

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 8:01 a.m., Wednesday, November 19, 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
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
Kathy Scott, RN, MPA, PhD, RN, FACHE, 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
Stoney Blair, Senior Investigator
Tammi Bymers, RN, MSN, Nurse Practice Consultant
Frank Curatola, Senior Investigator
Janeen Dahn, MSN, FNP, Nurse Practice Consultant/Advanced Practice
Karen Grady, RN, MS, CS, FNP, Nurse Practice Consultant
Mary Pat Healey, RN, LNCC, Legal Nurse Consultant Certified
Dolores Hurtado, Legal Assistant II/Monitoring
Ron Lester, Senior Investigator
Connie Linck, RN, MN, Nurse Practice Consultant/CANDO
Patricia Midkiff, RN, MN, Nurse Practice Consultant
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., MSN, 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
V. Ann Schettler, RN, MHL, CLNC, Nurse Practice Consultant
Sister Rachel Torrez, RN, MS, Nurse Practice Consultant
Nancy Twigg, RN, MSN, Nurse Practice Consultant
Barbara Melberg, Legal Secretary

I. Call to Order

The meeting was called to order at 8:01 a.m., Wednesday, November 19, 2008.

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

Hardy presided.

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

Busby arrived at the meeting at 8:02 a.m.

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

V.C.2. Breanna S. Bolley RN Exam (Olson)

Attorney's Teressa and Scott Bundgard were present and addressed the Board. Linda Bolley and Dacia Bolley were also present and addressed the Board. Busby moved, Robertson seconded, and it was unanimously carried to grant licensure upon meeting all requirements and signing a Consent Agreement for a \$250 Civil Penalty. If not signed within 30 days or payment not received within 60 days, deny licensure based on the information contained in the investigative report.

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

Woulard arrived at the meeting at 8:22 a.m.

V.B.13. Jessica Lynn Giddings RN126503 (Rappoport) (aka: Krajewski)

Giddings and attorney Calvin Raup were present telephonically and available for questions. Malloch moved, Perry seconded, and it was unanimously carried to dismiss the case.

V.B.14. Kathryn Renee Waitman RN130067; AP2032 (Rappoport) (aka: Gustin; Hartman)

Waitman and attorney Calvin Raup were present telephonically and available for questions. Malloch moved, Link seconded, and it was unanimously carried to dismiss the case.

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

IV.F.6. Sheril E. Hamlin RN080199 (Linck) (aka: Dixon; Cox)

Hamlin and attorney Calvin Raup were present telephonically and available for questions regarding complaint #1. Malloch moved, Johnson seconded, and it was unanimously carried to dismiss complaint #1.

Link moved, Scott 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 the second 12 months, followed then by 24 months standard probation to include the attached stipulations or hearing for complaint #2.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy 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.B.16. Christina Marie Lapinska RN Endorsement (Rappoport)
(aka: Roberts)

An attempt was made to contact Lapinska telephonically. 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 stayed suspension/limited license to include the attached stipulations, amended to include: if terms are not met, indefinite suspension will result. If not signed within 30 days, deny licensure based upon information contained in the investigative report.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.I.1. Melayne Mills RN121300 (Midkiff)

Midkiff was present telephonically and addressed the Board with additional information. Torrez also provided additional information. Mills was present and addressed the Board. Malloch moved, Robertson seconded, and it was unanimously carried to table Agenda Item V.I.1. for the purpose of reviewing documents provided by respondent at this meeting.

V.H.4. Connie Clary RN066814; AP0237 (Dahn)

Clary was present and available for questions. Busby moved, Scott seconded, and it was unanimously carried to dismiss the case.

V.H.2. Gladys Muoebonam RN122547 (Dahn)

Muoebonam was present and available for questions. Attorney Geraldine Miller was present and addressed the Board. Scott moved, Link seconded, and after discussion it was unanimously carried to offer a Consent Agreement for 12 months probation to include the attached stipulations or hearing.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.H.3. Carol Cefelli RN053355 (Dahn)

Link moved, Robertson seconded, and it was unanimously carried to table Agenda Item V.H.3. to allow time for respondent to arrive at the meeting.

V.F.1. Cynthia Kay Tobin RN113748; AP1277 (Torrez)

Torrez addressed the Board and confirmed receipt of additional information. Attorney Scott King and Tobin were present and available for questions. Regarding complaint #1, Johnson moved, Link seconded, and it was unanimously carried to issue a Letter of Concern for failing to provide clear

instructions to the staff on how to administer Lithium to patient L.P., and also for failing to complete more comprehensive documentation in the medical record regarding the Lithium regime for L.P. on or about April 4, 2006, while employed at Nova in Phoenix, Arizona.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

Regarding Complaint #1, Link moved, Perry seconded, and it was unanimously carried to dismiss case.

V.F.2. Deborah Lynn Brown RN075090; LP024158; CNA306898803 (Torrez)

Torrez addressed the Board with additional information. Attorney Teresa Sanzio, Lee Ann Studenberg, and Brown were present and addressed the Board. Busby moved, Scott seconded, and it was unanimously carried to dismiss the case.

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

IV.C.1. Louise A. Drommond RN066851; LP021966 (Mills)

Drommond was present and addressed the Board. Johnson moved, Robertson seconded, and it was unanimously carried to revoke license based upon current Consent Agreement and Order No.0702120, Paragraph B, page 8: “If Drommond fails to undergo a psychological evaluation, to include neuropsychological testing, within 12 months of the effective date of this Order, and/or fails to engage in treatment as recommended by the evaluator within 12 months of the effective date of this Order, Drommond’s licenses shall be automatically revoked for a period of five years. The Board or it’s designee, in its sole discretion, shall determine noncompliance with this paragraph. Drommond waives any and all rights to a hearing, rehearing or judicial review of any revocation imposed pursuant to this paragraph.”

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

The meeting recessed at 9:35 a.m. and reconvened at 9:49 a.m.

Busby returned to the meeting at 9:50 a.m.

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.C.6. Biormayhoor G. Jo CNA100005200 (B. Nelson) (aka: Abraham Bior Guet)

Nelson addressed the Board and confirmed receipt of additional information. Malloch moved, Hardy seconded, to offer a Consent Agreement for 12 months stayed revocation to include the attached stipulations. If not signed within 30 days issue a Notice of Charges based on the information in the investigative report. After discussion the motion carried with eight in favor and one abstained.

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

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

V.R.1. Susan G. Livengood RN048327 (B. Nelson)

Livengood was present and addressed the Board. Attorney Paul Giancola was present and available for questions. Malloch moved, Johnson seconded, to offer a Consent Agreement for a Decree of Censure, or hearing. After discussion the motion carried with seven in favor and two opposed.

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

V.R.2. Shelly M. Van Vianen RN091699 (B. Nelson)

VanVianen was present and addressed the Board. Attorney Paul Giancola was present and available for questions. Malloch moved, Johnson seconded, to offer a Consent Agreement for a Decree of Censure, or hearing. After discussion the motion carried with seven in favor and two opposed.

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

V.D.1. Margaret Claire Finch RN069746 (S. Nelson)

Nelson addressed the Board with additional information. Finch was present and available for questions. Attorney Brent Peugnot was present and addressed the Board. Malloch moved, Robertson seconded, to dismiss the case. The motion carried with eight in favor and one opposed.

V.D.8. Nancy Smith Munnell LP013685 (S. Nelson)

Attorney Ron Lebowitz was present and addressed the Board. Munnell was present and available for questions. Malloch moved, Robertson seconded, and it was unanimously carried to issue a Letter of Concern for failing to document the administration of pain medication on or about October 24-25, 2007, while working at the Arizona State Veteran's Home.

**V.D.11. Stephanie Dawn Thomes RN088389 (S. Nelson)
(aka: Kersting)**

Malloch knows Loretta Hold but shows no bias. Nelson addressed the Board with additional information. Thomes was present and addressed the Board. Attorney Scott King was present and available for questions. Johnson moved, Link seconded, to offer a Consent Agreement for Decree of Censure or hearing. The motion failed with five opposed, two in favor and one abstained.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	3	X				X			X	
NO	5		X	X	X		X	X		
ABSTAIN	1									X
ABSENT	0									

Johnson moved, Link seconded, to issue a Letter of Concern for failure to document appropriately on an electronic medical record of controlled medications. The motion carried with eight in favor and one opposed.

V.K.11. Lauren Hill RN128902; CNA999997468 (Parlin)

Parlin addressed the Board with additional information. Hill was present and available for questions. Attorney Scott Donald was present and addressed the Board. Johnson moved, Malloch seconded, and it was unanimously carried to offer a Consent Agreement for 18 months probation, to include the attached stipulations. If not signed within 30 days, issue Notice of Charges based on the information contained in the investigative report.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.G.8. Susan Jo Lund RN039830 (Schettler)

Malloch knows Lorna Maxim but shows no bias. Attorney Teresa Sanzio was present and addressed the Board. Malloch moved, Johnson seconded, and it was unanimously carried to dismiss the case.

V.N.1. Tanya Ayiyi LP036674 (Smith)

Ayiyi was present and available for questions. Attorney Micky Walthall was present and addressed the Board. Busby moved, Woulard seconded, and it was unanimously carried to issue a Letter of Concern for bringing residential care home clients to Ayiyi’s primary home on or about 2006 and failing to assure that self administration of medications was provided only by staff who had specific skills and knowledge to perform this service while co-owner and co-administrator of UYI Developmental Centers for Children in Phoenix, Arizona.

V.I.1. Melayne Mills RN121300 (Midkiff)

Malloch moved, Perry seconded, and it was unanimously carried to reopen Agenda Item V.I.1. Midkiff was present telephonically. Torrez addressed the Board with additional information. Mills was present and addressed the Board. Malloch moved, Scott seconded, to issue an Interim Order for a neuropsychological evaluation by Board approved PhD level evaluator, 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. After discussion the motion failed with seven opposed and two in favor.

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

Link moved, Woulard seconded, to offer a Consent Agreement for a Decree of Censure, or hearing. After discussion the motion carried with seven in favor and two opposed.

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

V.H.3. Carol Cefelli RN053355 (Dahn)

Robertson moved, Perry seconded, and it was unanimously carried to reopen Agenda Item V.H.3. Dahn addressed the Board with additional information. Malloch moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure for failure to obtain an informed consent and failure to maintain patient record that accurately reflects the nursing assessment, care, treatment, and other nursing services provided to the patient, or hearing.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

The Board recommended staff provide information to the Medical Board regarding this case.

V.L.8. Elizabeth Marguerite Melvin RN112584 (Curatola)

Attorney Teresa Sanzio was present and addressed the Board. Melvin was present and available for questions. Malloch moved, Johnson seconded, and it was unanimously carried to continue the case to the January 2009 Board meeting.

**V.D.14. Kimberley Wohead RN107542 (S. Nelson)
(aka: Hall)**

Attorney Teresa Sanzio was present and addressed the Board. Busby moved, Robertson seconded, and it was unanimously carried to issue Complaint and Notice of Hearing.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.D.3. Nancy Aman Giordano RN050366 (S. Nelson)

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

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.D.4. Wanda Stowe Jeffords RN070204 (S. Nelson)

Nelson addressed the Board with additional information. Complainants Anne Pinar, Kristin Tanner, and Judy Sobley were present and addressed the Board. Busby moved, Perry seconded, and it was

unanimously carried to continue the investigation to the January 2009 Board meeting to allow for respondent interview; and refer to DHS for investigation.

V.D.6. Rebecca Jane Langdon RN138281 (S. Nelson)
(aka: Wolf; Arneson)

Langdon was present and addressed the Board. Robertson moved, Busby seconded, and it was unanimously carried to issue a Letter of Concern for failing to follow policy for administering patient medications in or about September 2007 while working at Good Shepherd Villa in Mesa, Arizona.

V.D.15. Cindy Lee Odell RN097598 (S. Nelson)

Busby moved, Perry seconded, and it was unanimously carried to table Agenda Item V.D.15. for the purpose of allowing time for all parties to arrive at the meeting.

IX. Dialogue with Nursing Students

The Board members and staff dialogued with ASU, IIA, and Boswell Community College Students regarding Board functions, policies and procedures.

The meeting recessed at 11:59 a.m. and reconvened at 1:00 p.m.

V.G.9. Gena Ruth Cooper RN094888 (Schettler)

Schettler addressed the Board with additional information. Cooper was present and available for questions. Attorney Sarah Sato was present and available for questions. Malloch moved, Scott 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, 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	<u>Malloch,</u> Kathy Member	<u>Link,</u> Denise Member	<u>Perry,</u> Hunter Member	<u>Johnson,</u> Patricia Secretary	<u>Hardy,</u> Karen President	<u>Robertson,</u> Steve Member	<u>Woulard,</u> Constance Member	<u>Busby,</u> Kathryn Member	<u>Scott,</u> Kathy Member
YES	8	X	X	X	X	X	X	X		X
NO	0									
ABSTAIN	0									
ABSENT	1								X	

V.C.11. Artiffany D. Graham-Payne RN130822 (Olson)
(aka: Graham)

Perry moved, Robertson seconded, and it was unanimously carried to table Agenda item V.C.11. for the purpose of allowing all parties to be present at the meeting.

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

II.A.1. Raheem Willie Mangum RN124389 Zack

The proceeding began at 1:05 p.m., with the following Board members present: Hardy, Johnson, Link, Malloch, Perry, Robertson, Woulard and Scott.

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

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

Zack addressed the Board and stated the State supports the recommended discipline but requested a minor revision that the suspension continues until Mangum completes anger management classes and not simply enrolls.

Mangum was present telephonically and 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.

Perry moved, Malloch seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 108 and Conclusions of Law the alleged violations in Paragraphs 1 through 13, to include the additional recommended revisions from the State on grounds presented in the State’s motion on the basis that the Conclusions of Law and the Order are better supported by the Findings of Fact, and to clarify and further support the ALJ’s Conclusions of Law and decision for discipline.

Link moved, Malloch seconded, and it was unanimously carried to suspend the license pending completion of an anger management course, to be completed within 6 months, followed then by 24 months probation subject to the terms and conditions of the Consent Agreement initially agreed to by the Board and Mangum. (The rationale for amending the ALJ’s recommended Order, from enrolling in an anger management course, to completion of an anger management course was based on the grounds presented by the State to assure the completion of the course)

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

II.A.2. Stella G. Brin CNA1000011070 Foster

The proceeding began at 1:29 p.m., with the following Board members present: Hardy, Johnson, Link, Malloch, Perry, Robertson, Woulard and Scott.

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

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

Brin 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.

Link moved, Johnson seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 39, and Conclusions of Law the alleged violations in Paragraphs 1 through 8.

Johnson moved, Link seconded, and it was unanimously carried to accept the Administrative Law Judge's recommended Order stayed revocation/indefinite suspension to include the attached terms and conditions. Violation of the Order shall constitute grounds for revocation of Brin's CNA certificate.

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

Busby returned to the meeting at 1:32 p.m.

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

AGENA #	Respondent Name	Lic/Cert #	Board Resolution	LegalStaff
II.B.1.	Denise Kay Corbell	RN122135	Revocation	Foster
II.B.2.	Leonard Frank Jasinski	RN083373; LP027106	Revocation	Foster

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

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

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

Perry moved, Johnson 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, Perry seconded, and it was unanimously carried to accept the State's recommended discipline for Agenda Items II.B.1.& 2.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.B.3. Ricky Vernon Tabor CNA999952539 Foster

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

Tabor 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.

Johnson moved, Perry 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.

Link moved, Scott seconded, and it was unanimously carried to table Agenda Item II.B.3.

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

II.C.1. Gwendolyn Venable RN046347 Foster

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

Zimmerman addressed the Board.

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

Busby moved, Link seconded, and it was unanimously carried to rescind the Board decision of September 20, 2007 to offer a Consent Agreement for Decree of Censure, and dismiss the complaint.

II.C.2. Jeanette A. Reavis RN045402 Zack

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

Zack addressed the Board.

Attorney Teresa Sanzio was present and addressed the Board.

Perry moved, Link seconded, and it was unanimously carried to rescind the Board decision of July 25, 2007, to offer a Consent Agreement for 24 months probation, and accept the signed Consent Agreement for 12 months probation with the attached stipulations.

	VOTE	<u>Malloch, Kathy</u> Member	<u>Link, Denise</u> Member	<u>Perry, Hunter</u> Member	<u>Johnson, Patricia</u> Secretary	<u>Hardy, Karen</u> President	<u>Robertson, Steve</u> Member	<u>Woulard, Constance</u> Member	<u>Busby, Kathryn</u> Member	<u>Scott, Kathy</u> Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.C.3. Gregory Dale Kamens RN128911 Zack

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

Zack addressed the Board.

Kamens was present telephonically and available for questions. Attorney Judith Abramson was present and addressed the Board.

Johnson moved, Malloch seconded, and after discussion it was unanimously carried to accept the Consent Agreement for 36 months probation as signed but modify Dr. Foley’s name to be replaced with “substance abuse 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.”

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.C.4. Molly Ann Moore RN049339; AP0191 Foster

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

Foster addressed the Board.

Moore and attorney Teresa Sanzio were present and addressed the Board.

Malloch moved, Scott seconded, and after discussion it was unanimously carried to offer a Consent Agreement for a \$250 Civil Penalty for failure to timely comply with the Board's Interim Order for evaluation.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

The meeting recessed at 2:24 p.m. and reconvened at 2:43 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

AGENA	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.D.1.	Karen Lee Beebe	RN044637	Revocation	Foster
II.D.2.	Cesar Eloy Beltran	RN138630	Revocation	Foster
II.D.3.	Ebone Bradley	CNA100001776	Revocation	Foster
II.D.4.	Holly Michelle Bradley	CNA999994780	Revocation	Foster
II.D.5.	Tracy N. Cowans	CNA999990864	Revocation	Foster
II.D.6.	Leia Adrienne Doherty	RN136153	Revocation	Foster
II.D.7.	Amy J. Gay	CNA999999482	Revocation	Foster
II.D.8.	Kimberlie Ann Gilbreth	CNA999991481	Revocation	Foster
II.D.9.	Elida E. Hinojos (aka: Beatrice Hinojos)	CNA976263103	Revocation	Foster
II.D.10.	Donny Hurtado	CNA999952657	Revocation	Foster
II.D.11.	Laneka Damara Jacobs	CNA1000004876	Revocation	Foster
II.D.12.	Stephanie R. Joya	CNA1000000338	Revocation	Foster
II.D.14.	Linda Kirby	CNA999953609	Revocation	Foster
II.D.15.	Amelia Lalo	CNA232729103	Revocation	Foster
II.D.16.	Lana Marie Levique (aka: Sehorn)	LP041949	Revocation	Foster
II.D.17.	Tracy Leann Lindsey	RN147296	Revocation	Foster
II.D.18.	Lenard Eugene Madison	CNA534767873	Revocation	Foster
II.D.19.	Eric Francis Milton II	LP041535	Revocation	Foster
II.D.20.	Latonia Ann McBeth	CNA1000002630	Revocation	Foster

II.D.21.	Meghan Kay McNeil	CNA100005064	Revocation	Foster
II.D.22.	Susan Kaye Ossler	RN143765	Revocation	Foster
II.D.23.	Diana Ivette Paredes	CNA1000010817	Revocation	Foster
II.D.24.	Anna K. Price	CNA1000010261	Revocation	Foster
II.D.25.	Adella B. Rambler	CNA1000005860	Revocation	Foster
II.D.26.	Gladys E. Rodriguez	CNA908413924	Revocation	Foster
II.D.27.	Cheryl L. Rowland	CNA999997399	Revocation	Foster
II.D.28.	Catherine A. Saari	CNA378023033	Revocation	Foster
II.D.30.	Suzanne Lind Sharp	CNA999996419	Revocation	Foster
II.D.31.	Naomi Lynn Shipley	CNA999989583	Revocation	Foster
II.D.32.	Tyler Skavang	CNA999991659	Revocation	Foster
II.D.33.	Lisa Marie Steadman	CNA999991659	Revocation	Foster
II.D.34.	Adrienne Antoinette Stewart	CNA362271279	Revocation	Foster
II.D.35.	Clinton Sturdevant, IV	RN126789	Revocation	Foster
II.D.36.	Elizabeth Adesola Tytler	CNA1000013160	Revocation	Foster
II.D.38.	Melody Amber Vanatti	CNA1000004381	Revocation	Foster
II.D.40.	Violet F. Yazzie	CNA999992005	Revocation	Foster

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

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

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

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

Perry moved, Johnson seconded, and it was unanimously carried to accept the State’s recommended discipline for Agenda Items II.D.1-12, 14-28, 30-36, 38, and 40.

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

II.D.13. April Linda Kame LP042555 Foster

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

Kame was present and addressed the Board.

Zimmerman addressed the Board.

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

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

Link moved, Malloch seconded, and it was unanimously carried to table Agenda Item II.D.13.

II.D.29. Alison Patricia Scott CNA278106641 Foster
 The Board was represented by Christopher Munns, Assistant Attorney General, Division of Solicitor General. Nina Zimmerman, Assistant Attorney General, represented the State.

Zimmerman addressed the Board.

Scott was present and addressed the Board.

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 as Findings of Fact and Alleged Violations as Conclusions of Law from the Notice of Charges.

Perry moved, Link seconded, and it was unanimously carried to table Agenda Item II.D.29.

II.D.37. Margaret E. Turner CNA637071329 Foster
 The Board was represented by Christopher Munns, Assistant Attorney General, Division of Solicitor General. Nina Zimmerman, Assistant Attorney General, represented the State.

Zimmerman addressed the Board.

Turner was not present and was 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 as Findings of Fact and Alleged Violations as Conclusions of Law from the Notice of Charges.

Perry moved, Link seconded, and it was unanimously carried to accept the State’s recommended discipline for revocation of CNA certificate.

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

II.D.39. John Vaughn CNA999988477 Foster
 The Board was represented by Christopher Munns, Assistant Attorney General, Division of Solicitor General. Nina Zimmerman, Assistant Attorney General, represented the State.

Zimmerman addressed the Board.

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

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

Robertson moved, Scott 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, Link seconded, and it was unanimously carried to accept the State’s recommended discipline for revocation of CNA certificate.

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

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

II.B.3. Ricky Vernon Tabor CNA999952539 Foster

Perry moved, Link seconded, and it was unanimously carried to reopen Agenda Item II.B.3.

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

Smith addressed the Board with additional information.

Malloch moved, Link seconded, and it was unanimously carried to issue an order for 36 months stayed revocation with terms to include addictionologist evaluation within 60 days, rehabilitation, relapse prevention, AA with sponsor minimum two time per week, drug testing two times per month for the first 18 months and one time per month thereafter, abstain from alcohol, abstain from unauthorized use of drugs, proof of prescription, notification of practice settings, direct supervision, quarterly performance evaluations, registry/home health/on call prohibited, may work night shift at present place of employment only.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy 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. Ida Lucia Baca CNA478031103 Foster
(aka: Rascon)**

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

Baca was present and addressed the Board.

Zimmerman addressed the Board.

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

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

Busby returned to the meeting at 3:08 p.m.

II.E.2. Shawn M. Buckenroth RN106949 Zack

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

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

Zack addressed the Board.

Malloch moved, Link seconded, to deny request for rehearing/reconsideration. The motion carried with eight in favor and one abstained.

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

II.E.3. Kathllen Erin Forcier LP039866; CNA277017394 Zack

The proceeding began at 3:11 p.m., with the following Board members present: Hardy, Johnson, Link, Malloch, Perry, Robertson, Woulard, Busby and Scott.

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

An attempt was made to contact Forcier telephonically.

Zack addressed the Board.

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

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.E.4. Jacqueline Ann Green LP038412 Foster

The proceeding began at 3:15 p.m., with the following Board members present: Hardy, Johnson, Link, Malloch, Perry, Robertson, Woulard, Busby and Scott.

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

Zack addressed the Board.

Green was present and addressed the Board.

Malloch moved, Johnson seconded, and it was unanimously carried to modify the original Order of July 28, 2008 with revised probationary period reduced from 24 months to 12 months with attached terms to include quarterly reports and monthly random drug testing. (Rationale for modification based on respondent’s performance over the last 18 months and commitment to sobriety).

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

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

II.G.1. Mark Allen Kirkendall RN121540 (Zack/Barber)

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

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

Barber addressed the Board.

Johnson moved, Link seconded, and it was unanimously carried, based on the information in the investigative report, add additional findings of fact and conclusions of law to the Complaint and Notice of Hearing to be issued in this matter.

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.6. AP/RN/LPN/CNA Respondents

Malloch 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, receipt of negative state and federal criminal history.

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

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

Link 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 receipt of negative state and federal criminal history.

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

Agenda #	Name	License/Certificate #	Amount
III.C.1.	Dolly Gishi	CNA722971233	\$25
III.C.2.	Tammie Martin	CNA1000008811	\$25
III.C.3.	Yolanda Villareal	CNA433296803	\$25
III.C.4.	Corey Anderson	CNA705404869	\$25
III.C.5.	Joyce Gamble	CNA999995954	\$25
III.C.6.	Henrietta Manuel	CNA999993328	\$25
III.C.7.	Christina Marquez	CNA1000002718	\$25
III.C.8.	Denice Dear	CNA999993128	\$25

Johnson moved, Robertson 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.

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

III.D.1. Order of Denial

- III.D.1.a. Hollie Jean Holborow CNA Exam Olson
- III.D.1.b. Flesha Dianne McKinney LP Endorsement Blair
- III.D.1.c. Latonya McAfee CNA Endorsement Parlin

Johnson moved, Link seconded, and it was unanimously carried to adopt the attached Order of Denial for Agenda Items III.D.1.a-c.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy 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. Delfino Michael Aurtor Gallegos CNA1000003348 Olson
- III.D.2.b. Dibor Elisabeth Roberts CNA1000009020 Olson
(aka: Bakhoum)
- III.D.2.c. Erica Gash RN127937; LP038803; CNA410751641
Olson
(aka: McConnell)
- III.D.2.d. Melissa Michelle Baker LP041364 Parlin

Johnson moved, Robertson seconded, and it was unanimously carried to adopt the attached Notice of Charges for Agenda Items III.D.2.a-d.

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

III.E.1. Kari Ann Lynch RN125812 Munger

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

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

III.F.1. Jeanne Marie Kosirog 33422 (Tennessee PN) (Munger)

III.F.2. Norma Bowman Cramer L09383 (New Mexico PN) (Munger)

III.F.3. Therese Morgan R167611 (Maryland RN) (Torrez)

Busby moved, Robertson seconded, and it was unanimously carried to revoke privilege to practice nursing in the State of Arizona and issue a cease and desist Order.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

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

1. Marc David Katz LP026416 (Smith)

A cease and desist letter was mailed to the above listed person.

III.I. Board Discussion and Decision Regarding Licensure Decisions

III.I.1. Margaret Slepicka RN Endorsement (Bontrager)

Busby moved, Link seconded, and it was unanimously carried to accept Slepicka’s practice hours plus continuing education to meet the practice requirements for licensure in Arizona.

III.I.2. Catherine Willard LP Endorsement (Bontrager)

Bontrager addressed the Board with additional information. Willard was present and addressed the Board. Robertson moved, Woulard seconded, and it was unanimously carried to grant an LPN license that is “Valid in AZ only”, upon meeting all requirements except graduation from an approved program.

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. April Linda Kame LP042555 Foster

Link moved, Johnson seconded, and it was unanimously carried to reopen Agenda Item II.D.13.

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

Smith addressed the Board with additional information.

Malloch moved, Link seconded, to order 24 months stayed revocation suspension with stipulations to include and evaluation by an evaluator who is an addictionologist and psychiatrist, abstain from alcohol, abstain from unauthorized drugs, proof of prescription, enter and complete rehabilitation, aftercare, support group, AA and NA with sponsor, minimum weekly meetings, one medical provider, to be followed by 36 months stayed revocation probation with stipulations to include relapse

prevention evaluation, nurse support group, AA, drug testing 1 time per month, abstain from unauthorized drugs, abstain from alcohol, proof of prescription, one medical provider, pharmacy profiles, additional evaluation at 18 months, monthly performance evaluations for first 12 months and quarterly there after, direct supervision for first 18 months and on site supervision for months 19-36, registry/traveling/night shift prohibited, and to include all standard paragraphs not case specific. The motion carried with eight in favor and one abstained. (Busby was not present at the time the case was originally opened)

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

II.D.29. Alison Patricia Scott CNA278106641 Foster
Link moved, Perry seconded, and it was unanimously carried to reopen Agenda Item II.D.29.

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

Scott was present and addressed the Board.

Malloch moved, Perry seconded, and it was unanimously carried to continue.

Woulard left the meeting at 4:10 p.m.

V. Board Discussion and Decision Regarding RN/LPN Investigative Reports
V.C.11. Artiffany D. Graham-Payne RN130822 (Olson)
(aka: Graham)

Perry moved, Robertson seconded, and it was unanimously carried to reopen Agenda Item V.C.11. Olson addressed the Board and confirmed receipt of additional information. Graham-Payne was present and available for questions. Attorney Teressa Sanzio was present and addressed the Board. Malloch moved, Link seconded, and it was unanimously carried to renew license and issue an Order for a psychological evaluation, to include an anger management evaluation and 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 within 45 days and then return to the Board. If the Interim Order is not completed, issue 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	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	8	X	X	X	X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	1							X		

V.D.15. Cindy Lee Odell RN097598 (S. Nelson)

Busby moved, Robertson seconded, and it was unanimously carried to reopen Agenda Item V.D.15. Robertson is affiliated with Hospice of the Valley but shows no bias. Nelson addressed the Board and confirmed receipt of additional information. Complainant Dorothy Mackey was present and addressed

the Board. Odell was present and addressed the Board. Johnson moved, Link seconded, and it was unanimously carried to dismiss the case.

V.D.10. Candace Cathleen Persoon RN131958 (S. Nelson)

Hardy recused herself to avoid the appearance of impropriety and left the meeting at 4:38 p.m. Johnson presided. Johnson and Malloch know Marla Moore but show no bias. Persoon was present and addressed the Board. Malloch moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for Decree of Censure or hearing.

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

Hardy returned to the meeting at 4:48 p.m.

Then meeting recessed at 4:49 p.m. and reconvened at 4:58 p.m.

Scott left the meeting at 4:49 p.m.

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

VII.B. Educational Reports and Rules

VII.B.4. Coconino Community College Failure to Comply with Notice of Deficiencies

Don Johnson was present and available for questions. Busby moved, Robertson seconded, and it was unanimously carried to issue a Letter of Concern to Coconino Community College for failure to meet deadlines for the 6-month report specified in the Notice of Deficiency served to the program on February 21, 2008.

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

V.A.1. Althea Marie Agboola LP038729; CNA100130103 (Twigg) (aka: Henry)

Twigg addressed the Board with additional information. Malloch moved, Link 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 with 45 days and then return to the Board.

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

V.A.2. James Alan Collins RN133271 (Twigg)

Malloch moved, Link seconded, and it was unanimously carried to issue an Interim Order for a relapse 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 with 45 days and return to the Board.

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

V.A.3. Sarah Ella Hankes RN147384 (Twigg)

Link moved, Perry seconded, and it was unanimously carried to issue a Letter of Concern for extreme DUI conviction on May 19, 2008 in Tucson, Arizona.

V.A.4. Stacey Lynn Headlee RN Endorsement (Twigg) (aka: Stinebaugh)

Busby moved, Perry seconded, and it was unanimously carried, upon meeting all requirements, grant license and issue a letter of concern for a positive pre-employment drug screen at Carondelet St. Mary's Hospital in Tucson, Arizona for a medication not prescribed to Headlee and resulting in June 2008, Citation and Warning, by the Iowa State Board of Nursing.

V.A.5. Patricia Jean Heim LP032014; CNA312741943 (Twigg) (aka: Hippen)

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

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

V.A.6. Jane F. Knight RN138268 (Twigg) (aka: Spawn)

Knight was present telephonically and addressed the Board. Malloch moved, Robertson seconded, and after discussion it was unanimously carried to issue Letter of Concern for taking husband's Valium in or about September 2007, resulting in a positive pre-employment drug screen for benzodiazepine at University Physicians Kino Hospital in Tucson, Arizona.

V.A.7. Lorrie Michelle Levandowski LP026634; CNA355978363 (Twigg)

Lavandowski was present and addressed the Board. Johnson moved, Link seconded, and after discussion it was unanimously carried to issue an Interim Order for a psychiatric evaluation to be completed by a Board approved psychiatrist with expertise in additions and to include any additional testing deemed necessary by the evaluator, to be scheduled within 30 days and completed within 90 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.

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

V.A.8. Paula Jane Miller RN115582 (Twigg)

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

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

**V.A.9. Robyn L. Rosner RN069697 (Twigg)
(aka: Robyn Ann Rhodes)**

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

V.A.10. Janette Louise Smith RN090405; LP029279; CNA041041973 (Twigg)

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

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

**V.A.11. Virginia Ann Smith LP037318 (Twigg)
(aka: Bush; Clinebell; Rose)**

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

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

V.A.12. Cheryl Ann Jordan RN137727 (Twigg)

Jordan was present telephonically and available for questions. Johnson moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for 18 months probation with attached stipulations, or hearing.

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

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

IV.D.3. Elmer R. Jackson LP041306 (Hurtado)

Hurtado addressed the Board and confirmed receipt of additional information. Jackson was present and addressed the Board. Busby moved, Link seconded, and it was unanimously carried to approve request for termination of Board Consent Agreement and Order No. 0608159 entered into on November 1, 2007.

IV.D.4. Jennifer A. Kreger LP Exam (Hurtado)

Hurtado addressed the Board and confirmed receipt of additional information. Kreger was present and available for questions. Busby moved, Link seconded, and it was unanimously carried to grant licensure upon meeting all requirements and signing a Consent Agreement for 12 months stayed revocation probation, with the attached stipulations. If not signed within 30 days, deny licensure based upon information contained in the investigative report.

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

IV.D.5. Carolyn W. McDonald-Selm RN060673; LP016448 (Hurtado)

McDonald-Selm was present and available for questions. Link moved, Busby seconded, and after discussion it was unanimously carried to approve request for termination of Board Consent Agreement and Order No. 0411030 entered into on October 25, 2007.

IV.D.6. Toni S. Solano CNA1000014413 (Hurtado)

Hurtado addressed the Board with additional information. Solano was present and available for questions. Malloch moved, Busby seconded, and it was unanimously carried to deny request for termination of Board Consent Agreement and Order No. 0611039 entered into on November 12, 2007, and if compliant terminate Order as anticipated on May 12, 2009, and amend Consent Agreement to allow an additional 8 hours per 2 weeks and not to exceed 92 hours.

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

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

V.C.8. Brian K. Sullivan RN Exam (Olson)

Olson addressed the Board and confirmed receipt of additional information. Sullivan and Elizabeth Freedy were present and addressed the Board. Robertson moved, Busby seconded, upon meeting all licensure requirements, signing a Consent Agreement for a \$250 Civil Penalty and payment of the Civil Penalty, grant licensure. If not signed within 30 days or payment not received within 60 days, deny licensure based upon the information contained in the investigative report. After discussion, the motion carried with four in favor and three opposed.

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

V.C.10. Janice L. Wilson RN Reinstatement, RN028524 (Olson)

Wilson was present and available for questions. Busby moved, Link seconded, and it was unanimously carried, upon meeting all requirements, grant temporary licensure for a refresher course only, and upon successful completion of a refresher course, grant licensure.

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

IV.F.5. Kimberly J. Derosse LP035868; CNA849458243 (Linck)

Linck addressed the Board and confirmed receipt of additional information. Derosse was present and addressed the Board. Malloch moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for 24 months stayed revocation with the license suspended 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	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	7	X	X	X	X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	2							X		X

IV.F.12. Brenda Ann White LP041793 (Linck)

White was present and available for questions. Busby moved, Link seconded, and it was unanimously carried to dismiss.

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

V.G.3. David Jeffery Ponwith RN145825 (Schettler)

Schettler addressed the Board with additional information. Ponwith was present and addressed the Board. Malloch moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for 12 months probation to include the attached stipulations, amended to include: permitted to work on call not to exceed 16 hours in a 24 hour period while employed at Northwest Medical Center, enroll in random drug screening which meets Board requirements and with results to be provided to Board staff, or hearing.

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

Malloch left the meeting at 6:00 p.m.

V.K.3. Kimberly Wrasper RN084743 (Parlin)

Wrasper was present and addressed the Board. Link moved, Busby seconded, and it was unanimously carried to issue a Letter of Concern for the April 16, 2008, conviction for extreme DUI in Scottsdale, Arizona.

V.K.8. Phillip Puleo LP043998 (Parlin)

Puleo was present and addressed the Board. Busby moved, Link seconded, and it was unanimously carried to issue a Letter of Concern for the positive for marijuana drug screen on or about February 21, 2008.

V.K.10. Joanna McCauley RN Exam (Parlin)

McCauley was present and addressed the Board. Busby moved, Robertson seconded, and it was unanimously carried, upon meeting all requirements, grant licensure and issue a Letter of Concern for the January 19, 2008, arrest for DUI in Tucson, Arizona.

**V.B.2. Kathleen Albers RN Endorsement (Rappoport)
(aka: Allen; Dixon)**

Albers was present and addressed the Board. Busby moved, Robertson seconded, and it was unanimously carried, upon meeting all requirements, grant licensure and issue a Letter of Concern for disciplinary action that resulted in monitoring of her license by the Indiana State Nurses Assistance Program (ISNAP) and the Indiana State Board of Nursing, which she successfully completed with the re-instatement of her RN license on or about May 5, 2008.

V.L.1. Noel Stuart Carrillo RN Exam (Curatola)

Curatola addressed the Board with additional information. Carrillo was present and addressed the Board. Busby moved, Robertson seconded, to continue the investigation to allow Carrillo 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 licensure based upon the information contained in the investigative report. After discussion the motion failed with four opposed and two in favor.

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

Busby moved, Robertson seconded, upon meeting all requirements and signing a Consent Agreement for a \$250 Civil Penalty, grant licensure. If not signed within 30 days or payment not received within 60 days, deny licensure based upon information contained in the investigative report. After discussion the motion carried with five in favor and one opposed.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	5			X	X	X	X		X	
NO	1		X							
ABSTAIN	0									
ABSENT	3	X						X		X

V.C.6. Joshua T. Rinehart RN Endorsement (Olson)

Rinehart was present and addressed the Board. Busby moved, Robertson seconded, and it was unanimously carried, upon meeting all requirements, signing a Consent Agreement for a \$250 Civil Penalty and payment of the Civil Penalty, grant licensure. If not signed within 30 days or payment not received within 60 days, deny licensure based upon the information contained in the investigative report.

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

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

IV.F.10. Stacey Lorraine Pellens RN150883; CNA999999275 (Linck)

Linck addressed the Board with additional information. Pellens was present and addressed the Board. Johnson moved, Robertson 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 the second 12 months, followed then by 24 months standard probation, to include the attached stipulations or hearing.

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

Busby left the meeting at 6:35 p.m.

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

IV.B.1. Scott Gilman RN111097 (Mills)

Gilman was present and addressed the Board. Johnson moved, Link seconded, and after discussion it was unanimously carried, upon meeting all licensure requirements and signing a Consent Agreement for 36 month Stayed Revocation/Probation to include the attached stipulations amended to include night shift and access to drugs allowed, grant licensure for RN Refresher Course only. Upon successful completion of RN refresher course grant RN license under applicable terms. If not signed within 30 days, deny licensure, based upon information contained in the investigative report.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	5		X	X	X	X	X			
NO	0									
ABSTAIN	0									
ABSENT	4	X						X	X	X

IV.B.2. Paul Villavicencio RN108727 (Mills)

Villavicencio was present and addressed the Board. Link moved, Robertson seconded, and it was unanimously carried, upon meeting all requirements and signing a Consent Agreement for a stayed revocation/indefinite suspension, pending completion of a Board approved chemical dependency treatment program, followed by 36 month stayed revocation probation and the attached stipulations,

issue a temporary RN license for a Refresher Course only. Upon successful completion of the refresher course, grant reinstatement under the terms of the signed Consent Agreement. If not signed within 30 days, deny reinstatement of licensure based upon information contained in the investigative report.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	5		X	X	X	X	X			
NO	0									
ABSTAIN	0									
ABSENT	4	X						X	X	X

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

IV.C.3. Sheryl Clouse RN106805 (Mills)

Mills addressed the Board with additional information. Clouse was present and addressed the Board. Johnson moved, Robertson seconded, and after discussion it was unanimously carried to offer a Consent Agreement for 18 months probation to include the attached stipulations. If not signed within 30 days, proceed to noncompliance hearing

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	5		X	X	X	X	X			
NO	0									
ABSTAIN	0									
ABSENT	4	X						X	X	X

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

IV.F.11. Mittie Keene Voorhest RN Endorsement (Linck)

Voorhest was present and addressed the Board. Link moved, Perry seconded, and it was unanimously carried, upon meeting all requirements grant licensure and accept the signed CANDO Stipulated Agreement.

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

V.C.1. Brett M. Albillar LP Exam (Olson)

Albillar was present and addressed the Board. Link moved, Johnson seconded, and it was unanimously carried to continue the investigation to allow Albillar the opportunity to obtain a psychological 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 within 45 days, and then return to the Board. If not completed deny licensure based upon information contained in the investigative report.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	5		X	X	X	X	X			
NO	0									
ABSTAIN	0									
ABSENT	4	X						X	X	X

**V.C.3. Linda Monds Harris RN Renewal; RN058140 (Olson)
(aka: Linda Christine Harris; Linda C. Monds)**

Harris and Charles Monds were present and addressed the Board. Johnson moved, Link seconded, and after discussion it was unanimously carried to continue the investigation to allow Harris the opportunity to obtain a psychological evaluation, to include an substance abuse recovery/relapse

potential evaluation, by a Board approved psychologist, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and then return to the Board. If the evaluation is not completed, deny renewal of licensure based upon the information contained in the investigative report.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	5		X	X	X	X	X			
NO	0									
ABSTAIN	0									
ABSENT	4	X						X	X	X

V.C.5. Lori Anne Reynolds CNA1000006757; RN Exam (Olson)

Reynolds was present and addressed the Board. Link moved, Perry seconded, and it was unanimously carried, upon meeting all requirements, signing a Consent Agreement for a \$250 Civil Penalty and payment of the Civil Penalty, grant licensure. If not signed within 30 days or payment not received within 60 days, deny RN licensure and issue a Notice of Charges for CNA1000006757 based upon the information contained in the investigative report.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	5		X	X	X	X	X			
NO	0									
ABSTAIN	0									
ABSENT	4	X						X	X	X

V.E.7. Michele Ann Boivin RN131782 (Munger)

Perry knows Judy Bishcholl but shows no bias. Munger addressed the Board with additional information. Boivin was present and available for questions. Robertson moved, Perry seconded, and after discussion it was unanimously carried to issue a Letter of Concern for failing to complete leave slips between September 2006 and March 2007, resulting in payment for hours neither worked or accumulated, and for walking off the job and leaving patients waiting on March 6, 2006, while working for Value Options.

V.F.12. Lyncia Dyet Gant RN125485 (Torrez)

Complainant Adie Powell Jr. was present and addressed the Board. Johnson moved, Link seconded, and it was unanimously carried to dismiss the case.

V.L.3. Michael Alan Cole LP Exam (Curatola)

Cole was present and addressed the Board. Johnson moved, Link seconded, and it was unanimously carried to continue the investigation to allow Cole the opportunity to obtain a neuropsychological evaluation with emphasis on addictionology, by a Board approved evaluator, who is at minimum PhD prepared and has expertise in addictionology, 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 licensure based upon the information contained in the investigative report.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	5		X	X	X	X	X			
NO	0									
ABSTAIN	0									
ABSENT	4	X						X	X	X

V.L.4. Chelsae Rae Dilley RN Exam; CNA100002992 (Curatola)

Curatola addressed the Board and confirmed receipt of additional information. Dilly and Denise Burns were present and addressed the Board. Melissa Smith was present telephonically and addressed the Board. Johnson moved, Robertson seconded, and it was unanimously carried to grant licensure and issue a Letter of Concern for a one time misdemeanor DUI on or about May 15, 2008, in Maricopa County, Arizona.

V.L.9. David Max Miller LP Exam (Curatola)

Curatola addressed the Board and confirmed receipt of additional information. Miller was present and addressed the Board. Johnson moved, Perry seconded, and it was unanimously carried to continue the investigation to allow Miller the opportunity to obtain a psychological evaluation with emphasis on substance abuse by a Board approved PhD prepared evaluator and who 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 licensure based upon information contained in the investigative report.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	5		X	X	X	X	X			
NO	0									
ABSTAIN	0									
ABSENT	4	X						X	X	X

V.L.11. Jamie Lee Rowe RN Exam (Curatola)

Curatola addressed the Board and confirmed receipt of additional information. Rowe and her mother, Sandra Rowe were present and addressed the Board. Link moved, Johnson seconded, and it was unanimously carried, upon meeting all requirements and signing a Consent Agreement for 12 months probation, with the attached stipulations, grant licensure. If not signed within 30 days, deny licensure based on the information contained in the investigative report.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	5		X	X	X	X	X			
NO	0									
ABSTAIN	0									
ABSENT	4	X						X	X	X

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

V.K.9. Kesasi Marsh RN Exam; LP043316; CNA100001564 (Parlin)

Marsh was present and addressed the Board. Link moved, Perry seconded, and it was unanimously carried, upon meeting all licensure requirements, grant licensure as a Professional Nurse and issue a Letter of Concern for the August 26, 2008, conviction for DUI in Peoria, Arizona, to also be applied to Marsh’s LPN license and CNA certification.

The meeting recessed at 8:01 p.m., Wednesday, November 19, 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 8:07 a.m., Thursday, November 20, 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
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
Kathy Scott, RN, MPA, PhD, RN, FACHE, 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
Stoney Blair, Senior Investigator
Tammi Bymers, RN, MSN, Nurse Practice Consultant
Frank Curatola, Senior Investigator
Janeen Dahn, MSN, FNP, Nurse Practice Consultant/Advanced Practice
Karen Grady, RN, MS, CS, FNP, Nurse Practice Consultant
Mary Pat Healey, RN, LNCC, Legal Nurse Consultant Certified
Dolores Hurtado, Legal Assistant II/Monitoring
Ron Lester, Senior Investigator
Connie Linck, RN, MN, Nurse Practice Consultant/CANDO
Patricia Midkiff, RN, MN, Nurse Practice Consultant
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., MSN, 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
V. Ann Schettler, RN, MHL, CLNC, Nurse Practice Consultant
Sister Rachel Torrez, RN, MS, Nurse Practice Consultant
Nancy Twigg, RN, MSN, Nurse Practice Consultant
Barbara Melberg, Legal Secretary

I. Call to Order

The meeting was called to order at 8:07 a.m., Thursday, November 20, 2008.

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

Hardy presided.

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

Scott arrived at the meeting at 8:10 a.m.

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

V.C.4. Jillian D. Loewen RN Endorsement (TRN144680) (Olson)

Link moved, Johnson seconded, to deny licensure based upon information contained in the investigation report. The motion carried with seven in favor and two abstained.

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

V.C.7. Arlene L. Sacid RN Exam (Olson)

Perry moved, Link seconded, and it was unanimously carried to grant licensure upon meeting all requirements, and issue a Letter of Concern for the July 31, 2006, guilty plea and subsequent diversion program in the Pima County Consolidated Justice Court in Pima County, Arizona, for the misdemeanor charge of furnishing alcohol to a minor, and for the February 12, 2008, entry into a monitored diversion program in Tucson City Court in Tucson, Arizona, for the misdemeanor charges domestic violence assault, and two counts of contributing to the delinquency/dependency of a minor.

V.C.9. Louis C. Turner, Jr. RN112365 (Olson)

Link moved, Johnson seconded, and it was unanimously carried to issue an Interim Order for a psychological evaluation, to include a substance abuse relapse potential/recovery 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 within 45 days and then return to the Board. If the Interim Order is not completed, issue a Notice of Charges based on the information contained in the investigative report and include the factual allegations and alleged violations for failure to comply with the Interim Order.

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

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.B.1. Heather L. Allen CNA Exam (Olson)
(aka: Weart; Brown)

Link moved, Scott seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report.

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

VI.B.2. Francisco J. Chavez CNA Exam (Olson)

Malloch moved, Link seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report.

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

VI.B.3. Caroline F. Gerba CNA Exam (Olson)
(aka: Waite; Gerba-Waite; Whitten)

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

VI.B.4. Anthony D. Heidelberg CNA Endorsement (Olson)

Perry moved, Scott seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report.

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

VI.B.5. Geoffrey Todd Stephens CNA Exam (Olson)
(aka: Jeffrey Todd; Geoffrey Todd)

Johnson moved, Robertson seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report.

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

Woulard arrived at the meeting at 8:14 a.m.

VI.B.6. Beth K. Vandenberg CNA Exam (Olson)

Busby moved, Scott seconded, upon meeting all requirements, signing a Consent Agreement for a \$100 Civil Penalty and payment of the Civil Penalty, grant certification. If not signed within 30 days or payment not received within 60 days, deny certification based upon the information contained in the investigative report. The motion carried with seven in favor, one opposed, and one abstained.

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

**VI.B.7. Cynthia J. Wilson CNA Exam (Olson)
(aka: Esposito; Blake; Ritchie)**

Malloch moved, Johnson seconded, to deny certification based upon information contained in the investigative report. The motion failed with six opposed and three in favor.

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

Perry moved, Scott seconded, upon meeting all requirements, signing a Consent Agreement for a \$100 Civil Penalty and payment of the Civil Penalty, grant certification. If not signed within 30 days or payment not received within 60 days, deny certification based upon the information contained in the investigative report. The motion carried with seven in favor and two opposed.

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

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.E.2. Robert Michael Helms RN121511 Munger

Munger addressed the Board with additional information and noted the additional factual allegation that Helms did contact staff investigator, who returned the call but Helms did not follow through with a return call. Johnson moved, Scott seconded, and unanimously carried to adopt the attached Notice of Charges.

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

V.E.1. Ireen Ylagan Antonio RN132768 (Munger)

Johnson is affiliated with Banner Thunderbird Medical Center, and Munger, Johnson and Scott know Sally Dimond but show no bias. Link moved, Malloch seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or hearing.

	VOTE	<u>Malloch, Kathy</u> Member	<u>Link, Denise</u> Member	<u>Perry, Hunter</u> Member	<u>Johnson, Patricia</u> Secretary	<u>Hardy, Karen</u> President	<u>Robertson, Steve</u> Member	<u>Woulard, Constance</u> Member	<u>Busby, Kathryn</u> Member	<u>Scott, Kathy</u> Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.E.2. Kimberly Michelle Drayton RN118012 (Munger)

Johnson is affiliated with Banner Thunderbird Medical Center, and Munger, Johnson and Scott know Sally Dimond but show no bias. Link moved, Malloch seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or hearing.

	VOTE	<u>Malloch, Kathy</u> Member	<u>Link, Denise</u> Member	<u>Perry, Hunter</u> Member	<u>Johnson, Patricia</u> Secretary	<u>Hardy, Karen</u> President	<u>Robertson, Steve</u> Member	<u>Woulard, Constance</u> Member	<u>Busby, Kathryn</u> Member	<u>Scott, Kathy</u> Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.E.3. Anne Marie Kwiecien RN132805 (Munger) (aka: Maravilla)

Johnson is affiliated with Banner Thunderbird Medical Center, and Munger, Johnson and Scott know Sally Dimond but show no bias. Malloch moved, Scott seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure to include a \$250 Civil Penalty, or hearing.

	VOTE	<u>Malloch, Kathy</u> Member	<u>Link, Denise</u> Member	<u>Perry, Hunter</u> Member	<u>Johnson, Patricia</u> Secretary	<u>Hardy, Karen</u> President	<u>Robertson, Steve</u> Member	<u>Woulard, Constance</u> Member	<u>Busby, Kathryn</u> Member	<u>Scott, Kathy</u> Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.E.4. Louis Kai Kimes LP040497 (Munger)

Malloch moved, Johnson seconded, and it was unanimously carried to offer a Consent Agreement for 24 months probation to include the attached stipulations or hearing.

	VOTE	<u>Malloch, Kathy</u> Member	<u>Link, Denise</u> Member	<u>Perry, Hunter</u> Member	<u>Johnson, Patricia</u> Secretary	<u>Hardy, Karen</u> President	<u>Robertson, Steve</u> Member	<u>Woulard, Constance</u> Member	<u>Busby, Kathryn</u> Member	<u>Scott, Kathy</u> Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.E.5. Cynthia Jones RN144033 (Munger) (aka: Wiley; Williams)

Malloch moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for 12 months probation to include the attached stipulations or hearing.

	VOTE	<u>Malloch, Kathy</u> Member	<u>Link, Denise</u> Member	<u>Perry, Hunter</u> Member	<u>Johnson, Patricia</u> Secretary	<u>Hardy, Karen</u> President	<u>Robertson, Steve</u> Member	<u>Woulard, Constance</u> Member	<u>Busby, Kathryn</u> Member	<u>Scott, Kathy</u> Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.E.6. Jessica Leigh Swapp LP Endorsement (Munger)
(aka: Smith)

Perry knows Lisa Palmer but shows no bias. Busby moved, Robertson seconded, and it was unanimously carried, upon meeting all requirements, and signing a Consent Agreement for a Decree of Censure, grant licensure. If not signed within 30 days, deny licensure and revoke the privilege to practice based upon information contained within the investigative report.

	VOTE	<u>Malloch, Kathy</u> Member	<u>Link, Denise</u> Member	<u>Perry, Hunter</u> Member	<u>Johnson, Patricia</u> Secretary	<u>Hardy, Karen</u> President	<u>Robertson, Steve</u> Member	<u>Woulard, Constance</u> Member	<u>Busby, Kathryn</u> Member	<u>Scott, Kathy</u> Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.E.8. Nancy Skehan Leonardo RN056074; LP018360 (Munger)
(aka: Nancy Jean Skehan)

Johnson 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	<u>Malloch, Kathy</u> Member	<u>Link, Denise</u> Member	<u>Perry, Hunter</u> Member	<u>Johnson, Patricia</u> Secretary	<u>Hardy, Karen</u> President	<u>Robertson, Steve</u> Member	<u>Woulard, Constance</u> Member	<u>Busby, Kathryn</u> Member	<u>Scott, Kathy</u> Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

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

- | | | |
|--------------------------------|--------------------------|--------------------------|
| 1. Balzer, Sherry | RN024839 | November 19, 2008 |
| 2. Bleimeyer, Marianne | LP042312 | November 19, 2008 |
| 3. Buffington, Mary S. | RN083233/AP0698 | November 19, 2008 |
| 4. Hoffman, Jeanne L. | RN079582 | November 19, 2008 |
| 5. Laker, Heather M. | CNA999994713 | November 19, 2008 |
| 6. Thomas, Rex W. | RN089503 | December 21, 2008 |
| 7. Fosu, Daniel K. | CNA1000003180 | December 26, 2008 |
| 8. Helm, Marilyn Jayne | RN085153 | December 26, 2008 |
| 9. Wiseman, Gary | RN146235/LP042833 | December 27, 2008 |
| 10. Acosta, Belinda J. | RN035539/AP0863 | January 12, 2009 |
| 11. Lubinski, Sandra M. | RN116696 | January 17, 2009 |
| 12. Roberts, Deborah | CNA1000009580 | January 22, 2009 |

Busby 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.2. Katherine Brooks RN149036; LP043838 (Mills)

An attempt was made to contact Brooks telephonically. Busby moved, Johnson seconded, and it was unanimously carried to approve request for termination of Board Consent Agreement and Order No. 0704117 entered into on October 5, 2007.

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

IV.D.1. Anne M. George RN101520 (Hurtado)

Hurtado addressed the Board with additional information. An attempt was made to contact George telephonically. Malloch moved, Link seconded, and it was unanimously carried to approve request for termination of Board Order No. 0208013 entered into on July 1, 2003.

IV.D.2. Jami L. Griffin RN145468 (Hurtado)

Link moved, Malloch seconded, and it was unanimously carried to approve request for termination of Board Consent Agreement and Order No. 0611033 entered into on April 4, 2007.

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

IV.F.1. Christina May Atencio RN111867; LP0355221; CNA999946753 (Linck)

Linck addressed the Board and noted an amendment to the stipulations, to decrease the duration of narcotic restriction from 12 months to 6 months. Atencio was present telephonically and addressed the Board. Busby moved, Link 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 the second 12 months, followed then by 24 months standard probation, to include the attached stipulations, or hearing.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

IV.F.2. James Tyler Bowen RN120310; LP026562; CNA578812503 (Linck)

Link knows Judy Bishop but shows no bias. An attempt was made to contact Bowen telephonically. Johnson moved, Scott seconded, and it was unanimously carried to offer a Consent Agreement for 12 months stayed revocation probation followed by 24 months standard probation with the attached stipulations or hearing.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

IV.F.3. Valerie Beaudoin Brown RN034645; RN017082 (Linck)

Link moved, Robertson 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 the second 12 months, followed then by 24 months standard probation, to include the attached stipulations, or hearing.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

IV.F.4. Debra Jean Dahlke RN Endorsement (Linck)

Dahlke was present telephonically and available for questions. Link addressed the Board with additional information. Busby moved, Robertson seconded, and it was unanimously carried, upon meeting all requirements, grant licensure and accept signed CANDO Stipulated Agreement.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

IV.F.7. Connie Marie Kelley RN094819; AP1750 (Linck)

Linck addressed the Board with additional information. Busby moved, Malloch seconded, and it was unanimously carried to dismiss.

IV.F.8. Kathryn Anne O’Connell RN145534 (Linck)

Johnson is affiliated with Banner Thunderbird Medical Center, but shows no bias. Malloch moved, Link 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 the second 12 months, followed then by 24 months standard probation, to include the attached stipulations or hearing. Terms of the Consent Agreement may be completed in Colorado with the approval of the Colorado Board of Nursing.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

IV.F.9. Amanda J. Palko RN140617 (Linck)

An attempt was made to contact Palko telephonically. Johnson moved, Robertson seconded, and it was unanimously carried to 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	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy 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.B.1. Cynthia Elaine Engelhardt RN054782 (Rappoport) (aka: Smith)

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

V.B.3. Diann Lynn Casper RN Endorsement (Rappoport) (aka: Phillips; Mayer)

Casper was present and available for questions. Link moved, Busby seconded, and it was unanimously carried, upon meeting all requirements grant licensure and issue a Letter of Concern for disciplinary

actions taken by the California State Board of Registered Nursing and the subsequent successful completion of their three-year monitored probation on or about May 23, 2003.

V.B.4. James Steven Hinton RN Endorsement (TX 654329) (Rappoport)

An attempt was made to contact Hinton telephonically. Rappoport addressed the Board with additional information. Link moved, Malloch seconded, and after discussion it was unanimously carried to revoke the privilege to practice nursing in the State of Arizona, and issue a cease and desist Order.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.B.5. Christine Marie Maloney RN Endorsement (Rappoport) (aka: Rothwell)

Rappoport addressed the Board with additional information. Busby moved, Scott seconded, and it was unanimously carried, upon meeting all requirements and signing a Consent Agreement for a \$100 Civil Penalty and payment of the Civil Penalty, grant license. If not signed within 30 days or payment of the Civil Penalty not received within 60 days, deny licensure based upon the information contained in this investigative report.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.G.1. Amy Rachelle Merrill RN115430 (Schettler)

Merrill was present and addressed the Board. Malloch moved, Scott seconded, and it was unanimously carried to offer a Consent Agreement for 36 months probation to include the attached stipulations or hearing.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.B.6. Gladys Nell Fennell RN Endorsement (TX 790535) (Rappoport)

Rappoport addressed the Board and confirmed receipt of additional information. Fennell was present and available for questions. Link moved, Johnson seconded, and it was unanimously carried to offer a Consent Agreement for 12 months probation with attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.B.7. Michelle M. Peters RN090110; AP1836 (Rappoport)
(aka: Kukta; Forester; Michelle M. Hernandez)

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

V.B.8. Jane E. Fitch RN147214; CNA986185103 (Rappoport)

Woulard recused herself to avoid the appearance of impropriety and left the meeting at 8:58 a.m. Rappoport addressed the Board with additional information. Fitch and attorney Susan McClellan were present and addressed the Board. Link moved, Scott seconded, and it was unanimously carried to issue a Letter of Concern for failing to demonstrate accuracy in documentation of medication administration, and failing to maintain open communication with nursing and health care colleagues, while employed at Mayo Clinic Hospital, Phoenix, Arizona, from on or about June 1, 2007, to on or about February 8, 2008.

Woulard returned to the meeting at 9:04 a.m.

V.B.9. Margaret Irene Whiddon LP042820; CNA999949226 (Rappoport)
(aka: Bray; Joy)

Link moved, Robertson seconded, and it was unanimously carried to offer a Consent Agreement for 12 months probation to include the attached stipulations or hearing.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.B.10. Erika E. Cuellar RN Endorsement (Rappoport)

Link moved, Busby seconded, and it was unanimously carried, upon meeting all requirements and accepting the signed Consent Agreement for a \$50 Civil Penalty, grant licensure.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.B.11. Teresa Ann Hawker RN Endorsement (CO 130927) (Rappoport)

Malloch, Johnson, and Scott know Colleen Hallberg but show no bias. Busby moved, Robertson seconded, and it was unanimously carried to dismiss the case.

V.B.12. Roxanne Leisky RN, AP, P&D Endorsement (Rappoport)
(aka: Whyman)

Busby moved, Link seconded, and it was unanimously carried, upon meeting all requirements and accepting the signed Consent Agreement for a \$150 Civil Penalty, grant licensure, AP certificate and P&D authority.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.B.15. Shannon Mary Kovalchik RN111951; AP2427 (Rappoport)
(aka: Collins; Keigher; Phillips)

Scott recused herself to avoid the appearance of impropriety and left the meeting at 9:07 a.m. Link moved, Busby seconded, and it was unanimously carried to dismiss the case.

Scott returned to the meeting at 9:08 a.m.

V.B.17. Pamela G. Walker RN Endorsement (TRN154264) (Rappoport)

Rappoport addressed the Board with additional information. Malloch, Johnson, and Hardy know Marla Moore but show no bias. Perry moved, Robertson seconded, and it was unanimously carried, upon meeting all requirements and accept the signed a Consent Agreement for a Decree of Censure, grant license. If Consent Agreement is not signed within 30 days, deny licensure based upon the information contained in the investigative report.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.D.2. Steven Walter Friess LP017501 (S. Nelson)

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

V.D.5. Antionette Louise Jezewski RN122766 (S. Nelson)
(aka: Price)

Nelson addressed the Board with additional information. Malloch moved, Scott seconded, and it was unanimously carried to issue an Interim Order for a substance abuse evaluation to be completed by a Board approved psychologist and to include any additional testing deemed necessary by the evaluator to be scheduled within 15 days and completed within 45 days and then return to the Board. If the Interim Order is not completed, adopt Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.D.7. Mercedes J. Lohmann LP027395 (S. Nelson)

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

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.D.9. Deanna Hasse Peplinski RN045787 (S. Nelson)

Malloch, Johnson, and Scott know Colleen Hallberg but show no bias. Busby moved, Perry seconded, to offer a Consent Agreement for a Decree of Censure, or hearing. After discussion, Busby withdrew the motion. Malloch moved, Link seconded, to offer a Consent Agreement for 12 months

probation to include the attached stipulations, amended to include drug screening, abstain from unauthorized drug use, and proof of prescription, or hearing. The motion carried unanimously.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.D.12. Concepcion Wilson LP032580 (S. Nelson)

An attempt was made to contact Wilson telephonically. Busby moved, Robertson seconded, and it was unanimously carried to issue a Letter of Concern for raising her voice at resident, A.M. on or about January 7, 2008 while working at HCR Manor Care in Tucson, Arizona.

V.F.3 Phillip Anthony Peuser RN136288 (Torrez)

Link moved, Scott 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 in 45 days. 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.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.F.4. Bryant Lennard Johnson RN142791 (Torrez)

Johnson was present and addressed the Board. Busby moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or hearing.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.F.5. Kristen Palmer RN098405 (Torrez)

Torrez addressed the Board with additional information. Palmer was present and addressed the Board. Busby moved Link seconded, and it was unanimously carried to offer a Consent Agreement for a stayed suspension/probation for 24 months followed by a standard probation for 24 months with the attached stipulations, amended to include: while working at current place of employment, provide services in other compact states if prior written approval by the compact states, or hearing.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.F.6. Krystal Marie Greeson RN144466 (Torrez)

Malloch, Perry and Scott know Debra Pendergast but show no bias. Busby moved, Robertson seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or hearing.

	VOTE	<u>Malloch, Kathy</u> Member	<u>Link, Denise</u> Member	<u>Perry, Hunter</u> Member	<u>Johnson, Patricia</u> Secretary	<u>Hardy, Karen</u> President	<u>Robertson, Steve</u> Member	<u>Woulard, Constance</u> Member	<u>Busby, Kathryn</u> Member	<u>Scott, Kathy</u> Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.F.7. Rebecca Lynn Tasich-Hennessy RN141126 (Torrez)

Busby moved, Robertson seconded, and it was unanimously carried to issue a Letter of Concern for using profanity while on duty on or about April 11, 2008, while employed at Kindred Hospital in Scottsdale, Arizona.

V.F.8. Karen Lyn Kulp RN135128 (Torrez)

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

V.F.9. Juli Debora Distefano LP039767 (Torrez)

Perry knows Carrie Mitchell but shows no bias. Busby moved, Malloch seconded, and it was unanimously carried to issue Notice of Charges based upon information contained in the investigative report.

V.F.10. Gurdeep Sahnan RN050555 (Torrez)

Busby moved, Link seconded, and it was unanimously carried to accept the signed Consent Agreement for a Decree of Censure.

	VOTE	<u>Malloch, Kathy</u> Member	<u>Link, Denise</u> Member	<u>Perry, Hunter</u> Member	<u>Johnson, Patricia</u> Secretary	<u>Hardy, Karen</u> President	<u>Robertson, Steve</u> Member	<u>Woulard, Constance</u> Member	<u>Busby, Kathryn</u> Member	<u>Scott, Kathy</u> Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.F.11. Dawn Suzanne Woolley TRN149727 (Torrez)

Malloch, Johnson and Scott know Colleen Hallberg, and Scott knows Billy Lent, but show no bias. Torrez addressed the Board with additional information. Woolley was present telephonically and addressed the Board. Busby moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure, or hearing.

	VOTE	<u>Malloch, Kathy</u> Member	<u>Link, Denise</u> Member	<u>Perry, Hunter</u> Member	<u>Johnson, Patricia</u> Secretary	<u>Hardy, Karen</u> President	<u>Robertson, Steve</u> Member	<u>Woulard, Constance</u> Member	<u>Busby, Kathryn</u> Member	<u>Scott, Kathy</u> Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

Malloch left the meeting at 9:49 a.m. and returned at 9:52 a.m.

V.G.2. Marta Araceli Silva RN063948; AP0186 (Schettler)

Schettler addressed the Board with additional information. Silva was present and addressed the Board. Attorney Scott Schuman was present and available for questions. Scott moved, Johnson seconded, to

offer a Consent Agreement 12 months probation to include the attached stipulations, or hearing. After discussion Busby moved, Link seconded, to table Agenda Item V.G.2. The motion carried with eight in favor and one abstained.

The meeting recessed at 10:05 a.m. and reconvened at 10:30 a.m.

Link returned to the meeting at 10:31 a.m.

V.I.2. Jacqueline A. Borresen RN043060 (Midkiff)

Midkiff was present telephonically. Borresen was present and addressed the Board. Busby moved, Link seconded, to offer a Consent Agreement for a Decree of Censure, or hearing. The motion carried with eight in favor and one abstained.

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

V.I.3. Sarah Jane Chavez RN109997; LP033888; SN04332 (Midkiff)

Johnson is affiliated with Banner Thunderbird Medical Center, and Malloch knows Maria Hayes, but show no bias. Midkiff was present telephonically. Chavez was present and available for questions. Link moved, Johnson seconded, and it was unanimously carried to issue a Letter of Concern for failing to check Baby B's ID band with its mother's ID band, resulting in the baby being given to the wrong mother for a breastfeeding, on or about June 16, 2007, while employed by Maricopa Medical Center, Phoenix, Arizona.

V.I.4. Robert Charles Niederberg LP041509 (Midkiff)

Midkiff was present telephonically. Niederberg was present and available for questions. Johnson moved, Link seconded, and it was unanimously carried to issue a Letter of Concern for failing to correctly administer insulin to a patient while employed by Korman Staffing and working at Freedom Inn at Sun City, Arizona on or about February 14, 2007.

V.I.5. Grace Naomi Morgan-Hubbert RN118453 (Midkiff)

Midkiff was present telephonically. Morgan-Hubbert was present and available for questions. Malloch moved, Scott seconded, and it was unanimously carried to issue an Interim Order for a psychological and pain management evaluation by Board approved evaluator Dr. Catherine S. O'Connell, 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	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.I.6. Cynthia M. Bustos RN114651 (Midkiff)

Midkiff was present telephonically addressed the Board with additional information and an amendment to the stipulations to delete: rehabilitation treatment. Bustos was present and available for questions. Busby moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for stayed revocation/probation for 24 months, followed by 24 months standard probation

with attached amended stipulations. If not signed within 30 days, issue Notice of Charges based on information provided in the investigative report.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.I.7. Peter Warren Connors TRN153322 (Midkiff)

Malloch, Johnson, and Scott know Sally Dimond and Colleen Hallberg but show no bias. Midkiff was present telephonically. Connors was present and available for questions. Busby moved, Link seconded, and it was unanimously carried to continue the investigation to obtain additional information and return to the January 2008 Board meeting. In addition, extend Connor’s temporary license to February 3, 2009.

V.B.6. Gladys Nell Fennell RN Endorsement (TX 790535) (Rappoport)

Perry moved, Robertson seconded, and it was unanimously carried to reopen Agenda Item V.B.6. for the purpose of allowing Fennell to address the Board. Rappoport addressed the Board with additional information. Busby moved, Link seconded, to amend the stipulations for the prior motion for 12 months probation to include: allowed to work in home health with Medical Express and with block assignments only with Amedisys HomeHealth in Peoria, Arizona, and monthly work performance reports for the first four months. Busby recommended that Fennell notify the Texas Board of Nursing of stipulation allowances. After discussion, the motion carried unanimously.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.J.1. Barbara Bronemann RN110151 (Bymers) (aka: Rogers)

Bymers addressed the Board with additional information. Johnson moved, Robertson seconded, and it was unanimously carried to issue an Interim Order for a neuropsychological 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 with 45 days and then return to the Board.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.J.2. William E. Wilkinson RN070664 (Bymers)

Bymers addressed the Board with additional information. Wilkinson was present and available for questions. Malloch moved, Link seconded, and after discussion it was unanimously carried to issue an Interim order for a psychological evaluation to be completed by a Board approved psychologist and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 60 days and then return to the Board. If the Interim Order is not completed, issue

Notices 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	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.G.2. Marta Araceli Silva RN063948; AP0186 (Schettler)

Robertson moved, Perry seconded, and it was unanimously carried to reopen Agenda Item V.G.2. Scott moved, Johnson seconded, and it was unanimously carried to withdraw original motion for 12 months probation. Busby moved, Link seconded, to continue the investigation to allow Board staff to review records and interview Silva. The motion carried with eight in favor and one abstained.

V.G.4. Jennifer Jo Christianson RN130202 (Schettler)

Schettler addressed the Board with additional information. Busby moved, Robertson seconded, and it was unanimously carried to issue Letter of Concern for testing positive for a medication that she did not have a valid prescription for on or about April 14, 2008, during a pre-employment physical at Chandler Regional Medical Center.

V.G.5. Colleen Booth LP036438 (Schettler)

Booth was present and available for questions. Busby moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for 36 months probation to include the attached stipulations or hearing.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.G.6. Bonnie Demlong RN101123 (Schettler)

Malloch, Johnson, and Scott know Colleen Hallberg but show no bias. Busby moved, Robertson seconded, an after discussion it was unanimously carried to offer a Consent Agreement for indefinite suspension pending completion of a neuropsychiatric and substance abuse by a Board approved evaluator, who is at minimum PhD prepared, to include any additional testing deemed necessary by the evaluator, and then return to the Board for further discipline, which may include probation. If not signed within 5 days, issue Complaint and Notice of Hearing.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.G.7. Amber June Kegley RN151207 (Schettler)

Kegley was present and addressed the Board. Johnson moved, Scott seconded, and it was unanimously carried to issue Interim Order for a substance abuse 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 completed within 45 days, then return to the Board.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.H.1. Karen Rich RN075993; AP024 (Dahn)

Dahn addressed the Board with a technical correction to the Board option. Robertson moved, Malloch seconded, and it was unanimously carried to issue a Letter of Concern for failure to communicate effectively with staff and responsible parties when caring for patient C.M. in assisted living.

V.M.1. Jessica N. Carr LP038889 (Lester)

Carr was present and available for questions. Link moved, Perry seconded, and it was unanimously carried to issue a Letter of Concern for the misdemeanor conviction of DUI, on March 30, 2005, in Tucson Justice Court and for not disclosing to the Board the November 1, 2004 arrest for DUI that was later dismissed in Tucson Municipal Court.

V.M.4. Rachel L. Oakes LP034263 (Lester)

Oakes was present and addressed the Board. Busby moved, Link seconded, and it was unanimously carried to issue a Letter of Concern for a misdemeanor DUI conviction on July 29, 2005, in Phoenix Municipal Court, Phoenix, Arizona and for not reporting the 2005 DUI arrest within the time period required.

V.P.1. Elisabeth Marie Burns LP041758 (Sage)

Burns was present and addressed the Board. Busby moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for 24 months probation 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	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy 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.6. Peter Samuel Fields CNA1000011690 (Sage)

Fields was present and available for questions. Link moved, Busby 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 15 days, issue Notice of Charges based upon information contained in the investigative report.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.D.14. Francine Eikoko Reimers CNA1000004796 (Sage)

Reimers was present and available for questions. Malloch moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days and payment not received within 60 days, issue Notice of Charges based upon information contained in the investigative report.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.D.16. Monica Iliana Romero CNA1000002845 (Sage)

Romero was present and available for questions. Busby moved, Link seconded, and it was unanimously carried to issue a Letter of Concern for assisting in a shower against a resident's will on or about July 26, 2008 while employed as a CNA at La Canada Care Center in Tucson, Arizona, and for failing to report a shoplifting charge to the Board.

**VI.E.3. Maria R. Espino CNA657574791 (Curatola)
(aka: Damasco)**

Espino was present and available for questions. Link moved, Robertson seconded, and after discussion it was unanimously carried to offer a Consent Agreement for a \$100 Civil Penalty. If not signed within 30 days issue Notice of Charges based upon information contained in the investigative report.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.E.9. Stephanie Marie Pennie CNA Exam (Curatola)

Pennie was present and available for questions. Malloch moved, Link seconded, to offer a Consent Agreement for 24 months stayed revocation to include the attached stipulations. If not signed within 30 days, deny certification based upon information contained in the investigative report. After discussion, Malloch amended the motion to include: grant licensure upon meeting all requirements and signing Consent Agreement. Link concurred. The motion carried unanimously.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.F.4. Santana Ybarra CNA Exam (Parlin)

Ybarra was present and addressed the Board. Busby moved, Perry seconded, and after discussion it was unanimously carried, upon meeting all requirements, grant certification and issue a Letter of Concern for the April 3, 2006, arrest for DUI Yavapai County, Arizona.

VI.G.3. Cheryl Bishop CNA476675843 (Blair)

Bishop was present and addressed the Board. Busby moved, Robertson seconded, and it was unanimously carried to issue a Letter of Concern for the February 11, 2008 conviction of DUI, a misdemeanor, in Phoenix city court, Phoenix, Arizona, for which she is currently on probation.

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

V.L.2. Christopher Alan Carter LP Exam (Curatola)

Busby moved, Scott seconded, and it was unanimously carried to continue the investigation to allow Carter 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 licensure based upon the information contained in the investigative report.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

Link left the meeting at 11:38 a.m.

V.L.5. Jessica Gracia Flores RN Exam (Curatola)

Busby moved, Woulard seconded, and after discussion it was unanimously carried, upon meeting all requirements, signing a Consent Agreement for a \$250 Civil Penalty, and payment of the Civil Penalty, grant licensure. If not signed within 30 days or payment not received within 60 days, deny licensure based upon the information contained in the investigative report.

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

V.L.6. Dulce V. Harder LP Exam (Curatola)

Busby moved, Perry seconded, and it was unanimously carried, upon meeting all requirements, signing a Consent Agreement for a \$250 Civil Penalty, and payment of the Civil Penalty, grant licensure. If not signed within 30 days or payment not received within 60 days, deny licensure based upon the information contained in the investigative report.

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

V.L.7. Jennifer Michelle Kreidler RN Exam (Curatola)

Malloch moved, Perry seconded, and it was unanimously carried to continue the investigation to allow Kreidler 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 return to the Board. If the evaluation is not completed, deny licensure based upon the information contained in the investigative report.

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

V.L.10. Teresa Ruth Torres RN Exam; CNA1000007732 (Curatola)

Johnson moved, Robertson seconded, and it was unanimously carried, upon meeting all requirements, signing a Consent Agreement for a \$250 Civil Penalty, and payment of the Civil Penalty, grant licensure. If not signed within 30 days or payment not received within 60 days, deny licensure based upon the information contained in the investigative report.

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

V.L.12. Courtney Jill Hickey LP Endorsement (Curatola)

Busby moved, Malloch seconded, and it was unanimously carried, upon meeting all requirements and signing a Consent Agreement for 36 months probation to include attached stipulations, grant licensure. If not signed within 30 days, deny licensure based upon the information contained in the investigative report.

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

VI. Board Discussion and Decision Regarding CNA Investigative Reports

V.I.E.1. Tammy Ann Cornelius CNA999989692 (Curatola)

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

V.I.E.2. Debra A. Demoranville CNA 719411464 (Curatola)

Busby moved, Malloch seconded, and it was unanimously carried to offer a Consent Agreement for a \$100 Civil Penalty. If not signed within 30 days issue Notice of Charges based upon information contained in the investigative report.

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

V.I.E.4. Rachel Ann Lesueur CNA Endorsement (Curatola)

Busby moved, Scott seconded, and it was unanimously carried to continue the investigation to allow Lesueur the opportunity to obtain a psychological evaluation with emphasis on substance abuse, to be completed by a Board approved PhD level evaluator with expertise in substance abuse, to be scheduled and 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 base upon information contained in the investigative report.

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

VI.E.5. Christopher Pokuta CNA Exam (Curatola)

Robertson moved, Johnson seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report.

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

VI.E.6. Mona Lisa Zaye CNA Exam (Curatola)

Busby moved, Woulard seconded, and it was unanimously carried to grant certification upon meeting all requirements and signing a Consent Agreement for \$100 Civil Penalty. If not signed within 30 days or payment not received within 60 days, deny certification based upon information contained in the investigative report.

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

**VI.E.7. Amri Tam CNA Exam (Curatola)
(aka: Hernandez; Adolf)**

Busby moved, Robertson seconded, and it was unanimously carried, upon meeting all requirements and signing a Consent Agreement for 12 months stayed revocation, with the attached stipulations, grant certification. If not signed within 30 days, deny certification based upon the information contained in the investigative report.

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

VI.E.8. Keith Thompson CNA925401024 (Curatola)

Malloch moved, Perry seconded, and it was unanimously carried to offer a Consent Agreement for 12 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	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	8	X		X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1		X							

VI.E.10. Marian April Wood-Figueroa CNA419170441 (Curatola)

Busby moved, Perry seconded, and it was unanimously carried, upon meeting all requirements, grant certification and issue a Letter of Concern for two misdemeanor convictions for assault occurring on June of 1990 and June of 1996, in Tucson, Arizona; and for a misdemeanor conviction for interfering with judicial proceedings in June of 2001, in Tucson, Arizona.

VI.E.11. Dorothy L. Donnelly CNA Exam (Curatola)

Johnson moved, Malloch seconded, and it was unanimously carried, upon meeting all requirements and signing a Consent Agreement for 24 months stayed revocation, with the attached stipulations, grant certification. If not signed within 30 days, deny certification based upon the information contained in the investigative report.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy 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.O.1. Judith Diaz RN119896 (Blair)

Perry knows Margo Diaz but shows no bias. Busby moved, Scott seconded, and it was unanimously carried to issue Notice of Charges based upon information contained in the investigative report.

V.K.1. Kimberly Kamps RN128364 (Parlin)

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

V.K.2. Kimberly Plant RN119481 (Parlin)

Busby moved, Scott seconded, and it was unanimously carried to issue an Interim Order for a psychological evaluation to be completed by a Board approved evaluator who is at minimum PhD prepared, and who has expertise in substance abuse and anger management and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and then return to the Board. If the 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	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	8	X		X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1		X							

V.K.4. Pamela Twitchell LP030532 (Parlin)

Perry moved, Johnson seconded, and it was unanimously carried to issue a Letter of Concern for the September 27, 2007, conviction for DUI in Gilbert, Arizona.

V.K.5. Stacey Conger RN145398 (Parlin)

Johnson 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 and completed with 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 and include the factual allegations and alleged violations for failure to comply with the Interim Order.

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

V.K.6. Tomislav Simich RN118323 (Parlin)

Malloch moved, Perry seconded, and it was unanimously carried to offer a Consent Agreement for an indefinite stayed revocation/suspension pending successful completion of probation with the Ohio Board of Nursing, to include a \$250 Civil Penalty and to include the attached stipulations. If not signed within 30 days, issue Notice of Charges based upon the information contained in the investigative report.

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

V.K.7. Richard Brown TRN153321 (Parlin)

Busby moved, Scott seconded, and it was unanimously carried, upon meeting all licensure requirements, grant licensure and issue a Letter of Concern for the March 7, 2008, DUI arrest in Lebanon County, Pennsylvania.

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.F.1. Ashley Herrera CNA Exam (Parlin)

Busby moved, Scott seconded, and it was unanimously carried, upon meeting all requirements and signing a Consent Agreement for a \$50 Civil Penalty, grant certification. If not signed within 30 days or payment not received within 60 days, deny certification based upon information contained in the investigative report.

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

VI.F.2. Jamescita Claw CNA Exam (Parlin)

Johnson moved, Perry seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report.

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

VI.F.3. Martha Bejar CNA1000009963 (Parlin)
(aka: Cooper)

Malloch moved, Johnson seconded, and it was unanimously carried to offer a Consent Agreement for 12 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	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	8	X		X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1		X							

VI.F.5. David Symmonds CNA Exam (Parlin)

Busby moved, Scott seconded, and it was unanimously carried to offer a Consent Agreement for 12 months stayed revocation, to include the attached stipulation. If not signed within 30 days, deny certification based upon information contained in the investigative report.

	VOTE	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy 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.M.2. Susan E. Eggers RN Endorsement (Lester)

Lester addressed the Board with additional information. Perry moved, Johnson seconded, and it was unanimously carried to deny licensure based upon information contained in the investigative report.

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

V.M.3. Mary K. Nikodym RN110942 (Lester)
(aka: McCarty)

Malloch moved, Perry seconded, and it was unanimously carried to issue an Interim Order for a psychological evaluation with emphasis on substance abuse to be completed by a Board approved PhD prepared evaluator with expertise in substance abuse, to be completed within 45 days and include an additional testing deemed necessary by the evaluator, and then return to the Board. If the Interim Order is not completed, issue a 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	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	8	X		X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1		X							

V.M.5. Jean C. Jean TRN146001 (Lester)

Lester addressed the Board with additional information. Robertson moved, Scott seconded, and it was unanimously carried to deny licensure based upon information contained in the investigative report.

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

V.M.6. Heidi S. Clouser Rhianon (Lester)

Lester addressed the Board with an amendment to the stipulations to: add stamping of license, and from the drug testing one time per month to read, 7-12 months. Busby moved, Scott seconded, and it was unanimously carried, upon meeting all requirements and signing a Consent Agreement for 12 months probation to include the attached amended stipulations, grant licensure. If not signed within 30 days deny licensure based upon the information contained in the investigative report.

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

V.M.7. Traci L. White LP035697 (Lester)

Lester addressed the Board with additional information. Busby moved, Scott seconded, and it was unanimously carried to issue an Interim Order for a psychological evaluation with an emphasis on anger management and substance abuse to be completed by a Board approved PhD prepared evaluator with an expertise in anger management and substance abuse, 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, issue Notice of Charges based on the information contained in the investigative report and include the factual allegations and alleged violations for failure to comply with the Interim Order.

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

The meeting recessed at 12:04 p.m. and reconvened at 1:08 p.m.

Scott and Malloch returned to the meeting at 1:09 p.m.

V.P.2. Lenora Margaret Darrington RN089218 (Sage)

Busby moved, Robertson seconded, to offer a Consent Agreement for a \$250 Civil Penalty. If not signed within 30 days and payment not received within 60 days, issue Notice of Charges based upon information contained in the investigative report. The motion carried with five in favor, and two abstained.

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

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.D.20. Laura Osbon RN111943 (Sage)

Attorney Jay Ryan was present and addressed the Board. Osbon was present telephonically and available for questions. Busby moved, Scott seconded, to issue a Letter of Concern for failing to properly supervise a CNA and securing medications on or about June 1, 2008 while working at The Lingenfelter Center in Kingman, Arizona.

Link returned to the meeting at 6 1:16 p.m.

The motion carried with seven in favor and one abstained.

VI.D.1. Gladys E. Anderson CNA200811790 (Sage)

Busby moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for a \$100 Civil Penalty. If not signed within 30 days, issue Notice of Charges based upon information contained in the investigative report.

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

VI.D.2. Kristofer Ray Anderson CNA999989256 (Sage)

Johnson moved, Malloch seconded, and it was unanimously carried to issue an Interim Order for a psychological evaluation to include potential sexual misconduct to be scheduled within 15 days and completed within 45 days. If not completed, issue a Notice of Charges based on information contained in the investigator report.

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

**VI.D.3. Dorina Baraviera CNA1000015674 (Sage)
(aka: Oprea)**

Sage addressed the Board with additional information. Johnson moved, Busby seconded, and it was unanimously carried to issue a Letter of Concern for being perceived as being rough with residents and raising her hand to a resident in a threatening manner on June 26, 2008, while employed as a CNA at Life Care Center of North Glendale, Glendale, Arizona.

VI.D.4. Sara G. Chapetti CNA657248103 (Sage)

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

VI.D.5. Joyce Ann Donaldson CNA100007348 (Sage)

Link moved, Malloch seconded, and it was unanimously carried to issue an Interim Order for a psychological evaluation to include anger management, to be completed 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	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	8	X	X		X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1			X						

VI.D.7. Brittany Terri Hutchinson CNA100001132 (Sage)

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

VI.D.8. Ericka Abigail Johnson CNA1000012462 (Sage)

Busby moved, Link seconded, and it was unanimously carried to issue a Letter of Concern for reportedly pushing a resident’s hands down in the dining room on July 20, 2008, and saying, “I told you to wait!” and for telling another resident to “Sit down!” while employed as a CNA at Suncrest Healthcare in Phoenix, Arizona.

VI.D.9. Hasija Kobiljak CNA999996073 (Sage)

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

VI.D.10. Alisha Natana Medina CNA1000014425 (Sage)

Link moved, Johnson seconded, and it was unanimously carried to issue a Letter of Concern for leaving a confused resident alone on the toilet, resulting in his falling on April 10, 2008, and for using a mechanical lift improperly on April 3, 2008, causing a resident to be hit in the nose with a bar, while employed as a CNA at Good Shepherd Retirement Center in Peoria, Arizona.

VI.D.11. Melissa Mendoza CNA1000006520 (Sage)

Hardy knows respondent but shows no bias. Busby moved, Malloch seconded, and it was unanimously carried to offer a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days, issue Notice of Charges based upon information contained in the investigative report.

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

VI.D.12. Tamarra Payne CNA052987313 (Sage)
(aka: Caroll)

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

VI.D.13. Ruben Rendon CNA055752641 (Sage)

Malloch moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for 12 months stayed revocation with the attached stipulations and to include a psychological evaluation with emphasis on anger management by a Board approved PhD evaluator. If not signed within 30 days issue a Notice of Charges based on information in the investigative report.

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

VI.D.15. Elizabeth Mercedes Richardson CNA999993189 (Sage)

Busby moved, Link seconded, and it was unanimously carried to issue a Letter of Concern for showering a resident against his will while employed as a CNA at La Canada Care Center, in Tucson, Arizona, on July 26, 2008.

VI.D.17. Judith B. Rowley CNA999995034 (Sage)
(aka: Judith Pangulinan Beunviaje; Barrera)

Link moved, Malloch seconded, and it was unanimously carried to offer a Consent Agreement for a \$100 Civil Penalty to be signed within 30 days and paid within 60 days. If not signed in 30 days, issue a Notice of Charges. After signing of the Consent Agreement and payment of the Civil Penalty and meeting all requirements for renewal, grant certificate renewal.

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

VI.D.18. Consuelo Sanchez CNA999949866 (Sage)

Malloch moved, Johnson seconded, and it was unanimously carried to issue a Letter of Concern for reportedly being physically and verbally rough in the care of residents while employed as a CNA at LaRosa Healthcare in Tucson, Arizona on June 7, 2008 for complaint #1, and dismiss complaint #2.

VI.D.19. Christina Lynnette Simon CNA1000011667 (Sage)

Busby moved, Link seconded, and it was unanimously carried to offer a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days and payment not received within 60 days, issue Notice of Charges based upon information contained in the investigative report.

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

VI.D.21. Sharon Enda Smith CNA1000009434 (Sage)

Link moved, Johnson seconded, and it was unanimously carried to issue a Letter of Concern for holding her hand up on March 12, 2008, and telling a resident to “talk to the hand”, while employed as a CNA at Springdale West in Mesa, Arizona, and for a no call/no show to duty while employed as a CNA on September 18, 2006, at The Citadel in Mesa, Arizona.

**VI.D.22. Megan Nikkia Sullivan CNA1000013435 (Sage)
(aka: Noah)**

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

VI.D.23. Kristina Kay Van Vleet CNA100006309 (Sage)

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

VI.D.24. Carmen M. Wall CNA703712897 (Sage)

Malloch and Scott know Deb Krmptotic but show no bias. Link moved, Scott seconded, and it was unanimously carried to offer a Consent Agreement for 12 months stayed revocation with terms to include a \$100 Civil Penalty. If not signed within 30 days issue a Notice of Charges based on information contained in the investigative report.

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

VI.D.25. Velvet Nicole Williams CNA1000006102 (Sage)

Link moved, Malloch seconded, and it was unanimously carried to issue an Interim Order for a substance abuse evaluation to be completed by a Board approved PhD prepared 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	Malloch, Kathy Member	Link, Denise Member	Perry, Hunter Member	Johnson, Patricia Secretary	Hardy, Karen President	Robertson, Steve Member	Woulard, Constance Member	Busby, Kathryn Member	Scott, Kathy Member
YES	8	X	X		X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1			X						

VI.D.26. Stephanie Zeigler CNA1000015797 (Sage)

Johnson is affiliated with Banner Thunderbird Medical Center, and Malloch, Johnson and Scott know Sally Dimond but show no bias. Busby moved, Scott seconded, and it was unanimously carried to issue a Letter of Concern for walking off her shift without notifying a proper supervisor on June 16, 2008, and for a no call/no show on May 17, 2008 and June 18, 2008, while employed as a CNA at Banner Thunderbird Medical Center in Glendale, Arizona.

VI.D.27. Debra Renee Farnsworth CNA999953071 (Sage)

Link moved, Johnson seconded, and after discussion it was unanimously carried to issue a Letter of Concern for a drug screen on September 17, 2007, positive for marijuana on a pre-screening for Nurses’ Network, in Prescott Valley, Arizona.

VI.D.28. Sherri M. Medina CNA405818353 (Sage)
(aka: Ellis)

Link moved, Busby seconded, and it was unanimously carried to issue a Letter of Concern for an arrest on August 16, 2007 and conviction August 27, 2008 for extreme DUI.

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

V.Q.1. Dawn Castellucci RN099858 (Mills)

Busby moved, Robertson seconded, and it was unanimously carried to offer a Consent Agreement for 48 months stayed revocation with the license suspended during the first 12 months, followed then by 36 months stayed revocation probation to include the attached stipulations, or hearing.

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

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.A.1. Patricia S. Becker CNA Exam (Lester)

Busby moved, Malloch seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report.

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

VI.A.2. Angie Thompson CNA666575803 (Lester)

Link moved, Johnson seconded, and it was unanimously carried to suspend the nursing assistant certification until Applicant retrains and retests for CNA including Applicant to submit to fingerprinting and when all licensing requirements are met renew nursing assistant certification pending outcome of investigation and complaint received by the Board.

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

VI.A.3. Courtney N. Freed CNA Exam (Lester)

Busby moved, Link seconded, and it was unanimously carried, upon meeting all requirements and signing a Consent Agreement for a \$250 Civil Penalty, grant certification. If not signed within 30 days, deny certification based upon the information contained in the investigative report

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

VI.A.4. Louella M. Kormes CNA Exam (Lester)

Link moved, Malloch seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report.

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

VI.A.5. Jessie Layfield CNA1000003206 (Lester)

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

VI.A.6. Lynnette Rose Yazzie CNA Exam (Lester)

Lester addressed the Board with additional information. Busby moved, Scott seconded, and it was unanimously carried, upon meeting all requirements, grant certification and issue a Letter of Concern for the May 22, 2002 misdemeanor DUI in Phoenix Municipal Court and for the May 1, 2001 class 6 felony Endangerment and misdemeanor DUI conviction in Maricopa County Court, Maricopa County, Arizona.

VI.C.1. Christopher Garrett Bail CNA Exam (B. Nelson)

Link moved, Woulard seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report.

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

VI.C.2. Tory William Daly CNA1000014400 (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.4. Luis G. Mejorado CNA952426417 (B. Nelson)

Busby moved, Scott seconded, and it was unanimously carried to issue an Interim Order for a neuropsychological evaluation to be completed by a Board approved evaluator and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days and then return to the Board. If the Interim Order is not completed, issue a Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

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

VI.C.5. Mekonnen Hailu Yirbecho CNA1000012691 (B. Nelson)

Nelson addressed the Board with additional information. Busby moved, Link seconded, and it was unanimously carried to issue Notice of Charges based upon information contained in the investigative report and information presented at this meeting.

**VI.G.1. Bettina Amado CNA Exam (Blair)
(aka: Guerrero)**

Johnson moved, Link seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report.

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

**VI.G.2. Janice Tully Begay CNA Exam (Blair)
(aka: Thinn)**

Robertson moved, Johnson seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report.

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

VI.G.4. Dawnisha Davida Byrd CNA Exam (Blair)

Link moved, Malloch seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report.

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

VI.G.5. Nancy Beatriz Moreno CNA Exam (Blair)

Malloch moved, Link seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report.

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

VI.G.6. Shawndin Leigh Tracy CNA Exam (Blair)

Blair addressed the Board with additional information. Busby moved, Link seconded, and it was unanimously carried, upon meeting all requirements, grant certification and issue a Letter of Concern

for the July 11, 2008 guilty plea to the charge of shoplifting, occurring on or about May 22, 2001, a misdemeanor, in Mesa Municipal Court in Mesa, Arizona.

VI.G.7. Mary Lee Vega CNA Exam (Blair)

Link moved, Johnson seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report.

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

VI.G.8. Samantha Renee Whindleton-Pineda CNA Exam (Blair)

Busby moved, Link seconded, and it was unanimously carried, upon meeting all requirements, signing a Consent Agreement for a \$50 Civil Penalty and payment of the Civil Penalty, grant certification. If not signed within 30 days or payment not received within 60 days, deny certification based upon the information contained in the investigative report.

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

**VI.G.9. Wanda Jean Arnot CNA Exam (Blair)
(aka: Hammond; Montgomery; Ennis; Krogman)**

Robertson moved, Johnson seconded, and it was unanimously carried to deny certification based upon information contained in the investigative report.

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

VI.A.2. Angie Thompson CNA666575803 (Lester)

Busby moved, Robertson seconded, and it was unanimously carried to reopen Agenda Item VI.A.2. Smith addressed the Board and stated that Thompson’s certificate had been renewed in error and requested the Board rescind prior motion and continue the investigation to consider additional options that afford respondent due process. Busby moved, Woulard seconded, and it was unanimously carried to rescind prior Board motion to suspend certification, and continue the investigation.

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

VII.A. Executive Director’s Report

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

Malloch moved, Perry seconded, and it was unanimously carried to approve minutes from regular Board meeting of September 17 & 18, 2008; Executive Session minutes of September 17 & 18, 2008; and special Board meeting of October 22, 2008.

VII.B. Educational Reports and Rules

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

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

VII.B.2. Mohave Community College Reasons for Low NCLEX Pass Rate

Busby moved, Woulard seconded, and it was unanimously carried to require Mohave Community College to file update reports on the issues brought forth in their letter dated August 28, 2008 by April 30, 2009 and October 30, 2009.

VII.B.3. Pima Community College CTD LPN Program Approval

Johnson moved, Scott seconded, and it was unanimously carried to continue approval for three years with a progress report to the Board in six months and a final report in 12 months on remedy of any unresolved potential violations including the faculty evaluations, the overall systematic evaluation plan, and the curriculum.

VII.B.5. NCLEX Quarterly Reports

Randolph stated that the NCLEX Quarterly Reports were better than the national average but several RN and PN programs were still posting rather low pass rates. Randolph stated that programs with low pass rates were asked for letters of explanation for low pass rates.

VII.B.6. Report of Statewide Educators Meeting

Information was provided to the Board regarding the Statewide Educators meeting. Total number in attendance was 107, with 50% of the registrant's first time attendees. Of the 37 practical and professional nursing programs and sites currently approved by the Arizona State Board of Nursing, 33 programs and sites were represented.

VII.B.7. NCLEX Regional Workshop

Randolph provided information to the Board regarding the exploration of an NCLEX Regional Workshop.

VII.B.8. Grand Canyon University New FNP Director

Information was provided to the Board regarding the appointment of Kathryn Turk as director of the graduate nursing program at Grand Canyon University.

VII.B.9. Baptist School of Health Professions Transition to Associate Degree Status

The Baptist School of Health Professions provided the Certificate of Authorization from the Texas Higher Education Coordinating Board (THECB) of transition to associate degree status was provided to the Board.

Perry returned to the meeting at 1:58 p.m.

VII.B.10. Eastern Arizona College NA Program – Case Disposition – Van Cuyk

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

VII.A. Executive Director's Report

VII.A.2. House Bill 2256 (Laws 2004, Ch.21) Report to Legislature on Medication Technician Pilot Project – Perry/Robertson/Randolph/Ridenour

Randolph gave a brief summary of the Report to Legislature on Medication Technician Pilot Project and noted there were no statistical differences between patterns and types of medication errors before

and after the use of medication technicians and there was a high level of satisfaction with the use of medication technicians particularly among the supervising nurses who reported it allowed them more time to perform the type of care they felt the residents needed. Busby moved, Malloch seconded, and it was unanimously carried to accept and adopt the Report to Legislation on Medication Technician Pilot Project.

VII.A.3. Proposed AHCCCS Self Directed Attendant Care Rules for Board Review & Approval - Randolph

Busby moved, Johnson seconded, and it was unanimously carried to approve AHCCCS Self Directed Attendant Care Rules.

VII.A.14. Update on Proposed NCSBN Grant Application due December 1, 2008 to Assess Nurse Competence - Randolph

Randolph stated that significant work had been done in the past year to develop a valid, reliable tool to measure nursing competence. The Board viewed the volunteer training video which demonstrated the competency simulation project. Busby moved, Malloch seconded, and it was unanimously carried to submit the proposed NCSBN Grant Application due December 1, 2008.

VII.A.11. Update on Request for AG Opinion Regarding Licensee/Certificate Holders Providing Proof of Lawful Presence – Ridenour/Zack/Lee

Ridenour stated that the AG's had not yet come to an agreement but were expected to provide a decision in the near future on the request for AG opinion regarding licensee/certificate holders providing proof of lawful presence for subsequent renewals.

VII.A.12. NCSBN Committee Reports: Innovative Educational Programs – Randolph; Chemical Dependency –Smith; Awards – Bontrager; Commitment to Ongoing Regulatory Excellence – Ridenour

Ridenour gave a brief Commitment to Ongoing Regulatory Excellence update and stated that a report on data collection which compares Arizona to other states was being compiled and would be provided at a future meeting.

Smith reported on the Chemical Dependency Committee and stated that a survey of states that have alternative discipline programs are attempting to identify what is best practice. The committee is also looking at previous literature published by National Council as well as revisions to bring the literature up to date based upon research that tells best practice's. Part of what the goal is to build consistency from state to state so there is consistency based upon evidence.

VII.D. President's Report

VII.D.5. NCSBN Board of Directors & Area Director I Report – Malloch

Malloch offered an update as Board liaison to the NCLEX Committee and stated that there are some innovative items being developed with significant modifications in the computer test.

Malloch also gave a report on the Continued Competence Committee and stated that a new group had been formed within the Committee to review previously used standards and by different methods, develop better levels of competence.

VII.D. President's Report

VII.D.1. Annual Nomination & Election of AzBN Board Officers for CY 2009: President, Vice-President & Secretary

Nominations and election of AzBN Board officers for Calendar Year 2009:

President:

Busby moved, Johnson seconded, and it was unanimously carried to elect Malloch as Board President.

Vice-President:

Hardy moved, Scott seconded, and it was unanimously carried to elect Johnson as Board Vice-President

Secretary:

Malloch nominated, Scott seconded, nomination of Busby for secretary. Busby refused the nomination.

Busby moved, Hardy seconded, and it was unanimously carried to elect Perry as Board secretary.

VII.D.2. Appointment of Board Members to Attend NCSBN Midyear Meeting (March 2-4, 2009/Chicago & Annual Meeting & Selection of Two Delegates for Delegate Assembly (Aug 11-14, 2009/Philadelphia, PA) – Hardy/All

Busby and Scott expressed interest in attending both NCSBN Midyear meeting and Delegate Assembly. The Board agreed to make a final decision at the January 2009 Board meeting.

The Board agreed for Johnson as attendee and Perry as an alternate for Delegate Assembly August 11-14, 2009 in Philadelphia, Pennsylvania.

VII.D.3. Update on Board Appointments – Ridenour

Ridenour stated there had been no information provided by the Governor's office regarding Board appointments.

VII.A. Executive Director's Report

VII.A.15. Update on Personnel Changes/Hearing Department & Investigative Cycle Times – Bontrager/Randolph/Smith/Ridenour

Bontrager reported the hiring of a license technician which brings staff to full capacity in the licensing department.

Smith noted the efforts of two new staff members in the investigative department who brought cases to this meeting.

Smith gave an overview of the Board report on Performance Measures and noted goals, estimates, and actuals for 2007 through 2010. Malloch suggested future reports also offer performance targets.

The meeting recessed at 2:56 p.m. and reconvened at 3:11 p.m.

VII.A.4. Update on Nurse Practice Act Steering Committee Proposed Changes to Nurse Practice Act & Recommendations Regarding Medication Technicians for 2009 Legislative Session – Nurse Practice Act Steering Committee Minutes September 30, 2008, Draft Nurse Practice Act Steering Committee Minutes October 28, 2008 Busby/Harris/Randolph/Ridenour

Nurse Practice Act (NPA) Steering Committee meeting minutes from October 28, 2008 were provided to the Board.

Ridenour highlighted proposed technical changes to the NPA, new definitions, and newly delegated responsibilities to the Executive Director. Ridenour also noted that §32-1664, Investigation; hearing; notice, was still being discussed. Ridenour stated that §32-1664 has been an issue for the Arizona Nurses Association (AzNA) and the way in which the personal medical records of the licensee are accessed.

AzNA's Executive Director, Joyce Benjamin and lobbyist, Rory Hayes, were present and Hayes addressed the Board with AzNA's view on the Board's access to personal medical records, and stated that appropriate standards and procedures should be established.

Greg Harris, AzBN's legislative liaison/lobbyist, offered comment to Hayes' statement, and also reported on areas of the proposed changes being addressed, on the Board's behalf.

Ridenour clarified portions of other notable changes to the NPA regarding work force data collection, retirement status for retirees, approval for grant monies received, acts and persons not affected by the chapter, examination of registered nurses, and Board member composition.

Busby moved, Perry seconded, and, after discussion it was unanimously carried to accept the draft proposed changes to the Nurse Practice Act and to move forward, to continue work with AzNA on issues, to include medical records, and defer until next year, but begin immediate work on legislation to begin a Sunrise process for NP's becoming independent practitioners in conjunction or, if need be, separate from CRNA necessary legislation.

VII.A.8. Report from AzBN Legislative Liaison/Lobbyist – Greg Harris

Harris gave an update on his work with various parties such as Rory Hayes for AzNA, and the CRNA and nursing home communities regarding the upcoming bill going before the legislature.

VII.A.6. Update on FY 2009 AzBN Budget & Potential Impact of Statewide Deficit & Potential November 2008 Special Legislative Session-Recommendation to Increase Health/Nursing Board Regulatory Fees/Ceilings – Orchard/Bontrager/Ridenour

Ridenour stated that with potential changes in government it was not possible to predict the FY 2009 AzBN budget and potential impact the statewide deficit will have on the Board.

Ridenour further stated that the potential special legislative session scheduled for November 19, 2008, was postponed until early in December 2008.

VII.A.7. Annual Licensing/Certification Fee Structure Recommendations/Changes for Calendar Year 2009 – Orchard/Bontrager/Ridenour

Information was provided by Orchard regarding the status of the FY 2009 appropriation, the proposed recommendations for the calendar year 2009 fee structure and the proposed 2009 legislation.

- Total operating authority for FY 2009 is \$4,134,900.
- Year to date expenditure is \$1,409,645, approximately 34% of the total appropriation; with 41% of the fiscal year lapsed.

Orchard stated that a statutory fund transfer and appropriation reduction took place the end of October 2008, in the amount of \$30,700. With the fund sweep of \$1,004, 900 taking place in the spring of 2009, Orchard stated that it is estimated by the end of FY 2010 the Board would have a deficit in the fund balance of approximately \$370,000, and \$742,000 at the end of FY 2011. This issue was addressed at the September board meeting and at that time it was proposed that raising the Nursing Board fees for calendar 2009 would remedy the problem, with the estimated ending fund balance being a positive \$560,000 in FY 2009 and \$800,000 in FY 2010.

Orchard reported that since the September Board meeting, further analysis of the fund condition indicates that although the fiscal year 2010 will end with a positive balance, estimates predict that the agency will have a cash flow problem by January through April 2010. Orchard further explained that this is primarily due to the fact that the agency's largest revenue stream is generated during the RN/LPN license renewal, 95% of the Board's revenue, which takes place at the end of a fiscal year, June 30. Orchard further stated that for most other months of the year the revenue that is collected does not support all of the operating expenditures and the agency must rely on the cash reserve in the existing fund balance to cover costs when revenues are low. Orchard clarified that due to the statutory fund transfers the fund balance is diminishing and no longer has the appropriate cash available to support the agency operations in those months when revenues do not match or exceed expenditures.

As a solution to the cash flow issues, Orchard proposed the following:

- Increase the Nursing Board fees to their ceiling limit,
- Increase the paper RN/LPN license renewal fee to \$170, \$10 above the ceiling limit
- Move the RN/LPN license renewal period forward from June 30 each year to April 1, beginning 2010

Busby moved, Robertson seconded the motion and it was unanimously carried to approve the recommended fee proposal beginning calendar year 2009, legislatively move the RN/LPN license renewal due date to April 1, and to work with other Boards on legislation that would allow them, as a group, to raise their agency’s fee ceiling limitations.

Woulard left the meeting at 4:20 p.m.

VII.A.5. Update on 2008 Legislative Fund Balance Sweeps & Legal Action by Professional Organizations to Revert the Funds – Ridenour/Busby/Benjamin/Hayes

Hayes addressed the Board with information regarding joint litigation with eleven other healthcare professional organizations who believe that the legislative fund balance sweeps were illegal for a variety of reasons. Hayes stated that the requirements of the statute for public health and safety could not being met when the state creates a difficult financial situation for Boards.

VII.A.9. Presentation: Proposed Diligent Software for Secure Board Electronic Board Packet & Policy Recommendations for Board Packet – Henriksen/Davitt/Ridenour

A presentation was provided by Michael Thompson from Diligent Software. Busby moved, Link seconded, and it was unanimously carried to move forward with the proposed Diligent Software for secure electronic Board packet & policy recommendations.

VI. Board Discussion and Decision Regarding CNA Investigative Reports

VI.C.3. Greg Kerley CNA1000004326 (B. Nelson)

Kerley was present telephonically and addressed the Board. Complainant, Starr Ladehoff, was present and addressed the Board. Busby moved, Robertson seconded, to issue an Interim Order for a sexual misconduct evaluation, to be completed by Dr. Steven Gray, to include polygraph testing and 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 a Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order. After discussion the motion carried with six in favor and two opposed.

	VOTE	<u>Malloch, Kathy</u> Member	<u>Link, Denise</u> Member	<u>Perry, Hunter</u> Member	<u>Johnson, Patricia</u> Secretary	<u>Hardy, Karen</u> President	<u>Robertson, Steve</u> Member	<u>Woulard, Constance</u> Member	<u>Busby, Kathryn</u> Member	<u>Scott, Kathy</u> Member
YES	6	X	X		X		X		X	X
NO	2			X		X				
ABSTAIN	0									
ABSENT	1							X		

VII.E. A.A.G. Report

VII.E.1. Update of JRA’s & Special Actions - Zack

Zack gave an update JRA’s and special actions.

VII.F. Committee Reports

VII.F.2. Education

VII.F.2.a. Draft Minutes of October 24, 2008

Education Committee meeting draft minutes of October 24, 2008 were provided to the Board.

VII.D. President's Report

VII.D.6. Debriefing on Board Processes & Suggested Changes – All

Meeting process and flow was briefly discussed.

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

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

The meeting adjourned at 5:10 p.m., Thursday, November 20, 2008.

Karen Hardy, RN, MSN, President