

Arizona State Board of Nursing

Janice K. Brewer
Governor

Joey Ridenour
Executive Director



Board Meeting Minutes

The regular meeting of the Arizona State Board of Nursing convened at 8:00 a.m., Thursday, May 20, 2010, 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
Denise Link, PhD, WHCNP, FNAP, Vice President
Kathy Scott, RN, MPA, PhD, FACHE, Secretary
Terri Berrigan, LPN, Member
Kathryn L. Busby, JD, Member
E. Gary Gum, MSN, RN, FCN, Member
Lori Gutierrez, BS, RN-C, RAC-CT, CBN
Patricia Johnson, LPN, Member
M. Hunter Perry, Member

LEGAL COUNSEL:

Elizabeth Campbell, Assistant Attorney General
Seth Hargraves, 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
Tammi Bymers, RN, MSN, Nurse Practice Consultant
Tim Chafey, RN, Senior Investigator
Janeen Dahn, MSN, FNP, Nurse Practice Consultant/Advanced Practice
Karen Grady, RN, MS, CS, FNP, Nurse Practice Consultant
Angela Hill, RN, Nurse Practice Consultant
Dolores Hurtado, Legal Assistant II/Monitoring
Ron Lester, Senior Investigator
Patricia Midkiff, RN, MN, Nurse Practice Consultant/CANDO
Michelle Mills, RN, MA, Nurse Practice Consultant/Monitoring
Linda Monas, Senior Investigator
Betty Nelson, RN, MS, Nursing Assistant Consultant
Stephanie Nelson, R.N., MSN, Nurse Practice Consultant
Kirk Olson, Senior Investigator
Doug Parlin, Senior Investigator
Judy Pendergast, RN, JD, Nurse Practice Consultant
Mary Rappoport, RN, MN, Nurse Practice Consultant
Deborah Richards, JD, Senior Investigator
Bonnie Richter, MSW, Senior Investigator
Jeanine Sage, RN, MSN, Nursing Assistant Consultant
V. Ann Schettler, RN, MHL, CLNC, Nurse Practice Consultant
Sister Rachel Torrez, RN, MS, Nurse Practice Consultant
Barbara Melberg, Legal Secretary

I. Call to Order

The meeting was called to order at 8:00 a.m., Thursday, May 20, 2010.

The following Board members were present: Malloch, Link, Scott, Johnson, Gutierrez, Gum, Perry and Berrigan.

Malloch presided.

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

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

VI. RN/LPN/CNA Investigative Reports

VI.P.12. Alice Louise Gibler LP039478 (Midkiff)

Midkiff addressed the Board with additional information. Gibler was present and available for questions. Attorney Kelly McDonald was present and addressed the Board. Link moved, Berrigan seconded, and it was unanimously carried to table Agenda Item VI.P.12.

VI.B.3. Anna Ryan Bricker RN039809; AP0002; AP0052 (Dahn)

Attorney Teresa Sanzio was present and addressed the Board. Scott moved, Berrigan seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.B.4. Bonnie Labaw Hare RN067325; AP0200 (Dahn)

Attorney Teresa Sanzio was present and available for questions. Johnson moved, Gum seconded, and it was unanimously carried to dismiss the complaint.

VI.B.5. Kirsten E. Wister RN097845; AP2534 (Dahn)

Wister was present and addressed the Board. Johnson moved, Perry seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue Notice of Charges. After discussion, the motion failed with five opposed and four in favor.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	4	X	X					X		X
NO	5			X	X	X	X		X	
ABSTAIN	0									
ABSENT	0									

Scott moved, Berrigan seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 12 months probation including the attached stipulations. If not signed within 30 days, issue Notice of Charges. After discussion Scot amended the stipulations to include: reports and chart reviews monthly for the first 6 months and quarterly for the

remainder of the probation period and night shift allowed. Berrigan concurred. After further discussion, the motion carried with six in favor and three opposed.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	6		X	X	X	X	X		X	
NO	3	X						X		X
ABSTAIN	0									
ABSENT	0									

VI.B.6. Stephanie Thom Herrick RN063990; AP328; LP021200 (Dahn)

Herrick was present and available for questions. Attorney Ken Baker was present and addressed the Board. Busby moved, Perry seconded, and it was unanimously carried to continue the investigation to the September 2010 Board meeting to allow time for newly obtained legal counsel to review the case.

VI.B.7. Laura Lynne Zecha RN101833; AP2680 (Dahn)

Dahn addressed the Board with additional information. Zecha was present and addressed the Board. Johnson moved, Link seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Complaint and Notice of Hearing.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.C.7. Heather Easterday RN137667 (Hill)

Attorney Brenda Maloney was present and addressed the Board. Attorney Simone Cogan-Dunlap was also present. Busby moved, Scott seconded, and it was unanimously carried, for complaint #1 & #2, 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	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.C.8. Susan Rockney LP026432 (Hill)

Attorney Brenda Maloney was present and addressed the Board. Attorney Simone Cogan-Dunlap was also present. 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 24 months probation including the attached stipulations, amended to allow 6 months to complete course work. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.P.12. Alice Louise Gibler LP039478 (Midkiff)

Perry moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item VI.P.12. Midkiff addressed the Board with additional information. Attorney Kelly McDonald addressed the Board. Link moved, Scott seconded, and it was unanimously carried to issue a Letter of Concern for nursing performance concerns while employed at Glencroft during 2006-2007, and The Terraces during 2007.

VI.C.10. Cheryl Rose Reale RN106246 (Hill)

Reale was present and available for questions. Attorney Lisa Gervase was present and addressed the Board. Busby moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for inappropriately administering the Morphine PCA to patient J.S. on May 23, 2009, while employed at Scottsdale Healthcare Shea in Scottsdale, Arizona.

VI.N.2. Diana C. Riedel RN041206 (Torrez)

Riedel and attorney Charlie Hover were present and addressed the Board. Scott moved, Gum seconded, and it was unanimously carried to issue a Letter of Concern for failing to maintain an accurate medical record from on or about August 21, 2009, to November 1, 2009, while employed at Banner Boswell Medical Center in Sun City, Arizona.

VI.L.3. Clarita Emerich CNA765401441 (Sage)

Emerich and attorney Lisa Gervase were present and available for questions. Link moved, Gum seconded, and it was unanimously carried to dismiss the complaint.

**VI.L.4. Karen Sue Cummings CNA10000112745 (Sage)
(aka: Artino; Gillis; Gillis-Artino)**

Link moved, Perry seconded, and it was unanimously carried to issue a Letter of Concern for failing to report perceived physical and verbal abuse in a timely manner on December 8, 2009, while employed at Sun Grove Village Care Center in Peoria, Arizona.

VI.P.1. Heather A. Frenette RN080146 (Midkiff)

Attorney Teressa Sanzio was present and addressed the Board. Perry moved, Scott seconded, and it was unanimously carried to dismiss the complaint.

VI.P.2. Jennifer Bautista Ines RN145505 (Midkiff)

Attorney Teressa Sanzio was present and addressed the Board. Gum moved, Link seconded, and it was unanimously carried to issue a Letter of Concern for making comments to staff that were construed as sexual in nature in 2007 and 2008, while employed at St. Joseph's Hospital and Medical Center.

VI.P.3. Valerie Ann Corti-Phillips RN094717; LP030694 (Midkiff)

Midkiff addressed the Board with additional information. Attorney Teressa Sanzio was present and addressed the Board. Busby moved, Link seconded, and after discussion it was unanimously carried to issue a Letter of Concern for failing to correctly document pain medication administration and wastage for patients while employed in the Emergency Department at Valley View Medical Center.

VI.M.1. Judy Knutson Johnson LP031933 (Schettler)

Johnson moved, Link seconded, and it was unanimously carried to dismiss the complaint, and report Desert Highlands Care Center to Arizona Department Health Services for documentation inconsistencies and system failures that led to patient V.A.'s emergency transfer to Kingman Regional Medical Center for abdominal wound infection and respiratory distress.

VI.M.3. Anamarie K. Moran RN057618; LP019009 (Schettler)

Schettler addressed the Board with additional information. Moran was present and available for questions. Attorney Cody Hall was present and addressed the Board. Busby moved, Perry seconded, and it was unanimously carried to table Agenda Item VI.M.3. to allow time for counsel to provide more information to the Board.

Busby left the meeting at 9:35 a.m.

V.D. Non-Compliance/Compliance with Board Orders

V.D.4. Louis C. Turner RN112365 (Hurtado)

Turner and attorney Ken Baker were present and addressed the Board. Scott moved, Gum seconded, and after discussion it was unanimously carried to deny request for early termination, but amend Consent Agreement and Order No. 0704098 to allow Turner to enter into step-down, and after 9 months if no evidence of noncompliance, terminate Order No. 0704098.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	1									X

Perry left the meeting at 9:39 a.m.

VI. RN/LPN/CNA Investigative Reports

VI.A.3. Janice Faye Ellsworth RN036114; AP0815 (Bymers)

An attempt was made to contact Ellsworth and attorney Michael Smith. Scott moved, Johnson seconded, and it was unanimously carried to dismiss the complaint.

**VI.A.6. Judith Ann Winslow Kress RN0808999; AP1357 (Bymers)
(aka: Winslow)**

Attorney for the complainant, Larry Cohen was present and addressed the Board. Kress was present and available for questions. Attorney Cody Hall was present and addressed the Board.

Perry returned to the meeting at 9:45 a.m.

Johnson moved, Scott seconded, to dismiss the complaint. The motion carried with seven in favor and one abstained.

The meeting recessed at 9:46 a.m. and reconvened at 10:07 a.m. Busby returned to the meeting at 10:07 a.m.

Berrigan returned to the meeting at 10:09 a.m.

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).

Derrick Schlecky was in the audience and addressed the Board with a question pertaining to how epilepsy would affect the ability and possibility of becoming a nurse. Assistant Attorney General Seth Hargraves advised that since the question was not agendized it must be placed on a future agenda in

order to be discussed. The Board advised Schlecky that Board staff would contact him and offer answers to his questions.

V.B. Applicants for Reissuance & Investigative Reports

V.B.1. John Warren Lewis RN141117; LP040989 (Mills)

Lewis was present and addressed the Board. Johnson moved, Gum seconded, and after discussion it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, issue a Letter of Concern for failing to maintain professional boundaries and interactions with behavioral health patients while working with behavioral health patients at Desert Vista Hospital.

V.B.2. Michelle Lind RN092631; AP0214 (Mills)

Lind was present and addressed the Board. Scott moved, Berrigan seconded, and it was unanimously carried, upon meeting all requirements and signing a Consent Agreement for 12 months stayed revocation/probation followed by 12 months probation including the attached stipulations amended to include direct supervision for the first 3 months and on site supervision for the remainder of the probation, monthly reports for the first 3 months and quarterly thereafter, to grant licensure for RN Refresher Course only. Upon successful completion of RN Refresher Course, grant RN licensure under applicable terms. If not signed within 30 days, deny licensure based upon the findings of fact and statute/rule violations identified in the investigative report.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.C. Non-Compliance/Compliance with Board Orders

V.C.3. Bernadette M. Bergin RN090633; LP029045; CNA201201189 Mills

Bergin was present and addressed the Board. Scott moved, Link seconded, and it was unanimously carried, to remove limitation limiting Bergin’s practice to 24 hours per week, and allow her to work any shift.

VI. RN/LPN/CNA Investigative Reports

VI.A.2. Kimberlee Gail Duncan RN054350; LP017586 (Bymers)

Bymers addressed the Board and confirmed receipt of additional information and provided additional information. Duncan was present and addressed the Board. Perry moved, Link seconded, and it was unanimously carried to table Agenda Item VI.A.2. to allow time for respondent to provide additional documents to the Board.

VI.A.11. Anne Marie Tijerina RN101848 (Bymers)

Bymers addressed the Board with additional information. Tijerina was present and addressed the Board. 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, offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.B.1. Brenda Jean Adamson RN106789; AP2357 (Dahn)

Complainant Sharon Freeman was present and addressed the Board. Gum moved, Link seconded, and it was unanimously carried to dismiss the complaint.

VI.B.2. Mary Julia Linert LP035972 (Dahn)

Scott moved, Link seconded, and it was unanimously carried to issue a Letter of Concern for a verbal order from someone other than an appropriate provider while working at Silver Ridge Village on or about April 19, 2009.

VI.H.17. Carolyn Sue Williams RN116583; AP1831 (Olson)

Williams and attorney Brian Murphy were present and addressed the Board. Scott moved, Link 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 including the attached stipulations amended to include: on site supervision with the pharmacist, in consultation with supervising nurse practitioner, with joint submission of performance evaluations, in current employment position only. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

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

VII.E. Committee Reports

VII.E.1. Scope of Practice: Discuss/Amend & Approve Advisory Opinions – Bontrager/Johnson/Scott

VII.E.1.b. Draft Advisory Opinion (AO) Intravenous Infusion Therapy/Venipuncture: The Role of the LPN

Bontrager addressed the Advisory Opinion (AO) on Intravenous Infusion Therapy/Venipuncture: The Role of the LPN. This AO was brought back to the Board after revisions were requested by LPN advisory committee.

Bontrager noted that Marlene Steinheiser, a clinical support specialist with a pharmaceutical company for skilled nursing facilities, and Deana Kapick, Director of Nursing for a skilled nursing facility, were available for questions.

Johnson noted that the SOP Committee had worked on this AO for a very long time with one of the main objectives being to expand the LPN role because of the increased number of Long Term Care (LTC) patients that had peripherally inserted central catheters (PICC) and received medication thru those lines, and an RN was not always available to administer the medication.

Malloch voiced concern whether it was in the scope of practice of an LPN or if it's because of a shortage problem in another field.

Johnson said the Committee found that the process is the same as using a peripherally inserted IV and it was thought to be safe practice. She said LPN's would not be giving push medications, but mainly antibiotics.

Steinheiser stated she could understand it being a concern, but that peripheral lines are not being seen as often in the long term care facilities. Steinheiser felt it is a much safer practice to give medications through a PICC line, once educated to do so.

Malloch asked how they would respond to people who say the role of the RN is being marginalized and that it's an attempt to get rid of RN's in the long term care setting.

Kapick stated that she sees it as another procedure that they're training their LPN's to do competently., She feels LPN's are a competent and integral component to the LTC sector, and have a Scope of Practice that includes learning invasive procedures. In many cases, Kapick felt a PICC line is safer than maintaining a peripheral site for a 92 year old patient with poor veins.

Malloch asked about the possibility of having this as a 6 month pilot program to collect data on its safety. Johnson and Berrigan agreed that a pilot program was unnecessary.

Scott voiced a concern that the role of the RN hasn't been outlined in the AO, but left wide open. She agreed with the technical skill portion, but felt that understanding the role of the RN and how they work with the LPN is missing.

Malloch stated she agrees with the technical skill as well, but her concern is the evaluation component and the ongoing monitoring.

Scott noted that some portions of the AO looked like independent assessment the way it was written.

Steinheiser commented that those portions were not new and had been in place for many years. In addition, if an RN or physician delegates to the LPN, they are making the determination that the LPN is competent to do that function.

Gum suggested that wording be changed to say if under the direction of an RN, it is within the scope of practice, and remove "physician", the same thing would be accomplished but the onus would be placed back on the RN to be responsible for the delegation skill and the outcomes.

Link agreed that it then would keep it within the purview of nursing, the regulation and oversight of the profession isn't being passed off to another discipline that may or may not understand. Link agreed that, for her, it's not enough to know how to do something, but the involvement of the RN is necessary overall.

In response to Malloch's stated concern about the delegation piece, Bontrager replied that anytime there's delegation there would be assessment, planning, supervision and evaluation, so those elements would be incorporated into the word "delegate". Gutierrez stated that LPN's have been doing IV's for quite some time and all that this AO is doing is expanding the practice to be able to meet compliance in regards to medications in LTC facilities. She suggested the RN hanging the first dose and the LPN do subsequent treatments. Johnson again noted this is not something new but only the difference from a PICC to a peripheral line;

It was noted that the employer must validate competency before the LPN does any infusion care.

Ridenour stated that this was debated at the committee meetings of Scope of Practice, LPN Advisory, and Department of Health Services, with many different view points. She recognized Steinheiser's expertise in this area and how the LPN scope has evolved over the last 15 years.

In regards to the physician delegating, Ridenour noted it is in statute and can't be changed. Usually the LPN would be performing these procedures in a setting where the physician was the overseer.

Scott said she would like it to be clear that the LPN could not perform these procedures in that type of setting, that the physician comes and goes and an RN assessment is necessary.

Malloch asked Kapick, as a DON, what kind of quality assurance would be done and how it would be monitored. Kapick stated that it is already in the quality assurance process and they would know if there was a problem.

Johnson moved, Perry seconded, to accept, as is, the advisory opinion on Intravenous Infusion Therapy/Venipuncture: The Role of the LPN. After further discussion, the motion carried with six in favor and three opposed.

VI. RN/LPN/CNA Investigative Reports

VI.K.8. Leigh Allison Judge RN101337 (Rappoport)
(aka: Buelow; Smith)

Rappoport addressed the Board and confirmed receipt of additional information. Judge was present telephonically and addressed the Board. Perry moved, Johnson seconded, and it was unanimously carried, adopt the attached Notice of Charges, amended to include in finding of fact #7 that Board staff received response from respondent on May 19, 2010.

VI.A.2. Kimberlee Gail Duncan RN054350; LP017586 (Bymers)

Perry moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item VI.A.2. Duncan was present and available for questions. Byemers addressed the Board with additional information. Johnson moved, Link seconded, and it was unanimously carried to continue the investigation to the July 2010 Board meeting.

The meeting recessed at 12:02 p.m. and reconvened at 12:47 p.m. Perry left the meeting at 12:48 p.m.

Scott returned to the meeting at 12:50 p.m.

VI.D.1. Amber Faraci CNA Exam (Lester)

Lester addressed the Board with additional information. Faraci was present and addressed the Board. Perry returned to the meeting at 12:57 p.m.

Johnson moved, Berrigan seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to deny certification. After discussion the motion carried with six in favor, one opposed, and one abstained.

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

II.A. Administrative Law Judge Recommendations

II.A.1. Ruth Spatz-Herman LP043492 Zack

The proceeding began at 1:01 p.m., with the following Board members present: Malloch, Link, Scott, Johnson, Gutierrez, Gum, Perry and Berrigan.

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

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

Zack addressed the Board.

Spatz-Herman was not present and was not represented by legal counsel.

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

Johnson moved, Scott seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 12, and 14 through 27, and Conclusions of Law the alleged violations in Paragraphs 1 through 7 and 9 through 28.

Link moved, Scott seconded, and it was unanimously carried to adopt the Administrative Law Judge’s recommendation that the Board’s January 27, 2010 summary suspension of respondent’s license No. LP043492 be upheld and affirmed and the license revoked.

	VOTE	<u>Johnson, Patricia</u> Member	<u>Gutierrez, Lori</u> Member	<u>Gum, Gary</u> Member	<u>Scott, Kathy</u> Secretary	<u>Malloch, Kathy</u> President	<u>Link, Denise</u> Vice Pres	<u>Perry, Hunter</u> Member	<u>Berrigan, Terri</u> Member	<u>Busby, Kathryn</u> Member
YES	8	X	X	X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	1									X

II.A.2. Starlett Monique Davis CNA Exam Hargraves

The proceeding began at 1:06 p.m., with the following Board members present: Malloch, Link, Scott, Johnson, Gutierrez, Gum, Perry and Berrigan.

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

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

Hargraves addressed the Board.

Davis and her mother, Lillian Osbon, were present and addressed the Board.

Perry moved, Gutierrez seconded, to table Agenda Item II.A.2. The motion carried with six in favor and two opposed.

II.A.3. George Gardner CNA Exam Hargraves

The proceeding began at 1:16 p.m., with the following Board members present: Malloch, Link, Scott, Johnson, Gutierrez, Gum, Perry and Berrigan.

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

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

Hargraves addressed the Board.

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

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

Johnson moved, Gum seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 32, and Conclusions of Law the alleged violations in Paragraphs 1 through 5.

Johnson moved, Scott seconded, and it was unanimously carried that respondent’s appeal in this matter shall be dismissed on the effective date of the Order entered in this matter. The Board’s denial of Gardner’s application for nursing assistant certification is upheld and affirmed.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	1									X

II.B. Motion to Deem Allegations Admitted for Failure to Respond to Complaint and Notice of Hearing & Recommended Discipline

AGENA #	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.B.1.	Mark M. Bomer	CNA999998834	Revocation	Hargraves
II.B.2.	Marjorie Marie Pittman	CNA999996617	Revocation	Hargraves
II.B.3.	Penelope C. Riddle	RN060813	Revocation	Zack

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

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

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

Perry moved, Scott 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.

Scott moved, John seconded, and it was unanimously carried to accept the State’s recommended discipline for Agenda Items II.B.1-3.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	1									X

II.C. Settlement Conference Cases and Proposed Consent Agreements

II.C.1. Susan Marie Vitus RN022298; AP0067 Zimmerman

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

Zimmerman addressed the Board.

Vitus was represented by legal counsel Teresa Sanzio who was present and addressed the Board. Vitus was present and available for questions.

Perry moved, Scott seconded, and it was unanimously carried to rescind prior Board vote or September 2007, and issue a Letter of Concern for failing to immediately assume the care of a distressed newborn infant, and poor communication with co-workers, during an on-call delivery at Banner Mesa Medical Center on May 16, 2006, and for failure to timely respond to the Board’s investigative questionnaire.

Busby returned to the meeting at 1:22 p.m.

II.C.2. Bryan K. Allen RN081433; LP016930 Zimmerman

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

Zimmerman addressed the Board.

Allen was represented by legal counsel Teresa Sanzio who was present and addressed the Board.

Perry moved, Johnson seconded, and after discussion it was unanimously carried to rescind prior Board decision of January 2010 and accept attached signed Consent Agreement for six month probation with stipulated terms.

	VOTE	<u>Johnson, Patricia</u> Member	<u>Gutierrez, Lori</u> Member	<u>Gum, Gary</u> Member	<u>Scott, Kathy</u> Secretary	<u>Malloch, Kathy</u> President	<u>Link, Denise</u> Vice Pres	<u>Perry, Hunter</u> Member	<u>Berrigan, Terri</u> Member	<u>Busby, Kathryn</u> Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.C.3. Jane Ruth Klemmer RN125191; AP0989 Zimmerman

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

Zimmerman addressed the Board.

Klemmer was represented by legal counsel Pete Fisher who was present and available for questions. Klemmer was not present.

Gum moved, Scott seconded, and it was unanimously carried to rescind prior Board decision of July of 2007 and accept attached signed Consent Agreement for Decree of Censure.

	VOTE	<u>Johnson, Patricia</u> Member	<u>Gutierrez, Lori</u> Member	<u>Gum, Gary</u> Member	<u>Scott, Kathy</u> Secretary	<u>Malloch, Kathy</u> President	<u>Link, Denise</u> Vice Pres	<u>Perry, Hunter</u> Member	<u>Berrigan, Terri</u> Member	<u>Busby, Kathryn</u> Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.B. Motion to Deem Allegations Admitted for Failure to Respond to Complaint and Notice of Hearing & Recommended Discipline

II.B.3. Penelope C. Riddle RN060813 Zack

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

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

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

Zack addressed the Board with a request to grant the State’s motion to Deem Allegations Admitted but strike from the Complaint and Notice of Hearing, findings of fact #15, and Conclusions of Law #3, and delete from Conclusion of Law paragraph #1, the reference to A.R.S. § 32-1601 (16)(i).

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

Perry moved, Busby 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, as modified.

Perry moved, Berrigan seconded, and it was unanimously carried to accept the State’s recommended discipline for revocation of professional license #RN060813 issued to Penelope Riddle.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.D. Consent Agenda - Motion to Deem Allegations Admitted for Failure to Respond to Notice of Charges & Recommended Discipline

AGENA	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.D.1.	Ebony Aileen Akerman	CNA999951042	Revocation	Hargraves
II.D.2.	Carl R. Alberti	RN074545	Revocation	Hargraves
II.D.3.	Angelique Helen Bennett	LP040529	Revocation	Hargraves
II.D.4.	Frank Chee	CNA999991965	Revocation	Hargraves
II.D.5.	Malissa Dale	CNA999989111	Revocation	Hargraves
II.D.6.	Sandra Lynn Detty	RN097800	Revocation	Hargraves
II.D.7.	Kimberlee Denise Doherty	CNA1000017425	Revocation	Hargraves
II.D.8.	Cheryl Jean Eguizabal	CNA1000008104	Revocation	Hargraves
II.D.9.	Kathleen Rebekah Fellows	RN084895	Decree of Censure	Hargraves
II.D.10.	John T. Henry	CNA921873639	Revocation	Hargraves
II.D.11.	Catherine Viola Hodgson	CNA999996674	Revocation	Hargraves
II.D.12.	Pamela Rivers Holt	LP027631	Revocation	Hargraves
II.D.13.	Sarah Rose Kemmer	RN046605	Revocation	Hargraves
II.D.14.	Belia M. Lopez	CNA210079641	Revocation	Hargraves
II.D.15.	Rita Ann Lyons	LP044275	Revocation	Hargraves

II.D.16.	Julie Jean Oppenheim	RN154757	Revocation	Hargraves
II.D.18.	Carla Rene Richards	RN105873	Revocation	Hargraves
II.D.20.	Sandy Ann Watters	CNA999950233	Revocation	Hargraves
II.D.22.	Jamie Michelle Wylie	LP040598; CNA999989648	Revocation	Hargraves

The board was represented by Jo Foster, Assistant Attorney General, Division of Solicitor General. Seth Hargraves, Assistant Attorney General, represented the State.

Hargraves addressed the Board.

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

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

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

Johnson moved, Gum seconded, and it was unanimously carried to accept the State’s recommended discipline for Agenda Items II.D.1-16, 18, 20, and 22.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.17. Arturo Ramiro Pena CNA1000002644 Hargraves

The board was represented by Jo Foster, Assistant Attorney General, Division of Solicitor General. Seth Hargraves, Assistant Attorney General, represented the State.

Hargraves addressed the Board.

Pena was present and addressed the Board.

Gum moved, Scott seconded, to grant the State’s Motion to Deem Allegations Admitted. After discussion the motion failed with nine opposed.

Busby moved, Perry seconded, and it was unanimously carried to table Agenda Item II.D.17.

Link left the meeting at 2:01 p.m.

II.D.19. Miloslava Somerlik LP031303; CNA024621433 Hargraves

The board was represented by Jo Foster, Assistant Attorney General, Division of Solicitor General. Seth Hargraves, Assistant Attorney General, represented the State.

Somerlik and her husband Peter Somerlick were present and addressed the Board.

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

Hargraves addressed the Board.

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

Scott moved, Gum seconded, to accept the Factual Allegations as Findings of Fact and Alleged Violations as Conclusions of Law from the Notice of Charges. The motion carried with seven in favor, one opposed and one abstained.

Link left the meeting at 2:17 p.m. and returned at 2:20 p.m.

Busby moved, Scott seconded, to issue an Order of suspension not to exceed 6 months, with stipulations to include a psychological evaluation with emphasis on substance abuse disorders to be completed within 90 days, random drug screens minimum 2 times per month, abstain from alcohol, abstain from unauthorized drugs, with standard stipulation requirements, and then return to the Board for further resolution. If not completed, revoke practical license #LP031303 and nursing assistant certificate #CNA024621433 issued to Miloslava Somerlik. After discussion the motion carried with eight in favor and one abstained.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X	X	X		X	X	X
NO	0									
ABSTAIN	1						X			
ABSENT	0									

The meeting recessed at 2:26 p.m. and reconvened at 2:45 p.m.

II.A. Administrative Law Judge Recommendations

II.A.2. Starlett Monique Davis CNA Exam Hargraves

Scott moved, Gum seconded, and it was unanimously carried to reopen Agenda Item II.A.2.

The proceeding began at 2:46 p.m., with the following Board members present: Malloch, Link, Scott, Johnson, Gutierrez, Gum, Perry, and Berrigan.

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

Busby returned to the meeting at 2:48 p.m.

Davis and her mother, Lillian Osbon were present.

Foster offered additional information to the Board and policy regarding requests to withdraw applications.

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 were not in agreement that disciplinary action should be considered in this matter.

Johnson moved, Berrigan seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 32, and Conclusions of Law the alleged violations in Paragraphs 1 through 7.

Johnson moved, Berrigan seconded, that respondent’s appeal shall be dismissed on the effective date of the Order entered in this matter. The Board’s denial of Davis’s application for nursing assistant certification is affirmed and upheld. The motion carried with seven in favor, one opposed and one abstained.

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

II.D. Motion to Deem Allegations Admitted for Failure to Respond to Notice of Charges & Recommended Discipline

II.17. Arturo Ramiro Pena CNA1000002644 Hargraves

Perry moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item II.D.17.

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

Hargraves addressed the Board.

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

Foster advised the Board on possible options for determination.

Busby moved, Scott seconded, and it was unanimously carried affirm the previously issued Notice of Charges and allow Pena and additional 30 days to respond.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.D.21. Marquita Valkaire Williams CNA1000008710 Hargraves

The board was represented by Jo Foster, Assistant Attorney General, Division of Solicitor General. Seth Hargraves, Assistant Attorney General, represented the State.

Williams was present telephonically and addressed the Board.

Hargraves addressed the Board.

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

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

Busby moved, Scott seconded, and it was unanimously carried to accept the State’s recommended discipline for revocation of nursing assistant certification #CNA1000008710 issued to Marquita Williams.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.23. Cheryl A. Little CNA1000006870 Hargraves

The board was represented by Jo Foster, Assistant Attorney General, Division of Solicitor General. Seth Hargraves, Assistant Attorney General, represented the State.

Little was present and addressed the Board.

Hargraves addressed the Board.

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

Johnson moved, Scott seconded, and it was unanimously carried to accept the Factual Allegations as Findings of Fact, amended to omit #16, and Alleged Violations, amended to omit A.R.S. § 1601 (18)(i), as Conclusions of Law from the Notice of Charges.

Scott moved, Johnson seconded, and it was unanimously carried to accept the State’s recommended discipline for revocation of nursing assistant certification #CNA1000006870 issued to Cheryl Little.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

AGENA	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.D.24.	Rachel A. Mendelsohn	CNA999992319	Revocation	Hargraves
II.D.25.	Laura Leona Palao	CNA1000004772	Revocation	Hargraves
II.D.26.	Ardith Maurie Willie	CNA1000015095	Decree of Censure	Hargraves

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

Hargraves addressed the Board with changes to the findings of fact and conclusions of law as follows: II.D.24. Factual Allegations as Findings of Fact, amended to delete #11, and Alleged Violations as Conclusions of Law, amended to delete A.R.S. § 1601 (18)(i); II.D.25. Factual Allegations as Findings of Fact, amended to delete #11, and Alleged Violations as Conclusions of Law, amended to delete 1601-

16(i); II.D.26 Factual Allegations as Findings of Fact, amended to delete #17, and Alleged Violations as Conclusions of Law, amended to delete A.R.S. § 1601 (16)(i).

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

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

Busby moved, Scott seconded, and it was unanimously carried to accept the State’s recommended discipline for Agenda Items II.D.24-26.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.E. Rehearing Requests or Review of Board Decision

II.E.1. Joyce Lynn Riggs RN151589 Hargraves

The proceeding began at 3:21 p.m., with the following Board members present: Malloch, Link, Scott, Johnson, Gutierrez, Gum, Perry, Berrigan and Busby.

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

Riggs was present telephonically and addressed the Board.

Hargraves addressed the Board.

Busby moved, Scott seconded, and it was unanimously carried to grant request for review.

II.E.2. Shaula Dawn Vigil LP044556 Hargraves

The proceeding began at 3:24 p.m. with the following Board members present: Malloch, Link, Scott, Johnson, Gutierrez, Gum, Perry, Berrigan and Busby.

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

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

Hargraves addressed the Board.

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

II.E.3. Redessa Pauline Jordan CNA1000005119 Zimmerman

The proceeding began at 3:26 p.m. with the following Board members present: Malloch, Link, Scott, Johnson, Gutierrez, Gum, Perry, Berrigan and Busby.

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

Jordan was present and addressed the Board.

Zimmerman addressed the Board.

Busby moved, Link seconded, and it was unanimously carried to grant request for review and return to the case to investigations for further review and consideration.

II.E.4. Gina Scroggins CNA999950112 Zimmerman

The proceeding began at 3:28 p.m. with the following Board members present: Malloch, Link, Scott, Johnson, Gutierrez, Gum, Perry, Berrigan and Busby.

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

Scroggins was present and addressed the Board.

Zimmerman addressed the Board.

Busby moved, Link seconded, and it was unanimously carried to grant request for review and return to the case to investigations for further review and consideration.

II.F. Request to Rescind Prior Board Decision to Consider Alternative Action

II.F.1. Michael Peter Coon RN126513 Zimmerman

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

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

Zimmerman addressed the Board.

Coon was represented by legal counsel Teressa Sanzio who was present and addressed the Board.

Berrigan moved, Scott seconded, to affirm the decision of March 26, 2007 to offer a Consent Agreement for a Decree of Censure. The motion carried with six in favor and 2 opposed.

	VOTE	<u>Johnson,</u> Patricia Member	<u>Gutierrez,</u> Lori Member	<u>Gum,</u> Gary Member	<u>Scott,</u> Kathy Secretary	<u>Malloch,</u> Kathy President	<u>Link,</u> Denise Vice Pres	<u>Perry,</u> Hunter Member	<u>Berrigan,</u> Terri Member	<u>Busby,</u> Kathryn Member
YES	6	X	X		X	X	X		X	
NO	2							X		X
ABSTAIN	0									
ABSENT	1			X						

Gum returned to the meeting at 3:43 p.m.

II.F.2. Sara E. Riddle CNA1000004288 Hargraves

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

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

Hargraves addressed the Board.

Johnson moved, Scott seconded, and it was unanimously carried to accept the signed Consent Agreement for a \$100 Civil Penalty as settlement of case No. 0808086.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.F.3. Ramey Saint Angelo CNA028023803 Hargraves

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

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

Hargraves addressed the Board.

Link moved, Gum seconded, and it was unanimously carried to accept the signed Consent Agreement for a Decree of Censure as settlement in Case No. 0812063.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.F.4. Cherise Hall LP043265; CNA1000001638 Hargraves

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

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

Hargraves addressed the Board.

Link moved, Perry seconded, and it was unanimously carried to accept the signed Consent Agreement for a \$200 Civil Penalty as settlement in case No. 0802026.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.F.5. Shonna L. Luck RN120022 Zack/Barber

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

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

Barber addressed the Board.

Perry moved, Berrigan seconded, and after discussion it was unanimously carried, based upon Dr. Lett's evaluation, to offer a Consent Agreement for 12 months probation with the attached stipulations, to be signed within 30 days or proceed to hearing.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.F.6. Roberta E. Collins RN102179 Zack/Richards

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

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

Richards addressed the Board.

Busby moved, Scott seconded, and it was unanimously carried to accept the signed Consent Agreement for probation with the attached stipulations, in settlement of case No. 09A-0803003-NUR.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.F.7. Christina A. Dippel RN099674 Zack

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

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

Busby moved, Link seconded, and it was unanimously carried to continue to the July 2010 Board meeting.

VI. RN/LPN/CNA Investigative Reports

VII.16. Tracy Michael Jansma CNA Exam (Parlin)

Jansma was present and addressed the Board. Busby moved, Berrigan seconded, and it was unanimously carried, upon meeting all requirements, grant certification and issue a Letter of Concern for the DUI conviction between 1996 and 2004 in Reno, Nevada, and for the 2007, DUI and drug possession arrest in Sparks, Nevada.

The meeting recessed at 3:53 p.m. and reconvened at 4:10 p.m.

VII. Board Reports for Discussion, Information, Staff Direction and/or Decision
VII.B. Educational Reports and Rules – Randolph

VII.B.1. Nursing Assistant Programs Approved by the Executive Director

Information was provided to the Board regarding Nursing Assistant Programs approved by the Executive Director.

VII.B.2. Maricopa Nursing at Scottsdale Community College

Nick Defalco and Judy Crume were present and available for questions. Gum moved, Scott seconded, and it was unanimously carried to continue approval with a report to the Board within 6 months accompanied by evidence that all potential deficiencies are remedied. If a report is not received or the program does not provide sufficient evidence that the potential deficiency is remedied, return to the Board for determination of status.

VII.B.3. Maricopa Nursing at Glendale Community College

Scott moved, Link seconded, and it was unanimously carried to continue to the July 2010 Board meeting.

VII.B.4. Maricopa Nursing at Chandler-Gilbert Community College

Judy Crume was present and available for questions. Link moved, Gum seconded, and it was unanimously carried to continue approval with a report to the Board within 6 months accompanied by evidence that all potential deficiencies are remedied. If a report is not received or the program does not provide sufficient evidence that the potential deficiency is remedied, return to the Board for determination of status.

VII.B.5. Maricopa Nursing at Paradise Valley Community College

Judy Crume and Rose Dermody were present and available for questions. Gum moved, Link seconded, and it was unanimously carried to continue approval with a report to the Board within 6 months accompanied by evidence that all potential deficiencies are remedied. If a report is not received or the program does not provide sufficient evidence that the potential deficiency is remedied, return to the Board for a determination of status.

VII.B.6. Brookline College Accelerated BSN Program Application for Provisional Approval

Link moved, Gum seconded, and it was unanimously carried to grant provisional approval with a report 12 months after the admission of students regarding:

- The differences between program implementation plan and actual implementation, and
- One year results of program evaluation plan

Board staff will conduct a site visit following the receipt of the one-year report.

VII.B.7. University of Phoenix FNP and LPN to BSN Programs

Dr. Pam Fuller was present and offered an update. Link moved, Gum seconded, and it was unanimously carried to continue approval of the FNP program.

Link moved, Scott seconded, and it was unanimously carried to continue approval of the LPN to BSN program with a report in 6 months on the resolution of potential deficiencies. If sufficient evidence is not provided, Board staff may conduct a focused site visit or refer the matter to the Board for issuance of a Notice of Deficiency.

VII.B.8. Mohave Community College RN Nursing Program

Linda Reisdorph was present telephonically and available for questions. Randolph noted the two of the faculty members had resigned from Mohave Community College, and that there is an open complaint on

the program regarding instruction in the program. Link moved, Scott seconded, and after discussion it was unanimously carried to issue a Letter of Concern for using an unqualified clinical faculty for a limited period in 2009, and continue approval of the program with a progress report in 2 months, that provides evidence that deficiencies are being remedied followed by a site visit in October 2010.

VII.B.10. Fortis College Application for Program Change

Dr. Judy Hightower was present and available for questions. Link moved, Scott seconded, and it was unanimously carried to approve the application for program change altering the hours of the program.

VII.B.11. Investigative Report SEVEN Healthcare Academy Refresher Program

Link moved, Scott seconded, and it was unanimously carried, based on the factual allegations and alleged violations of statutes/rules identified herein, to issue the enclosed "Notice of Deficiency" and do not allow Board ordered nurses to enroll in Seven Academy for a refresher course until deficiencies are remedied.

VII.B.12. Investigative Report Phoenix College Nursing Assistant Training Program

Kelly Storie was present and addressed the Board. Link moved, Scott seconded, and it was unanimously carried to issue a Letter of Concern for failing to provide each student with twenty (20) hours of supervised clinical experience caring for long-term care facility residents and for untimely notification of program changes to the Board.

VII.B.13. Investigative Report Scottsdale Community College Nursing Assistant Training Program

Nick DeFalco was present and available for questions. Busby moved, Berrigan seconded, and it was unanimously carried, based on the factual allegations and alleged rule violations identified in the investigative report, issue the attached Notice of Deficiencies and open a complaint on the RN license held by Sylvia Lee.

VII.B.14. Employment Among Newly Licensed RNs in Arizona

The Board was provided with a report on Employment among Newly Licensed RNs in Arizona and Malloch commended Randolph on her efforts. Randolph stated that there had been some interesting comments from graduates and facilities that some newly licensed RNs are very willing to work anywhere and some who are being selective.

Scott commented this has caused some conversations around the state that weren't happening before.

Randolph said they had a meeting with ASU and Banner about a course for these graduates to provide an internship for them to get some clinical experience, which would probably take place over this coming summer. She noted that it had received some newspaper and television coverage.

Link stated the Arizona Nurses Association had a new grad forum last month that was well attended and very successful. She commented that the attendance and feedback was positive enough that it would be repeated and brought to different areas of the state on a regular basis so that the discussions and dialogue with graduates would become regional so that that regional issues could be addressed, which may be different from place to place.

VII.B.15. Investigative Report East Valley Institute of Technology

James Fisher and Rhonda Doolan were present and available for questions. Dr. Sally Downey was present and addressed the Board. Link moved, Scott seconded, and it was unanimously carried to accept the signed Consent Agreement for probation.

VII.B.16. Phoenix Job Corps Nursing Assistant Training program Case Dismiss

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

VII.B.17. MCCDNP at Rio Salado College Site Closing

Information was provided to the Board regarding the MCCDNP at Rio Salado College Site Closing.

VII.B.18. University of Arizona Application for Yuma Site

Terry Badger was present telephonically and addressed the Board. Link moved, Scott seconded, and it was unanimously carried to approve the application for a Yuma site of the Accelerated Partnership Program at University of Arizona limited to 8 students in 2010. The program shall provide a written one-year evaluative report to the Board which contains, at a minimum, a comparison of the Yuma site with the Tucson site in the following areas:

1. Enrollment and attrition
2. Exam Scores on all course and standardized exams
3. Results of student satisfaction surveys regarding the course, instructors and teaching methods/technology.
4. Results of focus group meetings with students and YRMC staff 6 and 12 months after the start of the program

Report due July 31, 2011. The report will be reviewed by the Education Committee.

VII.B.19. Apollo College Change of Administration

Information was provided to the Board regarding the appointment of Dr. Donna Adams, RN, DNSc, as Program Director for the Nursing Program at Apollo College.

Perry left the meeting at 4:44 p.m.

VII.B.20. Everest College Change Campus Nursing Director

Information was provided to the Board regarding the appointment of Susan Gonda, MSN, RN, as Nursing Director for Everest College Phoenix.

VI. RN/LPN/CNA Investigative Reports

VII.I.10. Therese Jane Prado RN Endorsement (Parlin)

Prado was present and addressed the Board. Link moved, Scott seconded, to continue the investigation to allow applicant the opportunity to obtain a neuropsychological evaluation to be completed by a Board approved PhD level evaluator, to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within to be 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. After discussion motion carried with seven in favor and one opposed.

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

VII.I.1. Karyn Ault RN Endorsement (Parlin)

Parlin addressed the Board with additional information. Ault was present and addressed the Board. Scott moved, Link seconded, and it was unanimously carried, upon meeting all requirements, grant licensure

and issue a Letter of Concern for seven incidents of theft and shoplifting between 1996 and 2004, in the states of California and Arizona.

V.D. Non-Compliance/Compliance with Board Orders

V.D.2. Lisa J. Karambiri RN110451 (Hurtado)

Karambiri was present and addressed the Board. Busby moved, Scott seconded, and it was unanimously carried to deny request for early termination but allow Karambiri to enter into step down for the remainder of probation.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X	X	X	X		X	X
NO	0									
ABSTAIN	0									
ABSENT	1							X		

Busby left the meeting at 5:05 p.m.

V.D.3. Steven Sanchez CNA559161803 (Hurtado)

Sanchez was present and addressed the Board. Scott moved, Gum seconded, and it was unanimously carried to deny request pending completion of twice monthly random urine drug screens for 18 months.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	7	X	X	X	X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	2							X		X

V.F. CANDO Eligibility/Noncompliance & Investigative Reports

V.F.1. Roxanne Reekers Conlon RN107956 (Linck)

Conlon was present and addressed the Board. 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 24 months stayed revocation with the license suspended for the first 12 months and on stayed revocation/probation the second 12 months, followed by 24 months standard probation, including the attached stipulations. If not signed within 30 days, issue Notice of Charges based upon the information contained in the investigative report.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	7	X	X	X	X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	2							X		X

VI. RN/LPN/CNA Investigative Reports

VI.A.8. Rebekah Anne Nuffer LP044628; CNA999992407 (Bymers)

Nuffer was present and addressed the Board. Johnson moved, Scott seconded, and it was unanimously carried continue the investigation to allow applicant to voluntarily obtain a psychiatric evaluation, and an evaluation of current medication, with 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.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	7	X	X	X	X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	2							X		X

VI.F.2. Becky L. Kaplan CNA100009880 (B. Nelson)

Nelson addressed the Board and confirmed receipt of additional information, and noted an additional violation of law, (e). Kaplan was present and addressed the Board. Scott moved, Gum seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for an indefinite suspension pending the completion of a psychiatric evaluation by a Board approved evaluator and to include the attached stipulations, and return to the Board. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	7	X	X	X	X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	2							X		X

The meeting recessed at 5:29 p.m., Thursday, May 20, 2010.

Arizona State Board of Nursing

Janice K. Brewer
Governor

Joey Ridenour
Executive Director



Board Meeting Minutes

The regular meeting of the Arizona State Board of Nursing convened at 8:00 a.m., Friday, May 21, 2010, 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
Denise Link, PhD, WHCNP, FNAP, Vice President
Kathy Scott, RN, MPA, PhD, FACHE, Secretary
Theresa (Terri) Berrigan, LPN, Member
Kathryn L. Busby, JD, Member
E. Gary Gum, MSN, RN, FCN, Member
Lori Gutierrez, BS, RN-C, RAC-CT, CBN
Patricia Johnson, LPN, Member
M. Hunter Perry, Member

LEGAL COUNSEL:

Elizabeth Campbell, Assistant Attorney General
Seth Hargraves, 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
Tammi Bymers, RN, MSN, Nurse Practice Consultant
Tim Chafey, RN, Senior Investigator
Janeen Dahn, MSN, FNP, Nurse Practice Consultant/Advanced Practice
Karen Grady, RN, MS, CS, FNP, Nurse Practice Consultant
Angela Hill, RN, Nurse Practice Consultant
Dolores Hurtado, Legal Assistant II/Monitoring
Ron Lester, Senior Investigator
Patricia Midkiff, RN, MN, Nurse Practice Consultant/CANDO
Michelle Mills, RN, MA, Nurse Practice Consultant/Monitoring
Linda Monas, Senior Investigator
Betty Nelson, RN, MS, Nursing Assistant Consultant
Stephanie Nelson, R.N., MSN, Nurse Practice Consultant
Kirk Olson, Senior Investigator
Doug Parlin, Senior Investigator
Judy Pendergast, RN, JD, Nurse Practice Consultant
Mary Rappoport, RN, MN, Nurse Practice Consultant
Deborah Richards, JD, Senior Investigator
Bonnie Richter, MSW, Senior Investigator
Jeanine Sage, RN, MSN, Nursing Assistant Consultant
V. Ann Schettler, RN, MHL, CLNC, Nurse Practice Consultant
Sister Rachel Torrez, RN, MS, Nurse Practice Consultant
Barbara Melberg, Legal Secretary

I. Call to Order

The meeting was called to order at 8:00 a.m., Friday, May 21, 2010.

The following Board members were present: Malloch, Link, Scott, Johnson, Gutierrez, Gum and Berrigan.

Malloch presided.

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

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

VI.G.5. Andrew J. Patterson (Compact) TN-160122 (S. Nelson)

Attorney Teressa Sanzio was present and addressed the Board. Johnson moved, Link seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and refer investigative case information including investigation documents to home state (TN) for their review and further licensure determination.

VI.M.3. Anamarie K. Moran RN057618; LP019009 (Schettler)

Link moved, Gum seconded, and it was unanimously carried to reopen Agenda Item VI.M.3. Schettler addressed the Board with additional information. Moran was present and addressed the Board.

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

Gum moved, Scott seconded, to reaffirm previous Board decision. The motion carried with seven in favor and one abstained.

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

V.B. Applicants for Reissuance & Investigative Reports

V.B.3. Gail Ziv RN045016; AP0033 (Mills)

Attorney’s Lisa Gervase and Teressa Sanzio were present and Gervase addressed the Board. Scott moved, Busby 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 12 months probation including the attached stipulations, amended to include online pass/fail course work allowed.. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Johnson,</u> <u>Patricia</u> Member	<u>Gutierrez,</u> <u>Lori</u> Member	<u>Gum,</u> <u>Gary</u> Member	<u>Scott,</u> <u>Kathy</u> Secretary	<u>Malloch,</u> <u>Kathy</u> President	<u>Link,</u> <u>Denise</u> Vice Pres	<u>Perry,</u> <u>Hunter</u> Member	<u>Berrigan,</u> <u>Terri</u> Member	<u>Busby,</u> <u>Kathryn</u> Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

IV.D. Recommended Applicants for Licensure

IV.D.2. Sabrina Meza RN Exam; LP40326; CNA999950184 Bontrager

Meza was present and available for questions. Link moved, Gum seconded, and after discussion it was unanimously carried to grant licensure after successful completion of the Capstone Clinical course provided by Brookline College.

VI. RN/LPN/CNA Investigative Reports

VI.C.6. Angela marie Torres LP041574; CNA10000043 (Hill)

Torres was present and available for questions. Busby moved, Link 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 including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.C.11. Amber Cherie Todd LP044168; CNA1000008127 (Hill)

Todd was present and addressed the Board. Link moved, Scott seconded, and it was unanimously carried to accept the signed CANDO Stipulated Agreement with the amended terms for counseling to include additional recommendations by the evaluator.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.D.2. Eric Fiacconi RN135448 (Lester)

Fiacconi was present and addressed the Board. Johnson moved, Scott seconded, to issue a Letter of Concern for the October 10, 2008, misdemeanor conviction fir DUI with Scottsdale Municipal Court, and for not reporting the charge within 10 days to the Board. After discussion the motion carried with seven in favor and two opposed.

VI.D.5. Heather Long CNA1000017695 (Lester)

Long was present and available for questions. Link moved, Busby seconded, and it was unanimously carried to issue a Letter of Concern for the April 26, 2009, arrest for domestic violence and disorderly conduct by Tucson Police Department and with a subsequent sentencing of a diversion program where upon completion of the diversion program the charges were dismissed on February 11, 2010, in Tucson Municipal Court.

VI.D.10. Debbra Ault CNA Exam (Lester)

Lester addressed the Board with additional information. Ault was present and available for questions. Busby moved, Link seconded, and it was unanimously carried to table Agenda Item VI.D.10.

VI.G.1. Karissa Melynn Baltz RN132162; CNA999951361 (S. Nelson)

Nelson addressed the Board with additional information. Baltz was present and addressed the Board. 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 12 months stayed suspension/probation followed by a 24 month probation including the attached stipulations amended to allow night shift. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.G.3. Susan Elizabeth McMillan RN097099 (S. Nelson)

McMillan was present and addressed the Board. Scott moved, Link 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 stayed revocation with the license suspended for the first 12 months and on stayed revocation/probation the second 12 months, followed by 24 months standard probation, including the attached stipulations. If not signed within 30 days, issue Notice of Charges based upon the information contained in the investigative report.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

**VI.H.1. Kimberly Marie Caple RN159147 (Olson)
(aka: Williams)**

Olson addressed the Board and confirmed receipt of additional information. Caple was present and available for questions. Johnson moved, Link 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, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

**VI.H.4. Joanne Marie Chapman CNA Exam (Olson)
(aka: Butler)**

Olson addressed the Board and confirmed receipt of additional information. Chapman was present and addressed the Board. Link moved, Gum seconded, to continue the investigation to allow applicant to obtain a psychological evaluation to include a substance abuse relapse/recovery evaluation with 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 evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification. After discussion Link amended the motion to allow 90 days to complete the evaluation and return to the Board. Gum concurred. The motion carried unanimously.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.H.10. Laura Ellen Sharp CNA Exam (Olson)
(aka: Guntert; Sparkman; Ashley)

Olson addressed the Board and confirmed receipt of additional information. Sharp was present and addressed the Board. Johnson moved, Scott seconded, to continue the investigation to allow applicant to obtain a psychological evaluation to include a substance abuse evaluation with 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 evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification. after discussion Johnson amended the motion to allow Sharp 90 days to complete the evaluation and return to the Board. Scott concurred. The motion carried unanimously.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.H.12. Florentino Jimenez CNA1000015225 (Olson)

Jimenez was present and available for questions. Link moved, Johnson seconded, to issue a Letter of Concern for allowing himself to be placed in the will of a patient at Posada del Sol Healthcare in Tucson, Arizona, on January 3, 2009. After discussion the motion failed with five opposed and four in favor.

Scott moved, Berrigan seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue Notice of Charges. The motion carried with six in favor and three opposed.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	6	X	X	X	X	X			X	
NO	3						X	X		X
ABSTAIN	0									
ABSENT	0									

VI.K.9. Sandra Elias Riley Re-issuance Applicant (RN059279; LP08338) (Rappoport)
(aka: Sandra Georgina Riley; Sandra Elias Riley)

Riley was present and addressed the Board. Scott moved, Link seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, and upon signing a Consent Agreement for 12 months stayed suspension/probation, followed by 36 months probation including the attached stipulations, to grant RN "Refresher Course" only, licensure. Upon successful completion of the RN Refresher Course, grant RN licensure, under applicable terms. If not signed within 30 days, based upon the findings of fact and statute/rule violations identified in the investigative report, deny licensure.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

The meeting recessed at 9:22 a.m. and reconvened at 9:41 a.m.

**VI.E.1. Sherice Colette Davis-Reid CNA Exam (Monas)
(aka: Davis)**

Davis-Reid was present and addressed the Board.

Busby returned to the meeting at 9:43 a.m.

Scott moved, Gum seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to deny certification. The motion carried with eight in favor and one abstained.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X	X	X	X	X	X	
NO	0									
ABSTAIN	1									X
ABSENT	0									

VI.G.4. Iris Rae Kovach RN157173; CRNA0626 (S. Nelson)

Kovach was present and addressed the Board. Scott moved, Link seconded, to issue a Letter of Concern for testing positive for marijuana on or about December 17, 2009, while working at Arizona Regional Medical Center. After discussion the motion carried with eight in favor and one opposed.

Link left the meeting at 9:49 a.m.

**VI.G.9. Jennifer Frances Pennington RN148653 (S. Nelson)
(aka: McBurney; Brothers; Vorpi)**

Nelson addressed the Board with additional information. Pennington was present and addressed the Board. Scott 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 probation including the attached stipulations amended to include: face to face log in 2 times per day for the first 6 months and telephonically 2 times per day thereafter if no issues arise. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X	X	X		X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1						X			

VI.H.8. Stephanie Marie Pawlos RN Exam (Olson)

Pawlos was present and addressed the Board. Perry moved, Scott seconded, and after discussion it was unanimously carried to grant licensure upon meeting all requirements and issue a Letter of Concern for

failure to disclose on her March 11, 2005, application for employment with Scottsdale Healthcare in Scottsdale, Arizona, that the Board had denied her application for certification on September 13, 2002.

VI.K.10. Nicholas Francis James Re-issuance Applicant (RN103708) (Rappoport)

Rappoport addressed the Board with additional information. James was present and addressed the Board. Johnson moved, Scott seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, and upon meeting all requirements and signing a Consent Agreement for 12 months stayed suspension/probation followed by 12 months standard probation including the attached stipulations, grant temporary licensure for RN “Refresher Course” only. Upon successful completion of RN Refresher Course, grant RN licensure under applicable terms. If not signed within 30 days, based upon the findings of fact and statute/rule violations identified in the investigative report, deny licensure.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X	X	X		X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1						X			

VII.L.2. Abbie Lynn Creevy CNA1000009140 (Sage)

Johnson 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	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X	X	X		X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1						X			

VII.L.13. Sara E. Medlyn LP020819 (Sage)

Medlyn was present and addressed the Board. Perry moved, Busby seconded, to issue a Letter of Concern for leaving medication on residents’ trays in October 2007 while employed as an LPN at Plaza Del Rio in Peoria, Arizona, leaving a new orientee alone with the medication pass and going home early while employed as an LPN at Sun West Choice in Sun City, Arizona, and placing crushed medication in residents’ food and asking CNA’s to feed it to residents, while employed as an LPN at Immanuel Campus of Care in Peoria, Arizona. After discussion the motion failed with four opposed and four in favor.

Johnson moved, Gum seconded, 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. The motion failed with four opposed and four in favor.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	4	X	X	X					X	
NO	4				X	X		X		X
ABSTAIN	0									
ABSENT	1						X			

After further discussion, Johnson moved, Gum seconded, 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. The motion failed with four opposed and four in favor. The motion carried with seven in favor and one opposed.

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

VI.L.16. Rhonda A. Montana LP009818 (Sage)

Montana was present and addressed the Board. Scott moved, Perry seconded, and it was unanimously carried to issue a Letter of Concern for allowing a frustrating shift to cause a resident to feel respondent was angry and abusive to her and neglecting to chart residents pain medications on the Medical Administration Record on February 18, 2010, while employed as an LPN at Glendale Care Center in Glendale, Arizona.

**VI.L.18. Barbara Nellie Nyborg CNA999987753 (Sage)
(aka: Peterson)**

Nyborg was present and addressed the Board. Perry moved, Berrigan seconded to issue a Letter of Concern for perceived inappropriateness or unprofessionalism in the workplace on several occasions leading to a complaint of alleging striking of a resident on or about November 14, 2009 at East Mesa Care Center in Mesa, Arizona. The motion carried with five in favor and three opposed.

VI.M.7. Elizabeth Kathryn Stewart RN076014 (Schettler)

Schettler addressed the Board with additional information. Stewart was present and available for questions. 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 Decree of Censure. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X	X	X		X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1						X			

VI.M.8. Emma Ida Craig LP041913 (Schettler)

Schettler addressed the Board with additional information. Craig was present and available for questions. Busby 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 Decree of Censure. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X	X	X		X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1						X			

VI.N.4. Donna Kay Bradford RN144549 (Torrez)

Bradford was present and addressed the Board. 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 a Decree of Censure. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X	X	X		X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1						X			

VI.N.6. Ira Davis Denny RN090168 (Torrez)

Torrez addressed the Board with a technical correction to the investigative report. Denny was present and addressed the Board. 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 a \$250 Civil Penalty. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X	X	X		X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1						X			

VI.N.7. Nicole Renee Hernandez RN123454 (Torrez)

Hern was present and addressed the Board. Busby moved, Perry 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, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X	X	X		X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1						X			

VI.Q.1. Jodi Renee Hammond RN Exam (Richter)

Hammond was present and addressed the Board. Scott moved, Gum seconded to continue the investigation to allow applicant to obtain a substance abuse evaluation with a Board approved 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 evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny licensure. The motion carried with seven in favor and one opposed.

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

VI.Q.4. Margarita Soto Sepulveda CNA Exam (Richter)

Sepulveda was present and addressed the Board. Busby moved, Berrigan seconded, and it was unanimously carried, upon meeting all requirements, grant certification and issue a Letter of Concern for the 1993 solicitation to commit burglary conviction in Yuma, Arizona, and for the 1994 DUI conviction in Yuma, Arizona.

The meeting recessed at 10:56 a.m. and reconvened at 11:06 a.m.
Link returned to the meeting at 11:06 a.m.

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

VII.D. A.A.G. Report – Zack

VII.D.1. Update on status of Hearing Department Cases affected by Board’s April 19, 2010, vote to rescind outstanding Interim Orders

Hargraves reiterated the April 19, 2010 vote to rescind outstanding Interim Orders, with the goal of bringing them back to the Board, which, Hargraves noted, at present were being handled by the investigative staff. Hargraves reported on the affected cases in the Hearing Department and stated they were still in the process of going through and identifying the files. The plan of action with those cases is to find the ones without a violation of the Interim Order and bring them back to the Board at a future meeting with appropriate options based upon the status of the case. Hargraves noted that there are approximately 20 cases.

Berrigan returned to the meeting at 11:08 a.m.

**VII.D.2. Update on status of the following litigation matters –
Hargraves/Zack/Zimmerman/Campbell**

a. Tyson v. AZBN – Maricopa County Superior Court Case No. LC2009-000769

Hargraves reported that Tyson v. AzBN case is a judicial review action and Tyson is appealing in Superior Court, the Board’s decision to take disciplinary action against her license, and is in the initial stages and will run its course.

Zack stated she had filed a motion to dismiss because Tyson failed to comply timely with the rules and didn’t serve the Board properly.

b. Pfeil-Doherty v. AZBN – Maricopa City Superior Court Case No. LC2009-000782

Hargraves reported that Pfeil-Doherty is appealing the Board decision to take disciplinary action against her license. She initially filed the case in Superior Court in November 2009, but didn’t serve the Board until recently, and the response to her request for a stay of the Board’s decision has now been filed and is running its course. It is expected the Court will rule on the motion and get into briefing.

c. Whitaker v. AZBN, et al. – Maricopa County Superior Court Case No. CN2010-070063

Hargraves reported that Whitaker had sued this Board along with the Arizona State Board of Regents and SunCrest Health Care, and because it was a suit for monetary damages, it was handled by another section of the Attorney General’s office. A motion to dismiss was granted by the Court because Whitaker failed to timely file her complaint and failed to file a Notice of Claim. Hargraves further reported Whitaker may be in the process of trying to appeal.

d. Zalesky v. AZBN, et al. – Travis City (TX) 250th Judicial Dist. Case No. D-1-GN-09-004403

Hargraves reported that Zalesky is in the monitoring department and filed suit against this Board and the Texas State Board of Nursing in Texas District Court. This Board claims that the Texas court has no jurisdiction over this Board and a motion to dismiss has been filed through an attorney in the Attorney General’s office who is licensed in the State of Texas. The ruling on that motion is pending, though it’s expected it will be dismissed for lack of jurisdiction.

e. Henely v. AZBN – AZ Court of Appeals Case No. 1-CA-CV-09-0115

Hargraves reported that Henely v. AzBN is a Court of Appeals case. The trial court granted the State's motion to dismiss 2 counts for failure to state a claim, and the Court of appeals upheld the dismissal on the first count but ruled that a claim was stated on the second count of the open meeting law violation and remanded it back to the Superior Court to actually hear the case.

f. Henely v. AZBN – Maricopa County Superior Court Case No. CN2008-0503094

Hargraves reported this to be an update on the remanded issues from Henley's appeal. The Court has required parties to schedule discovery and proceed with the case, which is on hold until August 2010, with the possibility of entertaining settlement discussions.

Busby returned to the meeting at 11:13 a.m.

g. Slusser & West v. AZBN et al. – Maricopa County Superior Court Case No. CV2010-051468 / LC2010-000300

Zack reported that Slusser & West v. AzBN was the case brought by two nurses who felt their Interim Orders were improper because they were ordered to pay for their evaluations. On April 19, 2010, the Board decided to rescind the Slusser & West Interim Orders, all other outstanding Interim Orders, and agreed to seek legislative changes to the statute to allow the Board to order evaluations at the licensee's expense. Zack further reported that on April 20, 2010, she appeared before the Superior Court on the TRO (temporary restraining order), and argued that the special action was moot because the Board took the action that was requested voluntarily and therefore there was no case or controversy before the Court, and it should be dismissed. For that same reason, plaintiffs should be denied any attorney's fees they may request because if the Court does not intervene and take action, then plaintiffs are not considered "prevailing parties". The judge denied the TRO. Zack discussed a minute entry hand out which listed 3 Board actions the judge acknowledged as her reason for deciding that the TRO was moot. Zack stated that after the TRO was denied she filed a motion to dismiss the entire case, which is pending. Zack further reported that, after she filed the motion, she received from plaintiff's counsel (Lisa Gervase) an email asking the Board to consider a Settlement Agreement which was outlined in a Board hand out. The email was asking the Board to stipulate to a Court ordered dismissal. Zack said she gave counsel 30 additional days to respond to her motion to dismiss so the Board would have the opportunity to review the settlement offer at this meeting.

VII.D.4. Update on criminal cases subject to Board's Felony Bar statute – Hargraves/Zack/Zimmerman/Campbell

Hargraves stated that previous direction given to the Board by counsel had been that, in applying the Felony Bar statute, that if the offense was undesignated it wasn't a felony. Some situations in the Attorney General's office have come up with other sections and how that interpretation has been applied by varying sections of the office, so the division got together to adopt a consistent position. It was decided, after looking at the provisions of A.R.S. § 12-604 and the Beren case that the position of the AG's office was that an undesignated offense would be considered a felony for the purposes of a Felony Bar statute. Hargraves noted that the AAG's would ask to bring the issue back to a future meeting for the Board to take an official position with a clear implementation if the Board agrees and chooses to apply that direction, and any cases beyond a decided date would be considered a felony for Felony Bar purposes.

VII.D.3. Discussion & Decision on the following litigation matters (Upon a majority vote of a quorum of members, the Board may hold an Executive Session pursuant to A.R.S. § 38-431.03(A)(3) and (4), to obtain legal advice, and to consult with and instruct the Board’s attorneys regarding the Board’s position in pending litigation or in settlement discussions)

Hargraves stated that VII.D.3. a & b are litigation cases and either there is a settlement proposal submitted by opposing counsel, or an indication of the possibility of entering into settlement, so he requested the Board go into Executive Session at this time.

Busby moved, Perry seconded, and it was unanimously carried to go into Executive Session on Agenda Item VII.D.3. for the purpose obtaining legal advice and to consult with and instruct the Board’s attorney’s regarding the Board’s position in pending litigation or in settlement discussions. Executive Session convened at 11:25 a.m. and adjourned at 12:12 p.m.

a. Henely v. AZBN – Maricopa County Superior Court Case No. CN2008-053094

Busby moved, Johnson seconded, and it was unanimously carried to direct the Assistant Attorneys General to proceed as directed in Executive Session regarding this case.

b. Slusser & West v. AZBN, et al. – Maricopa County Superior Court Case No. LC2010-000300

Busby moved, Link seconded, and it was unanimously carried to direct the Assistant Attorneys General to proceed as directed in Executive Session regarding this case.

Busby left the meeting at 12:15 p.m.

VI. RN/LPN/CNA Investigative Reports

VI.P.6. Kathleen Diane Tiessen RN135006 (Midkiff)

Midkiff addressed the Board and confirmed receipt of additional information. Tiessen and attorney Lori Curtis were present and addressed the Board. Scott moved, Perry seconded, and it was unanimously carried, continue the investigation to allow respondent to voluntarily obtain a substance abuse/pain management evaluation with a Board approved addictionologist, to be scheduled and completed within 60 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, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	1									X

VI.P.7. Jacqueline Danielle Price CNA10000109010 (Midkiff)

Midkiff addressed the Board with additional information. Price was present and addressed the Board. Perry moved, Link seconded, and it was unanimously carried to dismiss the complaint.

VI.P.10. Teara Mae Jean CNA1000020009 (Midkiff)

Jean was present and available for questions. Perry moved, Johnson seconded, and it was unanimously carried to issue a Letter of Concern for failing to document patient J.O.’s skin condition and nurse communication on or about December 5, 2009, while employed at Arizona Grand Care Center.

VI.P.11. Kendra Elizabeth Jensen CNA1000019272 (Midkiff)

Jensen was present and available for questions. Link moved, Scott seconded, and it was unanimously carried to dismiss the complaint.

VI.P.19. Nancy Ellen Kerz RN066309 (Midkiff)

Midkiff addressed the Board with additional information. Kerz was present and available for questions. Scott moved, Gum seconded, and it was unanimously carried to dismiss the complaint.

VI.P.14. Lynn Irvin DeShong RN071550 (Midkiff)

DeShong was present and available for questions. Perry moved, Link seconded, and it was unanimously carried to dismiss the complaint.

VI.P.15. Jennifer Alexander CNA999996020 (Midkiff)

Alex was present and available for questions. Scott moved, Link seconded, and it was unanimously carried to dismiss the complaint.

The meeting recessed at 12:28 p.m. and reconvened at 1:15 p.m.
 Busby returned to the meeting at 1:15 p.m.

VI.D.10. Debbra Ault CNA Exam (Lester)

Perry moved, Gum seconded, and it was unanimously carried to reopen Agenda Item VI.D.10. Lester addressed the Board with additional information, and an addition to the findings of fact #4 that during the investigation respondent admitted to past drug use with meth amphetamines for a period of 2-4 years. Berrigan moved, Link seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, and upon meeting all requirements, offer a Consent Agreement for a \$50 Civil Penalty, and grant certification. If not signed within 30 days and payment not received within 60 days, deny certification.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.C.5. Akaninyene James Etuk-Udoh TRN158383; LP0400071; CNA999991447 (Hill)

Etuk-Udoh was present and addressed the Board. Scott moved, Gum seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to deny RN licensure and offer a Consent Agreement for 24 months stayed suspension/probation of the LPN license including the attached stipulations. If not signed within 30 days, issue Notice of Charges. After discussion the motion failed with six opposed and three in favor.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	3	X		X	X					
NO	6		X			X	X	X	X	X
ABSTAIN	0									
ABSENT	0									

Busby moved, Perry 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 12 months stayed revocation/probation, followed by 12 months standard probation including the attached stipulations, extend temporary license for the purposes of enrolling in and completing a Board approved refresher course. Upon the successful completion of the refresher course, grant RN licensure subject to the attached terms. If not signed within 30 days, deny RN licensure and issue Notice of Charges related to the LPN license. After discussion the motion carried with six in favor and three opposed.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	6		X			X	X	X	X	X
NO	3	X		X	X					
ABSTAIN	0									
ABSENT	0									

VI.G.6. Kristine Lynn Roberts RN141533; CNA1000005306 (S. Nelson)

Nelson addressed the Board with additional information. Roberts was present and addressed the Board. Link moved, Perry seconded, and it was unanimously carried to issue a Letter of Concern for attempting suicide on or about August 10, 2009, and on or about January 29, 2010.

**VI.L.12. Tracy Heather Matson CNA999995046 (Sage)
(aka: Rockfolski)**

Matson was present and addressed the Board. 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 continue the investigation to allow respondent the opportunity to undergo a substance abuse evaluation with a Board approved evaluator, to be completed within to be completed within 45 days and return to the Board. If not completed issue Notice of Charges.

VI.M.9. Gail Marie Treviso RN150475; LP043073; CNA1000008982 (Schettler)

Schettler addressed the Board with additional information. Treviso was present and addressed the Board. Scott moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for the administration of intravenous Benadryl to a patient, without a physician's order on or about October 13, 2008, while working at Banner Del E. Webb Hospital.

VI.N.1. Carolyn Dennis Abbuhl RN024917 (Torrez)

Torrez addressed the Board with additional information, and a technical correction to the investigative report. Abbuhl was present and addressed the Board. Scott moved, Gum seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, amended to include alleged violation 1601-18(e) and delete 1601-16, to offer a Consent Agreement for 12 months probation including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.N.3. Tina Louise Booker LP038999; CNA120125103 (Torrez)

Torrez addressed the Board with technical corrections to the investigative report. Booker was present and addressed the Board. Perry 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 probation including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.N.5. Lotlya Nivera Morehead LP042480 (Torrez)

Morehead was present and addressed the Board. Busby moved, Perry seconded, and it was unanimously carried, to issue a Letter of Concern for falling asleep while on the job at Trillion Specialty Hospital on or about October 25, 2009.

VI.N.9. Deborah Holt Mahn RN075227; LP024211; CNA722693803 (Torrez)

Torrez addressed the Board and confirmed receipt of additional information. Mahn was present and addressed the Board. Busby moved, Link 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	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.N.10. Sarah Rochelle Hilton RN150954 (Torrez)

Busby moved, Link 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	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.N.11. Bridget Therese Magwood RN151468 (Torrez)

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

VI.Q.2. Alexis Chevon Jasso CNA1000014798 (Richter)

Richter addressed the Board with additional information. Jasso was present and addressed the Board. Link moved, Busby seconded, and it was unanimously carried to issue a Letter of Concern for the misdemeanor driving under the influence (DUI) conviction on June 26, 2008, in Phoenix, Arizona, and for failure to report the DUI charge to the Board within ten days.

VI.Q.3. Rachael Leigh Keeto CNA1000014798 (Richter)

Johnson moved, Link seconded, and it was unanimously carried to issue a Letter of Concern for a misdemeanor driving under the influence (DUI) conviction on October 23, 2009, in Phoenix, Arizona, and for failure to report the DUI to the Board within ten days.

VI.L.8. Derek B. Green CNA999947189 (Sage)

Sage addressed the Board with additional information. Green was present and addressed the Board. 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 offer a Consent Agreement for 12 months stayed revocation including the attached stipulations to include substance abuse evaluation with a PhD prepared evaluator, notification of practice settings, direct supervision, quarterly performance evaluations, registry/home health work/on call prohibited. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

III. Board Reports Regarding Executive Director/Designee Delegated Duties: Cases Dismissed, Letters of Concern, Cases Closed Through Settlement, Imposters and Court Ordered Revocations

III.A. Consent Agenda – Board Information Regarding Cases Dismissed Pursuant to ARS 32-1605.01 (C) 1

Information was provided to the Board regarding cases dismissed pursuant to ARS 32-1605.01 (C) 1

III.B. Consent Agenda - Board Information Regarding Letters of Concern Issued Pursuant to ARS 32-1605.01 (C) 4

Information was provided to the Board regarding Letters of Concern issued pursuant to ARS 32-1605.01 (C) 4.

III.D. Imposters, Cease & Desist Orders & Court Ordered Revocations

Agenda	Name	License/Certificate #	Staff
III.D.1.	Julia Sparavec	Unlicensed	Grady
III.D.2.	Barbara J. Pfeil-Doherty	LP18321 (Revoked)	Grady

Cease and desist letters were sent to the above named people.

IV. Lapsed Licenses & Certificates, Felony Bar Cases, Notice of Charges, Applicants for Licensure

IV.A. Lapsed Licenses & Certificate Administrative Penalty

IV.A.1. Tiffani Templeton RN Endorsement (TRN162550) Rappoport

IV.A.2. Jodie Ann Myer RN Endorsement (TRN162594) Rappoport
(aka: Gelbrich)

IV.A.3. Katie Marie Jansen RN Endorsement (TRN162015) Rappoport
(aka: Roder)

Agenda	Name	License/Certificate #	Amount	Staff
IV.A.4.	Elijio Duran	CNA100000599	\$25	Driver
IV.A.5.	Germachu Mohammed	CNA1000015680	\$25	Driver
IV.A.6.	Beatriz Nines	CNA125893423	\$25	Driver
IV.A.7.	Ajuana Watts	CNA1000009435	\$25	Driver
IV.A.8.	Laura O'Brien	CNA999987754	\$25	Driver
IV.A.9.	Melinda Baehr	RN102758	\$200	Driver

Busby moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, accept the signed Consent Agreement for a \$200 Administrative Penalty, and grant licensure for Agenda Item IV.A.1.; based upon the findings of fact and statute/rule violations identified in the investigative report, and accepting the signed Consent Agreement for a \$100 Administrative Penalty, grant licensure for Agenda Item IV.A.2.; based upon the findings of fact and statute/rule violations identified in the investigative report and in the attached signed Consent Agreement, accept the signed Consent Agreement for a \$100 Administrative Penalty, and grant licensure; offer a Consent Agreement for an Administrative Penalty in the amount stated for Agenda Items IV.A.4-9, 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.

IV.B. Consent Agenda - Felony Bar Cases

IV.B.1. Recommended Adopt Order of Denial for Applicants

Agenda #	Name	License/Certificate #	Staff
IV.B.1.a.	Susan Ortega Bourgeois	RN031531	Olson
IV.B.1.b.	Elvia Romero	CNA999989716	Olson
IV.B.1.c.	Shontia Renae Doffney	CNA Exam	Parlin
IV.B.1.d.	Mario Laphonse Crump	CNA Endorsement	Richter

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

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

IV.B.2. Consent Agenda - Felony Bar Cases

IV.B.2. Recommended Notice of Charges for RN/LPN/CNA

Agenda #	Name	License/Certificate #	Staff
IV.B.2.a.	Margarita Mata	CNA999993116	Olson
IV.B.2.b.	Debra M. Porras	LP032125	Olson
IV.B.2.c.	Linda Y. Vallejo	LP026856	Olson

Busby moved, Perry seconded, and unanimously carried to adopt the attached Notice of Charges for Agenda Items IV.B.2.a-c.

IV.D. Recommended Applicants for Licensure

IV.D.1. Karen Looper CNA Endorsement Bontrager

Link moved, Johnson seconded, and it was unanimously carried to complete a Board approved nursing assistant course and retest.

IV.D.3. Margaret C. Bojorquiz LP Endorsement Bontrager

Link moved, Scott seconded, and it was unanimously carried to accept applicant's education to meet the education requirement for licensure in Arizona. Grant license for LPN that is "Valid in AZ Only", when all requirements are met.

V.C. Non-Compliance/Compliance with Board Orders

V.C.1. Randy Pomay-O RN126186 (Mills)

Perry moved, Johnson seconded, and it was unanimously carried to amend the current Consent Agreement to allow Pomay-O to work in multi-person facility under direct supervision with male and female patients with feedback forms on 10% randomly selected female patients and polygraph examination every six months for two evaluations, and then annually for one evaluation. If not employed in a multi-person facility with direct supervision, practice is limited to adult alert and oriented male patients. If not signed, continue with current Consent Agreement until new agreement is signed.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.C.2. Mary Louise Reed RN035439; AP0083 (Mills)

Busby moved, Berrigan seconded, and it was unanimously carried, upon signing a Consent Agreement with the attached terms and stipulations, reissue RN license for “Refresher Course” only. Upon successful completion of refresher course, issue RN license stamped “Probation”. Upon completion of 12 months satisfactory employment as and RN, case shall return to the Board for consideration of Advanced Practice/Nurse Practitioner status, terms, and stipulations.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.D. Non-Compliance/Compliance with Board Orders

V.D.1. Cynthia L. Bocchicchio RN089150 (Hurtado)

Johnson moved, Link seconded, and it was unanimously carried to approve request for Bocchicchio to complete the terms of her Consent Agreement and Order No. 0801032, in Pennsylvania upon written approval from Pennsylvania Board of Nursing.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.D.5. Karen K. Williamson RN069359 (Hurtado)

Perry moved, Link seconded, and after discussion it was unanimously carried to approve request to amend Consent Agreement and Order No. 0804059, to allow Williamson to work up to 96 hours per 14 day pay period.

V.D.6. Dorothy L. Donnely LP Exam (Hurtado)

Busby moved, Link seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, and upon meeting all requirements and signing a Consent Agreement a Consent Agreement for 12 months probation including the attached stipulations, to grant licensure. If not signed within 30 days, deny licensure.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

V.A. RN/LPN/CNA Termination of Previously Issued Board Orders after Full Compliance – (Hurtado)

Name	RN/LP/CNA Number	Termination Date
1. Carmel Dubuisson	CNA9000005684	May 20, 2010
2. Sara Hernandez	CNA1000002963	May 20, 2010
3. Irene M. Lopez	CNA999998059	May 20, 2010
4. Diane B. Mancuso	RN075229	May 20, 2010
5. Colleen A. Ornelas	LP036676	May 20, 2010
6. Ruth Sanders	RN063927; AP328; AP1151	May 20, 2010
7. Erich C. Sweet	RN142676	May 20, 2010
8. Todd Wagner	RN145082	May 20, 2010
9. Frank M. Vergili	RN099822; LP020942	May 20, 2010
10. Gladys Muoebonam	RN122547	May 26, 2010
11. Jude I. Nwankwo	LP040048	June 03, 2010
12. Julianne C. Cauwet	RN157798	June 04, 2010
13. William E. Wilkinson	RN070664	June 18, 2010
14. Cynthia M. Debrew	CNA827962103	June 24, 2010
15. Mary S. Yazzie	CNA429942803	July 06, 2010
16. La Tricia Muhammad	CNA1000015319	July 08, 2010

Busby moved, Berrigan 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.

V.E. Notice of Charges for RN/LP/CNA Noncompliance

V.E.1. Asuncion G. Hall	RN073406; LP020478	(Hurtado/Mills)
V.E.2. Gina I. Martinez	RN063113	(Hurtado/Mills)
V.E.3. Cathy C. Robbins	RN065672	(Hurtado/Mills)
V.E.5. Audrey Behnke	RN148250	(Hurtado/Mills)

Busby moved, Perry seconded, and it was unanimously carried to adopt the attached Notice of Charges for Agenda Items V.E.1,2,3, & 5.

V.E.4. Norman LaCambra LP030186; CNA563162573 (Hurtado/Mills)

Mills addressed the Board with additional information. Busby moved, Link seconded, and it was unanimously carried to adopt the attached Notice of Charges with an amendment to #18: respondent failed to respond completely to the questionnaire.

V.F. CANDO Eligibility/Noncompliance & Investigative Reports

V.F.2. Deborah Lea Mackin RN107956 (Linck/Midkiff)

Midkiff addressed the Board with additional information. Busby moved, Link 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 stayed revocation with the license suspended for the first 12 months and on stayed revocation probation the second 12 months, followed by

24 months standard probation, including the attached stipulations. If not signed within 30 days, issue Notice of Charges based upon the information contained in the investigative report.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

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

VII.C. President’s Report – Malloch

VII.C.1. Proposed Revision 2010 Board Meeting Dates; Confirm 2011 Board meeting Dates - All

Perry moved, Berrigan seconded, and it was unanimously carried to accept the revised 2010 Board meeting dates.

Perry moved, Scott seconded, and it was unanimously carried to approve the 2011 Board meeting dates to include the change of the November meeting to November 14 & 15.

Special Board meeting was set for June 1, 2010 at 2:30 p.m., and June 17, 2010, 8:00 a.m. to 12:00 p.m.

IX. Dialogue with Nursing Students

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

The meeting recessed at 2:48 p.m. and reconvened at 3:03 p.m.

VI. RN/LPN/CNA Investigative Reports

**VI.A.1. Lydia Renee Bass RN147885; LP039995 (Bymers)
(aka: Lynch; Haines)**

Link moved, Perry seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for an indefinite suspension pending the completion of an addictionologist evaluation by a Board approved PhD prepared evaluator, and the successful completion of treatment recommendations resulting from the evaluation and/or confirmation is received from either the evaluator or treatment providers that respondent is safe to practice, to be followed by 36 months probation, including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.A.4. Taryn Elizabeth Evans-Dreyer RN159659 (Bymers)

Bymers addressed the Board with additional information. Evans-Dreyer was present telephonically and addressed the Board. Busby moved, Link 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 suspension/probation pending the completion of a psychiatric evaluation by a Board approved PhD prepared evaluator, and the successful completion of treatment recommendations resulting from the evaluation and/or confirmation is received from the evaluator or

treatment providers that respondent is safe to practice, followed by 12 months probation, including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.A.5. Cynthia Gail Gregg RN079719 (Bymers)

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

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.A.7. Denise Seliquni Morton RN063829; LP020621 (Bymers)

Link moved, Busby seconded, and it was unanimously carried continue the investigation to allow respondent to voluntarily obtain a neuro psychological evaluation with a Board approved 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 evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.A.9. Michelle M. Peters RN090110; AP1836 (Bymers)

Complainant Kathy Steck was present telephonically and addressed the Board. Byemers addressed the Board with additional information. Scott moved, Link 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	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.A.10. Patricia Belle Sweigart LP040985; CNA999949550 (Bymers)

Link 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.

VI.O.1. Ruth Marie Miller LP034154 (Chafey)

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 a Decree of Censure. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.O.2. Andrea Parker-Salazar RN117458 (Chafey)
(aka: DeLos Angeles; Ortega-Salazar)

An attempt was made to contact Parker-Salazar telephonically and a message was left indicating the Board would move ahead with the case. Busby 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 probation, including the attached stipulations. If the findings of the evaluation required by the Consent Agreement identify that respondent has a substance abuse disorder or is in need of treatment, the length of the probation will be at minimum 36 months with the standard requirements for substance use disorders. If the findings from the evaluation required by this Consent Agreement do not find respondent to have a substance abuse disorder or in need of treatment, the length of the probation will be at minimum 12 months. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.O.3. Michael Scott Toosley LP045056 (Chafey)

An attempt was made to contact Toosley telephonically and a message was left indicating the Board would move ahead with the case. Link 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 probation, including the attached stipulations. If the findings of the evaluation required by the Consent Agreement identify that respondent has a substance abuse disorder or is in need of treatment, the length of the probation will be at minimum 36 months with the standard requirements for substance use disorders. If the findings from the evaluation required by this Consent Agreement do not find respondent to have a substance abuse disorder or in need of treatment, the length of the probation will be at minimum 12 months. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.C.1. Karen Raskin RN111534 (Hill)

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

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.C.2. Nicole Marie Lamar RN154828; CNA116239133 (Hill)

Link moved, Scott seconded, and it was unanimously carried to issue a Letter of Concern for smoking marijuana on multiple occasions during the week of July 10, 2009, then subsequently testing positive on August 13, 2009, for marijuana on a pre-employment drug screen at Phoenix St. Lukes Medical Center.

**VI.C.3. Teri Ann Nelson LP044240 (Hill)
(aka: Rhode)**

Link 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 including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.C.4. Rhonda Lynn Taffer RN156985 (Hill)

Busby moved, Perry 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.

VI.C.9. Betty Martinez LP966304 (Hill)

Link 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 a Decree of Censure. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

**VI.E.2. Kathy Louise Dildine CNA Exam (Monas)
(aka: Reynolds; Bonesteel; Romero; Reynolds)**

Busby moved, Scott seconded, and after discussion it was unanimously carried, continue the investigation to allow applicant to voluntarily obtain a psychological evaluation to include a substance abuse evaluation with 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 evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.E.3. Brenda Lee Goode CNA1000012067 (Monas)

Link 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.

VI.E.4. Mary Nicole Harris CNA Endorsement (Monas)

Monas addressed the Board with additional information. Busby moved, Link seconded, 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 the findings of fact and statute/rule violations identified in the investigative report. After discussion the motion failed with eight opposed and one in favor.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	1						X			
NO	8	X	X	X	X	X		X	X	X
ABSTAIN	0									
ABSENT	0									

Gum moved, Berrigan seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to deny certification. The motion carried with eight in favor and one opposed.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X	X	X	X	X	X	
NO	1									X
ABSTAIN	0									
ABSENT	0									

VI.E.5. Brian Keith Hernandez CNA Exam (Monas)

Link moved, Gum seconded, and it was unanimously carried, continue the investigation to allow applicant to obtain a psychological evaluation to include a substance abuse evaluation with 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 evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.E.6. Bryce Garrett Merkley CNA Exam (Monas)

Monas addressed the Board and confirmed receipt of additional information. Perry moved, Johnson seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to deny certification.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.E.7. Trishuana Aretha Stewart LP040950 (Monas)
(aka: Franklin)

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 a \$250 Civil Penalty. If not signed within 30 days and payment not received within 60 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.E.8. Ida L. Kasey CNA999948425 (Monas)

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, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.D.3. Lisa Fredrick CNA549091803 (Lester)
(aka: Wroblewski)

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

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.D.4. Hussen Humaro CNA Exam (Lester)

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 and payment of the Civil Penalty, to grant certification. If not signed within 30 days, or payment not received within 60 days, deny certification. After discussion the motion failed with five opposed and four in favor.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	4				X			X	X	X
NO	5	X	X	X		X	X			
ABSTAIN	0									
ABSENT	0									

Gum moved, Perry seconded, to continue the investigation to allow applicant to obtain a psychological evaluation with emphasis on substance abuse, with a Board approved PhD prepared 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 certification. The motion carried with eight in favor and one opposed.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X	X	X	X	X	X	
NO	1									X
ABSTAIN	0									
ABSENT	0									

VI.D.6. Zakiea Neal CNA Endorsement (Lester)

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, grant certification. If not signed within 30 days, or payment not received within 60 days, deny certification.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

Scott left the meeting at 3:44 p.m.

VI.D.7. Amanda Rojo CNA000013836 (Lester)

Busby moved, Perry seconded, 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. after discussion the motion failed with six opposed and two in favor.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	2		X							X
NO	6	X		X		X	X	X	X	
ABSTAIN	0									
ABSENT	1				X					

Gum moved, Link seconded, and after discussion it was unanimously carried to continue the investigation to allow applicant to voluntarily obtain a psychological evaluation with emphasis on substance abuse, with a Board approved PhD prepared evaluator 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.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.D.8. Jourdan Saint-Yves CNA Exam (Lester)

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

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

**VI.D.9. Heather Wills CNA Exam (Lester)
(aka: Willett)**

Lester addressed the Board with additional information. Link moved, Perry seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to deny certification.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

**VI.D.11. Amy Parker CNA999989677 (Lester)
(aka: Colleen; Warren; Hadlock)**

Lester addressed the Board with technical corrections to the investigative report. Busby moved, Gum 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.

VI.D.12. Anthony Perez CNA Exam (Lester)

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

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.D.13. Ted Pickett CNA100006319 (Lester)

An attempt was made to contact Pickett telephonically and a message was left indicating the Board would move ahead with the case. Link moved, Busby seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for a stayed revocation including the attached terms. If the findings of the evaluation required by the Consent Agreement identify that respondent has a substance abuse disorder or issues

with theft and dishonesty in need of treatment, the length of the probation will be at minimum 24 months stayed revocation with the standard requirements for substance use disorders. If the findings from the evaluation required by this Consent Agreement do not find respondent to have a substance abuse disorder or issues with theft and dishonesty in need of treatment, the length of the stayed revocation will be at minimum 12 months. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.D.14. Rebekah Castaneda CNA100009387 (Lester)

Lester addressed the Board with additional information. Busby moved, Link seconded, and it was unanimously carried to issue a Letter of Concern for the March 23, 2009, misdemeanor conviction of DUI in Gila County Justice Court in Globe, Arizona and for failing to report the charge and conviction within 10 days to the Board.

VI.F.1. Annette M. Carnes CNA763399203 (B. Nelson)

Johnson 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 \$50 Civil Penalty. If not signed within 30 days and payment not received within 60 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.F.3. Diane Yvonne Miranda CNA999995576 (B. Nelson)

Busby moved, Link 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, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.F.4. Rajan Lazar Paul CNA1000011745 (B. Nelson)

Nelson addressed the Board with additional information. Busby moved, Link seconded, and it was unanimously carried to issue Notice of Charges.

VI.F.5. Cynthia Ann Catani CNA999990830 (B. Nelson)

Busby moved, Link 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 stayed revocation including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.F.6. Hidig Nuur Abdi CNA100002480 (B. Nelson)

Busby moved, Link 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 stayed revocation including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.F.7. Sandra Jean Castro CNA100009776 (B. Nelson)

Nelson addressed the Board with additional information. Busby moved, Link seconded, and it was unanimously carried to continue the investigation pending receipt of evaluation results by Board staff.

VI.F.8. Phuong Kim Le RN151628 (B. Nelson)

Link and Malloch recused themselves to avoid the appearance of impropriety and left the meeting at 3:59 p.m. Johnson presided. Busby moved, Gum seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for an indefinite suspension pending the completion of a psychiatric evaluation by a Board approved psychiatrist, and to include the attached stipulations and return to the Board. IF not signed within 10 days, issue a Complaint and Notice of Hearing.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	6	X	X	X				X	X	X
NO	0									
ABSTAIN	0									
ABSENT	3				X	X	X			

Malloch and Link returned to the meeting at 4:00 p.m.

VI.G.2. Katrinka Zabawa Marie RN062302 (S. Nelson)

Marie was present telephonically and addressed the Board. Busby moved, Perry 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 including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.G.8. Sharon L. Carter RN048880 (S. Nelson)

Busby moved, Link seconded, and it was unanimously carried to continue the investigation to allow respondent the opportunity to voluntarily obtain a neuropsychological evaluation with a Board approved evaluator who it at minimum PhD prepared, and to include any additional testing deemed necessary by the evaluator, to be completed within 60 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, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

**VI.G.10. Terri Esther Strain LP042723 (S. Nelson)
(aka: Souders)**

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

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.G.11. Carol Ann Thompson RN090693; LP029393; CNA296365103 (S. Nelson)

Busby 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 12 months probation including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.G.12. Jennifer Lee Beard RN148464 (S. Nelson)

Busby moved, Link seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for indefinite suspension pending the completion of the substance abuse treatment recommendations resulting from the evaluation and/or confirmation is received from either the evaluator or treatment providers that the respondent is safe to practice, to be followed by 12 months stayed suspension/probation, followed by 24 months standard probation including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

**VI.H.2. Gabriela Cazares CNA Exam (Olson)
(aka: Quintal)**

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

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.H.3. David Arvin Chadwick CNA Endorsement (Olson)

Olson addressed the Board with additional information, including Chadwick’s request to withdraw his application. Busby moved, Perry seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to deny certification.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.H.5. Elizabeth Dixon CNA1000010077 (Olson)

Perry moved, Gum 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.

VI.H.6. Yvette Aranda Felix Reissuance CNA534284641 (Olson)

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

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

**VI.H.7. Martha Kathleen Hall CNA Exam (Olson)
(aka: Kelley; Douglass)**

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

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.H.9. Susan Pulido CNA Exam (Olson)
(aka: Medrano; Brown; Lopez)

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

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.H.11. Shannon Marie Selleck RN145401; LP042614; CNA848181103 (Olson)

Link 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 probation including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.H.13. Tirzah Dawne Silver LP035039 (Olson)

Busby moved, Perry 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 probation including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.H.14. Amber N. Day RN128149 (Olson)

Busby moved, Perry 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, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.H.15. Karen Louise Waring RN143143 (Olson)

Olson addressed the Board and confirmed receipt of additional information. Busby moved, Link 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, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.H.16. Peter A. White RN090487; AP1114 (Olson)

Busby 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, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.I.2. Tarena Tiffany Barfield CNA Endorsement (Parlin)

Busby moved, Perry 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 and payment of the Civil Penalty, grant certification. If not signed within 30 days or payment not received within 60 days, deny certification.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.I.3. Katie Joy Crandall CNA Exam (Parlin)

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

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.I.4. Teresa Lou Fleming RN089028; LP028620; CNA629428103 (Parlin)

Busby moved, Link 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, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.I.5. Betty L. Garcia LP041841 (Parlin)

Johnson moved, Busby seconded, and it was unanimously carried to issue a Letter of Concern for verbally abusing a resident on March 9, 2008, while employed at Waverly Park Healthcare Center in Tucson, Arizona.

VI.I.6. Javier Silva Mondragon CNA100008115 (Parlin)

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

VI.I.7. Deborah Sue Holcomb RN Endorsement (Parlin)

Busby moved, Link 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 \$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.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.I.8. Cody Isom CNA Exam (Parlin)

Busby moved, Link 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 and payment of the Civil Penalty, grant certification. If not signed within 30 days or payment not received within 60 days, deny certification.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.I.9. Lauren k. Noblin RN Endorsement (Parlin)

Link moved, Gum seconded, to continue the investigation to allow applicant to obtain a substance abuse evaluation with 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 evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny licensure. After discussion the motion carried with six in favor and two opposed.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	6	X	X	X		X	X		X	
NO	2							X		X
ABSTAIN	0									
ABSENT	0				X					

VI.I.11. Celeste M. Schaumburg CNA216837103 (Parlin)

Perry 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 \$50 Civil Penalty. If not signed within 30 days and payment not received within 60 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.I.12. Christine Amber Sibiga RN Endorsement (Parlin)

Busby moved, Link seconded, and it was unanimously carried, upon meeting all requirements, grant licensure and issue a Letter of Concern for the January 4, 2008, arrest for DUI in Oldham, Kentucky.

VI.I.13. Irshaad Abdud Walee CNA Endorsement (Parlin)

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

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.I.14. Tyrone Karlos Williams CNA Endorsement (Parlin)

Perry moved, Busby seconded, and after discussion it was unanimously carried, upon meeting all requirements, grant certification and issue a Letter of Concern for the February 10, 2000, conviction for felony manufacture/deliver cocaine in Milwaukee County, Wisconsin, and the October 24, 2003, conviction for misdemeanor worthless checks in Outagamie County, Wisconsin.

VI.I.15. Brett Steven Stempel CNA Exam (Parlin)

Busby moved, Link seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for 24 months stayed revocation including the attached stipulations and terms. If not signed within 30 days, deny certification.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.I.17. Ryan Cole RN142804 (Parlin)

Busby moved, Gum seconded, and it was unanimously carried to offer a Consent Agreement for indefinite suspension pending completion of a neuropsychological evaluation to be completed by a Board approved forensic psychologist who is, an minimum PhD prepared, to include any additional testing deemed necessary by the evaluator, and to include all testing recommended by Dr. Mahoney, to be completed within a 12 month period or revoked, followed by 36 months probation including the attached stipulations, or hearing.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

Johnson left the meeting at 4:24 p.m.

VI.K.1. Ingrid Elizabeth Dickinson RN088719 (Rappoport)

Perry moved, Busby seconded, and it was unanimously carried to issue a Letter of Concern for taking medications that were not lawfully prescribed to her and then testing positive on a pre-employment drug screen on or about September 24, 2009.

VI.K.2. Michelle Elaine Chanin RN153673 (Rappoport)
(aka: Guibinni; Allred)

Rappoport addressed the Board with additional information. Busby moved, Link seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, adopt the attached, revised, Notice of Charges.

Johnson returned to the meeting at 4:26 p.m.

VI.K.3. Tina Monique Peek RN144913 (Rappoport)
(aka: Tina Taubman Peek; Tina Monique Taubman)

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

VI.K.4. Dianna Patricia Bordelon RN Endorsement (Rappoport)
(aka: Cochran; Ceravolo)

Busby moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact identified in the investigative report and upon meeting all requirements, to grant licensure and issue a Letter of Concern for the June 24, 2007, disciplinary action that resulted in a two year probation, which was successfully completed on or about April 24, 2009, by the Louisiana State Board of Nursing, and a 2006 disciplinary action by the California Board of Nursing, that was based upon the Louisiana Board action.

VI.K.5. Kelly Lynn Williams RN Endorsement (TRN160817) (Rappoport)
(aka: Deist)

Rappoport addressed the Board with additional information. Busby moved, Perry seconded, and it was unanimously carried, based upon the findings of fact identified in the investigative report, continue the investigation to allow applicant time to complete voluntary substance abuse evaluation and extend applicant's temporary license until the Board's next scheduled meeting.

VI.K.6. Betsy Bessie Barnes RN136213 (Rappoport)
(aka: Dabney)

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

VI.K.7. Margaret Louann Floyd RN140232 (Rappoport)
(aka: Goff; Sharp)

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

Busby left the meeting at 4:32 p.m.

VI.K.11. Aaron Christopher Shumway Re-issuance Applicant (LP038866) (Rappoport)

An attempt was made to contact Shumway telephonically and a message was left indicating the Board would move ahead with the case. Perry 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 12 months stayed suspension/probation, followed by 12 months probation including the attached stipulations, and to grant LP Refresher Course only, license. If not signed within 30 days, issue an Order of Denial.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	7	X	X	X		X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	2				X					X

Busby returned to the meeting at 4:33 p.m.

VI.K.12. Latisha Antwanique Mack RN117692 (Rappoport)
(aka: Lyons-Mack)

Rappoport addressed the Board with additional information. 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 18 months probation including the attached stipulations amended to allow block assignments. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.K.13. Debra Lynn James RN138312 (Rappoport)
(aka: Krenzke; Padilla; Settlemire; Rayburn)

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

VI.K.14. Mary Kathleen White RN134623 (Rappoport)
(aka: Sparks)

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

VI.K.15. Julie Anna Leader RN137139; AP2660 (Rappoport)
(aka: McElwaine)

Busby moved, Berrigan seconded, and it was unanimously carried to accept the signed Consent Agreement.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

The meeting recessed at 4:35 p.m. and reconvened at 4:39 p.m.

VII.1. Anthony Howard Carusillo CNA999994704 (Sage)

Sage addressed the Board with additional information. Link moved, Perry 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	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VII.5. Linda Susan Forry LP025268 (Sage)

Busby 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 Decree of Censure. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VII.6. Saba Hajos Gebremariam CNA999998554 (Sage)

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

VII.7. Valerie Anne Giedraitis CNA1000013448 (Sage)

Busby moved, Perry 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	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.L.9. Trisha Annette Kleppel CNA1000018628 (Sage)
(aka: Erzen)

Sage addressed the Board with additional information. Link 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 Decree of Censure. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.L.10. Ann Alexandra Korpela CNA1000020643 (Sage)

Busby moved, Link seconded, and it was unanimously carried to issue a Letter of Concern for feeding a resident too rapidly, giving him the perception she was rude and rough and that he was going to choke, and for using inappropriate language in the presence of staff and residents on January 3, 2010, while employed as a CNA at The Peaks Healthcare in Flagstaff, Arizona, resulting in termination of her employment.

VI.L.11. Joan Marie Lino CNA999988803 (Sage)
(aka: Maldonado)

Link moved, Perry 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	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.L.14. Amajeet Singh CNA1000014453 (Sage)

Perry moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for performing out of CNA’s scope of practice by feeding medication to residents on October 6, 2009, that an LPN had crushed and put in their food while employed as a CNA at Immanuel Campus of Care in Peoria, Arizona.

VI.L.15. Rosio Medrano CNA999994976 (Sage)

Busby moved, Link seconded, and it was unanimously carried to issue a Letter of Concern for practicing out of CNA scope of practice by feeding residents food in which an LPN has placed crushed medication on October 06, 2009, while employed at Immanuel Care Center.

VI.L.17. Joanne Cloud CNA979972103 (Sage)

Perry moved, Busby seconded, and it was unanimously carried to issue a Letter of Concern for failing to report perceived abuse in a timely manner on January 18, 2010, while employed as a CNA at Glendale Care Center, and for refusing to discuss the incident with the Director of Nursing.

VI.L.19. Ramona Robbins CNA100009846 (Sage)

Busby moved, Link seconded, and it was unanimously carried to amend prior Board decision of March 2010, and allow Robbins to work the night shift.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

**VI.L.20. Arcacia Virginia Rizo CNA999992510 (Sage)
(aka: Guevara)**

Link 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. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.L.21. Mark Andrew Stevens RN158357 (Sage)

Busby moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for allowing a non-authorized person to attempt a blood draw on a patient on February 2, 2010, while employed as an RN at Banner Boswell Hospital in Sun City, Arizona.

**VI.L.22. Amber Lynn Dillon CNA1000015303 (Sage)
(aka: Konen)**

Busby moved, Link seconded, and it was unanimously carried to issue a Letter of Concern for performing out of her scope of practice when she attempted to draw blood on a patient on February 4, 2010, while employed as a CNA at Banner Boswell Hospital in Sun City, Arizona.

**VI.L.23. Carla Lois Tierney CNA686067083 (Sage)
(aka: Blanchard; Garcia)**

Link moved, Perry 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	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.L.24. Bozena Prawdzic-Witoslawski RN111477 (Sage)

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

VI.L.25. Jessica Nicole Young CNA1000017805 (Sage)

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

VI.L.26. Jon A. Engel CNA552005863 (Sage)

Link moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, continue the investigation to allow respondent to voluntarily obtain a substance abuse evaluation with a Board approved PhD prepared evaluator to be completed within to be completed within 45 days and return to the Board. If the evaluation is not completed, issue Notice of Charges.

VI.L.27. Ron L. Manoogian CNA716273759 (Sage)

Busby 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 24 months stayed revocation including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.L.28. Amir Husamid-Deen Bilal CNA1000007747 (Sage)

Busby 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	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.L.29. Sunday Selest Veljkovic CNA1000015298 (Sage)

Busby 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 to include a substance abuse evaluation. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

VI.L.30. Veronica Solis CNA1000018754 (Sage)

Sage addressed the Board with additional information. Busby moved, Link seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, and the evaluation from Dr. Cheryl Martin, to offer a Consent Agreement for 24

months stayed revocation including the attached stipulations amended to include: drug testing one time per month for months 13-24. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	8	X	X	X		X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	1				X					

Busby left the meeting at 4:53 p.m.

VI.M.2. Helena Jane Maddison RN102708 (Schettler)

Schettler addressed the Board with additional information. Link moved, Perry seconded, and it was unanimously carried to issue a Letter of Concern for failing to document vital sign changes reported to the E-ICU physician and the sedation orders received for patient M.A. from on or about December 5-7, 2008, while working at Banner Estrella Medical Center in Phoenix, Arizona.

VI.M.6. Amberli Dyon Nigh RN138798; CNA1000001320 (Schettler)

Schettler addressed the Board with additional information. Perry 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 probation, including the attached stipulations. If the findings of the evaluation required by the Consent Agreement identify that respondent has a substance abuse disorder or is in need of treatment, the length of the probation will be at minimum 36 months with the standard requirements for substance use disorders. If the findings from the evaluation required by this Consent Agreement do not find respondent to have a substance abuse disorder or in need of treatment, the length of the probation will be at minimum 18 months. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	7	X	X	X		X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	2				X					X

VI.P.4. Diane Kile-Hunsucker RN137366; LP040474 (Midkiff)

Midkiff addressed the Board with additional information. Johnson moved, Perry seconded, and it was unanimously carried to dismiss the complaint.

VI.P.5. Laura Elaine Tanner RN126412 (Midkiff)

Midkiff addressed the Board with additional information. Berrigan moved, Perry 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 indefinite suspension, not to exceed 12 months, pending the completion of a substance abuse evaluation with a Board approved PhD prepared evaluator, and successful completion of treatment recommendations resulting from the evaluation and/or information is received from the evaluator or treatment providers that the respondent is complying with the treatment recommendations, to be followed by 36 months probation including the attached stipulations to include. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	7	X	X	X		X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	2				X					X

VI.P.8. Ronald C. Sondergaard CNA899471957 (Midkiff)

Perry moved, Link seconded, and it was unanimously carried to issue a Letter of Concern for failing to check J.O.'s skin condition during rounds while working through Nurses Plus registry at Arizona Grand Senior Care Community while working night shift from December 4, 2009 to December 5, 2009.

VI.P.9. Margaret Juanita Prunty CNA100002425 (Midkiff)

Perry moved, Gum seconded, and it was unanimously carried to issue a Letter of Concern for failing to adequately supervise a registry CNA who was caring for patient J.O. and check J.O.'s skin condition from December 4, 2009 to December 5, 2009, while employed at Arizona Grand Senior Living Community.

VI.P.13. Tony Quang Nguyen LP042748 (Midkiff)

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

VI.P.16. Debra Bruce LP039268 (Midkiff)

Perry moved, Link seconded, and it was unanimously carried to issue a Letter of Concern for failing to change a wound vacuum dressing on resident S.C. and notifying the physician about the change of condition to the wound site on March 10, 2010, while employed at Arizona Grand Senior Living Community in Phoenix, Arizona.

VI.P.17. Susie Kamm Walton RN045581 (Midkiff)

Perry moved, Link seconded, and it was unanimously carried to issue a Letter of Concern for failing to assess and intervene when told on or about December 7, 2009, while employed at Arizona Grand Senior Living Community in Phoenix, Arizona.

VI.P.18. Rosamaria Lasso CNA100009658 (Midkiff)

Link moved, Gum seconded, and it was unanimously carried to issue a Letter of Concern for failing to document skin condition for resident J.O. and notification of nursing staff about J.O.'s skin condition on or about December 7, 2009, while employed at Arizona Grand Senior Living Community in Phoenix, Arizona.

VI.P.20. Rhonda Marie Seibert RN101780 (Midkiff)

Midkiff addressed the Board with additional information. Link 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 36 months probation including the attached stipulations amended to include: allowed to complete the terms of probation in the State of Florida with written permission from the Florida Board of Nursing. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	7	X	X	X		X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	2				X					X

VI.P.21. Mary Bartlett Stanford RN076792 (Midkiff)

Midkiff addressed the Board with additional information. Link moved, Gum seconded, and it was unanimously carried, accept the signed Consent Agreement for 12 months probation including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	7	X	X	X		X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	2				X					X

VI.R.1. Christy Lee Hawks RN Endorsement (Smith)

Smith addressed the Board with additional information. Link moved, Perry seconded, and it was unanimously carried, based upon the updated findings of fact and statute/rule violations identified in the investigative report rescind the prior Board decision granting licensure upon signing a Consent Agreement for 24 months probation, and issue an Order of Denial.

	VOTE	Johnson, Patricia Member	Gutierrez, Lori Member	Gum, Gary Member	Scott, Kathy Secretary	Malloch, Kathy President	Link, Denise Vice Pres	Perry, Hunter Member	Berrigan, Terri Member	Busby, Kathryn Member
YES	7	X	X	X		X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	2				X					X

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

VII.A. Executive Directors Report – Ridenour

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

VII.A.1.a. March 23 & 24, 2010 Regular Board Meeting Minutes

Perry moved, Johnson seconded, and it was unanimously carried to approve minutes of March 23, 2010 regular Board meeting.

VII.A.1.b. March 24 and April 19, 2010 Executive Session Minutes

Gum moved, Berrigan seconded, and it was unanimously carried to approve minutes of March 24 and April 19, 2010 Executive Session.

VII.A.1.c. March 22, 2010 Strategic Planning Session Minutes

Johnson moved, Gum seconded, and it was unanimously carried to approve minutes of the March 22, 2010, Strategic Planning Session minutes.

VII.A.1.d. April 19, 2010 Special Board Meeting Minutes

Gutierrez moved, Gum seconded, and it was unanimously carried to approve minutes of April 19, 2010 Special Board minutes.

VII.A.2. Update on 2010 Legislative Session/Bills Impacting Nursing Regulation – Harris/Ridenour

A written update was provided to the Board on 2010 Legislative Session/Bills impactation Nursing Regulation.

VII.A.3. Qualitative Research Project: Nurse Diversion of Drugs – Kimberly Miller/Minnesota Board of Nursing

Perry moved, Gum seconded, and it was unanimously carried to approve the Qualitative Reseach Project: Nurse Diversion of Drugs.

VII.E. Committee Reports

VII.E.1. Scope of Practice: Discuss/Amend & Approve Advisory Opinions – Bontrager/Johnson/Scott

VII.E.1.a. Draft Advisory Opinion Determination of Death: Role of RN/LPN

Gutierrez moved, Perry seconded, and it was unanimously carried to approve the advisory opinion on Determination of Death: Role of RN/LPN

VII.E.2. Education – Randolph/Malloch

VII.E.2.a. Draft Minutes of April 8, 2010 Education Committee Meeting

Education Committee meeting draft minutes of April 8, 2010, were provided to the Board.

VII.E.4. LPN Advisory Committee – Ridenour/Randolph/Berrigan/Gutierrez

VII.E.4.a. Draft Minutes of April 12, 2010 LPN Advisory Committee Meeting Minutes

LPN Advisory Committee meeting draft minutes of April 12, 2010, were provided to the Board.

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).

VII.C. President’s Report – Malloch

VII.C.5. Debriefing on Board Processes & Suggested Changes - All

Malloch officially welcomed newly appointed Board member, Lori Gutierrez. The Board and staff discussed the flow of the meeting.

X. Adjournment

Gum moved, John seconded, and it was unanimously carried to adjourn the meeting.

The meeting adjourned at 5:19 p.m., Friday, May 21, 2010.

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