karen Hardy, RN, MSN, President
Theresa Crawley, CRNA, MSHSA, Vice-President
Patricia Johnson, LPN, Secretary
Kathryn L. Busby, JD, Member
Denise Link, DNS, WHCNP, FNAP, Member
Kathy Malloch, PhD, MBA, RN, FAAN, Member
M. Hunter Perry, Member
Steve Robertson, LPN, Member

BOARD MEMBERS ABSENT:

Constance G. Woulard, RN, MSN, Member

LEGAL COUNSEL:

Daniel Christl, Assistant Attorney General
Ann Olson, Assistant Attorney General
Kim Zack, Assistant Attorney General

STAFF:

Joey Ridenour, RN, MN, Executive Director
Judy Bontrager, RN, MN, Associate Director of Operations
Pamela Randolph, RN, MSN, Associate Director of Education and Evidence Based Regulation
Valerie Smith, RN, MS, Associate Director of Investigations
Erica Bailey, Senior Investigator/Monitoring
Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings
Debra Blake, Paralegal/Hearing Department
Jeanne Crain, Senior Investigator
Karen Grady, RN, MS, CS, FNP, Nurse Practice Consultant/Advanced Practice
Thereasa Huff, Investigator
Ron Lester, Senior Investigator
Connie Linck, RN, MN, CNAA, BC
Sydney Munger, RN, MS, Nurse Practice Consultant
Betty Nelson, RN, MS, Nursing Assistant Consultant
Stephanie Nelson, R.N., M.S.N., Nurse Practice Consultant
Kirk Olson, Senior Investigator
Cory Polak, Senior Investigator
Mary Rappoport, RN, MN, Nurse Practice Consultant
Jeanine Sage, RN, MSN, Nursing Assistant Consultant
Sister Rachel Torrez, RN, MS, Nurse Practice Consultant
Nancy Twigg, RN, MSN, Nurse Practice Consultant
James Williams, Senior Investigator
Barbara Melberg, Legal Secretary

I. Call to Order

The meeting was called to order at 8:33 a.m., Friday, May 18, 2007.

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

Hardy presided.

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

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.B.1. Eric C. Durfield CNA100003511 (K. Olson)

Durfield was present and addressed the Board. Malloch moved, Perry seconded, and after discussion it was unanimously carried to offer a Consent Agreement for 24 months stayed revocation (should Durfield apply and meet qualification for an LP or RN license, it would become a stayed revocation probation) with the attached terms to include stamping of license or certificate, Phd level psychological evaluation with focus on substance abuse and anger management, abstain from drugs, abstain from alcohol, drug screening, proof of prescription, notification of practice settings, quarterly performance evaluations, on site supervision, registry/traveling nurse/float pool/home health work/on-call prohibited. If not signed issue the Notice of Charges based upon information contained in the investigative report.

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

Busby arrived at this meeting at 8:55 a.m.

VI.B.2. Toni S. Solano CNA Exam (K. Olson)

(aka: Toni Adams; Toni Solario; Janet Skinner; Corde lia Vasquez)

Perry recused himself to avoid the appearance of impropriety and left the meeting at 8:56 a.m. Olson addressed the Board with additional information. Greg LaShamina and Solano were present and addressed the Board. Busby moved, Crawley seconded, and it was unanimously carried to continue the investigation to allow Solano the opportunity to obtain a psychological evaluation to include a substance abuse evaluation by a Board approved psychologist and to include any additional testing deemed necessary by the evaluator to be scheduled and completed within 45 days and then return to the Board. If 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 denial of the application.

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

Perry returned to the meeting at 9:02 a.m.

VI.B.3. Comonique M. Williams CNA Endorsement (K. Olson)
(aka: Russell)

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

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

II.A.6. Neal C. Jackson RN110090; CNA999987656 Christl

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

All Board members answered affirmatively that they had received and read the transcript of the hearing and the Administrative Law Judge recommendation.

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

Jackson 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, Perry seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 30 and Conclusions of Law the alleged violations in Paragraphs 1 through 17.

Perry moved, Busby seconded, and it was unanimously carried that there a finding that the immediate effectiveness of this decision is necessary for the immediate preservation of the public safety or welfare and that a rehearing or review of the decision is impracticable and necessary or contrary to the public interest.

Busby moved, Perry seconded, and it was unanimously carried to accept the Administrative Law Judge’s recommended Order to immediately suspend license #RN110090 and shall remain suspended until the effective date of the Order entered in Complaint #0502007 in order to protect the public health, safety and welfare. Respondent’s professional nurse license #RN110090 shall be revoked on the effective date of the Order entered in Complaint #0502007. Respondent’s nursing assistant certification #CNA999976560 shall be revoked on the effective date of the Order entered in Complaint #0502007.

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

It was therefore ordered that the license #RN10090 and certificate #CNA999976560 of Neal C. Jackson be suspended and revoked effective with the service of the written Order, and that Jackson will immediately cease practice as a nurse or certified nursing assistant. This suspension shall remain in effect pending the effective date of the Board's revocation Order.

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.A.8. Robert Bidot Jr. CNA Exam (Williams)

Williams addressed the Board and confirmed receipt of additional information. Bidot was present and available for questions. Malloch 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 application.

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

**VI.A.12. Mary E. Jennings CNA Exam (Williams)
(aka: Isbert; Lansing)**

Williams addressed the Board with additional information. Phyllis Jennings, Respondent's mother, was present and addressed the Board. Jennings was present and available for questions. Johnson moved, Robertson seconded, and it was unanimously carried to continue the investigation to allow Jennings the opportunity to obtain a psychological evaluation with emphasis on substance abuse by a Board approved evaluator, who is at minimum PhD prepared and has expertise in substance abuse, to be completed within 45 days and to include any additional testing deemed necessary by the evaluator and then return to the Board. If the evaluation is not completed, 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 terms offered at this meeting.

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

VI.A.5. Mary Amber Twigg CNA Exam (Williams)

Williams addressed the Board with additional information. Twigg was present and addressed the Board. Perry moved, Robertson seconded, and it was unanimously carried to reopen Agenda Item VI.A.5. Busby moved, Robertson seconded, to continue to the July 2007 Board meeting. After discussion, the motion carried with five in favor and three opposed.

VI.C.2. Kimberly Gormley CNA Exam (Polak)
(aka: Karren)

Gormley 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 a \$100 Civil Penalty. 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 terms of the Consent Agreement offered at this meeting.

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

VI.D.4. Natalie Dixon CNA Exam (Lester)

Dixon was present and available for questions. Busby moved, Link seconded, to issue a letter of concern for the misdemeanor DUI conviction on August 6, 2006, in Payson Justice Court, Payson Arizona and for working as a CNA approximately 7 months, past the time allowed by DHS. The motion carried with seven in favor and one opposed.

VI.D.3. Heidi J. Brunette CNA Exam (Lester)

Busby moved, Malloch seconded, and it was unanimously carried to reopen Agenda Item VI.D.3. Lester addressed the Board with a summary of the case. Brunette was present and addressed the Board. Malloch moved, Busby seconded, to rescind prior Board motion to deny certification and continue the investigation to the July 2007 Board meeting to allow Brunette the opportunity to cooperate with Board staff. After discussion, the motion carried with six in favor and two opposed.

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

VI.D.5. Ryan C. Emswiler CNA Exam (Lester)

Perry knows Ann Nichol but shows no bias. Lester addressed the Board with a summary of the case. Lisa Huff, mother of the Respondent, was present and addressed the Board. Emswiler was present and available for questions. Busby moved, Crawley seconded, and after discussion it was unanimously carried to continue the investigation to allow Emswiler the opportunity to obtain a psychological evaluation with emphasis on substance abuse by a Board approved evaluator who is at minimum PhD prepared with an expertise in substance abuse and to include any additional testing deemed necessary by the evaluator and to be completed within 45 days, and then return to the Board. If the evaluation is not completed, deny certification based upon information contained in the investigative report. If an informal settlement conference is requested, the authority to settle is limited to the terms offered at this meeting.

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

VI.E.5. Caroline Irvine-Jaman CNA999989969 (B. Nelson)

Nelson addressed the Board with a technical correction to the stipulation sheet. Irvine-Jaman was present and available for questions. Johnson moved, Busby seconded, and it was unanimously carried to offer a Consent Agreement for 12 months stayed suspension to include the attached terms, or hearing.

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

VI.F.1. Debra Denise Blue CNA948304837 (Sage)

Sage addressed the Board with additional information. Blue was present and addressed the Board. Crawley moved, Robertson seconded, and it was unanimously carried to issue an Interim Order for a substance abuse evaluation by a Board approved PhD evaluator with expertise in substance abuse 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 Board. If not completed, issue a Notice of Charges based on information in the investigative report.

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

VI.F.2. Sharon Renee Cunha-Doud CNA1000006119 (Sage) (aka: Barker)

Doud and Andy Klien, fiancé, were present and available for questions. Perry moved, Busby seconded, and it was unanimously carried to issue an Interim Order for a psychiatric evaluation to include substance abuse by a Board approved psychiatrist with expertise in addiction medicine, to include any additional testing deemed necessary by the evaluator and to be scheduled within 15 days and completed within 45 days and then return to Board. If not completed, issue a Notice of Charges based on the information in the investigative report.

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

VI.F.3. James M. Davenport CNA999947582 (Sage)

Davenport was present and addressed the Board. Johnson moved, Crawley seconded, and it was unanimously carried to issue an Interim Order for a neuro-psychological evaluation by a Board approved PhD or EdD evaluator with an expertise in substance abuse to include any other testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days and then return to Board. If Interim Order not completed, issue a Notice of Charges based on information in the investigative report.

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

The meeting recessed at 10:03 a.m. and reconvened at 10:13 a.m. Busby left the meeting at 10:03 a.m.

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

VII.A. Executive Director’s Report

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

Crawley moved, Robertson seconded, and it was unanimously carried to approve minutes from regular Board meeting March 26, 27 & 28, 2007; and Executive Session minutes from March 26, 27 & 28, 2007; and the May 7, 2007 special Summary Suspension Board meeting.

VII.A.2. Recommended Policy Regarding Credential Evaluation Services Report – Randolph/Bontrager

Randolph reported that applications from nurses educated internationally are increasing and requested a policy be adopted which would avoid the need to bring each applicant to the Board for approval of licensure on an individual basis. Additionally, Randolph requested the proposed policy be amended to include that license issued to be valid in Arizona only. Gulmire Khan was present and addressed the Board. Yuliya Otmakhova and Amy Scott were present and available for questions. Malloch moved, Crawley seconded, and it was unanimously carried to adopt the attached policy, as amended, which permits Board Staff to evaluate the applications of foreign educated nurses who have held RN licensure in another state, and whose Credential Evaluation Services report indicates their education is not consistent with criteria for RN licensure. If the criteria stated in the policy are met, the applicant would be presented to the Board, using a summary list approach, for approval of licensure that would be “Valid in Arizona Only”.

VII.A.3. Recommended Policy Regarding Non Board Approved Refresher Courses – Bontrager/Randolph

Bontrager stated there are nurses who come in from other states and have not worked the requested 960 in the previous 5 years and have taken a refresher course that is approved in another state but not by this Board. Bontrager requested the approval of proposed policy to avoid the need to bring each case to the Board for individual approval of refresher courses taken in another state. Link moved, Robertson seconded, and it was unanimously carried to adopt the attached policy relating to Board Staff review of out of state RN/LPN re-entry program.

VII.A.4. Update on Breach of Philippine Nurse Exam June 2006 & Decision to Approve or Deny Applicants Licensure – Ridenour/Christl

Ridenour gave an update on the Breach of Philippine Nurse Exam June 2006 & Decision to approve or deny applicants licensure, and stated that no other state had made a decision at this point and requested this Board not make a decision today to allow for more common discussion between the states. Malloch stated the Board would be discussing recommendations from ANA and a discussion with GCFNS about the potential for a joint statement from ANA, CGFNS and NCSBN regarding test integrity.

VII.A.6. Update on 2007 Legislation – Link/Busby/Ridenour

Link reported on SB 1100 and Ridenour reported on SB 2136; HB 2208.

VII.A.7. Update on Investigative Caseloads/Hearing Department Data/Licensing Data/Personnel Changes – Smith/Blake/Barber/Bontrager/Ridenour

Smith reported on Investigation Caseloads and stated there are 164 cases first time to the Board on this Agenda, 236 total cases on this Agenda, cases transferred to the hearing and monitoring departments are consistent with previous years, incoming complaints are increased due to nursing program graduations and an increase in applicants. Cycle time is 6.8 months.

Bontrager gave an update on Licensing Data and reported 146% increase in RN exam applications since 2001, and 81% increase in LP exam applications since 2001; the endorsement RN/LP applications report a 35% increase since 2001, average days from application received to license issue date is 14 days, approximately 70% of applicants request a temporary license; 183% increase in foreign educated applicants since from 2003 to 2006 with top countries being the Philippines, Canada, India, United Kingdom, Australia, and Mexico.

Christl reported on the Hearing Department and stated that both JRA's had been closed, 12 cases are on this Agenda, 70 open cases remain, 21 are in active Hearing process.

VII.D. A.A.G. Report

VII.D.1. Introduction of New Assistant AG - Christl

Christl introduced Kim Zack, new Assistant Attorney General. Zack gave a brief summary of her professional career. Ridenour thanked Christl for serving as AAG for the Board and wished him well.

VII.A. Executive Director's Report

VII.A.5. Board Member Bi Monthly Educational Topic: Board Member Tips on Parliamentary Procedures & Motions – Debra Blake

Blake gave a presentation on Board Member Tips on Parliamentary Procedures & Motions.

VII.B. Educational Reports and Rules

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

Crawley moved, Robertson 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. Pilot Study Medication Technician Project – Deadline for Facility Participation

Perry moved, Link seconded, and it was unanimously carried, all participating medication technician pilot facilities shall begin training selected CNAs as pilot facility medication technicians (PSMTs) on or before July 1, 2007 and shall employ qualified pilot study medication technicians on or before October 1, 2007 as a condition of continued participation in the project.

VII.B.3. Application for Program Change – Baptist Health Systems

Perry moved, Crawley seconded, and it was unanimously carried to approve the change in program length and curriculum and, if no other changes requiring Board approval, the program shall notify AZBN when degree granting status is obtained.

VII.B.4. Application for Program Change – Arizona Western College

Malloch moved, Crawley seconded, and it was unanimously carried to approve the decrease in program length for the nursing program at Arizona Western College.

VII.B.5. Application for Program Change – Northland Pioneer College

Johnson moved, Hardy seconded, and it was unanimously carried to approve the change in program length as presented by Northland Pioneer College.

VII.B.6. Continuation of Program Approval – Pima Community College RN Program

Perry moved, Crawley seconded, and it was unanimously carried to continue approval of the program with a report to the Board regarding potential rule violations and areas for improvement in 12 months; if, after 12 months, potential violations are not remedied or substantially improved, issue Notice of Deficiency for any remaining violations.

VII.B.7. Application for Proposal Approval Everest College

Kitty Rogers was present and available for questions. Johnson moved, Crawley seconded, and it was unanimously carried to grant Provisional Status. As a condition of continuing provisional status, the program shall supply the names and qualifications of faculty members for the first nursing courses 60 days before starting the program as required in R4-19-207 (D).

VII.B.8. Case Dismiss – MCCDNP – Rio Salado College

Crawley moved, Robertson seconded, and it was unanimously carried to dismiss.

VII.B.9. Personnel International Institute of the Americas Ethel Bauer School of Nursing

Information was provided to the Board regarding the appointment of Dr. Sue Roe as Interim Chair of the Nursing Program at IIA’s Ethel Bauer School of Nursing.

VII.B.10. Notice of Docket Opening and Draft Rule Articles 1 and 4, and Rules R4-10-814

Randolph stated Article 4 rule making was last amended in 1995 and is due for amendment per the 5 year rule review plan. Malloch moved, Crawley seconded, and it was unanimously carried to approve the opening of the Docket.

VII.B.11. 5 Year Rule Review Progress Report

The 5 year Rule Review Progress Report was provided to the Board.

VI. Board Discussion and Decision Regarding CNA Investigative Reports

**VI.E.3. Laura J. Gillespie CNA710583103 (B. Nelson)
(aka: Coates; Jaskowiak)**

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

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

**VI.F.8. Suna S. Marley CNA803330441 (Sage)
(aka: Solie)**

Sage addressed the Board with additional information. Marley was present and available for questions. Malloch moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days, issue a Notice of Charges based in information found in the investigative report.

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

VI.F.10. Ray D. Martin CNA548854813 (Sage)

Sage addressed the Board with a technical correction to the stipulation sheet. Johnson moved, Crawley seconded, and it was unanimously carried to issue Notice of Charges based upon information contained in the investigative report.

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

VI.F.10. Lisa R. McCormick LP032812 (S. Nelson)

Malloch moved, Johnson seconded, and it was unanimously carried to issue a letter of concern for failing to cooperate with the Board.

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.C.1. Daniel Kakra Fosu CNA1000003180 (Polak)

Fosu was present and available for questions. Malloch moved, Johnson seconded, and it was unanimously carried to offer Consent Agreement for 12 months stayed suspension to include the attached stipulations. If not signed in 30 days, issue a notice of charges based on the information contained in the investigative report.

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

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Glendale Community College Nursing Students regarding Board functions, policies and procedures. Questions were asked on how to acquire a position on the Board.

IV.B. Board Discussion & Decision Regarding Non-Compliance/Compliance with Board Orders – Barber/Bailey

IV.B.1. Jeffery Albro RN132007 (Bailey)

Malloch moved, Perry seconded, and it was unanimously carried to reopen Agenda Item IV.B.1. Malloch moved, Perry seconded, and it was unanimously carried to continue to the July 2007 Board meeting.

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

VII.C. President’s Report

VII.C.1. Debriefing on Board Processes & Suggested Changes - All

Board members and staff discussed the process and flow of the meeting and decided that the July 2007 meeting would be a 2 day meeting.

VIII. Call to the Public

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

X. Adjournment

Link moved, Crawley seconded, and it was unanimously carried to adjourn the meeting.

The meeting adjourned at 11:41 p.m., May 18, 2007

Karen Hardy, RN, MSN, President