

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 8:05 a.m., Wednesday, January 23, 2008, 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
Constance G. Woulard, RN, MSN, Member

LEGAL COUNSEL:

Amy Foster, Assistant Attorney General
Kim Zack, Assistant Attorney General
Nina Zimmerman, Assistant Attorney General

STAFF:

Joey Ridenour, RN, MN, FAAN, 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
Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings
Frank Curatola, Senior Investigator
Karen Grady, RN, MS, CS, FNP, Nurse Practice Consultant/Education
Dolores Hurtado, Legal Assistant II/Monitoring
Ron Lester, Senior Investigator
Connie Linck, RN, MN, CNA, BC
Michelle Mills, RN, MA, Nurse Practice Consultant/Monitoring
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
Doug Parlin, 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 8:05 a.m., Wednesday, January 23, 2008.

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.

Woulard arrived at the meeting at 8:17 a.m.

V.F.1. Glenn Marvin Jackson RN047944 (Torrez)

Torrez addressed the Board with additional information. Jackson was present and available for questions. H.M. Walthow, attorney, was present and addressed the Board. Malloch moved, Robertson seconded, to issue Interim Order for an updated evaluation to be conducted by Maryanna H. Foley, PhD, or another Board approved evaluator, based on additional information contained in the investigative report, 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 and include the factual allegations and alleged violations for failure to comply with the Interim Order. after discussion, the motion was carried with five in favor and four 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	5		X		X	X		X		X
NO	4	X		X			X		X	
ABSTAIN	0									
ABSENT	0									

V.B.4. Dorothea Vernice Pendarvis RN Endorsement (Rappoport) (aka: Moore; Farrow)

Link knows Melanie Balestra but shows no bias. Melanie Balestra, attorney, was present and was available for questions. Malloch moved, Link seconded, and it was unanimously carried to issue a letter of concern for failing to assure accurate documentation of narcotic wastages on two patients on or about March 20, 2006, while assigned to a medical/surgical unit at MIHS as a travel nurse and employed by Integrated Nursing Alliance.

V.A.1. Becky Sue Earwood RN087850 (Twigg)

Attorney Robert Gregory, and Earwood were present and addressed the Board. Twigg addressed the Board and confirmed receipt of additional information. Malloch moved, Johnson seconded, to issue an Interim Order for a neuropsychological evaluation to be scheduled within 15 days and completed within 45 days by a Board approved psychologist, and then return to the Board. The motion carried with eight 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	8		X	X	X	X	X	X	X	X
NO	1	X								
ABSTAIN	0									
ABSENT	0									

V.A.2. Brian Michel Steffe RN127702 (Twigg)

Attorney Jay Ryan was present and addressed the Board. Twigg addressed the Board with additional information. Busby moved, Perry seconded, and it was unanimously carried to table Agenda Item V.A.2.

**V.A.3. Melissa McDonald RN124948 (Twigg)
(aka: Avila)**

Link knows Balestra but shows no bias. Attorney Melanie Balestra was present and addressed the Board. McDonald was also present, telephonically, and addressed the Board. Malloch 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

The meeting recessed at 9:00 a.m. and reconvened at 9:11 a.m.

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

IV.C.4. Kenneth T. Wright LP037077; CNA140172803 (Mills/Smith)

Attorney Ed Gaines was present and addressed the Board. Wright was present and available for questions. V. Smith addressed the Board with additional information. Link moved, Woulard seconded, and it was unanimously carried to approve request to amend Consent Agreement and Order No. 0310022 as follows: permit Wright to work 6 hours under direct supervision and the remainder of the shift with offsite supervision. Should Wright obtain employment in a setting where he can be supervised the entire shift, onsite supervision would be acceptable; reduce the monthly reports when working in nursing from being required for the entire time working (24 months) to requiring for the first 4 months of nursing practice and quarterly thereafter contingent upon satisfactory employment performance reports; allow Wright to petition the Board to terminate his probation after 12 months of successful nursing practice.

	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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

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

V.A.2. Brian Michel Steffe RN127702 (Twigg)

Malloch moved, Perry seconded, and it was unanimously carried to reopen Agenda Item V.A.2. Attorney Jay Ryan was present and addressed the Board. Twigg addressed the Board with additional information. Crawley moved, Johnson seconded, and it was unanimously carried to offer a Consent Agreement for 18 months suspension pending successful completion of a refresher course, to include the following stipulations: surrender of license, psychological/psychiatric treatment (6 months psychotherapy, 1 year psychiatric treatment with medication monitoring with psychiatrist sensitive to potential unusual medication reactions), drug testing 1 time per month, abstain from unauthorized drug use/proof of prescription/on prescriber, followed then by 24 months probation to include the following stipulations: stamping of license, psychological/psychiatric treatment, drug testing 1 time per month, abstain from alcohol, abstain from unauthorized drug use/proof of prescription/one prescriber,

notification of practice settings, monthly work performance evaluations for months 1-12 and quarterly for months 13-24, direct supervision, registry/traveling nurse/float pool/home health work/on-call prohibited, night shift prohibited, not eligible for early release of 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.D.6. Don Paul Olds RN107273 (S. Nelson)

Nelson addressed the Board with additional information. Attorney Scott King was present and addressed the Board. Olds was present and available for questions. Busby 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

**V.E.5. Donna M. Nolde RN123984 (Munger)
(aka: Chouinard)**

Munger addressed the Board with additional information. Perry moved, Link seconded, and it was unanimously carried to table Agenda Item V.E.5. to allow time for Nolde to arrive at this meeting.

V.E.10. Fe N. Centenera RN119782 (Munger)

Malloch and Hardy know Sue Hanauer but show no bias. Attorney Terry Hall was present and addressed the Board. Centenera was present and available for questions. Busby moved, Woulard seconded, and it was unanimously carried to issue a letter of concern for tossing a towel towards a patient's face, and referring to a patient as a "bitch", while sitting at the nurses' station on August 21, 2007, while working at John C. Lincoln North Mountain Hospital in Phoenix, Arizona.

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.C. Board Discussion and Decision Regarding Investigative Reports for Dismissal, Letters of Concern & Lapsed Licenses

III.C.1.	Leona Bennett	CNA1000002428	\$25
III.C.2.	Frances Burns	CNA999998961	\$25
III.C.3.	Andrea Delcastillo	CNA361049641	\$25
III.C.4.	Veronica Gurno	CNA1000002286	\$25
III.C.5.	Kassandra Kempton	CNA999992096	\$25
III.C.6.	Celia Martinez	CNA843480803	\$25
III.C.7.	Crystal McGoodwin	CNA999999422	\$25
III.C.8.	Lucy Olivares	CNA999992225	\$25
III.C.9.	Nilda Parsons	CNA643560313	\$25
III.C.10.	Ronald Sondergaard	CNA899471957	\$25
III.C.11.	Melanie Bert	CNA664851641	\$25
III.C.12.	Alva Stegal	CNA120011420	\$25
III.C.13.	Graciela Holguin	CNA1000001001	\$25
III.C.14.	Shirley Joe	CNA999987811	\$25

III.C.15.	Maria Mapes	CNA415986441	\$25
III.C.16.	Jill Ashcroft	CNA999988368	\$25
III.C.17.	Nicole Craig	CNA999997772	\$25
III.C.18.	Jan Ackermann	LP023492	\$500

Perry moved, Busby seconded, and it was unanimously carried to offer a Consent Agreement for an Administrative Penalty in the amount stated for working on an expired license/certificate, if not signed, issue Notice of Charges. Once signed, if the administrative penalty is not paid within 6 months of the effective date of the Order, issue Notice of Charges. Referral of the employers will be made to Department of Health Services for licensees/certificate holders working on a lapsed license/certificate for three months or greater.

	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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

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

III.D.1. Order of Denial

III.D.1.a. Gianna L. Fimbres CNA Exam Olson

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

	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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

III.D.1.b. Nancy Duane Harmes CNA Exam Williams
(aka: Music; Dieeman; Pieleman)

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

	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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

III.D.2. Notice of Charges

III.D.2.a. Brent David Colby CNA999998328 Parlin

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

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

III.E.1.	Evelyn Edwards Miller	RN127076	(Torrez)
III.E.2.	Shawn Holder	CNA1000011529	(Sage)
III.E.3.	Patricia Darlean Wing	CNA1000011529	(Sage)
III.E.4.	Jerry Lee Harris	CNA999998015	(Sage)
III.E.5.	Jose Palacios	CNA338176441	(Sage)
	(aka: Jose Francisco Palaciou-Isaac)		
III.E.6.	Cheri A. Buccieri	CNA508599103	(Sage)

(aka: Lindsey)

III.E.7. Rachel Leah Neal CNA1000007985 (Sage)

Busby moved, Perry seconded, and unanimously carried to adopt the attached Notice of Charges based upon information contained in the investigative report for Agenda Items III.E.1-7.

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

III.F.1. Danette Lee Johnson 670485 (Texas RN) (Munger)

Malloch moved, Busby seconded, and it was unanimously carried to continue the investigation to allow completion of a psychological evaluation to be completed by a Board approved evaluator, to include any additional testing deemed necessary by the evaluator, to be completed within 60 days. If not completed, revoke the privilege to practice in Arizona and issue a cease and desist letter 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

Perry left the meeting at 9:50 a.m.

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

III.G.1. Linda Joy Lee P42580 (Iowa PN) (Munger)

Busby moved, Malloch seconded, and it was unanimously carried to continue the investigation to allow completion of a psychological evaluation to be completed by a Board approved evaluator, to include any additional testing deemed necessary by the evaluator, to be completed within 60 days. If not completed within 60 days, revoke the privilege to practice in Arizona, and issue a cease and desist letter, 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						

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

- | | | |
|--------------------------------|---------------------------|------------------------------------|
| 1. Paul A. Miller | RN126972 | January 12, 2008 (Hurtado) |
| 2. Tracy Murray-Taylor | RN120023 | January 19, 2008 (Hurtado) |
| 3. Wendy A. Thornton | CNA1000011535 | January 24, 2008 (Hurtado) |
| 4. Shenna A. Nichols | RN125632 | January 25, 2008 (Hurtado) |
| 5. Jennifer A. Gonzales | RN138297; LP040429 | February 01, 2008 (Hurtado) |
| 6. Flavia T. Saxon | CNA1000003907 | February 09, 2008 (Hurtado) |
| 7. Jessica D. Coles | CNA1000011666 | February 13, 2008 (Hurtado) |
| 8. Brenda L. Levenson | LP042834 | February 15, 2008 (Hurtado) |
| 9. Rachel C. Scott | LP034329 | February 18, 2008 (Hurtado) |
| 10. David M. Widdison | CNA1000003612 | February 18, 2008 (Hurtado) |
| 11. Karen L. Boles | RN073242 | February 22, 2008 (Hurtado) |
| 12. Tina L. Morgan | RN115990 | March 09, 2008 (Hurtado) |
| 13. Emmanuel U. Ibanez | CNA999996768 | March 11, 2008 (Hurtado) |
| 14. Kelly Duvall | LP042497 | March 14, 2008 (Hurtado) |

Crawley moved, Link 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.

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

IV.C.1. Lita Bahe RN063487 (Mills/Smith)

Malloch moved, Johnson seconded, and it was unanimously carried to offer a Consent Agreement for 24 months stayed revocation probation with the attached stipulations to include a \$250 Civil Penalty, or proceed to noncompliance 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						

IV.C.2. John Davis RN129018 (Mills)

Crawley is affiliated with Phoenix Baptist Hospital but shows no bias. Busby moved, Link seconded, and it was unanimously carried to offer Consent Agreement for 24 months stayed revocation probation with the attached terms and conditions, including documentation course and communications course or counseling with treatment focus on communication or proceed to noncompliance 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						

Perry returned to the meeting at 9:57 a.m.

IV.C.3. Pamela Garland RN091820 (Mills)

Garland was present and addressed the Board. Malloch moved, Robertson seconded, and it was unanimously carried to offer a Consent Agreement for 6 months stayed revocation suspension to include the attached stipulations, followed by 12 months stayed revocation probation, then followed by 24 months standard probation or proceed to noncompliance 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

IV.D. Board Discussion & Decision Regarding Non-Compliance/Compliance with Board Orders (Hurtado)

IV.D.1. Edidiong E. Effiong LP Exam; CNA999997703 (Hurtado)

Perry moved, Link seconded, and it was unanimously carried to grant licensure upon passing the LP NCLEX exam and meeting licensure requirements and upon signing a consent Agreement for 12 months probation 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

IV.D.3. Ellen T. Miller RN055945 (Hurtado)

Miller was present, telephonically, and addressed the Board. Johnson moved, Link seconded, and it was unanimously carried to deny request for termination of Consent Agreement and Order No. 0509076 entered into on April 20, 2006, and allow early entry into step-down.

	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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

IV.D.4. Nancy Y. Noriega RN040222 (Hurtado)

Noriega was present, telephonically, and addressed the Board. Busby moved, Link seconded, and it was unanimously carried to approve request for Noriega to complete the terms of her Consent Agreement and Order No. 0106011 in California, upon the State of California's written approval.

IV.D.7. Gary S. Wiseman RN146235; LP042833 (Hurtado)

Wiseman was present, telephonically, and available for questions. Perry moved, Johnson seconded, and it was unanimously carried to deny request for termination of Consent Agreement and Order No. 0606035 entered into on December 27, 2006, and amend Consent Agreement to allow Wiseman to work 96 hours per 14-day pay period and the ability to work any shift.

	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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

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

IV.F.1. Ryan Elisabeth Bustillos LP040705; CNA155700441 (Linck)

Johnson moved, Robertson seconded, and it was unanimously carried to offer a Consent Agreement for a stayed revocation indefinite suspension, followed by 12 months stayed revocation probation, followed then by 24 months standard 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

IV.F.2. Pamela Louise Conner RN118960 (Linck)

Busby moved, Perry seconded, and it was unanimously carried to offer a Consent Agreement for 24 months stayed revocation with the license suspended during the first 12 months and on stayed revocation probation for the second 12 months, followed then 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

IV.F.3. Leslee Mae Gillette LP036114 (Linck)

Malloch, Johnson and Crawley know Marla Moore but show no bias. Hardy recused herself and left the meeting at 10:19 a.m. Crawley presided. Linck addressed the Board and confirmed receipt of additional information. Gillette was present and addressed the Board. Crawley moved, Woulard seconded, and after discussion it was unanimously carried to offer a Consent Agreement for 24 months stayed revocation with the license suspended during the first 12 months and on stayed revocation probation the second 12 months, followed then 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	8	X	X	X	X		X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1					X				

Hardy returned to the meeting at 10:27 a.m.

IV.F.5. Michelle Lynn Jones RN Exam (Linck)

Perry moved, Hardy seconded, and it was unanimously carried to grant licensure upon meeting all requirements and accept the signed CANDO stipulations agreement.

**IV.F.6. Brenda Jo Ryan RN124189 (Linck)
(aka: Mapes)**

Ryan was present, telephonically, and available for questions. Linck addressed the Board with additional information. Johnson moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement for a \$500 Civil Penalty and 24 months stayed revocation with the license suspended during the first 12 months and on stayed revocation probation the second 12 months, followed then by 24 months standard probation, to include the attached stipulations, or hearing. 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

The meeting recessed at 10:32 a.m. and reconvened at 10:44 a.m.

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

V.B.1. Michael Joseph Hauck RN Endorsement (Rappoport)

Busby moved, Link seconded, and it was unanimously carried to deny licensure 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.B.2. Amy Joy Weiss RN Endorsement (Rappoport)
(aka: Miles)

Rappoport addressed the Board with additional information. Busby moved, Link seconded, and it was unanimously carried to grant licensure upon meeting all requirements and providing completion of Oregon State Board of Nursing educational conditions, and issue a letter of concern for a June 14, 2007 disciplinary action by the Oregon State Board of Nursing.

V.B.5. Rebecca Irene Holliday LP033533 (Rappoport)
(aka: Boudra; Nixon; Edwards)

Link moved, Robertson seconded, and it was unanimously carried to grant renewal license upon meeting all requirements and issue a letter of concern for disciplinary action taken by the Arkansas State Board of Nursing on or about December 11, 2002, which was successfully completed on December 7, 2004 and for a misdemeanor DWI conviction on or about June 25, 1997 and a misdemeanor DWI conviction on or about December 21, 2001 in Jefferson County Court, Jefferson, Arkansas.

V.B.6. Katherine Sue McMillian TLP042424 (Rappoport)
(aka: Lizarraga; Anderson)

Perry moved, Link seconded, and it was unanimously carried to deny licensure and adopt the attached Order of Denial.

	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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.B.7. Molonne Cantave LP Endorsement (Rappoport)

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

	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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.B.9. Kristen Marie Archbold RN Endorsement (Rappoport)
(aka: Hedger)

Perry moved, Link seconded, and it was unanimously carried to accept signed Consent Agreement for a \$400 Civil Penalty and grant licensure upon meeting all requirements.

	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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.B.8. Pamela Jean Zacher RN Endorsement (Rappoport)
(aka: Tobias; O’Daniel)

Link moved, Robertson seconded, and it was unanimously carried to grant refresher course license only upon meeting all requirements, and grant licensure upon successful completion of RN refresher course.

V.B.13. Karen Elaine Nelson RN Endorsement (Rappoport)

Link moved, Busby seconded, and it was unanimously carried to grant licensure upon meeting all requirements, and issue a letter of concern for a March 2, 2006 misdemeanor DWAI in Summit County Court in Summit, Colorado.

V.B.11. Carol Sue Bagent RN030119 (Rappoport)

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

V.B.14. Lakeshia Shanae Solis LP Endorsement (Rappoport)
(aka: Mitchell; Nixon)

Rappoport addressed the Board with additional information. Busby moved, Link seconded, and it was unanimously carried to grant licensure upon meeting all requirements and signing a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days or payment not received within 60 days, deny license 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.B.16. Mary Ann Ulrich Lint RN035522 (Rappoport)

Malloch moved, Link seconded, and it was unanimously carried to issue a letter of concern for providing false information that Lint obtained a BSN degree on her 2004 resume to Seven Health Care Academy in Tempe, Arizona.

V.B.18. Irene Ivadel Foster LP Endorsement (Rappoport)
(aka: Erickson; Gunderson)

Rappoport addressed the Board with additional information. Busby moved, Perry seconded, and it was unanimously carried to allow applicant to withdraw application.

V.B.19. Mariah Jeanne Wallace RN Endorsement (Rappoport)
(aka: Dupre)

Rappoport addressed the Board with additional information. Busby moved, Link seconded, and it was unanimously carried to grant license upon meeting all requirements and accept the signed Consent Agreement for a \$600 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.B.20. Victor Quon RN Endorsement (Rappoport)

Rappoport addressed the Board with additional information. Perry moved, Busby seconded, and it was unanimously carried to grant licensure upon meeting all requirements and accept the signed Consent Agreement for a \$50 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.B.3. Christina Nichole Finn CNA Exam (Olson)

Perry moved, Link seconded, and it was unanimously carried to deny certification 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

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

V.E.11. Janet Lynn Dabney RN086912 (Munger)

Johnson moved, Busby seconded, and it was unanimously carried to issue an Interim Order for a neuropsychological evaluation to be completed by a Board approved psychologist with expertise in substance abuse, 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.

	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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.J.1. Peggy Jana Marie Brown RN Exam (Williams)

Busby moved, Perry seconded, and it was unanimously carried to grant licensure upon meeting all requirements and issue a letter of concern for the March 28, 2002, Wrongful Possess/Use of Controlled Substance and Wrongful Distribute of a Controlled Substance, in Fort Belvoir, Virginia and for the July 27, 2006, alcohol related misdemeanor conviction for Reckless Driving in Las Vegas, Nevada.

VI. Board Discussion and Decision Regarding CNA Investigative Reports

**VI.A.1. Helen Marie Gastelo CNA Endorsement (Williams)
(aka: Valentine; Johnson; Trujillo; Brault)**

Busby moved, Johnson seconded, and it was unanimously carried to grant certification upon meeting all requirements and issue a letter of concern for the multiple arrests from 1975 through 1989.

**VI.A.2. Amanda Guadalupe Cruz CNA Exam (Williams)
(aka: Espinoza; Avila)**

Busby moved, Perry seconded, and it was unanimously carried to deny certification 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

**VI.A.3. Lupe Theresa Marin CNA Exam (Williams)
(aka: Granados)**

Malloch moved, Crawley seconded, and it was unanimously carried to continue the investigation to allow Marin 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.

	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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.A.6. Gilbert Ray Ramos CNA Exam (Williams)

Busby moved, Perry seconded, and it was unanimously carried to grant certification upon meeting all requirements and signing the amended Consent Agreement for 12 months stayed revocation to include the attached stipulations. If not signed within 30 days, deny certification 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

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

V.I.1. Margret Angel Doerr RN Endorsement (Curatola)

Johnson moved, Robertson seconded, and it was unanimously carried to issue a letter of concern for an arrest on August 11, 2007 in Cape Coral, Florida.

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.E.1. Doreen Marie Avakian CNA Exam (Curatola)

(aka: Cleveland; Bill; Jaskolski)

Perry moved, Link seconded, and it was unanimously carried to deny certification 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

Busby left the meeting at 11:07 a.m.

VI.E.2. Ethel Chase CNA Exam (Curatola)

Link moved, Robertson seconded, and it was unanimously carried to continue the investigation to allow Chase 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, 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.

	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								

Busby returned to the meeting at 11:09 a.m.

VI.E.4. Edgar Drish CNA Exam (Curatola)

Link moved, Hardy seconded, and it was unanimously carried to deny certification 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.E.5. Frosty Gail Duncan (aka: Griffith) CNA Exam (Curatola)

Link moved, Robertson seconded, and after discussion it was unanimously carried to deny certification 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.E.6. Cora Elaine Elliott CNA Endorsement (Curatola)

Perry moved, Link seconded, and after discussion it was unanimously carried to deny certification 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.E.7. Tricia Jean Joachim CNA Exam (Curatola)

Malloch moved, Robertson seconded, and it was unanimously carried to deny certification 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.E.11. Jimmy Quinones CNA Endorsement (Curatola)

Perry moved, Johnson seconded, and it was unanimously carried to deny certification 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.E.13. Phillip John Salstrom CNA Endorsement (Curatola)

Johnson moved, Link seconded, and it was unanimously carried to deny certification 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.E.15. Barbara Jin Yoon CNA Exam (Curatola)

Johnson moved, Crawley seconded, and it was unanimously carried to deny certification 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.E.16. Kayla Joy Stone CNA Endorsement (Curatola)

Perry moved, Link seconded, and it was unanimously carried to grant certification upon meeting all requirements and issue a letter of concern for an arrest on May 19, 2003 in Tulsa, Oklahoma.

IV.E.17. Lynnette Rose Yazzie CNA Exam (Curatola)

Curatola addressed the Board and confirmed receipt of additional information. Link moved, Robertson seconded, and it was unanimously carried to allow Yazzie to withdraw her application for certified nursing assistant. Any new application would initiate an investigation.

VI.G.3. Alice K. Van Dyke CNA999947768 (Lester)

Link moved, Perry seconded, and it was unanimously carried to issue a letter of concern for the December 7, 2005 arrest by Flagstaff Police, for child neglect.

Busby left the meeting at 11:18 a.m.

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Chandler-Gilbert Community College, Grand Canyon University, Arizona State University, and Mesa Boswell Community College Nursing Students regarding Board functions, policies and procedures. Questions were asked regarding definitions of letter of concern and decree of censure, and whether a Respondent is able to appeal a Board decision.

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

**V.E.5. Donna M. Nolde RN123984 (Munger)
(aka: Chouinard)**

Malloch moved, Johnson seconded, and it was unanimously carried to reopen Agenda Item V.E.5. Complainant Ellin Berg was present and addressed the Board. Dr. Pete Kendrick, attorney Andrew Rosenzweig and Nolde were present and addressed the Board. Johnson moved, Crawley seconded, and it was unanimously carried to dismiss the case.

The meeting recessed at 12:08 p.m. and reconvened at 1:02 p.m.

V.E.7. Melanie S. McClure RN096004 (Munger)

McClure was present and available for questions. Attorney Charlie Hover was present and addressed the Board. Malloch moved, Woulard seconded, to offer a Consent Agreement for a Decree of Censure, or hearing. 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								

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

II.A.1. Eretta Jerome Jones CNA Applicant Zimmerman

The proceeding began at 1:16 p.m. with the following Board members present: Johnson, Robertson, Crawley, Malloch, Hardy, Perry, Woulard, 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 Tanja Shipman, Assistant Attorney General, Division of Solicitor General. Nina Zimmerman, Assistant Attorney General, represented the State.

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

Zimmerman 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.

Crawley moved, Perry seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 6, and Conclusions of Law the alleged violations in Paragraphs 1 through 3.

Crawley moved, Link seconded, and it was unanimously carried to accept the Administrative Law Judge's recommended Order to dismiss the applicant's appeal and that prior denial of Jones' application for nursing assistant certification be upheld and affirmed.

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

II.E.1. Darlene Robbins DeVries RN063590 Zack

Crawley recused herself to avoid the appearance of impropriety and left the meeting at 1:20 p.m. The proceeding began at 1:20 p.m. with the following Board members present: Johnson, Robertson, Malloch, Hardy, Perry, Woulard, and Link.

The Board was represented by Tanja Shipman, Assistant Attorney General, Division of Solicitor General. Kim Zack, Assistant Attorney General, represented the State.

Attorney Ron Tobman was present and addressed the Board. DeVries was present and available for questions.

Zack addressed the Board.

Perry moved, Woulard seconded, and it was unanimously carried to deny request for rehearing/reconsideration, with prior decision to be reviewed at the March 2008 Board 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			

Crawley returned to the meeting at 1:37 p.m.

II.E.2. Kristi L. Durschmidt CNA254558457 Zimmerman

The proceeding began at 1:38 p.m. with the following Board members present: Johnson, Robertson, Crawley, Malloch, Hardy, Perry, Woulard, and Link.

The Board was represented by Tanja Shipman, Assistant Attorney General, Division of Solicitor General. Nina Zimmerman, Assistant Attorney General, represented the State.

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

Zimmerman addressed the Board.

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

	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.E.3. Cheryl Dian Fox RN066877 Zimmerman

The proceeding began at 1:40 p.m. with the following Board members present: Johnson, Robertson, Crawley, Malloch, Hardy, Perry, Woulard, and Link.

The Board was represented by Tanja Shipman, Assistant Attorney General, Division of Solicitor General. Nina Zimmerman, Assistant Attorney General, represented the State.

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

Zimmerman addressed the Board.

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

	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 pursuant to A.R.S. §§ 41-1064(C), 41-1092.11(B) and/or Acceptance of a Consent Agreement and or Adoption of Complaint & Notice of Hearing

II.H.1. Erica Ruth Benson RN131597 Zack

The proceeding began at 1:43 p.m. with the following Board members present: Johnson, Robertson, Crawley, Malloch, Hardy, Perry, Woulard and Link.

The Board was represented by Tanja Shipman, Assistant Attorney General, Division of Solicitor General. Kim Zack, Assistant Attorney General, represented the State.

Zack and Barber addressed the Board with a brief summary of the case.

Benson was present and addressed the Board.

Based upon the information presented at this meeting, seven 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. One Board member disagreed.

Malloch moved, Johnson seconded, to accept proposed preliminary Findings of Fact and Conclusions of Law of the Findings of Public Emergency and Order of Summary Suspension. The motion carried with seven in favor and one opposed.

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

Malloch moved, Johnson seconded, to summarily suspend professional license #RN131597. 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								

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

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

II.E.3. Cheryl Dian Fox RN066877 Zimmerman

Malloch moved, Perry seconded, and it was unanimously carried to reopen Agenda Item II.E.3. for the purpose of allowing Fox to address the Board.

The Board was represented by Tanja Shipman, Assistant Attorney General, Division of Solicitor General. Nina Zimmerman, Assistant Attorney General, represented the State.

Fox was present and addressed the Board.

Zimmerman addressed the Board.

Malloch moved, Robertson seconded, and it was unanimously carried to reaffirm prior Board decision to deny request for rehearing/reconsideration.

	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 2:24 p.m. and reconvened at 2:31 p.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

II.D.13. Robert James Thooft RN104254 Zack

The Board was represented by Tanja Shipman, Assistant Attorney General, Division of Solicitor General. Kim Zack, Assistant Attorney General, represented the State.

Perry moved, Crawley seconded, and it was unanimously carried to table Agenda Item II.D.13. to allow for Thooft to be present at the Board meeting.

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

II.G.1. Liesl E. Roberson CNA803787203 (Barber)

Perry knows Bobbie Jackson but shows no bias. Barber addressed the Board.

Roberson was present and addressed the Board.

Link moved, Crawley seconded, and it was unanimously carried to reaffirm the Board’s decision of March 2007, to offer a Consent Agreement for 12 months Stayed Revocation with the stipulations identified on the March 2007 attached stipulation sheet with the modification that she may continue to work registry for Tender Care Nursing in block assignments to Good Shepherd of Peoria, to be signed within 30 days, or based on the information in this investigative report, add additional Findings of Fact and Conclusions of Law to the Complaint and Notice of Hearing to be issued in this matter and schedule for 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								

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

II.D.18. Guillermina Felix CNA498869803 Zimmerman

The Board was represented by Tanja Shipman, Assistant Attorney General, Division of Solicitor General. Nina Zimmerman, Assistant Attorney General, represented the State.

Felix and her interpreter, Jasmine Felix, were present and addressed the Board.

Zimmerman addressed the Board.

Malloch moved, Johnson seconded, to grant the State’s Motion to Deem Allegations Admitted. The motion carried with seven in favor and one opposed.

Malloch moved, Johnson seconded, to accept the Factual Allegations as Findings of Fact and Alleged Violations as Conclusions of Law from the Notice of Charges. The motion carried with six in favor and two opposed.

Malloch moved, Crawley seconded, and it was unanimously carried to issue an Order for indefinite suspension of certification pending a psychological evaluation to be scheduled within 15 days and completed within 45 days and then return to the Board. If not completed, issue an Order of revocation.

	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.D.22. Karen J. Nichols CNA709529113 Zimmerman
(aka: Holder; Karen A. Nichols)**

The Board was represented by Tanja Shipman, Assistant Attorney General, Division of Solicitor General. Nina Zimmerman, Assistant Attorney General, represented the State.

Nichols was present and addressed the Board.

Zimmerman addressed the Board.

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

Perry moved, Malloch 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, Johnson seconded, and after discussion it was unanimously carried to accept the State’s recommended discipline.

	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.D. Board Discussion & Decision Regarding Non-Compliance/Compliance with Board Orders (Hurtado)

IV.D.5. Nadine L. Sandoval RN066862; LP021969 (Hurtado)

Joyce Dominski and Sandoval were present and available for questions. Link moved, Robertson seconded, and it was unanimously carried to amend Consent Agreement and Order No. 0608018 to allow Sandoval to work 96 hours per 14 day pay period and the ability to work any shift.

After discussion, Malloch moved, Crawley seconded and it was unanimously carried to reopen Agenda Item IV.D.5. After further discussion, Perry moved, Woulard seconded, and it was unanimously carried to rescind prior Board decision and allow early termination of Consent Agreement due to successful completion of requirements set forth in the 12 month probation, satisfactory reports, and work history with current employer.

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

AGENA #	Respondent Name	License Certificate Number	Board Resolution	Legal Staff
II.B.1.	Jason Michael Hughes	CNA1000007406	Revocation	Zack
II.B.2.	Willa Marie Ridgell	RN65870; LP019176	Revocation	Zimmerman

The Board was represented by Tanja Shipman, Assistant Attorney General, Division of Solicitor General. Kim Zack, Assistant Attorney General, represented the State.

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

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

Johnson moved, Link 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, Link seconded, and it was unanimously carried to accept the State’s recommended discipline for Agenda Items II.B.1. and 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	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. Jonathon Jacob Beverly CNA Applicant A. Olson/Zimmerman

The Board was represented by Tanja Shipman, Assistant Attorney General, Division of Solicitor General. Nina Zimmerman, Assistant Attorney General, represented the State.

Hardy recused herself to avoid the appearance of impropriety and left the meeting at 3:25 p.m. Crawley presided.

Zimmerman addressed the Board.

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

Link moved, Johnson seconded, and it was unanimously carried to accept the attached Consent Agreement for a voluntary withdrawal of nursing assistant certification and agreement not to reapply in the State of Arizona for five years which is reportable to the National Practitioner’s Data Bank and any other national data banks with which the Board records its adverse actions.

	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 3:27 p.m.

**II.C.2. Kimberly Blanton Pierce CNA Applicant Zimmerman
(aka: Blanton; Pierce)**

The Board was represented by Tanja Shipman, Assistant Attorney General, Division of Solicitor General. Nina Zimmerman, Assistant Attorney General, represented the State.

Zimmerman addressed the Board.

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

Malloch moved, Link seconded, and it was unanimously carried to rescind the Board decision of July 26, 2007, to deny CNA certification and accept the attached signed Consent Agreement for a voluntary withdrawal of nursing assistant certification.

II.C.3. Frank John Hadley**LP036210****Zimmerman**

The Board was represented by Tanja Shipman, Assistant Attorney General, Division of Solicitor General. Nina Zimmerman, Assistant Attorney General, represented the State.

Zimmerman addressed the Board.

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

Johnson moved, Crawley seconded, and after discussion it was unanimously carried to accept the signed Consent Agreement for 36 months probation with the modified 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	8		X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1	X								

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	Legal Staff
II.D.1.	Chrystal G. Chavez	CNA999949040	Revocation	Zack
II.D.2.	Melissa H. Cook	RN070956	Revocation	Zack
II.D.3.	Rebecca Lynn Freeman (aka: Wimbish)	CNA999990665	Revocation	Zack
II.D.4.	Deborah Harris	RN117814	Revocation	Zack
II.D.5.	Geneva Keinath (aka:Geneva Kay Zogg; Geneva Kay Milligan)	LP020912	Revocation	Zack
II.D.6.	James J. Lacey	RN104464	Revocation	Zack
II.D.7.	Margie Theresa Landrum	RN139534; CRNA0480	Revocation	Zack
II.D.9.	Ernest Amal Matueny	CNA1000003628	Revocation	Zack
II.D.10.	Anthony R. McGrew	CNA1000008766	Revocation	Zack
II.D.11.	Brenda Young Pitman	RN063427	Revocation	Zack
II.D.12.	Marjorie Louise Rabatine	CNA999989451	Revocation	Zack
II.D.14.	William Mark Tritz	LP038529	Revocation	Zack
II.D.15.	Max Duane Whipple	RN115742	Revocation	Zack
II.D.16.	Aisha N. Alexander	CNA999949402	Revocation	Zimmerman
II.D.17.	Sedell Brown	CNA1000002270	Revocation	Zimmerman
II.D.19.	Karla D. Hatcher	CNA999988970	Revocation	Zimmerman
II.D.20.	Alfredo J. Ibarra(aka: Ibarra-Javalera)	CNA1000005202	Revocation	Zimmerman
II.D.21.	Dianette Jean Jackson	RN133532	Revocation	Zimmerman
II.D.23.	Lisa M. Quintero	CNA570261803	Revocation	Zimmerman
II.D.24.	Anna Lorraine Romero	CNA1000008501	Revocation	Zimmerman
II.D.25.	Judy A. Wheelis	CNA561447674	Revocation	Zimmerman

The Board was represented by Tanja Shipman, Assistant Attorney General, Division of Solicitor General. Kim Zack, Assistant Attorney General’s, represented the State.

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

Johnson moved, Crawley seconded, and it was unanimously carried to grant the State’s Motion to Deem Allegations Admitted for Agenda Items 1-7, 9-12, 14-17, 19-21, and 23-25.

Johnson moved, Crawley 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. for Agenda Items 1-7, 9-12, 14-17, 19-21, and 23-25.

Perry moved, Malloch seconded, and it was unanimously carried to accept the State’s recommended discipline for Agenda Items 1-7, 9-12, 14-17, 19-21, and 23-25.

	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.D.8. Kenneth Albert Loos RN034971; CRNA0052 Zack

The Board was represented by Tanja Shipman, Assistant Attorney General, Division of Solicitor General. Nina Zimmerman, Assistant Attorney General, represented the State.

Crawley recused herself to avoid the appearance of impropriety and left the meeting at 3:36 p.m.

Zimmerman addressed the Board.

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

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

Johnson 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.

	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
NO	0									
ABSTAIN	0									
ABSENT	1	X					X			

Crawley returned to the meeting at 3:41 p.m.

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

II.G.3. Brenda James Middagh RN071351 (Barber)

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

Barber addressed the Board.

Malloch moved, Perry seconded, and after discussion it was unanimously carried to modify the Board decision of November 16, 2006, to offer a Consent Agreement for probation, extending the length to 24

months and to include a psychological evaluation with psychometric testing, a course in documentation and pharmacology, to be signed within 30 days or, based on the information in this investigative report, add additional Findings of Fact and Conclusions of Law to the Complaint and Notice of Hearing to be issued and schedule the hearing in this matter.

	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								

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

VII.B. Educational Reports and Rules

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

Link moved, Hardy 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. Report on CNS Portfolio Project – Randolph/Grady

Randolph reported on the 2005 changes in rules, which allowed for a one-year-one-time-only challenge to the requirement of completing a CNS program to be eligible for CNS certification. Applicants were given one year to submit the application and over 2/3 of the applicant’s submitted applications and projects within the week of expiration of the rule. All participants were given written feedback and an opportunity to meet with Randolph upon failing any project. They were allowed to resubmit failed projects once only. There were a total of 8 projects in the portfolio and the following is a synopsis of the project: A total of 15 projects were received, 12 complete projects were received from qualified candidates, 2 passed on their first attempt, and 8 passed on their second attempt for a total pass rate of 83%. Reasons for not passing were that one did not meet MSN requirement, one completed CNS program, one failed on the first attempt with no resubmission, one failed on both first and second attempt and one submitted an incomplete project. Most portfolios were over 100 pages in length and the most frequent failed area was five comprehensive assessments, known as project number one. Recognition was given to evaluators of the portfolios, Sarah Badalamenti, Nancy Cisar, Jackie Keuth and Susan Miller-Hoover for the efforts, and to staff members Randolph and Rappoport.

VII.B.3. Appeal for resubmission of CNS Portfolio by Bonita Jones RN - Randolph

Malloch recused herself to avoid the appearance of impropriety and left the meeting at 3:50 p.m. Bonita Jones addressed the Board. Debbie Boyle and Denice Gibson were available for questions. Perry moved, Johnson seconded, and it was unanimously carried to allow candidate, Bonita Jones, to resubmit competency #2 of the CNS portfolio.

Malloch returned to the meeting at 4:05 p.m.

VII.B.4. Application for Full Approval Coconino Community College – Grady/Randolph

Perry moved, Woulard seconded, and it was unanimously carried to continue provisional approval for a period of 2 years with a notice of deficiency for any uncorrected deficiencies with 18 months to correct. The program shall provide written report at 6 and 12 months on progress in remedying deficiencies. The program shall provide a complete and comprehensive self study after all deficiencies are corrected and at least 60 days before the expiration of provisional approval. Board staff will schedule a full site visit after receipt of the self-study and report findings to the Board at a regularly scheduled Board meeting.

VII.B.5. Case Dismiss CNA Program at Metro Tech High School – Van Cuyk

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

VII.B.6. Chamberlain College BSN Program Response to Notice of Deficiency – Grady/Randolph

Randolph provided information to the Board regarding Chamberlain College BSN program response to Notice of Deficiency.

VII.B.7. Investigative Report Direct Caregivers/Mountain View High School CNA Program – Van Cuyk/Randolph

Link moved, Crawley seconded, and it was unanimously carried to issue a letter of concern for starting a nursing assistant program prior to Board notification and approval; approve nursing assistant program at Mountain View High School upon meeting all other requirements, or deny approval; and allow current students at Mountain View High School to take the CNA certification exam and become certified upon meeting all other requirements of the Board.

VII.B.8. Report of CNA/Medication Technician Item Review Meeting – Randolph/Grady/VanCuyk

At an annual meeting held with CNA educators who have an interest in the manual skills and written competency exam, several recommendations for changes to the manual skills exam were proposed as detailed in the handout. Crawley moved, Malloch seconded, and it was unanimously carried to adopt recommended technical changes to Nursing Assistant Manual Skills test from ad hoc committee.

IV.D. Board Discussion & Decision Regarding Non-Compliance/Compliance with Board Orders (Hurtado)

IV.D.2. Mike Kramer Jr. RN094894 (Hurtado)

Hurtado addressed the Board with additional information. Kramer was present and available for questions. Malloch moved, Perry seconded, and it was unanimously carried to offer a Consent Agreement for indefinite suspension pending a substance abuse evaluation, to be followed by a 36 month stayed revocation probation to include the attached stipulations, or proceed to non-compliance 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								

IV.D.6. Lucy S. Tarango LP008527 (Hurtado)

Perry recused himself to avoid the appearance of impropriety and left the meeting at 4:15 p.m. Tarango was present and addressed the Board. Paula Mitchell and Linda Steadman were present and available for questions. Malloch moved, Robertson seconded, and it was unanimously carried to continue with current Consent Agreement and Order No. 0610043.

Robertson left the meeting at 4:19 p.m. and returned at 4:22 p.m.

Perry returned to the meeting at 4:25 p.m.

Woulard left the meeting at 4:22 p.m. and returned at 4:25 p.m.

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Chandler-Gilbert Community College Nursing Students regarding Board functions, policies and procedures. Questions were asked on Board decisions regarding the need for summary suspension, eligibility for the CANDO program,

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.C.1. Samantha Joyce Desruisseaux CNA1000001194 (B. Nelson)

Malloch knows Rhonda Anderson but shows no bias. Nelson addressed the Board with additional information. Link moved, Robertson seconded, to issue a letter of concern for making entries in multiple medical records recording times of work accomplished after already going home from scheduled shift on or about January 27, 2006, resulting in being terminated from Banner Desert Medical Center for falsification of records.

VI.C.2. Frank Flores CNA125125103 (B. Nelson)

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

**VI.C.3. Bianca Pilar Lynn CNA999996407 (B. Nelson)
(aka: Garcia)**

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

VI.C.4. Sonia Kay Tewayguna CNA999993734 (B. Nelson)

Nelson addressed the Board with additional information. Link moved, Robertson seconded, and it was unanimously carried to issue an Interim Order for a substance abuse evaluation to be completed by a Board approved evaluator who is at minimum PhD prepared, and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days and return to the Board. If the Interim Order is not completed, issue a 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	<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								

**VI.C.5. Tammy Sioux Twiss CNA1000005877 (B. Nelson)
(aka: Pierce)**

Nelson addressed the Board with an addition to potential violation of rules in the investigative report to add 23(a) and (c). Perry knows Phyllis Jordan but shows no bias. Malloch moved, Link seconded, and it was unanimously carried to issue Notice of Charges based upon information contained in the investigative report.

VI.C.6. Mavis Awumah CNA999988793 (B. Nelson)

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

**VI.F.1. Alexis Tatum CNA790404803 (Parlin)
(aka: Heartfield)**

Link moved, Malloch seconded, and it was unanimously carried to deny certification 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								

VI.F.2. Monique Stephens CNA Endorsement (Parlin)

Link moved, Crawley seconded, and it was unanimously carried to deny certification 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								

**VI.F.3. Rachel Rowe CNA Endorsement (Parlin)
(aka: Stephens)**

Parlin addressed the Board with additional information. Link moved, Robertson seconded, and it was unanimously carried to continue the investigation to allow Rowe the opportunity to obtain a psychiatric evaluation to include a substance abuse evaluation, to be completed by a Board approved evaluator who is at minimum PhD prepared and has expertise in substance abuse, 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.

	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.F.4. Rosetta Reeves CNA393830103 (Parlin)
(aka: West; Fridley; Whitehair)**

Robertson moved, Crawley seconded, and it was unanimously carried to deny certification 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								

VI.F.5. Terry Ray CNA Endorsement (Parlin)

Perry moved, Johnson seconded, and it was unanimously carried to deny certification 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								

VI.F.6. Denisha Montague CNA Exam (Parlin)

Crawley moved, Woulard seconded, and it was unanimously carried to deny certification 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	8		X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1	X								

VI.F.7. Elvir Kliko CNA Exam (Parlin)

Crawley moved, Link seconded, and it was unanimously carried to deny certification 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	8		X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1	X								

VI.F.8. Kaela Simpson CNA Exam (Parlin)

Perry moved, Crawley seconded, and it was unanimously carried to grant certification and issue a letter of concern for the September 7, 2007 misdemeanor conviction for Driving Under the Influence in Scottsdale, Arizona.

VI.D.4. Ramona Dickson CNA597748353 (Sage)
(aka: Cragle; Allender)

Link moved, Woulard seconded, and it was unanimously carried to issue a letter of concern for reportedly rough handling of a resident on June 4, 2007, while employed as a CNA at Apache Junction Health Care, in Apache Junction, Arizona.

VI.D.6. David Harper CNA1000002577 (Sage)

Malloch moved, Johnson seconded, to issue Notice of Charges based upon information contained in the investigative report. After discussion the motion carried with seven in favor and one opposed.

VI.D.7. Maria Howard CNA999948222 (Sage)
(aka: Reyes)

Perry moved, Johnson seconded, and it was unanimously carried to offer a Consent Agreement for 12 months stayed revocation with the attached stipulations, to be signed within 30 days or issue 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	8		X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1	X								

VI.D.12. Daniel Gerado Olivares CNA999999428 (Sage)

Crawley moved, Woulard seconded, and it was unanimously carried to offer a Consent Agreement for 36 months stayed revocation with terms, to be signed within 30 days or issue Notice of Charges based upon information contained in the investigative report and evaluation.

	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.15. Tiffani Nichole Sayer CNA999990687 (Sage)

Perry knows Melissa Ashline but shows no bias. Sage addressed the Board with additional information. Link moved, Robertson seconded, and it was unanimously carried to issue an Interim Order for a substance abuse evaluation by a Board approved PhD prepared evaluator, and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days. If not completed, 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								

The meeting recessed at 4:41 p.m., Wednesday, January 23, 2008.

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 8:03 a.m., Thursday, January 24, 2008, 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
Constance G. Woulard, RN, MSN, Member

LEGAL COUNSEL:

Amy Foster, Assistant Attorney General
Kim Zack, Assistant Attorney General
Nina Zimmerman, Assistant Attorney General

STAFF:

Joey Ridenour, RN, MN, FAAN, 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
Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings
Frank Curatola, Senior Investigator
Karen Grady, RN, MS, CS, FNP, Nurse Practice Consultant/Education
Dolores Hurtado, Legal Assistant II/Monitoring
Ron Lester, Senior Investigator
Connie Linck, RN, MN, CNA, BC
Michelle Mills, RN, MA, Nurse Practice Consultant/Monitoring
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
Doug Parlin, 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 8:03 a.m., Thursday, January 24, 2008.

The following Board members were present: Hardy, Crawley, Johnson, Link, Malloch, Perry, Woulard 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

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

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

III.G.1. Linda Joy Lee P42580 (Iowa PN) (Munger)

Malloch moved, Perry seconded, and it was unanimously carried to reopen Agenda Item III.G.1. Lee was present, telephonically, and available for questions. Malloch moved, Perry seconded, and it was unanimously carried to reaffirm prior Board decision to continue the investigation to allow completion

of a psychological evaluation to be completed by a Board approved evaluator, to include any additional testing deemed necessary by the evaluator, to be completed within 60 days. If not completed within 60 days, revoke the privilege to practice in Arizona, and issue a cease and desist letter, 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								

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

V.E.1. Mario Eleno C. Cordero III RN119197 (Munger)

Malloch and Link know Troy Garland but shows no bias. Malloch moved, Perry 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.E.2. Gregory Dale Kamens RN128911 (Munger)

Munger addressed the Board and confirmed receipt of additional information. Kamens was present and addressed the Board. Johnson moved, Malloch seconded, and it was unanimously carried to offer a Consent Agreement for 36 months probation to include the attached amended stipulations amended to include: allowed home care with one company, supervision and face to face contact at the end of each day for the first 12 months, re-evaluation after 12 months, 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.E.8. Cassandra Dale Moser RN115058 (Munger)
(aka: Hawkins)**

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

V.E.9. Kathy Anne Husbands TRN146427 (Munger)

Malloch and Hardy know Sue Hanauer but show no bias. Johnson moved, Perry seconded, and it was unanimously carried to grant licensure upon meeting all requirements and issue a letter of concern for approaching a patient in a manner that was interpreted as threatening, on August 21, 2007, while working at John C. Lincoln North Mountain Hospital in Phoenix, Arizona.

**V.E.6. Floy Thomas Benkelman RN125440 (Munger)
(aka: Hanschman)**

Benkelman was present. Perry moved, Robertson seconded, and it was unanimously carried to table Agenda Item V.E.6. to allow for staff to copy documents provided by the Respondent.

V.F.11. Amy Marie Adams LP038565 (Torrez)

Adams was present and addressed the Board. Malloch moved, Johnson seconded, and it was unanimously carried to offer a Consent Agreement for 18 months probation to include the attached stipulations, to include taking the online NPA test, 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.12. Lisa Marie Ochoa RN129875 (Torrez)

Ochoa was present and available for questions. Malloch moved, Robertson 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.F.13. Alisa Dalen Gruber RN137105 (Torrez)
(aka: Easley)**

Gruber was present and addressed the Board. Malloch moved, Woulard 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.F.14. Shanin Denise Smith RN145276 (Torrez)

Smith was present and addressed the Board. Torrez addressed the Board with additional information. Malloch moved, Johnson seconded, and it was unanimously carried to issue an Interim Order for a substance abuse/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 60 days and then return to the Board. If the Interim Order is not completed issue 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.F.21. Colleen Kennedy Rannels RN052718 (Torrez)

Malloch knows Connie Belden but shows no bias. Torrez addressed the Board with additional information. Rannels was present and addressed the Board. Johnson moved, Woulard seconded, and it was unanimously carried to dismiss the case.

V.F.4. Shane Renee Vonada LP042258; CNA1000003408 (Torrez)

Vonada was present and addressed the Board. Torrez addressed the Board with additional information. Malloch moved, Perry 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								

The meeting recessed at 9:32 a.m. and reconvened at 9:45 a.m.

V.F.5. Kathleen Cleary Brender LP008463 (Torrez)

Brender was present and addressed the Board. Johnson moved, Perry seconded, and after discussion it was unanimously carried to dismiss the case.

V.F.6. Fernando Trinidad LP023035 (Torrez)

Torrez addressed the Board with additional information. Trinidad was present and addressed the Board. Malloch moved, Link seconded, and it was unanimously carried to continue the investigation to allow time for the evaluator to provide a report and return to the March 2008 Board meeting.

V.F.7. Reed Stockman RN090874; CRNA0242 (Torrez)

Malloch knows Janet Milea and Crawley knows Respondent but show no bias. Torrez addressed the Board with additional information. Stockman was present and addressed the Board. Malloch moved, Hardy 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.F.15. Tammy Jean Elmeier LP039872; CNA187368103 (Torrez)

Elmeier was present and addressed the Board. Malloch moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for 24 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.F.18. Tiffany Nicole Jones LP041678 (Torrez)

Jones was present and addressed the Board. Malloch moved, Crawley 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								

Perry left the meeting at 10:35 a.m.

V.E.3. Janel Ann Thompson LP036320 (Munger)

Thompson was present and addressed the Board. Johnson moved, Robertson seconded, and it was unanimously carried to offer a Consent Agreement for a 24 month 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						

Perry returned to the meeting at 10:37 a.m.

**V.E.6. Floy Thomas Benkelman RN125440 (Munger)
(aka: Hanschman)**

Johnson moved, Perry seconded, and it was unanimously carried to reopen Agenda Item V.E.6. Benkelman was present and addressed the Board. Crawley moved, Link seconded, and it was unanimously carried to issue an Interim Order for a boundary evaluation to be completed by a Board approved evaluator who is at minimum PhD prepared, 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.

	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.1. Emilia Banuelos LP040527 (S. Nelson)

Banuelos was present and addressed the Board. Malloch moved, Woulard seconded, to offer a Consent Agreement for 24 months probation to include the attached stipulations, amended to include: abstain from unauthorized drug use and proof of prescription, or hearing. 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								

V.D.2. Denise Kay Corbell RN122135 (S. Nelson)

Malloch knows Kate Ludwig but shows no bias. Nelson addressed the Board with additional information. Lee Demar, respondent's employer, and Corbell were present and addressed the Board. Malloch moved, Johnson seconded, to offer a Consent Agreement for indefinite suspension followed

then by 36 months probation with the attached stipulations. If not signed within 10 days, issue Complaint and Notice of Hearing based upon information contained in the investigative report. Malloch amended the motion to include: block assignments permitted. Johnson concurred. The motion carried unanimously.

	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.3. Phyllis Anne Manuel RN1386210 (S. Nelson)
(aka: Cushing; Linton; Elsner)

Malloch moved, Perry seconded, and after discussion it was unanimously carried to offer a Consent Agreement for 12 months stayed suspension probation followed by 12 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	8		X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1	X								

V.D.4. Susan A. Mengeling LP032309 (S. Nelson)

Nelson addressed the Board with additional information. Mengeling was present and available for questions. Johnson moved, Malloch seconded, and it was unanimously carried to continue the investigation pending evaluation results.

V.D.5. Robin L. Pratt RN095139 (S. Nelson)

Malloch moved, Hardy seconded, and it was unanimously carried to offer a Consent Agreement for indefinite suspension pending completion of a neuropsychological evaluation and then return to the Board. If not completed, 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.D.8. Walter James Tindall III RN103019 (S. Nelson)

Tindall was present and addressed the Board. Malloch moved, Woulard seconded, and it was unanimously carried to issue an Interim Order for a psychological evaluation for sexual misconduct 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 60 days and then return to Board. If the Interim Order is not completed, adopt Notice of Charges and include the factual allegation 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.9. Kimerly Suzanne Wohead RN107542 (S. Nelson)
(aka: Hall)

Nelson addressed the Board with additional information. Crawley moved, Malloch seconded, and it was unanimously carried to issue an Interim Order for a neuropsychological evaluation to be completed by a Board approved physician 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 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	8		X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1	X								

V.D.10. Suanne Wyatt RN064043 (S. Nelson)

Hardy recused herself to avoid the appearance of impropriety. Crawley presided. Nelson addressed the Board with additional information. Malloch moved, Perry seconded, grant licensure upon meeting all requirements. The motion carried with seven in favor and one abstained.

V.D.11. Joseph Michael Boniella LP038899 (S. Nelson)

Nelson addressed the Board with additional information. Johnson moved, Woulard seconded, and it was unanimously carried to offer Consent Agreement for 24 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.D.12. Erick Torres RN133818 (S. Nelson)

Torres was present, telephonically, and addressed the Board. Malloch moved to offer a Consent Agreement for a Decree of Censure or hearing. The motion failed. Perry moved, Johnson seconded, to issue a letter of concern for submitting a urine drug positive for Opiates (Codeine and Morphine) without proof of prescription for use on or about February 20, 2007 while working at Select Specialty in Phoenix, Arizona. After discussion the motion was carried with seven in favor and one opposed.

V.D.13. Joseph Thompson RN130196 (S. Nelson)

Nelson addressed the Board with additional information. Malloch moved, Link seconded, and it was unanimously carried to issue a letter of concern for making inappropriate and unprofessional comments while working at Banner Desert Medical Center on or about October 6, 2006.

V.B.3. Tata Nicole Lyons RN127183 (Rappoport)

Lyons was present and available for questions. Malloch moved, Crawley seconded, and it was unanimously carried to issue a letter of concern for a July 6, 2007 disciplinary action by the California Board of Registered Nurses and a September 21, 2005 misdemeanor DUI conviction in the Superior Court of Los Angeles, case number 5SB06128.

V.B.10. Georgia Irene Hollar RN Endorsement (Rappoport)
(aka: Anderson)

Hollar was present, telephonically, and available for questions. Johnson moved, Link seconded, and it was unanimously carried to grant licensure upon meeting all requirements, and issue a letter of concern for past disciplinary actions by the California State Board of Registered Nurses which resulted in a 5 year monitored probation which was successfully completed on or about April 5, 2005 and a 1999 action, revocation of licensure, by the West Virginia Board of Nurses

V.B.12. Mary Elizabeth McGee RN105473 (Rappoport)
(aka: Mary G. McGee; Mary Elizabeth Gunn)

McGee was present, telephonically, and addressed the Board. Johnson moved, Link seconded, and it was unanimously carried to issue a letter of concern for a June 6, 2006 disciplinary action by the Alabama State Board of Nursing.

Busby arrived at the meeting at 11:32 a.m.

V.B.15. Leslie Pandy LP035157 (Rappoport)
(aka: Morrison)

An attempt was made to contact Pandy telephonically. Malloch moved, Link seconded, and it was unanimously carried to grant re-instatement of LP license upon meeting all requirements and providing documentation of successful completion of probation with the Pennsylvania Board of Nursing.

V.A.5. Janet k. Scott RN049464; AP0519 (Twigg)

Scott was present and addressed the Board. Perry moved, Woulard seconded, and it was unanimously carried dismiss the case.

V.A.11. Judith Reems Patterson RN064692 (Twigg)

Patterson was present and addressed the Board. Malloch moved, Link seconded, and it was unanimously carried to issue an Interim Order for a neuropsychological 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 with 45 days and then return to the 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Chandler-Gilbert Community College, Grand Canyon University, and Pima Medical Institute Nursing Students regarding Board functions, policies and procedures. Questions were asked on teleconferences, multi-state licenses under investigation, length of investigations, how and why complaints are filed.

V.C.2. Kevin Davidson RN071759 (Olson)

Davidson was present and addressed the Board. Busby moved, Robertson seconded, to issue a letter of concern for the May 25, 2006, guilty plea to the misdemeanor charge of disorderly conduct, in Scottsdale City Court in Scottsdale, Arizona, which resulted in a diversion program and eventual dismissal of the charge on September 12, 2006, after successful completion of the program. The motion carried with eight in favor and one opposed.

V.H.3. Anne Kulaga RN102925 (Parlin)

Complainant Susan Baretta was present and addressed the Board. Busby moved, Malloch seconded, and after discussion it was unanimously carried to offer a Consent Agreement for a \$250 Civil Penalty. If not signed within 30 days or payment not received within 60 days, adopt a 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.K.2. Howard W. Devine RN116554

Devine was present and available for questions. Crawley moved, Busby seconded, and it was unanimously carried to issue a letter of concern for a misdemeanor DUI conviction on July 17, 2002 in the Superior Court of California.

The meeting recessed at 12:25 p.m. and reconvened at 1:19 p.m.

V.F.2. Joann Olava Caley RN1333413 (Torrez)

Johnson is affiliated with Banner Thunderbird Hospital but shows no bias. Torrez addressed the Board with additional information. Crawley moved, Johnson 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.F.3. Betsy Carden RN120373 (Torrez)

Perry moved, Robertson 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.F.8. Candy Lee Spence RN116153; CNA521276441 (Torrez)

Torrez addressed the Board with additional information. Perry moved, Johnson seconded, and it was unanimously carried to issue Notice of Charges based upon information contained in the investigative report.

V.F.16. Jamie Beth Charous RN134576 (Torrez)

Charous was present, telephonically, and addressed the Board. Busby moved, Perry seconded, and it was unanimously carried to accept a 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.F.19. Rosanna M. Wheeler RN093704 (Torrez)

An attempt was made to contact Wheeler telephonically. Torrez addressed the Board with additional information. Johnson moved, Perry 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.F.20. Hana Hlavacava Urbanek RN073972 (Torrez)

Torrez addressed the Board with additional information. Crawley moved, Robertson seconded, and it was unanimously carried to dismiss the case.

Malloch returned to the meeting at 1:30 p.m.

V.F.10. Barbara Boccard Raetz LP022736 (Torrez)

Robertson is affiliated with Hospice of the Valley but shows no bias. Raetz was present and addressed the Board. Crawley moved, Woulard seconded, to offer a Consent Agreement for 24 months probation to include the attached stipulations, or hearing. The motion carried with eight 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	8	X		X	X	X	X	X	X	X
NO	0									
ABSTAIN	1		X							
ABSENT	0									

V.F.9. Virginia Marie Ortega RN133580; CNA999953549 (Torrez)

Ortega was present and available for questions. Busby moved, Crawley 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

**V.K.1. Alison M. Grayson LP Endorsement (Lester)
(aka: Barbara Grayson; Amanda Payne)**

Lester addressed the Board with additional information. Grayson was present and addressed the Board. Malloch moved, Link seconded, and it was unanimously carried to continue the investigation to allow Grayson the opportunity to obtain a psychological evaluation with the emphasis on substance abuse to be completed by a Board approved evaluator who is at minimum is PhD prepared with expertise in substance abuse, 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.

	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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.K.3. Kimberly A. Poer RN133439 (Lester)
(aka: Harris; Simons; Livingston)

Lester addressed the Board with additional information. Poer was present, telephonically, and addressed the Board. Johnson moved, Crawley seconded, and it was unanimously carried to issue an Interim Order for a psychological evaluation with an emphasis on ethical professional misconduct to be completed by a Board approved evaluator who is at minimum PhD prepared, with an expertise in ethical professional misconduct 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.

	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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.A.4. Justine Robyn Confino RN082176; AP0209; AP1876 (Twigg)

Confino was present, telephonically, and addressed the Board. Malloch moved, Woulard seconded, and after discussion it was unanimously carried to issue a letter of concern for failing to determine appropriate care for a Valley Health Care & Rehabilitation Center resident’s knee immobilizer on or about June 24, 2003, while employed by Pima Health Systems in Tucson, Arizona.

V.A.6. Jose Humberto Cruz LP039764 (Twigg)

Twigg addressed the Board with additional information. Johnson moved, Perry seconded, and it was unanimously carried to continue the investigation and return to the March 2008 Board meeting.

V.A.7. Roxy Belile LeMieux RN068495 (Twigg)

Link moved, Woulard seconded, and it was unanimously carried to issue a letter of concern for failing to report a licensed nurse to the Board for practice beyond the nurse’s scope of practice while working for Trinity Hospice in Globe, Arizona.

V.A.8. Margaret M. Walls RN133940 (Twigg)
(aka: Yanyecic, Gruzinski)

Malloch moved, Johnson 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.A.9. Robin J. Nandin RN042866 (Twigg)

Twigg addressed the Board with additional information. Johnson moved, Crawley seconded, and it was unanimously carried to issue a letter of concern for taking someone else’s prescription.

V.A.10. Thi Khoa Nguyen RN113810 (Twigg)

Malloch moved, Johnson seconded, to offer a Consent Agreement for a Decree of Censure, or hearing. After discussion the motion carried with five in favor and four 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	5	X	X	X	X					X
NO	4					X	X	X	X	
ABSTAIN	0									
ABSENT	0									

V.A.12. Terrie Lynn Pryor RN0128918 (Twigg)

Twigg addressed the Board with additional information. Malloch moved, Link seconded, and after discussion 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.A.13. Karen Ann Rabbett RN045142 (Twigg)

Perry recused himself to avoid the appearance of impropriety and left the meeting at 2:18 p.m. Malloch moved, Busby seconded, to offer a Consent Agreement for 24 months probation to include the attached stipulations, or hearing. After discussion Malloch amended the motion to read: offer a Consent Agreement for 12 months probation to with the attached stipulations amended to include drug testing 2 times per month for first 6 months and 1 time per month months 7-12. Busby concurred. After further discussion the motion carried unanimously.

	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						

Perry returned to the meeting at 2:25 p.m.

V.A.14. Sarah L. Tomasky LP039971 (Twigg)

Twigg addressed the Board with additional information. Busby moved, Hardy seconded, to offer a Consent Agreement for a Decree of Censure, or hearing. The motion carried with seven in favor, one 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	7	X			X	X	X	X	X	X
NO	1		X							
ABSTAIN	1			X						
ABSENT	0									

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.H.1. Carmel Dubuisson CNA1000005684 (Twigg)

(aka: Marie Carmel Cetroute)

Perry knows Diane Kubala but shows no bias. Twigg addressed the Board and confirmed receipt of additional information. Busby moved, Robertson seconded, and it was unanimously carried to offer a Consent Agreement for 18 months stayed revocation 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

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

V.C.1. April Covington RN Endorsement (Olson)

(aka: Reed)

Busby moved, Malloch seconded, and it was unanimously carried 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 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.C.4. Clarissa S. Dwiggins RN Exam; CNA999998784 (Olson)

Dwiggins was present, telephonically, and addressed the Board. Busby moved, Hardy seconded, and it was unanimously carried 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 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.C.5. Kathy L. Stevens TRN146632 (Olson)

Perry moved, Busby seconded, and it was unanimously carried to grant licensure upon meeting all requirements and issue a letter of concern for the May 15, 2002 conviction, pursuant to a guilty plea of drug dispense by fraud/deceit, a misdemeanor, in the Pueblo County District Court in Pueblo County, Colorado.

V.C.6. Bobbie K. Wood LP Endorsement (Olson)

(aka: McDonald; Stovall)

Olson addressed the Board with additional information. Busby moved, Perry seconded, and it was unanimously carried to continue the investigation to allow Wood 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 and completed with 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.

	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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.H.2. Stanley Gladden RN070153; AP167 (Parlin)

Perry moved, Hardy 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.H.4. Justin Penwell RN Endorsement (Parlin)

Johnson moved, Busby seconded, and it was unanimously carried to grant licensure upon meeting all requirements and signing a Consent Agreement for a decree of censure. If not signed within 30 days, deny licensure 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

**V.H.5. Yolanda Yates LP Endorsement (Parlin)
(aka: Hoosier)**

Perry moved, Johnson seconded, and it was unanimously carried to deny licensure 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

**V.H.6. Michelle Royalty LP037430 (Parlin)
(aka: Royalty-Conley; Conley)**

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

V.H.7. Michael Murphy TRN148026 (Parlin)

Parlin addressed the Board with additional information. Busby moved, Crawley seconded, and it was unanimously carried to extend Murphy’s temporary license, number TRN148026, for a three month time period to allow Murphy to complete a Board approved evaluation and return to the Board.

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

VII.E. A.A.G. Report

VII.E.2. Update on Appointment of New Assistant AG: Amy Foster – Zack

Zack introduced new Assistant Attorney General Amy Foster. Foster offered a brief summary of her professional career.

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.D.16. Ricky Vernon Tabor CNA999952539 (Sage)

Busby moved, Perry seconded, and it was unanimously carried to offer a Consent Agreement for 36 months stayed revocation with terms, to be signed within 30 days, or 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

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

VII.E. A.A.G. Report

VII.E.1. Discussion/Approve Implementation of HB 2249 Regarding DES Orders of Noncompliance with Child Support Orders and HB 2467 Regarding Verification of Status on License Applications – Zack/Zimmerman/Ridenour

Zack reported on a new law that that requires Board’s to suspend professional licenses of those who are not in compliance with their child support. The Board directed staff to draft a policy which would delegate the responsibility of suspending licenses until child support payments are made, and present it to the Board for approval.

VII.E.3. Update on JRA’s – Zack/Zimmerman

Zack offered a brief report on the Liston and Bergen JRA cases.

The meeting recessed at 2:54 p.m. and reconvened at 3:07 p.m.

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

VII.A. Executive Director’s Report

VII.A.6. Proposed AHCCCS Bill for 2008 Legislative Session: Consumer Self Directed Care for AHCCCS Clients – Alan Schaffer

Alan Schaffer, Arizona Long Term Care System Manager, and Jennifer Hoyt, both with AHCCCS gave an overview of the proposed AHCCCS Bill for 2008 Legislative session regarding ALTCS (Arizona Long Term Care System) program. Current ALTCS members who reside in their own home receive home services such as attendant care, personal care, homemaker and skilled nursing, which are traditionally provided through their home health, or unlicensed professional direct care giver type agencies. The alternative option being developed is what is called self-directed attendant care which would be within AHCCCS’s attendant care services offered to ALTCS members. Self -directed attendant care is a service option that would allow elderly and physically disabled members to hire their own attendant care worker and to direct that care giver to provide their specific needs including some skilled care with some limitations. The self-directed attendant care would be legally employed by the ALTCS member and those members now receiving the home and community based services and self-directing their attendant care would have the option to direct their attendant care under this legislation to provide some skilled care. After discussion, questions and direction, Busby moved, Malloch seconded,

and it was unanimously carried to continue to work with AHCCCS and support the proposed legislation for self-directed attendant care services.

VII.A.19. Update on Governor's plan to consolidate Board's & Recommendations regarding Board Composition – Ridenour/Martin

Mary Martin, Executive Director for the Respiratory Examiner's Board and Ridenour gave an update on the Governor's plan to consolidate Boards and the results from the Governor's request for individual Board's to submit their recommendations of an ideal consolidation of the Board of Nursing and the Respiratory Board. The proposed suggestions listed the benefits of merging the Boards, cost savings, if any, and evidence demonstrating changes made in gaining efficiency. Ridenour briefly summarized the potential diagram of how Informal Conferences/Committees may be framed to review investigative cases that are specific to nurses, certified nursing assistants or respiratory therapists. Ridenour stated that those Boards not being consolidated had a 25% fund balance sweep, and that some Boards had been eliminated. Martin offered a summary of the present purpose and functions of the Respiratory Board. Joyce Benjamin, Executive Director of AzNA was present and reported reasons for possible opposition of the Bill to consolidate the Boards, such as concerns over fees, extra burden on the Board for getting cases heard and the follow-up involved, that independent Boards appear to resolve twice as many investigatory cases on a more timely basis and impose more disciplinary actions per license than Boards that are subordinate to centralized agencies. Malloch purported the importance of having evidence and rationale for opposition and that it should be well documented on a National basis. Board staff Randi Orchard reported there is no evidence of subsidy issues in consolidating Boards, and that both Boards are self-sufficient in the sense that they run off their own revenues generated through licensing fees.

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

Busby moved, Crawley seconded, and it was unanimously carried to approve minutes from regular Board meeting November 14, 15 16, 2007; special Board meeting November 30, 2007; and Executive Session minutes from November 14 & 15, 2007.

VII.A.2. Pilot Study Medication Technician Project: Continued Participation by Silver Ridge Village – Randolph/Ridenour

An attempt was made to contact Phyllis Jordan telephonically. Randolph stated one of the pilot study medication technician facilities was sanctioned by DHS, having a survey report showing deficits in the care they provided. They are not able to offer the CNA program at this particular facility for the next 2 years. Busby moved, Malloch seconded, and it was unanimously carried to allow the medication technician program to continue at Silver Ridge Village with monthly reports on the pharmacist rounds and error rates to the Board for the next 6 months.

Malloch left the meeting at 4:03 p.m. and returned at 4:05 p.m.

Perry left the meeting at 4:05 p.m. and returned at 4:07 p.m.

VII.A.3. NCSBN Center for Regulatory Excellence Grant Application: Competent Performance – Developing and Testing a TERCAP Framed Evaluation System – Randolph/Ridenour

Randolph presented to the Board an application for a grant to NCSBN for the sum of \$290,353 to meet one of the strategic goals this Board has had for the past 8 years, which is to develop a competency exam using high tech simulation. Randolph stated it to be a joint collaborative partnership between the Board, ASU and Scottsdale Community College. Special recognition was given to Jeanine Hinton from Scottsdale Community College for her efforts in the project. Busby moved, Link seconded, and it was unanimously carried to approve the grant application.

VII.A.4. Substantive Policy Statement: Expedited Therapy by Nurse Practitioners – Randolph/Grady

Randolph reported on pending legislation allowing expedited partner therapy for certain communicable diseases, and to allow for nurse practitioner's to engage in expedited therapy for those communicable diseases, a substantive policy statement interpreting that rule was needed, to be included in the revisions of article 5. Busby moved, Link seconded, and it was unanimously carried to approve the notice of substantive policy statement.

VII.A.5. Revised Proposed Policy: Board Meetings – Ridenour/Smith/Bontrager/Randolph

Ridenour gave a brief summary of revisions to the policy for Board meetings. Perry moved, Link seconded, and it was unanimously carried to approve revised proposed policy for Board meetings.

VII.A.7. Proposed Legislative Bills 2008 Session Impacting Nursing/Nursing Regulations & Updates on a) December 2007 Nurse Practice Act Steering Committee Meeting Minutes & b) Approval of new Committee Appointments – Ridenour/Busby/Link/Randolph

Ridenour reported on proposed legislative Bills for the 2008 session impacting nursing/nursing regulations. Busby moved, Link seconded, and it was unanimously carried to adopt the list for recommended membership on the Nurse Practice Act Steering Committee. NPA Steering Committee meeting minutes of December 13, 2007 were provided to the Board. Randolph noted that the consensus of the Committee was to have a subcommittee work on the subpoena issue and review current policies and recommendations regarding an overall policy at a future Board meeting. Crawley moved, Link seconded, and it was unanimously carried to support the attached proposed list for subcommittee members with the addition of Amy Foster.

The meeting recessed at 4:19 p.m. and reconvened at 4:24 p.m.

Busby returned to the meeting at 4:35 p.m.

VII.F. Committee Reports

VII.F.1. Scope of Practice

VII.F.1.b.5. New Advisory Opinion for consideration: Nitrous Oxide Administration

Bontrager reported on a new advisory opinion for consideration: Nitrous Oxide Administration. James Soler, RN, and Dr. Tarek Useff from Banner Desert Samaritan were present and available for questions. Mary Kay Ferrell, Dr. Pokudo and Dr. Clark were present telephonically and available for questions. After discussion Johnson moved, Malloch seconded, to approve advisory opinion Nitrous Oxide Administration. After discussion the motion carried with eight in favor and one opposed. The Board did request to have an update in 1 year regarding the effect this advisory opinion has had on patient care.

VII.F.1.a. Draft Minutes of November 27, 2007

Busby moved, Perry seconded, and it was unanimously carried to approve November 27, 2007 Scope of Practice Meeting minutes.

VII.F.1.b. Draft Advisory Opinions

VII.F.1.b.1. Injection of Tumescant Lidocaine, for Liposuction Procedures: Role of the RN

Busby moved, Perry seconded, and it was unanimously carried to approve advisory opinion Injection of Tumescant Lidocaine, for Liposuction Procedures: Role of the RN.

VII.F.1.b.2. Laser (Pigment and Vascular Specific) for Cutaneous Procedures

Busby recused herself to avoid the appearance of impropriety. Johnson moved, Robertson seconded, to approve advisory opinion Laser (Pigment and Vascular Specific) for Cutaneous Procedures. The motion carried with eight in favor and one abstained.

VII.F.1.b.3. Pre-Hospital Nursing

Malloch moved, Busby seconded, and it was unanimously carried to approve advisory opinion Pre-Hospital Nursing.

VII.F.1.b.4. Deep Sedation for Ventilated Patients

Busby moved, Perry seconded, and it was unanimously carried to approve advisory opinion Deep Sedation for Ventilated Patients.

VII.F.2. Education

VII.F.2.a. Draft Minutes of December 07, 2007

Education Committee meeting draft minutes of December 07, 2007 were provided to the Board.

VII.A. Executive Director's Report

VII.A.16. Budget/Personnel/Investigative & Hearing Caseloads – Smith/Bontrager/Orchard

Bontrager introduced Randi Orchard as new staff for accounting. Orchard reported the FY 2008 budget amount is \$328,000 and 2009 budget amount \$561,000. Orchard stated the supplementals are supported by the Governor's office and are currently being reviewed for recommendation by the JLBC prior to moving into the legislature for approval.

The meeting recessed at 5:08 p.m., Thursday, January 24, 2008.

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 8:04 a.m., Friday, January 25, 2008, 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
Constance G. Woulard, RN, MSN, Member

LEGAL COUNSEL:

Amy Foster, Assistant Attorney General
Kim Zack, Assistant Attorney General
Nina Zimmerman, Assistant Attorney General

STAFF:

Joey Ridenour, RN, MN, FAAN, 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
Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings
Frank Curatola, Senior Investigator
Karen Grady, RN, MS, CS, FNP, Nurse Practice Consultant/Education
Dolores Hurtado, Legal Assistant II/Monitoring
Ron Lester, Senior Investigator
Connie Linck, RN, MN, CNA, BC
Michelle Mills, RN, MA, Nurse Practice Consultant/Monitoring
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
Doug Parlin, 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 8:04 a.m., Friday, January 25, 2008.

The following Board members were present: Hardy, Crawley, Johnson, Link, Malloch, Perry, Woulard 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.A.4. Gwynivere Antoinette Parrish CNA Endorsement (Williams)
(aka: Trevethick)**

Perry moved, Woulard seconded, and it was unanimously carried to continue the investigation to allow Parrish 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.

	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								

Busby arrived at the meeting at 8:08 a.m.

**VI.A.5. Curtasca Louise Whiten CNA Exam (Williams)
(aka: Anna Pearson)**

Perry moved, Crawley seconded, to grant certification upon signing a Consent Agreement for 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. The motion carried with eight 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	8		X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	1	X								
ABSENT	0									

VI.A.7. Crystal Joann Hudson CNA Exam (Williams)

Link moved, Williams 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 certification 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.A.8. Patricia Louise Reis CNA Exam (Williams)

Reis was present and addressed the Board. Link 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 certification 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.A.9. Victor Manuel Navarro Jr. CNA Exam (Williams)

Perry 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 certification 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

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

V.C.3. David B. DeBruyne RN Exam (Olson)

Olson addressed the Board with additional information. Attorney Kathleen Lambert was present and addressed the Board. Malloch moved, Perry seconded, and it was unanimously carried to continue the investigation to allow DeBruyne the opportunity to obtain a psychiatric evaluation, to include an anger management and substance abuse evaluation, by a Board approved psychiatrist, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed with 45 days and then return to the Board. If the evaluation is not completed, deny licensure 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.B.4. Kristen K. Hamilton CNA Exam (Olson)

Hamilton was present and addressed the Board. Perry moved, Johnson seconded, and it was unanimously carried to grant certification upon meeting all requirements.

VI.B.1. Franchesca M. Barisano CNA Exam (Olson)

Link moved, Robertson seconded, and it was unanimously carried to grant certification upon meeting all requirements and signing a Consent Agreement for 12 months stayed suspension with the attached stipulations. If not signed within 30 days, deny certification 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.B.2. Karen M. DeLeon CNA Exam (Olson)

Malloch moved, Link seconded, and it was unanimously carried to grant certification upon meeting all requirements.

VI.B.5. Jeriesha D. Lee CNA Endorsement (Olson)

Link moved, Crawley seconded, to grant certification upon and issue a letter of concern for the August 8, 2005 arrest in Romulus, Michigan, and for the January 28, 2006 arrest in Westland, Michigan, which led to Lee’s plea of nolo contendere to a misdemeanor charge of domestic violence in the Michigan 18 Judicial District Court in Wayne County, Michigan, which was set aside after completion of probation on August 25, 2006, and for failure to cooperate with the Board’s investigation. After discussion the motion carried with seven in favor and two opposed.

**VI.A.5. Curtasca Louise Whiten CNA Exam (Williams)
(aka: Anna Pearson)**

Perry moved, Hardy seconded, to reopen Agenda Item VI.A.5. for the purpose of allowing Whiten to address the Board. Malloch moved, Johnson seconded, and it was unanimously carried to recind prior Board decision, and grant certification upon signing Consent Agreement for 24 months stayed revocation with the attached stipulations amended to include: relapse prevention therapy, drug testing 2 times per month 1-6 months and 1 time per month 7-24 months, abstain from alcohol, abstain from unauthorized use of drugs, proof of prescription, one prescriber, notification of practice settings, quarterly performance evaluations, registry/home health/on call prohibited unless with one employer.

	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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.B.1. Franchesca M. Barisano CNA Exam (Olson)

Link moved, Perry seconded, and it was unanimously carried to reopen Agenda Item VI.B.1. for the purpose of allowing Barisano and her husband Jeffrey to address the Board. Malloch moved, Robertson seconded, and it was unanimously carried to table Agenda Item VI.B.1.

II.H. Board Discussion and Decision Regarding RN Investigative Report, Summary Suspension pursuant to A.R.S. §§ 41-1064(C), 41-1092.11(B) and/or Acceptance of a Consent Agreement and or Adoption of Complaint & Notice of Hearing

**II.H.2. Marwa Taman RN142731 Zack
(aka: Mohaned)**

The proceeding began at 9:06 a.m. with the following Board members present: Johnson, Robertson, Crawley, Malloch, Hardy, Perry, Busby, Woulard and Link. The Board was represented by Tanja Shipman, Assistant Attorney General, Division of Solicitor General. Kim Zack, Assistant Attorney General, represented the State.

Zack and Nelson addressed the Board with a brief summary of the case. Nelson noted technical corrections to the investigative report to include: Taman’s date of employment with Tempe St. Luke’s and St. Luke’s Hospitals was November 26, 2006 to September 12, 2007; on page 9, the Pyxis profile from April 2007, the time in which medications were removed from the Pyxis was 0745 and 1330; the medication administration record to reflect 0800 instead of 0830; on page 10, although Taman had provided a prescription that was filled on September 5th, her urine drug screen was completed on September 2nd, which indicated she did not have a valid prescription for testing positive for oxycodone; in complaint #4 the reported discrepancies approximate times as indicated in the report to the Board, however the finding of facts in the Summary Suspension are the actual times as reflected from the Pyxis reports and those times would be updated in the investigative report.

Taman was present and available for questions.

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, to accept proposed preliminary Findings of Fact and Conclusions of Law of the Findings of Public Emergency and Order of Summary Suspension. The motion carried with eight in favor and one opposed.

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

Johnson moved, Robertson seconded, to summarily suspend professional license #RN142731. The motion carried with eight 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	8		X	X	X	X	X	X	X	X
NO	1	X								
ABSTAIN	0									
ABSENT	0									

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

The meeting recessed at 9:20 a.m. and reconvened at 9:33 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

II.D.13. Robert James Thooft RN104254 Zack

Perry moved, Link seconded, and it was unanimously carried to reopen Agenda Item II.D.13. The Board was represented by Tanja Shipman, Assistant Attorney General, Division of Solicitor General. Kim Zack, Assistant Attorney General, represented the State.

Zack addressed the Board.

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

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

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

Johnson moved, Perry seconded, and it was unanimously carried to accept the State’s recommended discipline for revocation of professional nurse license #RN104254 issued to Robert James Thooft.

	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 returned to the meeting at 9:38 a.m.

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

IV.C.5. Stacey Dawn Liston RN103334; LP032167 (Mills)

Smith addressed the Board and confirmed receipt of additional information. Attorney Teressa Sanzio, and James Leonard, Liston’s employer were present and addressed the Board. Liston was present and available for questions. Johnson moved, Perry seconded, and it was unanimously carried to go into Executive Session on Agenda Item IV.C.5. for the purpose of reviewing confidential documents and to obtain legal advice. Executive Session convened at 9:50 a.m. and adjourned at 9:56 a.m. Malloch moved, Johnson seconded, and after discussion it was unanimously carried to reinstate probation and increase the frequency of random urine drug screen to minimum of 3 times per month while working in any position involving nursing licensure for the first 6 months of employment and thereafter, a minimum of twice per month.

	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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

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

V.E.4. Nina C. Nikola-Andrews RN044411 (Munger)

Attorney Teressa Sanzio was present and addressed the Board. Nikola-Andrews was present, telephonically, and addressed the Board. Perry moved, Busby seconded, to dismiss the case. After discussion, the motion failed with seven opposed and two in favor. Malloch moved, Link seconded, to and it was unanimously carried to issue a letter of concern for failing to administer bedtime medications to youths because of a disturbance at the facility on June 11, 2006, while working for the Eagle Point School for the Arizona Department of Juvenile Corrections. The motion carried with seven in favor and two opposed.

V.H.1. John Elliott RN124029 (Parlin)

Attorney Teressa Sanzio was present and addressed the Board. Parlin addressed the Board with additional information. Malloch moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for a \$250 Civil Penalty. If not signed within 30 days, issue a 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.D.2. Dresden Roy DeCena CNA1000007680 (Sage)

DeCena was present and available for questions. Johnson moved, Robertson seconded, and it was unanimously carried to offer a Consent Agreement for 18 months stayed revocation to include the attached stipulations. 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.D.10. Meghan Kay McNeil CNA1000005064 (Sage)

Sage addressed the Board with additional information. McNeil was present and addressed the Board. Malloch moved, Link seconded, and it was unanimously carried to table Agenda Item IV.D.10.

VI.D.3. Michael Delucci CNA1000002319 (Sage)

Sage addressed the Board and confirmed receipt of additional information. Busby moved, Crawley seconded, and it was unanimously carried to offer a Consent Agreement for 18 months stayed revocation with terms to include a psychological evaluation and night shift prohibited, 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.D.5. Janet K. Finley CNA999993166 (Sage)

Perry knows Richard Clark and Nellie Sorell but shows no bias. Johnson moved, Busby seconded, and after discussion it was unanimously carried to offer a Consent Agreement for 18 months stayed revocation to include the attached stipulations, to be signed within 30 days or 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.D.8. Rachel Elisabeth Martin CNA1000001130 (Sage)

Busby moved, Perry seconded, and it was unanimously carried to offer a Consent Agreement for a \$50 Civil Penalty to be signed within 30 days and payment received within 60 days, or 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.D.9. Laura L. Martin CNA999952200 (Sage)

Perry knows Patricia Fowler but shows no bias. 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 and paid within 60 days, or issue a Notice of Charges based upon 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.D.13. Bridgette Colleen Saylor CNA1000011547 (Sage)

Perry knows Melissa Ashline but shows no bias. Busby moved, Johnson 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.D.14. Jessica Candice Cabellero CNA999999898 (Sage)

Perry knows Melissa Ashline but shows no bias. Malloch moved, Busby seconded, and it was unanimously carried to offer a Consent Agreement for a \$50 Civil Penalty to be signed within 30 days and payment received within 60 days. If not signed 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.D.17. Martha Margarita Vazquez CNA1000010048 (Sage)

Perry knows Wendy Gore but shows no bias. Busby moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for 18 months stayed revocation with terms, to include a \$50 Civil Penalty to be signed within 30 days or 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.D.16. Ricky Vernon Tabor CNA999952539 (Sage)

Perry moved, Busby seconded, and it was unanimously carried to reopen Agenda Item VI.D.16. Sage addressed the Board with additional information. Busby moved, Perry seconded, and it was unanimously carried to amend the stipulations to allow Tabor to work night shift.

	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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.B.1. Franchesca M. Barisano CNA Exam (Olson)

Busby moved, Perry seconded, and it was unanimously carried to reopen Agenda Item VI.B.1. Olson addressed the Board with additional information. Malloch moved, Link seconded, and it was unanimously carried to continue the investigation to allow Barisano to obtain a second independent evaluation and then return to the March 2008 Board meeting.

VI.E.3. Jayne Marie Creekmore-Drake CNA Exam (Curatola)

Johnson moved, Malloch seconded, and it was unanimously carried to deny certification 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.E.8. Patricia Melnikoff CNA Exam (Curatola)

Link moved, Crawley seconded, and it was unanimously carried to continue the investigation to allow Melnikoff 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, 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.

	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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.E.9. Jeanette Lori Mitchell CNA Exam (Curatola)

Johnson moved, Crawley 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 and payment not received within 60 days, deny certification 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.E.10. Iliana Shantel Osuna CNA100007015 (Curatola)

Busby moved, Perry seconded, and it was unanimously carried to issue an Interim Order for a psychological evaluation 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 and completed with 45 days and then return to the Board. If the Interim Order is not completed, adopt the 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.E.12. Cynthia Tarango Salinas CNA Endorsement (Curatola)

Link moved, Robertson seconded, and it was unanimously carried to continue the investigation to allow Salinas 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, 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.

	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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.E.14. Carolina Marie Samorano CNA Exam (Curatola) (aka: Barnes)

Malloch moved, Link seconded, and it was unanimously carried to continue the investigation to allow Samorano 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.

	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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.D.10. Meghan Kay McNeil CNA100005064 (Sage)

Malloch moved, Perry seconded, and it was unanimously carried to reopen Agenda Item VI.D.10. Smith addressed the Board with additional information. Busby moved, Perry seconded, and it was unanimously carried to offer a Consent Agreement for indefinite stayed revocation/suspension pending completion of rehabilitation and aftercare to include: surrender of certificate, AA with sponsor, drug testing monthly, abstain from alcohol, abstain from unauthorized drug use/proof of prescription/one prescriber, to be followed then by 24 months stayed revocation to include stipulations: relapse prevention evaluation after 12 months, AA with sponsor, drug testing 2 times per month for first 12 months and 1 time per month for months 13-24, abstain from alcohol, abstain from unauthorized drug

use/proof of prescription/one prescriber, notifications of practice settings, quarterly performance evaluations, registry/home health work/on-call prohibited, day/evening shift only.

	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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

The meeting recessed at 10:57 a.m. and returned at 11:05 a.m.

VI.G.1. Cory J. Anderson CNA705404869 (Lester)

Lester addressed the Board with additional information. Crawley moved, Woulard seconded, and it was unanimously carried to issue an Interim Order for a psychological evaluation with emphasis on anger management, to be completed by a Board approved evaluator who is at minimum PhD prepared, with expertise in anger management, and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days, and then return to the Board.

	VOTE	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								

Busby returned to the meeting at 11:07 a.m.

**VI.G.2. Dorothy J. Parcel CNA999990354 (Lester)
(aka: Duke; Johnson; Farley)**

Crawley moved, Link seconded, to issue an Interim Order for a psychological evaluation with emphasis on anger management, to be completed by a Board approved evaluator who is at minimum PhD prepared with expertise in anger management, 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. The motion carried with eight 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	8		X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	1	X								
ABSENT	0									

VI.G.4. Steven Sanchez CNA559161803 (Lester)

Lester addressed the Board and confirmed receipt of additional information. Sanchez was present and addressed the Board. Malloch moved, Crawley seconded, and it was unanimously carried to continue the investigation to allow Sanchez the opportunity to obtain a psychological evaluation with emphasis on substance abuse to be completed by a Board approved evaluator who is at minimum PhD prepared with expertise in substance abuse, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and return to the Board. If not completed, deny certification 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Mesa Boswell and Maricopa Skills Center Nursing Students regarding Board functions, policies and procedures.

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

VII.D. President’s Report

VII.D.1. 2007 Board Self Evaluation Results – Hardy/All

VII.A.10. Educational Session: Board Governance & Recent Research on Exceptional Board Practices – Ridenour

Agenda Items VII.D.1. and VII.D.10. were tabled until the 2008 Strategic Thinking/Planning Session.

VII.D.2. Select Date 2008 Board Strategic Thinking/Planning Session – Hardy/All

After discussion Board members agreed to schedule the Strategic Thinking/Planning Session for April 2, 2008 from 9:00 a.m. to 3:00 p.m.

VII.D.3. Review/Discuss Conflicts with Current Board Meetings Scheduled Calendar Year 2008 – All

Crawley moved, Woulard seconded, and it was unanimously carried to change the July 2008 scheduled Board meeting Calendar from July 16, 18 & 18 to July 28, 29, and 30.

VII.D.4. Determine Board Appointments/Delegates to attend NCSBN Midyear Meeting (Chicago – March 3-5, 2008) & Annual Meeting (Memphis, Tennessee August 5-8, 2008) – All

Malloch moved, Busby seconded, and it was unanimously carried for Ridenour and Hardy to attend the annual NCSBN meeting as delegates with Perry as alternate number one and Woulard as alternate number 2.

VII.C. Board Discussion and Decision Regarding Foreign Educated Nurse Education Equivalency Requirements for Licensure that is “Valid in AZ” Only

VII.C.1. Jolanta Chalkowski

VII.C.2. Jolanta Gerlach

VII.C.3. Elaine Peterson

Busby moved, Link seconded, and it was unanimously carried to grant RN license that is “Valid in AZ only”, upon meeting all requirements except Credential Evaluation Report.

VII.A. Executive Director’s Report

VII.A.8. Report from Citizen’s Ombudsmen Regarding Regulation of Independent Nurse Aide Training Programs – Ridenour/Randolph

Ridenour gave a summary of the final report from the Ombudsmen’s office and stated that they had substantiated the complaint. Randolph stated that at least for certified nursing assistant programs, the Board of Nursing should not be under any jurisdiction by the private post secondary Board. Randolph provided proposed language for the private post secondary statutes: a) Notwithstanding the requirements of this chapter, any certified nursing assistant program regulated by the Board of Nursing is not subject to the regulatory requirements of this chapter. b) Nursing programs at entities subject to

the requirements of this chapter and regulated by the Board of Nursing are only subject to those provisions of this chapter concerning physical responsibility include but are not limited to the provisions of ARS 32-3023. c) Any qualifying program under subsection B shall receive a 50% reduction in the application and renewal fees. d) The State Board for private post secondary education shall not approve a nursing program that is under the jurisdiction of the Board of Nursing until that program is approved by the Board of Nursing. Busby moved, Link seconded, and it was unanimously carried to accept the recommended language for the private post secondary statutes.

VII.A.9. Arizona Hospital & Healthcare Association/Healthcare Institute Partnership: Day of Innovation Simulations – Alexander/Ridenour

Ridenour stated that the Arizona Hospital & Healthcare Association has asked the ASBN to partnership on a Day of Innovation having to do with simulations.

VII.A.11. Proposed AzBN Regulatory Journal Themes & Board Educational Topics – Ridenour/Smith/Bontrager/Randolph

Agenda Item VII.A.11. was tabled until the 2008 Strategic Thinking/Planning Session.

VII.A.12. Update 2007 Legislation Pharmacy Board Tracking Controlled Substances – Smith

Smith gave an update on legislation passed regarding the Pharmacy Board tracking of controlled substances. Smith stated the task force is currently looking at what are the thresholds for the monitoring of controlled prescription drugs, and that some other states had been surveyed to find their thresholds and current legislation. Smith further stated that with the figures provided by other states, the task force was considering that 5 providers, 5 pharmacies in 30 days would trigger a notification to the provider in the metropolitan areas such as Phoenix and Tucson with modifications being considered for rural areas.

VII.A.13. Update 2007 Immigration Laws & Impact on Nursing Regulation - Bontrager

Bontrager offered an update on 2007 Immigration Laws & Impact on nursing regulation and stated that on January 2, 2008 the Board began to require anyone submitting an application for exam, endorsement, or renewal to submit documentation of citizenship, nationality, or alien status. Bontrager reported that all applications were being updated to reflect the new requirements with specific instructions to attach documentation with all future applications, and that the website also includes a list of acceptable documents. Bontrager reported that information technology was working to implement an deficiency notice to send to renewal applicants when the online renewals were received indicating the new requirements for online renewals.

VII.A.14. Attorney General Opinion: Open Meeting Law & Comments to Media Concerning Issues that May Come Before a Public Body – Opinion Number 107-013-Zack/Ridenour

Zack reported that the Attorney General had stated that the Board now has the ability to speak to the media without any prohibitions except for anything discussed in Executive Session.

VII.A.15. Update Report 2004-2007 Strategic Initiatives – Ridenour/Smith/Bontrager/Randolph/Orchard

Henriksen gave an overview of cycle times: Investigative report to the Board was 7.9 months. Smith stated there were processes in the triaging of the complaints that had slowed the time a complaint began to the time it reached the investigator and that changes had been made in that area by adding some additional resources that should move complaints from triage to the investigator in a more timely manner. Ridenour reported that once the investigator receives a complaint the average cycle time is approximately 6 months. Ridenour also reported there were 297 cases on this Agenda. Henriksen reported 10,000 Nurse Practice Act downloads from the website for the month of January; NPA sample

test takers were expected to be 500 for the month of January; cycle time for application processing was 3.9 days; percentage of online renewals was 82% for the months of December 2007 and January 2008; the number of priority one cases exceeding cycle times remains at zero.

VII.A.17. Proposed Revised Policy on Criteria for Opening Complaints/Investigations & Revised Criteria – Summary Letter of Concern & Revised Criteria – Case Disposition – Ridenour/Smith

Busby moved, Perry seconded, and it was unanimously carried to approve revisions for criteria for opening complaints/investigations & revised criteria

Malloch moved, Busby seconded, and it was unanimously carried to approve revisions for criteria for letter of concern submitted by summary report with the additional verbiage: involve a pattern of prior misdemeanors and for which there has been no known patient or public harm and for which there has not been any additional arrests within the past seven years.

Johnson moved, Malloch seconded, and it was unanimously carried to approve revisions for criteria for case disposition.

VII.A.18. Arizona Medical Board Recently Approved Office Based Surgery Rules (unofficial copy) – Ridenour/Bontrager/Randolph/Smith

Information was provided to the Board regarding the Arizona Medical Board recently approved the office based surgery rules.

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

Perry moved, Woulard seconded, and it was unanimously carried to adjourn the meeting.

The meeting adjourned at 12:42 p.m., Friday, January 25, 2007.

Karen Hardy, RN, MSN, President