

Arizona State Board of Nursing

Janice K. Brewer
Governor

Joey Ridenour
Executive Director



Board Meeting Minutes

The special meeting of the Arizona State Board of Nursing convened at 4:03 p.m., Tuesday, November 24, 2009, in the Board of Nursing Board Room, Suite 200, 4747 N. 7th Street, Phoenix, Arizona, with Kathy Malloch, PhD, MBA, RN, FAAN, President, presiding.

BOARD MEMBERS PRESENT:

Kathy Malloch, PhD, MBA, RN, FAAN, President (telephonic)
Patricia Johnson, LPN, Vice President
M. Hunter Perry, Secretary (telephonic)
Kathryn L. Busby, JD, Member
Theresa (Terri) Berrigan, LPN, Member
E. Gary Gum, MSN, RN, FCN, Board Member
Kathy Scott, RN, MPA, PhD, FACHE, Member

BOARD MEMBERS ABSENT:

Denise Link, PhD, WHCNP, FNAP, Member

LEGAL COUNSEL:

Seth Hargraves, Assistant Attorney General
Nina Zimmerman, Assistant Attorney General

STAFF:

Joey Ridenour, RN, MN, FAAN, Executive Director
Valerie Smith, RN, MS, Associate Director of Investigations
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
Barbara Melberg, Legal Secretary

I. Call to Order

The meeting was called to order at 4:03 p.m., Tuesday, November 24, 2009.

The following Board members were present: Malloch (telephonic), Johnson, Perry (telephonic), Berrigan, Gum, Scott, and Busby.

Malloch presided.

II. RN/LPN/CNA Investigative Reports

II.B.4. Lisa Marie Manning LP Applicant (Rappoport)

Manning was present telephonically and addressed the Board. Scott moved, Gum seconded, and it was unanimously carried, continue the investigation to allow applicant to obtain a psychological evaluation with a Board approved licensed psychologist with expertise in substance abuse, to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny licensure.

	VOTE	Link, Denise Member	Berrigan, Terri Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Scott, Kathy Member	Gum Gary Member	Busby, Kathryn Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.B.1. Dennis Wayne Sherer RN079907; LP013734 (Rappoport)

Scott moved, Johnson seconded, and it was unanimously carried to issue a Letter of Concern for unintentionally inserting a needle into a patient's intro-articular joint space during a radiological procedure on or about April 23, 2008, while employed as a RN at Kingman Regional Medical Center in Kingman, Arizona.

II.B.2. Jessica Raye Conley RN Applicant (Rappoport) (aka: Brown; Dean; Bailey)

Rappoport addressed the Board with additional information. Johnson moved, Scott seconded, and it was unanimously carried to adopt the attached Order of Denial.

	VOTE	Link, Denise Member	Berrigan, Terri Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Scott, Kathy Member	Gum Gary Member	Busby, Kathryn Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.B.3. Diann Casper RN155368 (Rappoport)

Rappoport addressed the Board with additional information. Busby moved, Scott seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 36 months probation including the attached stipulations amended to include drug testing two times per month for months 1-18 and one time per month for months 19-36, registry/float pool/traveling/home health prohibited, on site supervision. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Link, Denise</u> Member	<u>Berrigan, Terri</u> Member	<u>Perry, Hunter</u> Secretary	<u>Malloch, Kathy</u> President	<u>Johnson, Patricia</u> Vice Pres	<u>Scott, Kathy</u> Member	<u>Gum Gary</u> Member	<u>Busby, Kathryn</u> Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.B.5. Martha Mariposa Olson RN143692 (Rappoport)
(aka: Tippetts; Salazar)

Busy moved, Gum seconded, and it was unanimously carried to dismiss the complaint.

II.A.1. Gina Dawn Juarez RN114569 (Parlin)

Busby moved, Scott seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a \$250 Civil Penalty. If not signed within 30 days and payment not received within 60 days, to issue Notice of Charges.

	VOTE	<u>Link, Denise</u> Member	<u>Berrigan, Terri</u> Member	<u>Perry, Hunter</u> Secretary	<u>Malloch, Kathy</u> President	<u>Johnson, Patricia</u> Vice Pres	<u>Scott, Kathy</u> Member	<u>Gum Gary</u> Member	<u>Busby, Kathryn</u> Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.A.2. Malinda Marie Chavez CNA Endorsement (Parlin)

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

	VOTE	<u>Link, Denise</u> Member	<u>Berrigan, Terri</u> Member	<u>Perry, Hunter</u> Secretary	<u>Malloch, Kathy</u> President	<u>Johnson, Patricia</u> Vice Pres	<u>Scott, Kathy</u> Member	<u>Gum Gary</u> Member	<u>Busby, Kathryn</u> Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.A.3. Marie A. Minter CNA999952011 (Parlin)

Busby moved, Gum seconded, and it was unanimously carried to issue a Letter of Concern for the August 29, 2007, conviction for misdemeanor public sexual indecency in Cottonwood, Arizona.

II.A.4. Marie Berniece Racine LP038199 (Parlin)

Johnson moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a \$250 Civil Penalty. If not signed within 30 days and payment not received within 60 days, to issue Notice of Charges.

	VOTE	<u>Link, Denise</u> Member	<u>Berrigan, Terri</u> Member	<u>Perry, Hunter</u> Secretary	<u>Malloch, Kathy</u> President	<u>Johnson, Patricia</u> Vice Pres	<u>Scott, Kathy</u> Member	<u>Gum Gary</u> Member	<u>Busby, Kathryn</u> Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.A.5. Markisha Antonette July CNA1000001559 (Parlin)

Johnson moved, Scott seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to issue Notice of Charges.

II.A.6. Reihanna Lynn Frieszell CNA Exam (Parlin)
(aka: Yates)

Busby moved, Scott seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all requirements, and signing a Consent Agreement for a \$50 Civil Penalty, to grant certification. If not signed within 30 days or payment not received within 60 days, deny certification. After discussion the motion carried with six in favor and one abstained.

	VOTE	<u>Link, Denise</u> Member	<u>Berrigan, Terri</u> Member	<u>Perry, Hunter</u> Secretary	<u>Malloch, Kathy</u> President	<u>Johnson, Patricia</u> Vice Pres	<u>Scott, Kathy</u> Member	<u>Gum Gary</u> Member	<u>Busby, Kathryn</u> Member
YES	6		X	X	X	X	X		X
NO	1							X	
ABSTAIN	0								
ABSENT	1	X							

II.A.7. Robert William Sandoval CNA Endorsement (Parlin)

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

	VOTE	<u>Link, Denise</u> Member	<u>Berrigan, Terri</u> Member	<u>Perry, Hunter</u> Secretary	<u>Malloch, Kathy</u> President	<u>Johnson, Patricia</u> Vice Pres	<u>Scott, Kathy</u> Member	<u>Gum Gary</u> Member	<u>Busby, Kathryn</u> Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.A.8. Sarah Katherine Davison RN134577 (Parlin)

Busby moved, Scott seconded, and it was unanimously carried to issue a Letter of Concern for the July 3, 2006, misdemeanor driving under the influence (DUI) conviction in Tempe, Arizona, and for failing to report the DUI charge to the Board within ten days.

II.A.9. Sherry Lynn Spurlock CNA1000006358 (Parlin)

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

II.A.10. Timothy John Bruns CNA Exam (Parlin)

Busby moved, Scott seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all requirements, and signing a Consent Agreement for a \$50 Civil Penalty, to grant certification. If not signed within 30 days or payment not received within 60 days, deny certification.

	VOTE	<u>Link, Denise</u> Member	<u>Berrigan, Terri</u> Member	<u>Perry, Hunter</u> Secretary	<u>Malloch, Kathy</u> President	<u>Johnson, Patricia</u> Vice Pres	<u>Scott, Kathy</u> Member	<u>Gum Gary</u> Member	<u>Busby, Kathryn</u> Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.A.11. Wes Martin Wesley CNA Exam (Parlin)

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

	VOTE	<u>Link, Denise</u> Member	<u>Berrigan, Terri</u> Member	<u>Perry, Hunter</u> Secretary	<u>Malloch, Kathy</u> President	<u>Johnson, Patricia</u> Vice Pres	<u>Scott, Kathy</u> Member	<u>Gum Gary</u> Member	<u>Busby, Kathryn</u> Member
YES	7		X	X	X	X	X	X	X
NO	0								

ABSTAIN	0								
ABSENT	1	X							

II.C.1. Shirley Alcott CNA838818353 (Sage)

Johnson moved, Scott seconded, and it was unanimously carried, based on the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue Notice of Charges.

	VOTE	Link, Denise Member	Berrigan, Terri Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Scott, Kathy Member	Gum Gary Member	Busby, Kathryn Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

**II.C.2. Laverne Bermudez LP035826 (Sage)
(aka: Swift; Gotoy)**

Johnson moved, Scott seconded, and it was unanimously carried to issue a Letter of Concern for failing to report allegations of abuse to a supervisor in a timely manner while employed as an LPN at Glendale Care Center on July 2, 2009.

II.C.3. Vicki Snyder CNA908311769 (Sage)

Busby moved, Johnson seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 18 months stayed revocation, including the attached stipulations, and a \$50 Civil Penalty. If not signed within 30 days, issue Notice of Charges.

	VOTE	Link, Denise Member	Berrigan, Terri Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Scott, Kathy Member	Gum Gary Member	Busby, Kathryn Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.C.4. Roxanne K. Bradley CNA999991976 (Sage)

Busby moved, Scott seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days and payment not received within 60 days, to issue Notice of Charges.

	VOTE	Link, Denise Member	Berrigan, Terri Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Scott, Kathy Member	Gum Gary Member	Busby, Kathryn Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.C.5. Robert Raymond Dickinson, Jr. CNA1000014044 (Sage)

Johnson moved, Scott seconded, and it was unanimously carried to issue an Interim Order for a psychological evaluation, completed by a Board approved licensed psychologist, to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	<u>Link, Denise</u> Member	<u>Berrigan, Terri</u> Member	<u>Perry, Hunter</u> Secretary	<u>Malloch, Kathy</u> President	<u>Johnson, Patricia</u> Vice Pres	<u>Scott, Kathy</u> Member	<u>Gum Gary</u> Member	<u>Busby, Kathryn</u> Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.C.6. Cynthia Estrada CNA Applicant (Sage)

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

	VOTE	<u>Link, Denise</u> Member	<u>Berrigan, Terri</u> Member	<u>Perry, Hunter</u> Secretary	<u>Malloch, Kathy</u> President	<u>Johnson, Patricia</u> Vice Pres	<u>Scott, Kathy</u> Member	<u>Gum Gary</u> Member	<u>Busby, Kathryn</u> Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.C.7. Crisann Foret LP0445683; CNA100004592 (Sage)
(aka: Chiras; Rowland)

Sage addressed the Board with additional information. Busby moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for verbal abuse of a resident and being perceived to speak loudly and harshly to residents while employed as an LPN at Hacienda Rehab and Care Center in Sierra Vista, Arizona, in or about April 2009.

II.C.8. Cary Gene Howard CNA1000016118 (Sage)

Johnson moved, Scott seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to issue Notice of Charges.

II.C.9. Martin Edward Jones CNA1000017163 (Sage)

Busby moved, Scott seconded, and it was unanimously carried to issue a Letter of Concern for reportedly tying a resident's arm to a side rail in or about April 2009, and reportedly snapping another resident with a towel in or about May 2009, while employed as a CNA at Silver Ridge Village in Bullhead, City.

II.C.10. Katrina Kearns CNA999947666 (Sage)
(aka: Holinder)

Johnson moved, Gum seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 12 months stayed revocation including the attached stipulations, and a \$50 Civil Penalty. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Link, Denise</u> Member	<u>Berrigan, Terri</u> Member	<u>Perry, Hunter</u> Secretary	<u>Malloch, Kathy</u> President	<u>Johnson, Patricia</u> Vice Pres	<u>Scott, Kathy</u> Member	<u>Gum Gary</u> Member	<u>Busby, Kathryn</u> Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.C.11. Linda F. Lee CNA933654537 (Sage)

Johnson moved, Scott seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 12 months stayed revocation, including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Link, Denise</u> Member	<u>Berrigan, Terri</u> Member	<u>Perry, Hunter</u> Secretary	<u>Malloch, Kathy</u> President	<u>Johnson, Patricia</u> Vice Pres	<u>Scott, Kathy</u> Member	<u>Gum Gary</u> Member	<u>Busby, Kathryn</u> Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.C.12. Wendy Joanne Lee CNA1000013334 (Sage)
(aka: Miller)

Scott moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 18 months stayed revocation, including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Link, Denise</u> Member	<u>Berrigan, Terri</u> Member	<u>Perry, Hunter</u> Secretary	<u>Malloch, Kathy</u> President	<u>Johnson, Patricia</u> Vice Pres	<u>Scott, Kathy</u> Member	<u>Gum Gary</u> Member	<u>Busby, Kathryn</u> Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.C.13. Pamela Ann Monstrom CNA1000007840 (Sage)

Johnson moved, Scott seconded, and it was unanimously carried to issue a Letter of Concern for inappropriateness with confused residents in 2009, while employed as a CNA at Red Rock Care and Rehabilitation Center in Cottonwood, Arizona.

II.C.14. Roddrick Moody CNA1000001233 (Sage)

Scott moved, Johnson seconded, and it was unanimously carried to issue an Interim Order for a psychological evaluation to include anger management, completed by a Board approved licensed PhD prepared psychologist, to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 day. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	<u>Link, Denise</u> Member	<u>Berrigan, Terri</u> Member	<u>Perry, Hunter</u> Secretary	<u>Malloch, Kathy</u> President	<u>Johnson, Patricia</u> Vice Pres	<u>Scott, Kathy</u> Member	<u>Gum Gary</u> Member	<u>Busby, Kathryn</u> Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.C.15. Estella Moore CNA562187103 (Sage)
(aka: Stella Moore)

Busby moved, Scott seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Link, Denise</u> Member	<u>Berrigan, Terri</u> Member	<u>Perry, Hunter</u> Secretary	<u>Malloch, Kathy</u> President	<u>Johnson, Patricia</u> Vice Pres	<u>Scott, Kathy</u> Member	<u>Gum Gary</u> Member	<u>Busby, Kathryn</u> Member
YES	7		X	X	X	X	X	X	X
NO	0								

ABSTAIN	0								
ABSENT	1	X							

II.C.16. Gabriela Liera Murillo CNA999991520 (Sage)

Johnson moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for raising her voice to residents while employed as a CNA making residents feel uncomfortable while employed as a CNA at La Colina Care Center in Tucson, Arizona.

II.C.17. Isabelita Salagubang Nera CNA1000004056 (Sage)

Busby moved, Scott seconded, and it was unanimously carried to issue a Letter of Concern for inappropriate statements to a resident on June 24, 2009, while employed at Glendale Care Center.

II.C.18. Margaret M. Neild CNA999947516 (Sage)

Busby moved, Gum seconded, and after it was unanimously carried, based on the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue Notice of Charges.

	VOTE	Link, Denise Member	Berrigan, Terri Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Scott, Kathy Member	Gum Gary Member	Busby, Kathryn Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.C.19. Laura Leona Palao CNA1000004772 (Sage)

Scott moved, Johnson seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to issue an Interim Order for a substance abuse evaluation, completed by a Board approved, minimum PhD prepared evaluation with expertise in substance abuse, to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and return to the Board. If not completed, issue Notice of Charges.

	VOTE	Link, Denise Member	Berrigan, Terri Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Scott, Kathy Member	Gum Gary Member	Busby, Kathryn Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.C.20. Alimatu Pearce CNA1000018898 (Sage)

Johnson moved, Scott seconded, and it was unanimously carried to issue a Letter of Concern for reportedly being rough in the care of a resident in April 2009, while employed as a CNA at Highland Manor in Phoenix, Arizona.

II.C.21. Veronica Solis CNA1000018754 (Sage)

Scott moved, Johnson seconded, and it was unanimously carried issue an Interim Order for a substance abuse evaluation, completed by a Board approved, minimum PhD prepared evaluator, to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	Link, Denise Member	Berrigan, Terri Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Scott, Kathy Member	Gum Gary Member	Busby, Kathryn Member
YES	7		X	X	X	X	X	X	X

NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.C.22. Chivonne Denise Stephens CNA1999914396 (Sage)

Sage addressed the Board with additional information. Scott moved, Busby seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue Notice of Charges.

	VOTE	Link, Denise Member	Berrigan, Terri Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Scott, Kathy Member	Gum Gary Member	Busby, Kathryn Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.C.23. Anna Vargas CNA999987517 (Sage)

Johnson moved, Scott seconded, and it was unanimously carried, based on the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue Notice of Charges.

	VOTE	Link, Denise Member	Berrigan, Terri Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Scott, Kathy Member	Gum Gary Member	Busby, Kathryn Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.C.24. Jacqueline Winters CNA999996545 (Sage)

Johnson moved, Scott seconded, and after discussion it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a \$100 Civil Penalty. If not signed within 30 days and payment not received within 60 days, issue Notice of Charges.

	VOTE	Link, Denise Member	Berrigan, Terri Member	Perry, Hunter Secretary	Malloch, Kathy President	Johnson, Patricia Vice Pres	Scott, Kathy Member	Gum Gary Member	Busby, Kathryn Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.C.25. Davina Yvonne Wright CNA1000019373 (Sage)

Busby moved, Scott seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to issue Notice of Charges.

II.D.1. Jessie H. Gavan LP017705 (Schettler)

Busby moved, Scott seconded, and it was unanimously carried to issue a Letter of Concern for failing to report resident R.S. for inappropriate sexual touching on or about January 14 and 16, 2009, to the Director of Nursing and/or the Arizona Department of Health and Human Services, while working at Immanuel Campus of Care in Peoria, Arizona.

II.D.2. Jennifer Lu Delay RN115347; LP027022; CNA274048869 (Schettler)

Schettler addressed the Board with additional information. Busby moved, Gum seconded, and it was unanimously carried to issue an Interim Order for a relapse evaluation and substance abuse evaluation,

completed by a Board approved, minimum PhD level psychologist, to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	<u>Link, Denise</u> Member	<u>Berrigan, Terri</u> Member	<u>Perry, Hunter</u> Secretary	<u>Malloch, Kathy</u> President	<u>Johnson, Patricia</u> Vice Pres	<u>Scott, Kathy</u> Member	<u>Gum Gary</u> Member	<u>Busby, Kathryn</u> Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.D.3. Ronnie George Hasl RN123201; LP038097 (Schettler)

Schettler addressed the Board with additional information. Busby moved, Scott seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 24 months probation, with the attached stipulations amended to include: allowed to work night shift, to include a substance abuse evaluation by a Board approved PhD prepared psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within 30 days. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Link, Denise</u> Member	<u>Berrigan, Terri</u> Member	<u>Perry, Hunter</u> Secretary	<u>Malloch, Kathy</u> President	<u>Johnson, Patricia</u> Vice Pres	<u>Scott, Kathy</u> Member	<u>Gum Gary</u> Member	<u>Busby, Kathryn</u> Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

II.D.4. Kim Harding Wynn RN136608 (Schettler)

Busby moved, Johnson seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement and indefinite suspension pending the completion of a refresher course, followed by 24 months probation including the attached stipulations, or hearing. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Link, Denise</u> Member	<u>Berrigan, Terri</u> Member	<u>Perry, Hunter</u> Secretary	<u>Malloch, Kathy</u> President	<u>Johnson, Patricia</u> Vice Pres	<u>Scott, Kathy</u> Member	<u>Gum Gary</u> Member	<u>Busby, Kathryn</u> Member
YES	7		X	X	X	X	X	X	X
NO	0								
ABSTAIN	0								
ABSENT	1	X							

III.A. President’s Report – Malloch

III.A.1. Update on Board Appointments – Ridenour

Ridenour reported no activity in the appointment or additional Board members by the Governor.

III.A.2. Update on NCSBN Board of Directors and Area I Director Report - Malloch

It was discussed and decided by the Board to schedule discussion of upcoming strategic initiatives for an upcoming retreat.

III.A.3. Board Self Assessment & Board Member Goals for CY 2010 – Malloch/All

It was discussed and decided by the Board to schedule Board Self Assessment & Board member goals for an upcoming retreat.

III.A.4. Debriefing on Board Processes & Suggested Changes – All

The Board discussed Board processes and suggested changes.

IV. 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).

VI. Adjournment

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

The meeting adjourned at 5:08 p.m., Tuesday, November 23, 2009.

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