

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. Wednesday, January 26, 2011, 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
Patricia Johnson, LPN, Member
M. Hunter Perry, Member
Lori Gutierrez, BS, RN-C

LEGAL COUNSEL:

Elizabeth Campbell, Assistant Attorney General
Emma Mamaluy, Assistant Attorney General
Kim Zack, Assistant Attorney General
Nina Zimmerman, Assistant Attorney General

STAFF DIRECTORS:

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

STAFF:

Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings
Tammi Bymers, RN, MSN, Nurse Practice Consultant/Monitoring
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
Debra McGinty RN, PhD, Administrator/Nursing Programs
Patricia Midkiff, RN, MN, Nurse Practice Consultant
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/CANDO
Mary Rappoport, RN, MN, Nurse Practice Consultant
Deborah Richards, JD, Senior Investigator
Bonnie Richter, MSW, Senior Investigator
Jeanine Sage, RN, MSN, Nursing Assistant Consultant
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., Wednesday, January 26, 2011.

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 and stated the mission of the Board.

Ridenour requested that Agenda Items IV.B. & IV.C, though listed as consents on the Agenda, be taken individually for this meeting only.

VI. RN/LPN/CNA Investigative Reports

VI.K.1. Dawn Michelle Copeland RN120149 (Pendergast)

Shawn Soumilas was present and addressed the Board. Andrea Roberts were present and available for questions..

Busby arrived at the meeting at 8:12 a.m.

Attorney Kelly McDonald, counsel for Copeland, was present and addressed the Board. Copeland was present and available for questions. Scott moved, Gutierrez 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. After discussion, the motion failed with four opposed, four in favor and one abstained.

	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	4	X	X		X		X			
NO	4			X		X		X	X	
ABSTAIN	1									X
ABSENT	0									

Gum moved, Johnson 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, Gum amended the stipulations to include: night shift allowed, and interpersonal relationships required along with the professional accountability course. Johnson concurred. The motion carried with eight in favor and one abstained.

	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	8	X	X	X	X	X	X	X	X	
NO	0									
ABSTAIN	1									X
ABSENT	0									

VI.P.3. Kari L. Fanene LP000032901; CNA395988803 (Torrez)

Complainant Kiloh Smith was present and addressed the Board. Fanene and her attorney, Meredith Vivena were present and addressed the Board. Johnson moved, Gutierrez seconded, and it was unanimously carried to dismiss the complaint.

VI.D.2. Patricia Holly Dove RN152700; CNA999999881 (Hill)

Hill addressed the Board with additional information. Witness Linda Valley was present telephonically and available for questions. Attorney Scott King was present and addressed the Board. Dove was present and available for questions. 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 18 months stayed revocation/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.L.1. Stacy Martin-Dandridge RN134146; AP2230 (Rappoport) (aka: Martin; Dandridge)

Rappoport addressed the Board and confirmed receipt of additional information. Martin-Dandridge was present and available for questions. Busby moved, Link seconded, and it was unanimously carried, for complaint #1, to issue a Letter of Concern for the April 27, 2009, disciplinary action, revocation of professional nurse license, advance practice certification and prescribing authority by the Colorado Board of Nursing for twice prescribing a controlled substance, Adderall, to a pediatric patient who was not first evaluated by the collaborating physician or was an established patient at Iron Horse Pediatrics in Colorado Springs, Colorado and without having been issued Colorado prescriptive authority; and for complaint #2, to dismiss.

VI.L.4. Lorraine Marie Hirani RN118070; AP1530 (Rappoport) (aka: Colleyacme)

Link and Malloch recused themselves to avoid the appearance of impropriety and left the meeting at 8:55 a.m. Scott presided. Rappoport addressed the Board with additional information. 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 \$200 Administrative 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	7	X	X	X	X			X	X	X
NO	0									
ABSTAIN	0									
ABSENT	2					X	X			

Link and Malloch returned to the meeting at 8:56 a.m.

VI.C.1. Deborah Ann Nichols RN078398; AP1489 (Dahn)

Shirley Miller was present telephonically and addressed the Board. Debbie Hite and Nichols were present and addressed the Board. Busby moved, Perry seconded, to dismiss the complaint. After discussion the motion failed with seven opposed and two in favor.

Johnson moved, Gutierrez seconded, to issue a Letter of Concern for inappropriate interactions with a patient and patient family member on or about July 7, 2010, while employed at Stat Clinix Urgent Care in Payson, Arizona. The motion carried with eight in favor and one opposed.

VI.C.2. Erin Rauscher RN076916; AP0355 (Dahn)

Attorney Teressa Sanzio was present and addressed the Board. Rauscher was present and available for questions. Perry moved, Gum seconded, and it was unanimously carried to table Agenda Item VI.C.2.

The meeting recessed at 9:34 a.m. and reconvened at 9:51 a.m.

VI.C.3. Quynh Dona Helgeson RN078856; AP1931 (Dahn)

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

VI.C.2. Erin Rauscher RN076916; AP0355 (Dahn)

Berrigan moved, Perry seconded, and it was unanimously carried to reopen Agenda Item VI.C.2. Dahn addressed the Board with additional information. Attorney Teressa Sanzio addressed the Board. Johnson moved, Link 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 \$1,000 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.C.4. Roxanne Leisky RN154860; AP3217 (Dahn)

Complainant Janet Vivian was present telephonically and available for questions. Leisky was present and addressed the Board. Scott moved, Gutierrez seconded, and it was unanimously carried to dismiss complaint #2.

Perry moved, Scott seconded, and it was unanimously carried to dismiss complaint #1.

VI.C.6. Felicia Beth Scacewater RN086691; CRNA0507(Dahn)

Scacewater was present and addressed the Board. Link moved, Scott seconded, and it was unanimously carried to issue a Letter of Concern for failure to document narcotic wastage according to policy on or about November-December 2009, while working as a CRNA at Arizona Eye Institute.

VI.C.5. Kim Ann Carlson RN148475; AP2910 (Dahn)

Carlson and her employer Justin Wood were present and available for questions. Busby moved, Berrigan seconded, and it was unanimously carried to dismiss the complaint.

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

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

**IV.B.2.a. Megan Michelle Bianco RN157099 Olson
(aka: Dean Blanco)**

Bianco was present and available for questions. Attorney Susan McClellan was present and addressed the Board. Perry moved, Link seconded, and unanimously carried to continue the investigation for 90 days to allow respondent the opportunity to provide additional information showing the case is no longer subject to the felony bar. If not done within 90 days, adopt the attached Notice of Charges.

VI. RN/LPN/CNA Investigative Reports

**VI.G.2. Conscience Diane Thompson LP041380; CNA1000001835 (B. Nelson)
(aka: Dominic; Rise)**

Nelson addressed the Board with additional information and noted the addition of rule #14 to fact 2 and rule #20 to fact 3 in the investigative report. Attorney Terry Hall was present and addressed the Board. Thompson was present telephonically and addressed the Board. Johnson moved, Perry seconded, and it was unanimously carried, based upon the amended findings of fact and statute/rule violations identified in the investigative report, issue a Complaint and Notice of Hearing.

VI.F.8. Lajuane Edward Rutherford TRN162498 (Monas)

Attorney Michael Reeves and Rutherford were present and addressed the Board. Monas addressed the Board with additional information. Gum moved, based upon the findings of fact and statute/rule violations identified in the investigative report, to deny certification. The motion failed for lack of a second.

Johnson moved, Gutierrez seconded, to grant licensure upon meeting all requirements and 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, deny licensure. After discussion the motion failed with seven 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	7		X	X	X		X	X	X	X
ABSTAIN	0									
ABSENT	0									

Busby moved, Scott seconded, to grant licensure upon meeting all requirements and, based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for 24 months probation including the attached stipulations to include: allowed to work registry in block assignments only. If not signed within 30 days, deny licensure. 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.K.2. Erin Mary Healey RN139645 (Pendergast)

Attorney Lauren Weinsweig and Haley were present and addressed the Board. Busby moved, Link seconded, and it was unanimously carried to dismiss the complaint.

VI.K.3. Luis Francisco Romo RN098601 (Pendergast)

Attorney Lauren Weinsweig was present and available for questions. Romo was present and addressed the Board. Berrigan moved, Link seconded, and it was unanimously carried to dismiss the complaint

VI.K.9. Barbara Jean Neilson RN144498 (Pendergast)

Pendergast addressed the Board and confirmed receipt of additional information. Attorney Scott King and Neilson were present and addressed the Board. Scott moved, Berrigan seconded, to rescind prior order to offer a Consent Agreement for a Decree of Censure, and based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 18 months probation with stipulations to include stamping of license, documentation course focusing on medication administration and documentation, drug testing 2 times per month for 9 months and 1 time per month for

months 10-18, abstain from unauthorized drug use/proof of prescription, abstain from alcohol 12 hours prior to duty, notification of practice settings, quarterly performance evaluations, direct supervision, registry allowed in block assignments only.. If not signed within 30 days, issue Notice of Charges. Berrigan seconded the motion, which 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									

V.C. Non-Compliance/Compliance with Board Orders (Rappoport/Bymers)

V.C.1. Brenda Marie Johnson RN057354; LP018864 Rappoport

Johnson was present and addressed the Board. Perry moved, Scott seconded, and it was unanimously carried to Approve request to amend Consent Agreement and Order No. 0904052, allowed to work any shift; practice under on-site supervision only if employed in a position that does not have direct patient supervision contact; and lift key restriction to permit administration of controlled substances with an increase in drug screening to 2 times per month for 6 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

Link left the meeting at 11:36 a.m. and returned at 11:38 a.m.

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Mesa Community College Nursing Students regarding Board functions, policies and procedures.

V.F. CANDO Eligibility/Noncompliance & Investigative Reports

V.F.1. Jill M. Hiller RN085361 (Pendergast)

Hiller was present and available for questions. Scott moved, Johnson 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, grant renewal of license and accept the signed CANDO Stipulated Agreement.

VI. RN/LPN/CNA Investigative Reports

VI.M.3. Lesedi Bongani Bopape CNA Exam (Richter)

Bopape was present and addressed the Board. Perry moved, Link seconded, and it was unanimously carried, 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.M.4. Michele Marie Bruneel RN Endorsement (Richter)

Bruneel was present and addressed the Board. Scott moved, Berrigan 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 probation with stipulations to include AA or the equivalent, 2 times per month for six months and 1 time per month for months 7-12, abstain from alcohol, abstain from unauthorized drug use, notification of practice settings, quarterly performance evaluations, and on site supervision, grant licensure. If not signed within 30 days, deny licensure. After discussion the motion failed with seven 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	7				X				X	
NO	2	X	X	X		X	X	X		X
ABSTAIN	0									
ABSENT	0									

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 signing a Consent Agreement for a \$100 Civil Penalty and payment of the Civil Penalty, grant licensure. If not signed within 30 days, and 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.M.8. Kristi Lynn Keats RN Exam (Richter)
(aka: Crofton)

Keats was present and addressed the Board. Johnson moved, Link seconded, and it was unanimously carried, 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

VI.M.12. Sabrina Villanueva CNA Exam (Richter)

Villanueva was present and addressed the Board. Scott moved, Link seconded, and it was unanimously carried, upon meeting all requirements, grant certification and issue a Letter of Concern for the February 2010 conviction in Gilbert Municipal Court for the misdemeanor charge of Shoplifting.

The meeting recessed at 12:05 p.m. and reconvened at 1:01 p.m.

II.A. Administrative Law Judge (ALJ) Recommendations

II.A.1. Vicki L. Bailey CNA999948995 Mamaluy

The proceeding began at 1:02 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 Christopher Munns, Assistant Attorney General, Division of Solicitor General. Emma Mamaluy, Assistant Attorney General, represented the State.

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

Mamaluy requested the Board accept the ALJ’s recommendation in its entirety.

Johnson moved, Perry 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 11.

Busby returned to the meeting at 1:04 p.m.

Johnson moved, Berrigan seconded, to accept the Administrative Law Judge’s recommended Order to uphold and affirm its decision to summarily suspend nursing assistant certification No. CNA999948995 previously issued to respondent Vicki L. Bailey, and revoke nursing assistant certification No. CNA999948995 previously issued to Vicki L. Bailey. 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									

II.A.2. Deborah Lea Mackin RN107956 Mamaluy

The proceeding began at 1:05 p.m. with the following Board members present: Malloch, Link, Scott, Johnson, Gutierrez, Gum, Perry, Berrigan and Busby.

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

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

Mackin was not present and was not represented by legal counsel

Mamaluy requested the Board accept the ALJ’s recommendation in its entirety.

Busby moved, Berrigan seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 31, and Conclusions of Law the alleged violations in Paragraphs 1 through 6.

Busby moved, Berrigan seconded, and it was unanimously carried to uphold and affirm its decision to summarily suspend professional nurse license No. RN107956, previously issued to Deborah Mackin and to revoke professional nurse No. RN107956, previously issued to Deborah Mackin.

	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.A.3. Robin Bartell CNA Exam Mamaluy

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

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

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

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

Mamaluy addressed the Board.

Busby moved, Link seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 14, and Conclusions of Law the alleged violations in Paragraphs 1 through 5.

Busby moved, Perry seconded, and it was unanimously carried to deny the applicant’s appeal and that the prior denial of Bartell’s application for nursing assistant certification be 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.A.4. Julie Dawn Yandell TRN165059 Zack

The proceeding began at 1:08 p.m. with the following Board members present: Malloch, Link, Scott, Johnson, Gutierrez, Gum, Perry, Berrigan and Busby.

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

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

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

Zack addressed the Board and noted a technical correction to finding of fact 6 on page 2.

Busby moved, Berrigan seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 68.3 as amended, and Conclusions of Law the alleged violations in Paragraphs 1 through 10.

Busby moved, Scott seconded, and it was unanimously carried to accept the Administrative Law Judge’s recommended Order to uphold and affirm its decision to summarily suspend temporary professional nurse license No. TRN165059 previously issued to respondent Julie Dawn Yandell and revoke temporary professional nurse No. TRN165059 previously issued to Julie Dawn Yandell.

	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.A.5. Joann Collins CNA Reissuance Campbell

The proceeding began at 1:12 p.m. with the following Board members present: Malloch, Link, Scott, Johnson, Gutierrez, Gum, Perry, Berrigan and Busby.

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

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

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

Campbell addressed the Board.

Busby moved, Perry seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 9, and Conclusions of Law the alleged violations in Paragraphs 1 through 5.

Busby moved, Scott seconded, and it was unanimously carried to dismiss the applicant’s appeal and that prior denial of Collin’s application for nursing assistant certification be 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

II.A.6. Deborah Lynn Tuck RN086567 Campbell

The proceeding began at 1:14 p.m. with the following Board members present: Malloch, Link, Scott, Johnson, Gutierrez, Gum, Perry, Berrigan and Busby.

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

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

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

Campbell addressed the Board.

Busby moved, Berrigan seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 67, and Conclusions of Law the alleged violations in Paragraphs 1 through 8.

Busby moved, Scott seconded, and it was unanimously carried to approve the Administrative Law Judge's recommendation to order 36 months probation with terms including a psychological evaluation and amended to include direct supervision for 12 months and on site supervision months 13-36, for RN086567 previously issued to Debora Lynn Tuck.

	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.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.	Tracy Matson	CNA999996046	Revocation	Campbell
II.B.2.	Clara Jean Whatley	RN143381	Revocation	Campbell
II.B.3.	Geneva Hill	CNA3426952247	Revocation	Zack

The Board was represented by Christopher Munns, Assistant Attorney General, Division of Solicitor General. Elizabeth Campbell and Kim Zack, Assistant Attorney's General, represented the State.

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

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

Johnson moved, 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.

Johnson moved, Link seconded, and it was unanimously carried to accept the State's recommended discipline for revocation.

	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.C. Settlement Conference Cases and Proposed Consent Agreements

II.C.1. Therese Ivey Long RN Endorsement Zimmerman

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

Zack addressed the Board.

Long was present telephonically and addressed the Board.

Perry moved, Link seconded, to rescind prior Board vote of September 2010 to deny licensure and instead grant licensure with a Letter of Concern for failing to fully and timely respond to the Board's investigative questionnaires. After discussion the motion carried with six in favor and three opposed.

II.C.2. Margaret Laneau RN118428 Zimmerman

Johnson recused herself to avoid the appearance of impropriety. The Board was represented by Christopher Munns, Assistant Attorney General, Division of Solicitor General. Kim Zack, Assistant Attorney General, represented the State.

Zack addressed the Board.

Laneau and legal counsel Kelly McDonald were present and available for questions.

Perry moved, Gum seconded, and it was unanimously carried to rescind prior Board vote of March 2009 and instead issue a Letter of Concern for failing to notify a physician on April 2, 2008, that clarification was needed for a Lovenox order for patient J.O. at Banner Desert Medical Center.

II.D. 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.	Ashley Anne Baker (aka: George; Schwenke)	RN043001	Revocation	Campbell
II.D.2.	Timothy Lee Boyer	RN124471	Revocation	Campbell
II.D.3.	Madeline Alicia Caldwell	RN076272	Revocation	Campbell
II.D.4.	Gina Lynn Carter	RN092529	Revocation	Campbell
II.D.5.	Charisse Yvonne Croom	RN146350; LP042967; CNA1000003618	Revocation	Campbell
II.D.6.	Angela M. Emery Enriquez	CNA1000014069	Revocation	Campbell
II.D.7.	Allan Wayne Foth	RN146861	Revocation	Campbell
II.D.10.	Mark Andrew Hinkle	Compact State: Missouri	Revocation	Campbell
II.D.11.	Katherine A. Irving	CNA999950173	Revocation	Campbell
II.D.13.	Olivia Lorraine Koffler	RN155733	Revocation	Campbell
II.D.15.	Karen Lyn Kulp	RN135128	Revocation	Campbell
II.D.18.	Theresa Jean Loyde (aka: Smith)	RN155936	Revocation	Zack
II.D.19.	Stacy Lynn Martin	LP034335	Revocation	Zack
II.D.20.	Nina M. Nyman	CNA1000007267	Revocation	Zack
II.D.21.	Harmony H. O'Neill	CNA999997613	Revocation	Zack
II.D.22.	Tiffany Danyel Patton	CNA999995229	Revocation	Zack
II.D.23.	Jill Kathryn Rojas	LP041227	Revocation	Zack
II.D.27.	Paige Nicole Wilkinson	CNA1000019756	Revocation	Zack
II.D.28.	Lisa Ann Yazzie	CNA1000002459	Revocation	Zack

The Board was represented by Christopher Munns, Assistant Attorney General, Division of Solicitor General. Kim Zack and Elizabeth Campbell, Assistant Attorney General's, represented the State.

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

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

Gum 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, Link seconded, and it was unanimously carried to accept the State’s recommended discipline for Agenda Items II.D.1-7, 10, 11, 13, 15, 18-23, 27, 28.

	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.8. William D. Grabner CNA727526103 Campbell

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

An attempt was made to contact Grabner telephonically

Campbell addressed the Board.

Busby moved, Scott seconded, and it was unanimously carried to accept the signed Consent Agreement for Voluntary Surrender as modified.

	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.9. Tracy Pearl Graves RN126459; CNA999993210 Campbell
(aka: Kelty; Timm)**

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

Graves was present telephonically and addressed the Board.

Campbell addressed the Board.

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

Busby left the meeting at 2:06 p.m.

II.D.12. Shujuan T. Jenkins CNA1000011754 Campbell

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

Campbell addressed the Board.

Jenkins was present and available for questions.

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

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

Johnson moved, Gum seconded, and it was unanimously carried to accept the State’s recommended discipline for revocation of certificate No. CNA1000011754 previously issued to Shujuan Jenkins.

	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.D.14. Carrie Ann Krickovich LP043263 Campbell

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

Krickovich was not present and was not represented by legal counsel

Campbell addressed the Board.

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

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

Gum moved, Perry seconded, and it was unanimously carried to accept the State’s recommended discipline for revocation of practical nurse license No. LP043263 previously issued to Carrie Ann Krickovich.

	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.D.16. Heather Marie Larue-Foor RN123582 Zack
(aka: Walker)**

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

Zack addressed the Board.

Larue-Foor was present and addressed the Board.

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

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

Gum moved, Scott seconded, and it was unanimously carried to accept the State’s recommended discipline for revocation of professional nurse license No. RN123582 previously issued to Heather Larue-Foor.

	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.D.17. Vicki Kay Lee RN131699 Zack

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

Zack addressed the Board.

Lee was present telephonically and addressed the Board.

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

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

Gum moved, Scott seconded, and it was unanimously carried to accept the State’s recommended discipline for revocation of professional nurse license No. RN131699 previously issued to Vicki Lee.

	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.D.24. Paula Sanfilippo CNA1000011992 Zack

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

Zack addressed the Board.

Sanfilippo was present telephonically and addressed the Board.

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

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

Scott moved, Berrigan seconded, and it was unanimously carried to issue an Order of suspension with terms to include the completion of a boundary evaluation with a Board approved psychologist, to be completed within 6 months and return to the Board for review and determination status of respondent's certificate, which may include continued suspension and/or reinstatement with a period of monitoring.

	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.D.25. Katie L. Tejada CNA1000013791 Zack

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

Zack addressed the Board.

Tejada was present and addressed the Board.

Busby returned to the meeting at 2:51 p.m.

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

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

Gum moved, Johnson seconded, to accept the State's recommended discipline for revocation of certificate No. CNA1000013791 previously issued to Katie Tejada. After discussion the motion failed with five opposed, three 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	3	X		X		X				
NO	5		X		X		X	X	X	
ABSTAIN	1									X
ABSENT	0									

Scott moved, Berrigan seconded, to issue an Order of suspension for a period of 90 days to allow for the completion of a psychological evaluation, and return to the Board for review and determination status of respondent's certificate based on the outcome of the evaluation, which may include continued suspension and/or reinstatement with a period of monitoring. 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									

II.D.26. Carol Ann Thompson RN090693 Zack

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

Zack addressed the Board.

Attorney Sherry McCracken was present and addressed the Board. Thompson was present and available for questions.

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

Busby moved, Scott seconded, and after discussion 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, Link seconded, and it was unanimously carried to table Agenda Item II.D.26.

The meeting recessed at 3:15 p.m. and reconvened at 3:33 p.m.

II.D.26. Carol Ann Thompson RN090693; LP029393; CNA296365103 Zack
The Board was represented by Christopher Munns, Assistant Attorney General, Division of Solicitor General. Kim Zack, Assistant Attorney General, represented the State.

Johnson moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item II.D.26.

Zack addressed the Board.

Busby moved, Berrigan seconded, and after discussion it was unanimously carried to issue an Order for 12 months probation with the attached terms amended to include on site supervision with check in at the beginning and end of each shift when working home health.

	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. Request to Rescind Prior Board Decision to Consider Alternative Action

II.F.1. Donna LeMert RN046827 Zack
The Board was represented by Christopher Munns, Assistant Attorney General, Division of Solicitor General. Kim Zack, Assistant Attorney General, represented the State.

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

Zack addressed the Board.

Scott moved, Link seconded, and it was unanimously carried to rescind the Board decision of May 15, 2008 to offer a Consent Agreement for 24 months probation to include a \$1,000 Civil Penalty, and accept the signed Consent Agreement for 18 months probation to include a \$500 Civil Penalty with the attached stipulations as settlement in this case.

	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.2. Susan Livengood RN048327 Zimmerman

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

Gutierrez recused herself to avoid the appearance of impropriety.

Zack addressed the Board.

Attorney Zachary Cain was present and addressed the Board. Livengood was present and available for questions.

Link moved, Perry seconded, to accept the counter offer, rescind the prior Board vote of November 2008 to offer a Consent Agreement for Decree of Censure and instead issue a Letter of Concern for failing to immediately report abuse alleged by patient A.B. to a peace officer or protective services worker in 2007 and complete an event report pursuant to Scottsdale Healthcare Osborne policy AD 1850, which policy was subsequently amended to clarify that allegations of abuse/neglect must be reported whether substantiated or not. After discussion the motion carried with eight in favor and one abstained.

II.F.3. Shelly Van Vianen RN091699 Zack

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

Gutierrez recused herself to avoid the appearance of impropriety.

Zack addressed the Board.

Attorney Zachary Cain was present and addressed the Board. Vianen was present and available for questions.

Scott moved, Link seconded, to rescind the prior Board decision of November 2008 to offer a Consent Agreement for Decree of Censure and instead issue a Letter of Concern for failing in 2007 to immediately report abuse alleged by patient A.B. to a peace officer of protective services worker and to complete an event report required by Scottsdale Healthcare Osborn policy AD 1850, which subsequently was amended to clarify the allegations of abuse/neglect must be reported whether substantiated or not. The motion carried with eight in favor and one abstained.

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

II.G.1. Patricia Ann Coleman RN081223 Richards

Richards addressed the Board.

Coleman was present and addressed the Board.

Busby moved, Scott seconded, and after discussion it was unanimously carried to offer a Consent Agreement for 12 months probation including the attached stipulations amended to include: stamping of license, allow night shift and on site supervision in block assignments only. If not signed within 15 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	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. Kelly Jordan Sommerfeld CNA1000007595 Zack

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

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

Zack addressed the Board.

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

	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.G. Request to Rescind Prior Board Decision to Consider Alternative Action

II.G.2. Joyce Ann Delgado LP025990 Richards

Delgado was not present. An attempt was made to contact Delgado’s attorney, Nina Targovnic, telephonically.

Richards addressed the Board.

Busby moved, Berrigan seconded, and it was unanimously carried to continue to the March 2011 Board meeting.

II.H. Consideration of Additional Information Regarding Prior Board Decision

II.H.1. Michael Jeffrey Barcher RN Endorsement (Monas) (aka: Smith)

Busby moved, Perry seconded, and it was unanimously carried to table Agenda item II.H.1. to allow for Barcher to attend this meeting.

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

VII.B. Educational Reports and Rules – Randolph

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

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

VII.B.2. Mohave Community College PN Program Proposal

Scott moved, Gum seconded, and it was unanimously carried to defer decision on Mohave Community College's Proposal for an LPN Program until Board staff has verified that current deficiencies in the RN program are remedied and such remedy is approved by the Board. During this interval, allow the Mohave Community College to apply for provisional approval of the proposed LPN program. If an application for provisional approval is received prior to verification of the program's remedy of the deficiencies, Board staff may conduct simultaneous site visits for the dual purposes of verifying resolution of RN program deficiencies and ascertaining the readiness of the school to conduct an LPN program. All reports will be submitted to the Board.

VII.B.3. Mohave Community College Application for Program Change

Johnson moved, Scott seconded, and it was unanimously carried to approve the change in the length of the nursing program at Mohave Community College.

VII.B.4. Arizona State University NP Programs Continuing Approval

Malloch and Link recused themselves to avoid the appearance of impropriety and left the meeting at 4:15 p.m. Scott presided.

Johnson moved, Gum seconded, and it was unanimously carried to recommend renewal of approval of all NP Programs: Family; Adult; Pediatrics; Neonatal; Child-Family Psych Mental Health; Adult Psych Mental Health; Women's Health; Geriatric.

Johnson moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for failing to ensure all nurse faculty are currently licensed to practice in Arizona.

Malloch and Link returned to the meeting at 4:16 p.m.

VII.A. Executive Directors Report – Ridenour

VII.A.8. Proposed Licensure Subscription Service for Employers/Educational Institutions/Others to Track Licensure Changes – Henriksen/Ridenour

Henriksen gave an overview of the proposed Automated Nurse Tracking System ("ANTS") Johnson moved, Busby seconded, and it was unanimously carried to adopt the Licensure Subscription Service for Employers/Educational Institutions/Others to Track Licensure Changes.

Perry recused himself to avoid the appearance of impropriety.

VII.B. Educational Reports and Rules – Randolph

VII.B.5. University of Phoenix 6 Month Follow-up

Busby moved, Berrigan seconded, to continue approval of the nursing program at University of Phoenix. The motion carried with eight in favor and one abstained.

VII.B.6. New Nursing Program Administrators: Central AZ College; Northland Pioneer College; Excelsior College

Information was provided to the Board regarding the appointments of Cherrie Evans as Director of Nursing for Central AZ College, Nancy Williams as Dean of Nursing for Northland Pioneer College, and Dr. Patricia Edwards as Dean of Nursing for Excelsior College.

VII.B.7. Follow-up of Deficiencies Scottsdale Community College CNA Program

Busby moved, Link seconded, and it was unanimously carried to accept the Plan of Correction as being satisfactorily implemented and the identified deficiencies as being corrected.

VII.B.8. CNA Exam Test Advisory Panel Recommendations

Link moved, Perry seconded, and it was unanimously carried to accept and approve the proposed changes to the CNA Testing with effective date on March 1, 2011.

VII.B.9. D and S Diversified Technologies Annual Report

D and S Diversified Technologies Annual Report was provided to the Board.

VII.A. Executive Directors Report – Ridenour

VII.A.9. Auditor General – Sunset audit preliminary report

Pursuant to A.R.S. §38-431.03(A)(2), the Board may meet in Executive Session to receive confidential information about the sunset audit of the Board

Busby moved, Gum seconded, and it was unanimously carried to go into Executive Session on Agenda Item VII.A.9. for the purpose of reviewing the sunset audit preliminary report pursuant to A.R.S. §38-431.03(A)(2). Executive Session convened at 4:33 p.m. and adjourned at 6:17 p.m.

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

IV.D. Recommended Applicants for Licensure

IV.D.1. Martha Luna Rodriguez RN Endorsement Bontrager

Rodriguez was present and available for questions. Perry moved, Berrigan seconded, and it was unanimously carried to grant RN license that it “Valid in AZ only”, upon meeting all requirements except Credential Evaluation Report, after paying a \$100 Administrative Penalty for working without an Arizona or Compact License.

The meeting recessed at 6:22 p.m., Wednesday, January 26, 2011.

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, January 27, 2011, 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
Patricia Johnson, LPN, Member
M. Hunter Perry, Member
Lori Gutierrez, BS, RN-C

LEGAL COUNSEL:

Elizabeth Campbell, Assistant Attorney General
Emma Mamaluy, Assistant Attorney General
Kim Zack, Assistant Attorney General
Nina Zimmerman, Assistant Attorney General

STAFF DIRECTORS:

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

STAFF:

Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings
Tammi Bymers, RN, MSN, Nurse Practice Consultant/Monitoring
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
Debra McGinty RN, PhD, Administrator/Nursing Programs
Patricia Midkiff, RN, MN, Nurse Practice Consultant
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/CANDO
Mary Rappoport, RN, MN, Nurse Practice Consultant
Deborah Richards, JD, Senior Investigator
Bonnie Richter, MSW, Senior Investigator
Jeanine Sage, RN, MSN, Nursing Assistant Consultant
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, January 27, 2011.

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 and stated the mission of the Board.

Busby arrived at the meeting at 8:05 a.m.

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

VII.A. Executive Directors Report – Ridenour

VII.A.2. Proposed 2011 Legislation Impacting Regulation of Nursing – Greg Harris

Greg Harris, legislative liaison to the Board offered an update on three bills, House Bill 2901 dealing with continuing education (CE) for nurses, House Bill 2520 which is a re-write of a Bill the legislature enacted last year along with the posting of information about dismissals and non-disciplinary actions taken by health and non-health regulatory Boards. The third Bill, which has not been introduced yet but discussion has begun about providing an additional designated position on this Board for a certified registered nurse anesthetist.

Harris stated the CE issue is essentially the same Bill that the legislature looked at last year. The Board has appointed a committee to study continued competency (CC). Representative Matt Hines views the addition of a CE requirement for nurses to be an important step for continued competency. The Board has looked closely at this issue and will provide input to Mr. Hines in an effort to assemble legislation that fits the existing framework in terms of the practice requirement. There have been conversations between Harris, Ridenour, Hines' staffer and the lobbyist for the Arizona Nurses Association (AzNA) about working together on a framework for the purposed legislation.

Comments were made regarding the work the committee for CC has done and inquired if Mr. Hines would be willing to wait as the committee completes the study.

Harris felt that Hines preference would be to speed up the timeline. Harris and Ridenour will meet with Hines regarding where the process is and how to move ahead, recognizing Hines' desire for the legislation to move forward.

Among the other Bills on the list, the Dental Board has legislation moving forward that deals with their CE component. They are moving to a self reporting requirement with minimal staff involvement for reviewing what the dentists submit to demonstrate completion of CE. Harris indicated this would be the focus of the conversation he and Ridenour will have with Hines, when they meet regarding the Bill.

Harris noted he believes Hines intent is to move the Bill through this legislative session and encouraged the Board to work with him in the spirit that he brings the legislation. Harris stated that Hines supports the same issues and policies the Board supports, and we need to assist him in understanding the perspective of the Board and the regulated community regarding how the legislation will interface with the practice requirement the Board adopted in 2004 to address CC.

It was noted that the schedule for CE Committee meetings would need to be changed to speed up the process. Although much of the research has already been done, public input is still needed and would create a challenge, considering the timeframe.

Ridenour stated that once the Committee is ready to make a proposal the Board would facilitate the process by use of the Journal, the website and conferences (town hall meetings) throughout the state. She asked the Committee to provide an estimated time when the proposal would be ready.

To get the most effective circulation to obtain feedback, it was suggested that we collaborate with AzNA. A suggestion was also made to hold an all day CC Committee meeting in February.

Harris stated the timeline for the legislative process is different from implementing a rule proposal, where the Board needs to solicit feedback from the regulated community before the rule can be moved forward. The legislature doesn't need to go through that process. The time for public discussion is when they are meeting. Harris said the issues raised about town hall meetings would likely come after legislation is enacted. He commented that a Committee meeting scheduled for the end of February would likely be too late because the legislature will finish House Bills by mid February and start work on Senate Bills.

Harris offered to be available to the CE Committee to help with discussions and needed information. He noted that an important part of the discussion he has talked to AzNA about was to make sure the two modules fit together, which would allow practice to be fitted into the CE requirement.

Clarification was asked for whether the Bill was about continuing competence or continuing education.

Harris replied that his sense is that the CE requirement is viewed by many as a measure for competence. He noted that the Bill is called CE but for the Nursing profession a CE requirement exists to assure that we're ready to meet the demands of the day, which means competence and not simply education for education's sake.

The Board noted that it doesn't want to confuse the legislature with those concepts but it's necessary to do the right thing. If the legislature labels it as CE, the content can be competency.

Ridenour noted the timeline is approximately two weeks and she suggested when the Committee meets again that Harris be part of at least the end of the process to assure there is not a need for repeated meetings.

Ridenour asked Harris, even if language can be agreed upon, if he thought the bill would get through this legislature. She noted that increased funding to implement a requirement and increased regulatory requirements, are concepts that she has heard members of the legislature indicate they would not support.

Harris replied that we need to make sure that the legislature understands the Board's focus is on helping the profession and the public. If this is an important tool that that we need, we should be open to exploring it. He also thought the Board needs to be mindful that this is not a legislative environment where the legislature is eagerly taking on new regulation. He stated there is a chance that the Bill won't pass, but we need to be prepared to answer the questions that have been posed.

Comments were made that the Board still wants the CC dialogue and expects to make recommendations to people, even if the Bill doesn't pass.

Harris also noted that in Bill 2520, passed into law last year, effective in 2012, which deals with information that Boards place on their websites. Boards are prohibited from posting information about dismissals and certain non-disciplinary actions that the Board may have taken. The public would still have access to that information under the public records law, but it wouldn't be accessible on the website. One of the questions identified after legislation was enacted was what the "real world" impacts of this Bill were. One of the things discovered was that the Board places its minutes online which contain information about a number of actions taken including dismissals. The ease of access approach that the Board takes would be a violation of the law. Harris has worked with legislative staff to have an amendment introduced this year that would clarify that the Board's posting of the minutes / agendas online would not be prohibited by this law. The concern of the Board is that the community appreciates the ability to access the website rather than contacting staff to request a copy of the minutes.

Harris reported on the third Bill that the Certified Registered Nurse Anesthetist (CRNA) Association has approached a legislator about adding a position, or designating a position for a CRNA on the Board. The last iteration of the legislation Harris saw was to allow a CRNA to be added to the position currently designated to be either a NP or a CNS. Harris stated that Ridenour had discussion with the CRNA association about that legislation and thought they would be invited to an upcoming meeting with the sponsor.

Harris was asked what the advantages and disadvantages to the Bill were.

Ridenour replied it was suggested to possibly add one or two more Board members. She noted there was also the possibility of substituting one of the designated positions already in place, such as one of the public members or LPN members, but their representation is needed. Ridenour stated the Board needs to experience what its like to have 11 members on the Board and then to decide if 13 members are needed.

It was asked if other specialty groups might want their specialty representative on the Board as well, if midwives and nurse practitioners have representation.

Ridenour replied, that was the risk of designating specific specialties to begin with. So far we've been able to see the appointment process play out and we've had the representation on the Board. She further stated that it's a Governor decision.

Harris continued that from the Board's perspective, since it's the Governor's choice, the role of the Board would be more informational than advocacy.

Comments were made that since this would open up the Nurse Practice Act (NPA), it would be open to other changes as well. Ridenour responded that it does open the NPA up for this and the other Bills that are out there.

Harris commented that this would suggest the amendment of one section of the code and while it does open up the Act, it only opens up that one section. If other sections are to be added someone would have to make the argument that it relates to a single subject. He indicated a Bill aimed at the membership of the Board would be difficult to expand its reach.

Regarding the budget, Ridenour reported that there is, once again, a potential for legislation for the sweeping of Board funds once again in the amount of \$1.3 million. This would be problematic for this Board. Ridenour reported that if that Bill goes through there would be 3-4 months without operating expenses for the Board.

Harris reported that as the legislature continues to look for ways to balance the budget, they are continuing to look for sources of funds to avoid having to make deeper cuts or to consider methods of raising taxes or finding other revenues.

Ridenour stated that the last time there was a fund sweep the Board was able to move up the renewal process to cover the deficit months. There is a cap on that fee, which leaves the Board with no ability to compensate for that time period if it happens again this year.

Harris commented on a presentation by the CRNA association delivered to the House Health Committee and advised it might be of interest to the Board to watch the presentation which has been uploaded for viewing.

VI. RN/LPN/CNA Investigative Reports

VI.O.1. Emily Suzanne Freeman RN157783 (Schettler)

Busby moved, Link seconded, and it was unanimously carried, issue an Interim Order for a psychiatric evaluation (*at the Board's expense*), completed by a Board approved 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. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	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. Kindra Ann Gonzales RN122333 (Schettler)

Busby 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 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.3. Donald Howard Insko Jr. RN130725 (Schettler)

Schettler addressed the Board with additional information. Attorney Jay Ryan was present and addressed the Board. Insko was present and available for questions. Busby moved, Perry seconded, to issue a Letter of Concern for alleged patient sexual abuse while working at the Veteran's Administration Medical Center (VAMC) in Phoenix, Arizona in or about the spring of 2010. The motion failed with six opposed and three in favor.

Johnson moved, Link seconded, based upon information in the investigative report, the Board finds reasonable cause and Orders an interim evaluation, at the Board's expense, for a sexual misconduct evaluation, completed by a Steven Gray, PhD, to include polygraph testing and any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include the factual allegations and

alleged violations for failure to comply with the Interim Order. 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.O.4. Malgorzata Iwona Kupis RN130725 (Schettler)

Schettler addressed the Board with additional information. Busby moved, Link seconded, and it was unanimously carried to issue a Letter of Concern for DUI on or about February 7, 2010, and a misdemeanor DUI conviction in Surprise Municipal Court in Surprise, Arizona.

VI.O.5. Starla Lucille Miller RN143737 (Schettler)

Schettler addressed the Board with additional information. Attorney Steven Montoya and Miller were present and addressed the Board. Busby moved, Gutierrez seconded, to issue a Letter of Concern for twice accessing medical records without authorization and in violation of employer policy and procedure and the health insurance portability and accountability act (HIPA) in or about August 2009, while working at Banner Gateway Medical Center in Gilbert, Arizona. The motion carried with seven in favor and two opposed.

VI.O.6. Paula Fay Schaffer RN101249 (Schettler)

Schaffer was present and available for questions. Perry moved, Link seconded, and it was unanimously carried to issue a Letter of Concern for failing to ensure a complete surgical sponge count after a caesarean section procedure and document the final sponge count in the medical record on or about October 29, 2009, while working at St. Joseph’s Hospital and Medical Center in Phoenix, Arizona.

VI.O.7. Helen Harmon RN098209; LP031447 (Schettler)

Link moved, Perry seconded, and it was unanimously carried, to continue the investigation to allow respondent the opportunity to obtain a substance abuse evaluation with a Board approved evaluator to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 30 days and return to the Board. If the evaluation is not completed, 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									

V.C. Non-Compliance/Compliance with Board Orders (Rappoport/Bymers)

V.C.6. Colleen McClain RN133007 Bymers

Bymers addressed the Board with additional information and an amendment to the stipulations regarding AA for relapse prevention therapy and nurse recovery group as part of the 90/90 so the days she attends one of these groups it can be counted as an AA meeting. McClain 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 stayed revocation/probation followed by 24 months standard probation to include the attached stipulations as amended. 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. RN/LPN/CNA Investigative Reports

VI.D.6. Michelle Jackson RN161996; LP045318 (Hill)

Jackson was present and addressed the Board. Scott moved, Link seconded, and it was unanimously carried to dismiss complaint #1; and 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 for complaint #2. If not signed within 30 days, issue Notice of Charges for complaint #2.

	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 9:31 a.m. and reconvened at 9:47 a.m.

VI. RN/LPN/CNA Investigative Reports

VI.F.7. Toni Denice Lape CNA Exam (Monas)

Monas addressed the Board with additional information. Link moved, Berrigan seconded, and it was unanimously carried to rescind prior Board decision of July 2010 for denial, and 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 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, 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	7	X	X	X	X	X	X		X	
NO	0									
ABSTAIN	0									
ABSENT	2							X		X

Perry and Busby returned to the meeting at 9:49 a.m.

VI.H.1. Eric David Clark RN151872 (S. Nelson)

Nelson addressed the Board with additional information. Clark was present and addressed the Board. Scott moved, Gum seconded, and it was unanimously carried, based upon the information in the investigative report, the Board finds reasonable cause, and Orders an interim evaluation, (*at the Board's expense*), for substance abuse evaluation with a Board approved psychiatrist with expertise in substance abuse to include a hair analysis, to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 30 days and return to the Board. If the Interim Order is not completed, based upon findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	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									

Clark addressed the Board with a request to find his own Board approved evaluator. Scott moved, Gum seconded, and it was unanimously carried to amend the motion to allow Clark to voluntarily obtain the evaluation at his expense, with a Board approved 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.H.3. Claude Robert Wilkerson RN000099200 (S. Nelson)

Nelson addressed the Board with additional information. Wilkerson was present and addressed the Board. Scott moved, Gum seconded, and it was unanimously carried to issue a Letter of Concern for multiple narcotic discrepancies in or about June 2009 until December 2009, while working at St. Joseph's Hospital and Medical Center.

VI.H.4. Laura Dorothy Michael RN113397 (S. Nelson)
(aka: Laura Jordan Michael)

Michael was present and addressed the Board. 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 24 months probation including the attached stipulations. If not signed within 30 days, issue Notice of Charges. After discussion Johnson amended the motion to reduce the probation length from 24 to 12 months with stipulations amended to include monthly reports and on site supervision. Gum concurred. 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.H.6. Michelle Lynn Wedemeyer RN089083 (S. Nelson)

Nelson addressed the Board with additional information, to delete (A) from the statutes and delete (4) from the potential violation of rules and add (h); technical corrections to the investigative report; modifications to the stipulations. Wedemeyer and Arthur McDonald were present and addressed the Board. Busby moved, Berrigan seconded, and it was unanimously carried, based upon the information in the investigative report, the Board finds reasonable cause, and Orders an interim evaluation, at the Board's expense, for a substance abuse evaluation to include boundaries with a Board approved psychiatrist with expertise in substance abuse, to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 30 days and return to the Board. If the Interim Order is not completed, based upon findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Order.

	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.I.4. Joseph D. Kalush RN142512; AP2566 (Olson)

Olson addressed the Board and confirmed receipt of additional information. Kalush was present and available for questions. Scott moved, Johnson seconded, to continue the investigation to allow Kalush 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 and return to the Board. 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									

Perry moved, Link seconded, 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. The motion carried with seven 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	7	X	X	X		X	X	X		X
NO	2				X				X	
ABSTAIN	0									
ABSENT	0									

VI.I.8. John Robert James Rivera RN Exam (Olson)

Olson addressed the Board with additional information. Rivera was present and addressed the Board. Link moved, Berrigan seconded, to 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 licensure. 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.J.17. Sheila Kay Smith RN107880 (Parlin)

Parlin addressed the Board and confirmed receipt of additional information. Smith 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 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.K.7. Melissa Mae Finucan RN083349 (Pendergast)

Finucan was present and available for questions. Perry moved, Busby seconded, and it was unanimously carried to issue a Letter of Concern for failure to comply with policies and procedures and for inaccurate documentation on or about April 2010 to on or about June 22, 2010, while working at Bayada Nurses in Phoenix, Arizona.

VI.K.11. Kristi Leanne Reinoehl RN147658 (Pendergast)

Reinoehl was present and addressed the Board. Johnson moved, Gutierrez seconded, and it was unanimously carried, based upon the information in the investigative report, the Board finds reasonable cause, and Orders an interim evaluation, at the Board's expense, for a psychological evaluation with a Board approved PhD prepared licensed psychologist with expertise in substance abuse disorders, to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and return to the Board. If the Interim Order is not completed, based upon findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	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									

Perry left the meeting at 10:55 a.m. and returned at 10:57 a.m.

VI.P.4. Laura Jean Christianson RN076329 (Torrez)

Torrez addressed the Board with additional information. Christianson was present and addressed the Board. Johnson moved, Scott seconded, 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 24 months non-stayed suspension/probation, including the attached stipulations modified to delete nurse recovery group. If not signed within 30 days, issue Notice of Charges based upon the information contained in the investigative report. 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.O.2. Kindra Ann Gonzales RN122333 (Schettler)

Perry moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item VI.O.2. for the purpose of allowing Gonzales to address the Board. Busby moved, Berrigan seconded, and it was unanimously carried, to rescind prior Board decision for a Decree of Censure, and instead issue a Letter of Concern for accessing medical records without authorization on more than one occasion from in or about April 2009 to June 2009, in violation of policy and procedure of the employer and the health

insurance portability accountability act (HIPA) while employed at Yuma Regional Medical Center in Yuma, Arizona.

VI.P.8. Angela Coreen McMillan RN152402 (Torrez)

McMillan was present and addressed the Board. Scott moved, Johnson seconded, and it was unanimously carried, based upon the information in the investigative report, the Board finds reasonable cause, and Orders an interim evaluation, *at the Board's expense*, for substance abuse with Dr. Michael Sucher, to include a hair analysis any additional testing deemed necessary by the evaluator, to be scheduled and completed within 30 days and return to the Board. If the Interim Order is not completed, based upon findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	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									

Busby left the meeting at 11:14 a.m. and returned at 11:17 a.m.

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Eastern Arizona College and Gateway Community College Nursing Students regarding Board functions, policies and procedures. Questions were asked on the role of the investigators, number of Board members, whether investigators are advocates of the respondent, most patterned complaint, role of the Board besides disciplining licensees/certificate holders, how often psychological evaluations are requested, when and why the Board pays for evaluations, CANDO and how effective it is, and nurse competencies.

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. 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. 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.

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

IV.A. Lapsed Licenses & Certificate Administrative Penalty

IV.A.1. Joan Ethel Dodgson TRN155696 Rappoport
(aka: Myers)

Malloch and Link recused themselves for Agenda Items IV.A.1&2 and left the meeting at 11:34 a.m. Scott presided. Johnson moved, Gum seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations and upon meeting all requirements and accepting the signed Consent Agreement for a \$500 Administrative Penalty, grant licensure.

IV.A.2. Julie M. Fleury RN051614 (Renewal) Rappoport

Rappoport addressed the Board with additional information. Busby moved, Perry seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations and upon meeting all requirements and signing a Consent Agreement for a \$500 Administrative Penalty, grant licensure.

Malloch and Link returned to the meeting at 11:36 a.m.

**IV.A.3. Tina Dearcos-Ahten TRN166239 Rappoport
(aka: Zacarias; Keeton)**

Busby moved, Perry seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations and upon meeting all requirements and accepting the signed Consent Agreement for a \$500 Administrative Penalty, grant licensure.

Agenda	Name	License/Certificate #	Action	Staff
IV.A.4.	Karina Jones	CNA999987534	\$25	Driver
IV.A.5.	Linda Montion	LP032471	\$100	Driver
IV.A.6.	Corinne Justin	CNA486508733	\$25	Driver

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

IV.B. Felony Bar Cases

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

IV.B.1.a. Robert J. Williams CNA Exam Monas

Perry moved, Link seconded, and it was unanimously carried to adopt the attached 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	9	X	X	X	X	X	X	X	X	X
NO	0									
ABSTAIN	0									
ABSENT	0									

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

Name	RN/LP/CNA Number	Termination Date
1. Randi L. Armijo	RN146421; LP042646	January 26, 2011
2. Marjorie R. Hagglund	RN078065	January 26, 2011
3. Vivian Mailboy	CNA1000011881	February 8, 2011
4. Suzanne Stevens	CNA1000021011	February 13, 2011
5. Louis Clinton Turner	RN112365	February 20, 2011
6. Maria Matinez Fletes	CNA1000013783	February 20, 2011
7. Joann Caley	RN133413	March 3, 2011
8. Michelle Wallace	RN135041	March 13, 2011

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

V.B. Applicants for Reissuance & Investigative Reports

V.B.1. Gregory Stevenson Leonard RN085151 Rappoport

Leonard was present telephonically and available for questions. Link moved, Busby seconded, and it was unanimously carried, upon meeting all requirements, great re-issuance.

V.B.3. Clara Ann Sulenta RN108289 Rappoport

Busby moved, Scott seconded, and it was unanimously carried, deny re-issuance of license.

V.B.4. Billie A. Smith CNA999949851 Sage

Busby moved, Link seconded, and it was unanimously carried, upon meeting all requirements, great re-issuance.

VI. RN/LPN/CNA Investigative Reports

VI.N.1. Sheryll Lynn Hanson CNA1000023915 (Sage)

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 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.N.2. Linda M. Harvey CNA040161803 (Sage)

Perry moved, Link seconded, and after discussion it was unanimously carried to issue a Letter of Concern for persistently arguing with a resident and not leaving the room when first directed to do so by a supervisor on September 1, 2010, while employed as a CNA at La Colina Healthcare in Tucson, Arizona.

VI.N.3. Mark Eugene Henry LP028214 (Sage)

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 issue Notice of Charges.

VI.N.4. Rosa Lee Ponyah CNA999948417 (Sage)

Sage addressed the Board with additional information. 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 offer a Consent Agreement for 18 months stayed revocation including the attached stipulations, modified to include urine drug screens 2 times per month for 12 months and 1 time per month for the remaining 6 months, and delete substance abuse evaluation requirement. 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. Yolanda Sageman CNA566204513 (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, to issue Notice of Charges.

VI.N.6. Ana Viorica Tataru CNA1000012080 (Sage)

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

**VI.L.2. Christine Louise Reeves RN125837 (Rappoport)
(aka: Newton)**

Rappoport 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 issue Notice of Charges.

**VI.L.3. Carissa Dawn-Noelle Augustyn RN123463; LP037968; CNA999993143 (Rappoport)
(aka: Johnson)**

Rappoport addressed the Board with additional information. Scott moved, Perry seconded, and it was unanimously carried to dismiss the complaint.

The Board directed staff to request more general information on policy from the agency involved regarding Agenda Item VI.L.3.

V.C. Non-Compliance/Compliance with Board Orders (Rappoport/Bymers)

V.C.2. Edward L. Hair TRN1642285 Bymers

Bymers addressed the Board with additional information. Scott moved, Berrigan seconded, and it was unanimously carried to grant extension of RN temporary license for refresher course only, ten additional months to expire October 31, 2011. If refresher course is not successfully completed by October 31, 2011, temporary license shall not be extended, and licensure shall be denied.

V.C.3. James A. Peterson RN058234 Bymers

Scott moved, Berrigan seconded, and it was unanimously carried to approve request to amend Consent Agreement and Order No. 0804007 entered into on February 27, 2009, to allow attendance and participation in at minimum two AA/NA or other 12-step program meetings per week throughout the term of this Order.

V.C.4. Christina M. Todorovich RN155267 Bymers

Link moved, Berrigan seconded, and it was unanimously carried to approve request to amend Consent Agreement and Order No. 0712139 to allow Todorovich to work up to 92 hours per 14-day pay period.

V.C.5. Tera Schweitzberger LP046229; CNA1000005375 Bymers

Bymers addressed the Board with additional information. 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 12 months stayed revocation/probation followed by 12 months probation to include the attached stipulations amended to include: UDS 2 times per month for 6 months and 1 time per month for the remaining 6 months, and registry permitted in block assignments 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									

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

V.E.1. Cheryl Ann Jordan RN137727 (Bymers)

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 issue Notice of Charges.

VI. RN/LPN/CNA Investigative Reports

VI.A.1. Lacy Lavanda Berkshire LP042484; CNA999999682 (Bymers) (aka: Martin)

Bymers addressed the Board with additional information. Berkshire was present telephonically and addressed the Board. Johnson 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 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									

After discussion Busby moved, Berrigan seconded to rescind prior Board decision for a Decree of Censure and issue a Letter of Concern for reporting to work under the influence of prescribed medications and pre-charting administrations that had not been administered on or about May 8, 2009. The motion carried with eight in favor and one opposed.

The meeting recessed at 12:20 and reconvened at 1:16 p.m.

V.F. CANDO Eligibility/Noncompliance & Investigative Reports

V.F.2. Alexandra Barrier Kent RN141693 (Pendergast)

An attempt was made to contact Kent telephonically and a message was left indicating the Board would move ahead with the case. Johnson moved, Gum 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, to grant renewal of license and accept the signed CANDO Stipulated Agreement.

VI. RN/LPN/CNA Investigative Reports

VI.K.4. John Andrew Bass LP043971; RN157887 (Pendergast)

Pendergast addressed the Board with additional information. Perry moved, Gum seconded, and it was unanimously carried to rescind the Order to offer a Consent Agreement for a stayed suspension with 36 months probation, based upon the findings of fact and statute/rule violations identified in the investigative report, to accept the signed Consent Agreement for an indefinite suspension, not to exceed 12 months and include the completion of a substance abuse evaluation by a Board approved PhD prepared evaluator, and the successful completion of treatment recommendations resulting from the evaluation, to be followed by 12 months stayed suspension/probation and then 24 months probation to include the attached 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	8	X	X	X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	1									X

VI.K.5. Debrah Anne Delos-Santos RN131245 (Pendergast)

Delos-Santos was present telephonically 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 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.K.6. Steven Scot Dunn RN107235 (Pendergast)

Dunn was present telephonically and addressed the Board. Scott moved, Berrigan seconded, and after discussion it was unanimously carried to rescind the order for Notice of Charges, and based upon the findings of fact and statute/rule violations identified in the investigative reports, to accept the signed Consent Agreement for 12 or 36 months probation with the attached 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	8	X	X	X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	1									X

VI.K.8. Alan William McMahan RN120021 (Pendergast)

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 issue Notice of Charges.

VI.K.10. Mary Ann ONeal RN128457 (Pendergast)

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 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.K.12. Stephen Richard Rowe RN084980 (Pendergast)

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 issue Notice of Charges.

VI.B.1. Tinika Brown-Royston LP045708 (Chafey)

Smith addressed the Board and confirmed receipt of 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 issue Notice of Charges.

VI.D.1. Claudia Bostick LP043836 (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, 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.D.3. Wanda Calloway Fielder RN075144; LP013717 (Hill)

Perry moved, Scott seconded, and it was unanimously carried to issue a Letter of Concern for writing a physician's orders without authorization on January 24, 2010, while employed with West Valley Hospital in Goodyear, Arizona.

VI.D.4. Nadine Glenn RN053627 (Hill)

Link moved, Scott seconded, and it was unanimously carried, based upon the information in the investigative report, the Board finds reasonable cause, and Orders an interim evaluation, (*at the Board's expense*), for a substance abuse evaluation with Dr. Scott Sindelar, to include any additional testing deemed necessary by the evaluator, to be scheduled within 30 days and completed within 45 days and return to the Board. If the Interim Order is not completed, based upon 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.D.5. Stephen Losiewicz LP043411 (Hill)

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. 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.6. Michelle Jackson RN161996; LP045318 (Hill)

Perry moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item VI.D.6. Hill addressed the Board with additional information. Scott moved, Link seconded, and it was unanimously carried to amend the stipulations on prior Board decision to for complaint #2 to allow Jackson to work night shift.

VI.E.1. Lavena R. Abeita CNA982178353 (Lester)

Lester addressed the Board with additional information and noted the addition of rule (6)(8)(11) and (29) in the investigative report. Scott moved, Link seconded, and it was unanimously carried to continue the investigation to allow respondent the opportunity to voluntarily obtain a psychological evaluation with an emphasis on substance abuse 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	8	X	X	X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	1									X

VI.E.2. Martha E. Campos Lopez CNA Exam (Lester)

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 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.E.3. Consuela S. Allen CNA999988500 (re-issuance) (Lester)

Perry 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 Decree of Censure, to grant certification. If not signed within 30 days, deny certification. 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, Berrigan seconded, and it was unanimously carried, continue the investigation to allow applicant the opportunity to obtain a psychological evaluation with emphasis on substance abuse 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 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.E.4. Johnathan M. Sanchez CNA Exam (Lester)

Link moved, Gutierrez 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.E.5. Edwin R. Martin CNA Exam (Lester)

Gum 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.E.6. Ventress L. Presley CNA Exam (Lester)

Johnson moved, Gutierrez 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.E.7. Steffenie Servantez CNA Exam (Lester)

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.E.8. James C. Spotten CNA Exam (Lester)

Gutierrez 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.E.9. Richard A. Yocupicio CNA Exam (Lester)

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 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.E.10. Charles R. Peworski RN094660 (Lester)

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 Decree of Censure and 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.E.11. Tiffany J. Simmons-Toto CNA1000005950 (Lester)

Link moved, Perry seconded, and it was unanimously carried to issue a Letter of Concern for a misdemeanor extreme DUI conviction on February 23, 2009, in Kyrene Justice Court in Chandler, Arizona.

VI.E.12. Robin L. Bartalos CNA1000007381 (Lester)

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 issue Notice of Charges.

VI.F.1. Tonya Lo Allen RN136991 (Monas)

Monas 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 12 months probation including the attached stipulations, modified 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	8	X	X	X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	1									X

**VI.F.2. Phoebe Francisco CNA999999726 (Monas)
(aka: Felix)**

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 stayed suspension 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.3. Heather Oda CNA Endorsement (Monas)
(aka: Satterlee)

Johnson moved, Gutierrez 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.F.4. Angela Thompson CNA Exam (Monas)
(aka: Paddock)

Monas addressed the Board and confirmed receipt of additional information. Gum 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 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.F.5. Michelle Turner CNA Endorsement (Monas)

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 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.F.6. Adam Troy Yale RN Exam (Monas)

Scott moved, Berrigan seconded, and after discussion it was unanimously carried, upon meeting all requirements, grant licensure and issue a Letter of Concern for the November 24, 1997, arrest for Disorderly Conduct and subsequent conviction of Disorderly Conduct-Fighting, a misdemeanor, and Contempt of Court on November 16, 1999, in the Yuma Municipal Court; the December 6, 1997 arrest for Driving Under the Influence and subsequent conviction of Driving Under the Influence, a misdemeanor on December 19, 1997, in the Yuma Municipal Court; the February 19, 1998, charge of Threats and Disorderly Conduct and subsequent conviction on December 29, 1999, of Disorderly Conduct-Language/Gesture And Threat-Intimidating with Injury-Damage Prop, a misdemeanor and Failure to Appear in the Yuma Municipal Court; the July 3, 1998, citation for Minor Consumption and subsequent conviction of Liquor-To Minor By Licensee/Underage Consumption and Failure to Appear 2nd Deg on November 16, 1999, in the Yuma Municipal Court; the November 15, 1999, citation for Hit and Run, a Felony, and subsequent conviction of Criminal Damage, a misdemeanor, on April 26, 2000, in the Yuma Justice Court; and the April 2, 2003, arrest for Criminal Damage and Unlawful Discharge of a Firearm, subsequent conviction of Criminal Damage – Tamper and Discharge Firearms in the City Limits (Shannon’s Law), on July 31, 2003, in the Yuma Justice Court.

VI.G.1. Sifred John Clark-Chavez CNA393169353 (B. Nelson)

Nelson 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 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.G.3. Michael Paul Rhodes CNA1000004620 (B. Nelson)

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

VI.G.4. Louise A. Walley CNA1000009037 (B. Nelson)

Gutierrez 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	8	X	X	X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	1									X

VI.G.5. LaShawn Thomas CNA999987242 (B. Nelson)

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 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.H.2. Morgan Lawrence Johnson RN152326; LP043738; CNA1000011814 (S. Nelson)

Johnson was present telephonically and addressed the Board. Scott moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for administering narcotic pain medication to a patient prior to receiving a physician order on or about July 29, 2009, while working at Banner Boswell Medical Center in Sun City, Arizona.

VI.H.5. Debra Johnson-Swanson RN059424 (S. Nelson)

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 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.I.1. Vanessa Shanelle Benally CNA Exam (Olson)

Olson noted a technical correction to the investigative report. Scott moved, Gum seconded, and after discussion it was unanimously carried 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.

	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. Rachel Deanne Crace CNA Exam (Olson)

Link moved, Gutierrez 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.3. Alisa Ann Cusseaux CNA Exam (Olson)

Olson addressed the Board and confirmed receipt of additional information. Link moved, Scott seconded, and it was unanimously carried, 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.

	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. Lameka Smith Kendrick CNA Exam (Olson)
(aka: Smith)**

Olson addressed the Board and confirmed receipt of additional information. 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 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.6. Michael Ray McCoy CNA Endorsement (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.I.7. Deanna Lynn Reid RN103924 (Olson)

Gutierrez 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	8	X	X	X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	1									X

VI.I.9. Melissa Gail Rupert LP042694 (Olson) (aka: Price)

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	8	X	X	X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	1									X

VI.J.1. Alan Ilagan Yonan LP040734 (Parlin)

Scott moved, Link seconded, and it was unanimously carried to issue a Letter of Concern for the August 31, 2009, DUI conviction in Phoenix, Arizona, and for failing to report the charges to the Board within ten days as required by Statutes and Rules.

VI.J.2. Amber Leigh Richter CNA Exam (Parlin)

Johnson moved, Link seconded, and it was unanimously carried 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 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.J.3. Charles Clifford Small RN128770 (Parlin)

Parlin addressed the Board with additional information. Johnson moved, Berrigan seconded, and it was unanimously carried to continue the investigation to allow applicant to voluntarily 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..

	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

VI.J.4. Daniel Sylvester Antkiewicz CNA Re-issuance (Parlin)

Gum moved, Scott 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	<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

VI.J.5. Elizabeth Lucille Ekren CNA100005080 (Parlin)

Johnson moved, Gutierrez 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	<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

VI.J.6. Ericka Lynn Madison CNA999989428 (Parlin)

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.J.7. Felix Gerald Lucien CNA Exam (Parlin)

Scott moved, Berrigan seconded, upon meeting all requirements, grant certification and issue a Letter of Concern for multiple arrests, citations and charges between 1997 and 2005, including a May 11, 2000 OUI conviction in Brockton, Massachusetts. The motion carried with six in favor and two opposed.

VI.J.8. John Joseph Baumer RN Re-issuance (Parlin)

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 deny licensure.

	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

VI.J.9. Lacy Rene Roberts CNA Exam (Parlin)

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 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.J.10. Lapriel Lucy Dia RN140133 (Parlin)

Gutierrez 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	8	X	X	X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	1									X

VI.J.11. Mallick Anwar Quraan CNA Exam (Parlin)

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 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.J.12. Matthew Todd Sumrall RN131594 (Parlin)

Scott moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for improperly handling and disposing of a paralytic medication while working as an RN at Santa Clara Valley Medical Center in San Jose, California in October 2009.

VI.J.13. Nichole Suzzette Garrett CNA Exam (Parlin)

Link moved, Scott seconded, and it was unanimously carried, upon meeting all requirements and signing a Consent Agreement for a \$500 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.

	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.J.14. Patrick William Atonna RN Re-issuance (Parlin)

Johnson moved, Gum seconded, to continue the investigation to allow applicant to obtain a psychological evaluation with a Board approved PhD prepared 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	1									X

VI.J.15. Sha Kashua Shafaye Conner CNA1000008950 (Parlin)

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 issue Notice of Charges.

VI.J.16. Sharon L. McClure RN120415 (Parlin)

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 issue Notice of Charges.

VI.J.18. Sarah Anne Santa Cruz RN157505 (Parlin)

Johnson moved, Scott seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 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	8	X	X	X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	1									X

**VI.M.1. Ruby Darlene Aliff RN Endorsement (Richter)
(aka: Barker; Harrell)**

Richter addressed the Board with additional information. 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 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.M.2. Kelly Lynn Beutler CNA Exam (Richter)
(aka: LeRodk)**

An attempt was made to contact Beutler telephonically and a message was left indicating the Board would move ahead with the case. Scott moved, Berrigan seconded, and it was unanimously carried continue the investigation to allow applicant to obtain a psychological evaluation with emphasis on anger management and substance abuse 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 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.M.5. Elisa Louella Carley CNA Exam (Richter)
(aka: Boyles)

Link moved, Scott seconded, and it was unanimously carried, 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.

	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.6. Shawntrell Lashey Eley CNA Endorsement (Richter)

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.M.7. Jose Osvaldo Luna Guerrero CNA Exam (Richter)

Johnson moved, Scott seconded, and it was unanimously carried, 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.M.9. Felicity Ann McGraw CNA Exam (Richter)

Scott moved, Gutierrez seconded, and it was unanimously carried, upon meeting all requirements , grant certification and issue a Letter of Concern for the December 2008, conviction in Thatcher Municipal Court for Alcohol in Person’s Body – Under 21, a misdemeanor and the June 2009, conviction in Thatcher Municipal Court for Disorderly Conduct, a misdemeanor.

VI.M.10. Tanya Michelle McIntosh CNA100009023 (Richter)

Richter 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 issue Notice of Charges.

VI.M.11. Vanessa Gail Rhodes LP Exam (Richter)
(aka: Walter)

Richter addressed the Board with additional information. Rhodes was present telephonically and addressed the Board. Link moved, Scott seconded, and it was unanimously carried, upon meeting all requirements, to grant licensure and issue a Letter of Concern for the December 1999 Possession of Marijuana, a misdemeanor conviction in Lake Havasu City Court, the January 2002 DUI, a misdemeanor conviction in Lake Havasu City Court, the May 2002 DUI, a misdemeanor conviction in

Lake Havasu City Court conviction, and the June 2004 misdemeanor conviction for Assault/Domestic Violence conviction in Lake Havasu City Court.

VI.P.1. Hilda A. Sonne RN04379 (Torrez)

Torrez addressed the Board with the addition of finding of fact #3 to the statutes and rules. Link 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.P.2. Kyle Christopher Schwab RN129021 (Torrez)

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	8	X	X	X	X	X	X	X	X	
NO	0									
ABSTAIN	0									
ABSENT	1									X

VI.P.5. Dee Ann Chittum RN164331 (Torrez)

Johnson moved, Scott seconded, and it was unanimously carried to issue a Letter of Concern for testing positive for Norpropoxyphene on or about August 17, 2010, and again on August 21, 2010, and failing to provide a valid prescription for Darvocet while employed at Western Arizona Regional Medical Center.

VI.P.6. Keith Dwayne Castle RN039634 (Torrez)

Torrez addressed the Board with additional information. Perry moved, Link seconded, and it was unanimously carried to issue a Letter of Concern for failing to follow facility policies regarding the documentation of Vicodin for a patient on or about September 11, 2010, while employed at Phoenix Baptist Hospital in Phoenix, Arizona.

VI.P.7. Melissa Gizelle Pacheco RN118541 (Torrez)

Torrez addressed the Board and confirmed receipt of additional information. Johnson moved, Gutierrez 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.P.9. Michael R. Pruett LP035937; CNA12965803 (Torrez)

Torrez addressed the Board with technical corrections to the investigative report. 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 issue Notice of Charges.

VI.P.10. Jena Colleen Crepeau LP042696 (Torrez)

Torrez addressed the Board with additional information. 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.Q.1. Celeste Kim Peach RN151994 (Smith)

Midkiff addressed the Board and confirmed receipt of additional information. Peach was present telephonically and available for questions. Perry moved, Johnson seconded, and it was unanimously carried to dismiss the complaint.

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

VII.A. Executive Directors Report – Ridenour

VII.A.10. Hearing Department Cycle Times – Barber/Mamaluy/Ridenour

Barber gave an update on Hearing Department cycle times. She stated that the workload increased in 2010 with 260 cases closed, which was approximately 30 more than in 2009 and 60 more than 2008. She reported that CNA’s continue to be the largest portion with 109 cases closed in 2010. Barber reported that the Notice of Charges coming through the Hearing Department have increased over the past couple of years with 96 in 2008 and 192 in 2010, though the cases going to hearing have decreased. Barber stated that the timeframe has gone up from 5.5 months to 7.9 months but that many of the cases closed in 2010 were older cases from 2007 and 2008, which increased the timeframes. Barber further reported that the number of cases transferred to the hearing department decreased from 120 in 2008 to 80 in 2010. Barber reported the goal of the Hearing Department would be to finish remaining cases from 2007 and 2008 this year. Cases settled without Board review by voluntary surrender or original Consent Agreement was down from 32 in 2009 to 29 in 2010. The number of cases scheduled for hearing was 57 in 2009 and 53 in 2010. Formal settlement conferences were up from 9 in 2009 to 16 in 2010.

Ridenour stated that for calendar year 2010 the average time from the time a complaint was opened till brought to the Board for decision was 7.4 months. When the Hearing Department is added into the overall number which is less than 10% of the total cases, the timeframe is 7.8 months.

The meeting recessed at 2:58 p.m. and reconvened at 3:15 p.m.

II.H. Consideration of Additional Information Regarding Prior Board Decision

II.H.1. Michael Jeffrey Barcher RN Endorsement (Monas) (aka: Smith)

Berrigan moved, Perry seconded, and it was unanimously carried to reopen Agenda Item II.H.1.

The Board was represented telephonically by Christopher Munns, Assistant Attorney General, Division of Solicitor General.

Monas addressed the Board.

Barcher was present and addressed the Board.

Busby returned to the meeting at 3:30 p.m.

Scott moved, Gumm seconded, to rescind the prior Order of Denial, and based upon the findings of fact and statute/rule violations identified in the investigative report, to deny licensure. 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									

This Regular Board meeting recessed at 3:36 p.m. for the purpose of moving to the January 27, 2011, Special Board meeting. This Regular Board meeting reconvened at 3:58 p.m.

VII. Board Reports for Discussion, Information, Staff Direction and/or Decision
VII.C. President's Report – Malloch
VII.C.2. Board Decision Annual Nomination/Election of AzBN Officers for CY 2011 – Malloch/All

Board members indicated their interest in serving as officers on the Board for this year. Busby moved, Link seconded and it was unanimously carried for the following member to serve as officers for the year 2011 beginning with the March 2011 meeting:

President – Kathy Scott

Vice President – Kathy Malloch

Secretary – Pat Johnson.

Scott left the meeting at 4:08 p.m.

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. November 29-30, 2011 Regular Board Meeting Minutes

Busby moved, Perry seconded, and it was unanimously carried to approve minutes of November 29-30, 2011 regular Board meeting.

VII.A.1.b. November 30, 2011 Executive Session Minutes

Busby moved, Link seconded, and it was unanimously carried to approve minutes of November 30, 2011 Executive Session.

VII.A.3. Policy: Criteria For Opening Complaints/Investigations, Final Adoption – Grady/Smith/Ridenour

Busby moved, Link seconded, and it was unanimously carried to approve policy: Criteria for Opening Complaints/Investigations

VII.A.4. Recommendation of Education Committee Regarding Response to Institute of Medicine (IOM) Report – Randolph/Ridenour/Malloch

Busby moved, Link seconded, and it was unanimously carried to approve placement of the IOM report on the website.

VII.A.5. 2011 General Accounting Office Status of Projections of Appropriation and Allotment Fund, Operating Expense and Revenue and Cash Flow Report for the Arizona State Board of Nursing – Orchard/Bontrager/Ridenour

Orchard provided an update on the 2011 general accounting office status of projections of appropriation and allotment fund, operating expense and revenue and cash flow for AzBN. She noted that she continues to work with the strategic planning and budget department of the Governor's office regarding the projected sweeping of \$1.3 million from the Board funds. She stated she would be doing further analysis on the projections for this year.

VII.A.6. Update: Five-year Review of the Arizona State Board of Nursing for Title 4, Chapter 19, Article 5 – Randolph/Ridenour

Busby moved, Perry seconded, and it was unanimously carried to approve the Five-year Review of the Arizona State Board of Nursing for Title 4, Chapter 19, Article 5.

VII.A.7. Special Recognition: Recipient of the 2011 AANP Nurse Practitioner State Award for Excellence – Dahn/Smith/Malloch/Ridenour

Malloch gave special recognition to Janeen Dahn as the recipient of the 2011 American Academy of Nurse Practitioner’s State Award for Excellence.

VII.C. President’s Report – Malloch

VII.C.1. National Licensure: Health & Human Resources Health Licensing Board Report to Congress & November 2010 Washington Report – Malloch/Ridenour

Malloch reported on National Licensure: Health & Human Resources Health Resources Health Licensing Board report to Congress & November 2010 Washington Report.

VII.C.3. 2010 NCSBN Environmental Scan-Annual Review of Emerging Issues and Trends Impacting Nursing Regulation - Malloch

2010 NCSBN Environmental Scan-Annual Review of Emerging Issues and Trends Impacting Nursing regulation was provided to the Board.

VII.C.4. Proposed Revision 2011 Board Meeting Dates - All

After discussion Agenda Item VII.C.4. was tabled for discussion at the March 2011 Board meeting.

VII.D. A.A.G. Report – Zack

VII.D.1. Administrative Law Judge Order Awarding a Portion of Respondent’s Fee Under A.R.S. §41.-1007 No.07A-0606048-NUR – In the Matter of Professional Nurse License No. RN126513 Issued to Michael Peter Coon – Request for Board Review of Order and Decision Regarding Possible Appeal. Pursuant to A.R.S. §38-431.03(A)(3)(4), the Board may meet in Executive Session – Mamaluy

Mamaluy requested the Board move to go into Executive Session. Busby moved, Perry seconded, and it was unanimously carried to go into Executive Session on Agenda Item VII.D.1. to receive legal advice pursuant to ARS §38-431.03(A)(3)(4)

Busby moved, Gum seconded, and it was unanimously carried, for the assistant attorney general to follow the guidance provided by the Board during discussion in the Executive Session on Agenda Item VII.D.1.

VII.D.2. Updates, New Processes, Accomplishments – Mamaluy/All

Mamaluy commented on the new format of the Hearing Department update and how new settlement proposals were being presented to the Board.

VII.D.3. Update on Annual Declaration and Disclosure Form From Arizona Department of Administration – Mamaluy

Mamaluy reported that additional research had disclosed the guidance she provided at the last Board meeting was still sound, regarding the Annual Declaration and Disclosure form from Arizona Department of Administration and the potential conflicts of interest issues.

VII.E. Committee Reports

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

VII.E.1.a. Draft Minutes for Scope of Practice

Draft minutes from the December 7, 2010 Scope of Practice meeting were provided to the Board.

VII.E.1.b. Draft Advisory Opinion: Assessing Patient/Client Conditions: The Role of the Registered Nurse

Busby moved, Link seconded, and it was unanimously carried to approve the advisory opinion on Assessing Patient/Client Conditions: The Role of the Registered Nurse

VII.E.1.c. Draft Advisory Opinion: Wound Care: Role of the LPN

Busby moved, Berrigan seconded, and it was unanimously carried to approve the advisory opinion on Wound Care: Role of the LPN.

VII.E.1.d. Draft Advisory Opinion: Intubation: Endotracheal, and the Use of Advanced Airway Devices: The role of the Registered Nurse

Link moved, Gum seconded, and it was unanimously carried to approve the advisory opinion on Intubation: Endotracheal, and the Use of Advanced Airway Devices: The Role of the Registered Nurse.

VII.E.1.e. Draft Advisory Opinion: Ventilator Care by Licensed Practical Nurses

Link moved, Busby seconded, and it was unanimously carried to approve the advisory opinion on Ventilator Care by Licensed Practical Nurses.

VII.E.1.f. Draft Advisory Opinion: Blood Cell Salvage: The Role of the Registered Nurse

Link moved, Busby seconded, and it was unanimously carried to approve the advisory opinion on Blood Cell Salvage: The Role of the Registered Nurse.

VII.E.1.g. Draft Advisory Opinion: Intravenous Administration of Radiologic Contrast Media

Link moved, Perry seconded, and it was unanimously carried to approve the advisory opinion on Intravenous Administration of Radiologic Contrast Media.

VII.E.1.h. Draft Advisory Opinion: Oral Health Screening

Busby moved, Link seconded, and it was unanimously carried to approve the advisory opinion on Oral Health Screening.

VII.E.2. Education – Randolph/Malloch

VII.E.2.a. Draft Minutes for Education

Education Committee meeting draft minutes of December 3, 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).

Link left the meeting at 5:39 p.m.

VII.C. President's Report – Malloch

VII.C.5. Debriefing on Board Processes & Suggested Changes - All

Board members and staff discussed the processes and flow of the meeting.

Board members offered best wishes to Board member Gum as he resigns the position due to moving out of state.

X. Adjournment

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

The meeting adjourned at 5:45 p.m., Thursday, January 27, 2011.

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