

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., Monday, November 14, 2011, in the Board of Nursing Board Room, Suite 200, 4747 N. 7th Street, Phoenix, Arizona, with Kathy Scott, RN, MPA, PhD, FACHE, President, presiding.

BOARD MEMBERS PRESENT:

Kathy Scott, RN, MPA, PhD, FACHE, President
Kathy Malloch, PhD, MBA, RN, FAAN, Vice President
Patricia Johnson, LPN, Secretary
Theresa (Terri) Berrigan, LPN, C-AL, Member
Kathryn L. Busby, JD, Member
Leslie Dalton, MSN, RN, Member
Lori Gutierrez, BS, RN-C, Member
Carolyn Jo McCormies, RN, MS, FNP-BC, Member
M. Hunter Perry, BSHA, Member
Charleen L. Snider, BSN, RN, Member
Randy C. Quinn, CRNA, Member

LEGAL COUNSEL:

Elizabeth Campbell, Assistant Attorney General
Emma Mamaluy, Assistant Attorney General
Keely Verstegen, Assistant Attorney General
Kim Zack, 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:

Nikki Austin, RN, JD, Nurse Practice Consultant Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings Tammi Burns, RN, MSN, Nurse Practice Consultant/Monitoring Janeen Dahn, MSN, FNP, Nurse Practice Consultant/AP Esther Garcia, Legal Assistant/Monitoring Karen Grady, RN, MS, FNP, Nurse Practice Consultant/Advanced Practice Teddylen Guffey, MHSA, RN, LNCC, Nurse Practice Consultant Lynda Hemann, PhD, MPH, LISAC, Senior Investigator Dolores Hurtado, Senior Investigator Ron Lester, Senior Investigator Debra McGinty RN, PhD, Administrator/Nursing Programs	Patricia Midkiff, RN, MN, Nurse Practice Consultant Linda Monas, Senior Investigator Kirk Olson, Senior Investigator Doug Parlin, Senior Investigator Susan Perkins RN, MSN, Nurse Practice Consultant 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 Sister Rachel Torrez, RN, MS, Nurse Practice Consultant Dirk VandenBerg, Sr., Senior Investigator Barbara Melberg, Legal Secretary
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I. Call to Order

The meeting was called to order at 8:00 a.m., Monday, November 14, 2011.

The following Board members were present: Scott, Malloch, Johnson, Berrigan, McCormies, Quinn, Snider, Dalton, Perry and Gutierrez.

Scott presided.

Scott welcomed members of the audience, explained the procedure for addressing the Board, and stated the mission of the Board.

VII.A.2. Update on Board of Nursing Sunset Review & Potential 2012 Legislative Session/Bills Impacting Nursing Regulation – Harris/Ridenour

Scott recognized Board staff regarding the legislative sunset review ten year award.

VI. RN/LPN/CNA Investigative Reports

VI.B.2. Daniel Joseph Deusterman RN108245; AP2956 (Burns)

Duesterman was present, telephonically, and attorney Paul Forest was present and they each addressed the Board. Malloch moved, Dalton seconded, and it was unanimously carried to dismiss the complaint.

VI.P.1. Teresa Geraldine Thomas RN120738 (Torrez) (aka: Dittbrender)

Attorney Teressa Sanzio was present and addressed the Board. Malloch moved, Berrigan 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 probation, and to include the attached terms. If the findings of the evaluation required by the Consent Agreement identify that Respondent has a substance abuse disorder, or is in need of treatment, the length of the probation will be at minimum 36 months with the standard requirements for substance use disorders. If the finding from the evaluation required by this Consent Agreement do not find Respondent to have a substance abuse disorder or in need of treatment, the length of the probation will be at minimum 12 months. If not signed in 30 days issue Notice of Charges.

	VOTE	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	Scott President	Malloch V. Pres.	McCormies Member	Gutierrez Member	Perry Member	Dalton Member	Busby Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	1											X

VI.P.2. Melissa Gizelle Pacheco RN118541 (Torrez)

Pacheco was present and available for questions. Attorney Dominique Barrett, Loretta Chase and Rose Buckle were present and addressed the Board. Johnson moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, reinstate RN license upon signing a Consent Agreement for a \$500 Civil Penalty, and if not signed within 30 days, issue Notice of Charges.

	VOTE	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	Scott President	Malloch V. Pres.	McCormies Member	Gutierrez Member	Perry Member	Dalton Member	Busby Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	1											X

VI.B.1. Reginald Dean Cooper RN086688 (Burns)

Burns addressed the Board and confirmed the receipt of additional information. Cooper was present, telephonically, and available for questions. Attorney Hardy Smith was present and addressed the Board. Johnson moved, Gutierrez seconded, and it was unanimously carried to dismiss the complaint.

Perry left the meeting at 8:47 a.m.

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

V.C.1. Brian Keith Estavillo RN079722; CRNA0411 (Rappoport/Burns)

Estavillo was present and available for questions. Attorney Jonathan Sullivan was present and addressed the Board. Quinn moved, Malloch seconded, upon maintaining compliance with, to further amend Consent Agreement and Order No. 0906047, paragraph 6, access to drugs; to allow Estavillo the ability to administer Propofol, under direct supervision only and continue the 12 months of clinical practice requirement before allowing administration of all other controlled or addictive substances. After discussion Quinn amended the motion to include as clinical practice requirement: “at Midwestern University”. Malloch concurred. The motion carried unanimously.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X	
NO	0											
ABSTAIN	0											
ABSENT	2									X		X

VI. RN/LPN/CNA Investigative Reports

VI.C.1. Salvadore Alonso RN114840; AP2804 (Dahn)

Dahn addressed the Board with additional information. Quinn moved, Dalton 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	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X	
NO	0											
ABSTAIN	0											
ABSENT	2									X		X

VI.E.1. Nahid Alvandi-Tehrani RN053329 (Guffey)

Guffey addressed the Board and confirmed the receipt of additional information. Attorney Teresa Sanzio was present and addressed the Board. Malloch moved, Dalton 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	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X	
NO	0											
ABSTAIN	0											
ABSENT	2									X		X

Perry returned to the meeting at 9:05 a.m.

VI.E.2. Carmen D. Blake RN046227 (Guffey)

Blake and attorney Zachary Cain were present and addressed the Board. Malloch moved, Berrigan seconded, and it was unanimously carried to dismiss the complaint.

VI.E.3. Kathleen M. Bruner RN046613 (Guffey)

Snider knows Bruner but shows no bias. Bruner and attorney Zachary Cain were present and addressed the Board. Johnson moved, Gutierrez seconded, and it was unanimously carried to dismiss the complaint.

VI.D.3. Joshua James Lambert RN157556; AP3397 (Grady)

Lambert was present and available for questions. Attorney Thomas Moran was present and addressed the Board. Johnson moved, Dalton seconded, and it was unanimously carried to dismiss the complaint.

VI.D.5. Alice Marilyn Fuller RN15400; LP043128; CNA1000005788 (Grady)

Fuller and attorney Kelly McDonald were present and addressed the Board. Dalton moved, Berrigan seconded, and after discussion, it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 24 months probation including the attached stipulations, amended to include ethics, documentation and pharmacology courses if not included in the refresher course. If not signed within 30 days, issue Notice of Charges.

	VOTE	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	Scott President	Malloch V. Pres.	McCormies Member	Gutierrez Member	Perry Member	Dalton Member	Busby Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	1											X

VI.A.1. Peter James Gouvas LP041206 (Austin)

Gouvas and attorney Teresa Sanzio were present and available for questions. Quinn 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 12 month stayed suspension pending 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 and/or confirmation is received from either the evaluator or treatment providers to be followed by 24 months probation including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	Scott President	Malloch V. Pres.	McCormies Member	Gutierrez Member	Perry Member	Dalton Member	Busby Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	1											X

**VI.L.1. Christine Olive Rinard LP026542 (Perkins)
(aka: Overson)**

Perkins addressed the Board with additional information. Rinard and attorney Teresa Sanzio were present and available for questions. Malloch moved, Snider seconded, and it was unanimously carried to issue a Letter of Concern for failure to respond appropriately to the needs of patient S.T. on June 26, 2011, while working at Suncrest Healthcare Center in Phoenix, Arizona.

VI.L.2. Geraldine Josephine Henely RN030064 (Perkins)

Henley was present and available for questions. Dr. Paul Montanarella and attorney Teresa Sanzio were present and addressed the Board. Quinn moved, McCormies seconded, to issue a Letter of Concern for failure to complete an initial count for sharps, instruments, and sponge accountability for patient P.T. on February 5, 2011, while working at St. Joseph’s Hospital and Medical Center in Phoenix, Arizona. After discussion the motion failed with six opposed and four in favor. Malloch moved, Perry seconded, and it was unanimously carried to dismiss the complaint.

VI.J.5. Mari Monique Orozco LP046865; CNA999953204 (Parlin)
(aka: Garcia)

Orozco was present and available for questions. Attorney Michael Alario was present and addressed the Board. Malloch moved, Quinn seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue Notice of Charges. The motion carried with six in favor and four opposed.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	6	X	X		X	X	X	X				
NO	4			X					X	X	X	
ABSTAIN	0											
ABSENT	1											X

VI.S.1. Angela K. Philips-Anderson RN071918; AP1098 (Smith)

Attorney Teresa Sanzio was present and available for questions. Smith noted this case was on the Agenda as information only and would return to the January 2012 Board meeting after staff reviewed additional information.

VI.Q.4. Scott Michael Godsil CNA Exam (VandenBerg)

VandenBerg addressed the Board with additional information. Godsil was present and addressed the Board. Malloch moved, Dalton seconded, and it was unanimously carried to continue the investigation to allow Respondent the opportunity to obtain a psychological evaluation, to include an relapse prevention evaluation, by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 60 days and then 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	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	1											X

VI.A.4. Teri Lynn Hoffmann LP040634 (Austin)

Austin addressed the Board with additional information. Attorney Jason Smith and Hoffmann were present and addressed the Board. Malloch moved, Quinn seconded, and it was unanimously carried to issue a Letter of Concern for removing, without authorization, copies of medical records from Citadel Care Center in Mesa, Arizona.

The meeting recessed at 10:04 a.m. and reconvened at 10:23 a.m.

V.B. Applicants for Reissuance & Investigative Reports

V.B.1. Deborah A. Ryan LP032191 Rappoport
(aka: Burleski)

Berrigan recused herself to avoid the appearance of impropriety and left the room at 10:24 a.m. Ryan was present and addressed the Board. Malloch moved, Gutierrez seconded, and it was unanimously carried to grant reissuance of licensure upon meeting all requirements.

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

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

V.D.4. Daryl Richard Wilhelm CNA1000026989 (Garcia)

McCormies recused herself to avoid the appearance of impropriety and left the meeting at 10:28 a.m. Burns addressed the Board and confirmed the receipt of additional information. Wilhelm was present

and available for questions. Johnson moved, Malloch seconded, and it was unanimously carried, upon completion of psychological treatment, to approve request to terminate probation on December 31, 2011.

McCormies returned to the meeting at 10:29 a.m.

V.D.5. Jennifer Kay Gilbert CNA100007872; LP43389; RN153436 (Garcia)
Malloch moved, Quinn seconded, and it was unanimously carried to approve request to terminate Consent Agreement and Order No. 0911017 entered into on November 12, 2010.

V.F. CANDO Eligibility/Noncompliance & Investigative Reports

V.F.2. Susan Elizabeth Marcanio RN072084; AP1763 (Pendergast)

Marcanio was present and addressed the Board. Malloch moved, Quinn 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 48 months stayed revocation including the attached stipulations. During the stay of revocation, the license will be placed on suspension for a period not to exceed 12 months during which all required evaluations and treatments are completed and an evaluation by a Board approved evaluator determines Respondent safe to practice. Upon the completion of suspension, and for the duration of the stayed revocation, the license will be placed on probation. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	1											X

V.F.6. Rebecca Anne Shaw RN Exam (Pendergast)

Shaw was present and available for questions. Malloch moved, Quinn 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 licensure and accept the signed modified CANDO Stipulated Agreement.

VI. RN/LPN/CNA Investigative Reports

VI.A.10. Marilyn Anne Kimminau RN Exam (Austin)

Austin addressed the Board with additional information. Kimminau was present and addressed the Board. Malloch moved, Berrigan seconded, and it was unanimously carried, upon meeting all requirements, to grant licensure and issue a Letter of Concern for the following misdemeanor convictions: (1) misdemeanor larceny on August 16, 1982, in Denver, Colorado; (2) misdemeanor possession of marijuana on February 12, 1988, in Las Vegas, NV; (3) misdemeanor possession of controlled substance on May 9, 1990, in Las Vegas, NV; (4) misdemeanor possession of controlled substance on February 5, 1997, in Tonopah, NV; and (5) misdemeanor petty theft on October 29, 1997, in Henderson, NV.

VI.B.3. Lou Ann Gramlich RN151045 (Burns)

Burns addressed the Board with additional information. Gramlich was present and available for questions. Quinn moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 24 months probation including the attached stipulations, amended to allow Respondent to work in block assignments. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	1											X

VI.B.4. Kelvin Jermaine Toby LP038156 (Burns)

Toby was present telephonically and available for questions. Malloch moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 36 months probation including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	1											X

**VI.I.1. Jacquelynne Uvonne Beyette LP Exam (Olson)
(aka: Brashears; Field; Moore)**

Olson addressed the Board with additional information. Beyette was present and addressed the Board. Johnson moved, Gutierrez seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all licensure requirements, signing a Consent Agreement for a \$250 Civil Penalty and payment of the Civil Penalty, to grant licensure. If not signed within 30 days or payment not received within 60 days, deny licensure and issue a Notice of Charges for CNA999948480.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	1											X

VI.I.2. Monica Marie Espinoza RN Exam; CNA100003289 (Olson)

Espinoza was present and addressed the Board. Malloch 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 licensure requirements and signing Consent Agreement for a Decree of Censure, to grant licensure. If not signed within 30 days, deny licensure, and issue a Notice of Charges for CNA100003289.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	1											X

VI.I.5. Mathew Gimarino Kodumal RN Exam (Olson)

Olson addressed the Board with additional information. Kodumal was present and available for questions. Malloch moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all licensure requirements, to grant licensure and accept the signed Consent Agreement for a Decree of Censure.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	1											X

VI.M.4. Jayne Deleo Hack RN170655 (Rappoport)
(aka: Deleo)

Hack was present, telephonically, and available for questions. Quinn moved, Berrigan seconded, and it was unanimously carried to dismiss the complaint.

VI.M.6. Natasha Racquel Lambert RN188737 (Compact) Colorado (Rappoport)

Rappoport addressed the Board with additional information. An attempt was made to contact Lambert telephonically and a message was left that the Board would move forward with the case.

Gutierrez left the meeting at 11:25 a.m.

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

Gutierrez returned to the meeting at 11:28 a.m.

VI.M.7. Greg R. Schwalm LP041968 (Rappoport)

Rappoport addressed the Board with additional information. Schwalm was present, telephonically, and available for questions. Malloch moved, Quinn seconded, and it was unanimously carried to rescind prior September 3, 2010, Order of Revocation. 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	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	Scott President	Malloch V. Pres.	McCormies Member	Gutierrez Member	Perry Member	Dalton Member	Busby Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	1											X

VI.N.6. Aaron James Hayes RN165398 (Richter)

Richter addressed the Board and confirmed the receipt of additional information. Hayes was present and addressed the Board. Quinn moved, Berrigan seconded, and after discussion, it was unanimously carried to continue the investigation to allow Respondent the opportunity to obtain a psychological evaluation with an emphasis on substance abuse to be completed by a Board approved PhD prepared evaluator, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and then return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges.

	VOTE	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	Scott President	Malloch V. Pres.	McCormies Member	Gutierrez Member	Perry Member	Dalton Member	Busby Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	1											X

VI.N.8. Sage Azure Macias CNA Exam (Richter)
(aka: Griffin)

Richter addressed the Board with additional information. Macias was present and addressed the Board. Johnson moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all certification requirements, 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 of the Civil Penalty not received within 60 days, deny certification.

	VOTE	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	Scott President	Malloch V. Pres.	McCormies Member	Gutierrez Member	Perry Member	Dalton Member	Busby Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	1											X

VI.N.17. Allan Sheldon Myers CNA Exam (Richter)

Richter addressed the Board with additional information. Myers was present and addressed the Board. Malloch moved, Berrigan seconded, and it was unanimously carried to continue the investigation to allow applicant the opportunity to obtain a psychological evaluation with an emphasis on substance abuse and/or dependency with a Board approved PhD prepared evaluator, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and then return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perrv</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	1											X

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

V.D.3. Wanda Denise Keener CNA343651389; LP036302 (Garcia)

Burns addressed the Board with additional information. Keener was present and addressed the Board. Malloch moved, Johnson seconded, and it was unanimously carried to approve request to amend Consent Agreement and Order No. 1003111, to allow Keener to practice under on-site supervision and grant request to allow her to work block assignments for registry.

VI. RN/LPN/CNA Investigative Reports

**VI.N.11. Heather Lynn Pyle LP Exam (Richter)
(aka: Corral)**

Pyle was present and available for questions. Johnson moved, Berrigan seconded, and it was unanimously carried to continue the investigation to allow applicant the opportunity to obtain a substance abuse evaluation to be completed by a Board approved PhD prepared evaluator and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny licensure.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perrv</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	1											X

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Fortis College and Grand Canyon University Nursing Students regarding Board functions, policies and procedures. Questions were asked on the choice of motions and careers of Board members besides serving on the Board.

The meeting recessed at 12:04 p.m. and reconvened at 1:00 p.m.

II.A. Administrative Law Judge (ALJ) Recommendations

**II.A.2. Penny Lynne Barton RN148785 Campbell
(aka: Bush; Lundy; Manahan)**

The proceeding began at 1:00 p.m. with the following Board members present: Scott, Malloch, Johnson, Berrigan, Dalton, Gutierrez, McCormies, Perry, Quinn and Snider.

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.

Campbell addressed the Board and requested the Board accept the Administrative Law Judge’s recommended findings of fact and conclusions of law and revoke the nursing license.

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

Malloch moved, Dalton seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 61.

Johnson moved, Malloch seconded, and it was unanimously carried, to accept as Conclusions of Law the alleged violations in Paragraphs 1 through 8.

Malloch moved, Johnson seconded, and it was unanimously carried to accept the Administrative Law Judge’s recommended Order to revoke professional nurse license No. RN145785 previously issued to Penny Lynne Barton.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	1											X

II.A.3. Jennifer Pryde DeGrazia CNA999993140 Campbell

The proceeding began at 1:04 p.m. with the following Board members present: Scott, Malloch, Johnson, Berrigan, Dalton, Gutierrez, McCormies, Perry, Quinn and Snider.

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.

Campbell addressed the Board and requested the Board accept the Administrative Law Judge’s recommended findings of fact and conclusions of law and revoke nursing assistant certification.

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

Johnson moved, Malloch seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 29.

Malloch moved, Johnson seconded, and it was unanimously carried, to accept as Conclusions of Law the alleged violations in Paragraphs 1 through 8.

Malloch moved, Johnson seconded, and it was unanimously carried to accept the Administrative Law Judge’s recommended Order to revoke nursing assistant certification No. CNA999993140 previously issued to Jennifer Pryde DeGrazia.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	1											X

II.A.4. Tinika Marie Brown-Royston LP045708 Verstegen

The proceeding began at 1:08 p.m. with the following Board members present: Scott, Malloch, Johnson, Berrigan, Dalton, Gutierrez, McCormies, Perry, Quinn and Snider.

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. Keely Verstegen, Assistant Attorney General, represented the State.

Verstegen addressed the Board and requested the Board accept the Administrative Law Judge’s recommended findings of fact and conclusions of law and revoke the nursing license.

Brown-Royston was not present and was not represented by legal counsel.

Johnson moved, Malloch seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 28.

Johnson moved, Malloch seconded, and it was unanimously carried, to accept as Conclusions of Law the alleged violations in Paragraphs 1 through 16.

Malloch moved, Berrigan seconded, and it was unanimously carried to accept the Administrative Law Judge’s recommended Order to revoke practical nurse license No. LP045708 previously issued to Tinika Marie Brown-Royston.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	1											X

II.A.5. Laura Michael RN113397 Campbell

The proceeding began at 1:11 p.m. with the following Board members present: Scott, Malloch, Johnson, Berrigan, Dalton, Gutierrez, McCormies, Perry, Quinn and Snider.

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.

Campbell addressed the Board and urged the Board to accept the Administrative Law Judge’s recommended findings of fact and conclusions of law in this case and to adopt the Order of probation.

Michael was present and addressed the Board.

Johnson moved, Malloch seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 51.

Johnson moved, Malloch seconded, and it was unanimously carried, to accept as Conclusions of Law the alleged violations in Paragraphs 1 through 8.

Malloch moved, Dalton seconded, and it was unanimously carried to accept the Administrative Law Judge's recommended Order for 36 months probation including the attached terms.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	1											X

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

AGENA #	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.B.1.	Marie Flint	RN145772	Revocation	Verstegen
II.B.2.	Lorna Lee Lynn	RN111082	Revocation	Verstegen

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

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

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

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

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

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	1											X

Busby arrived at the meeting at 1:21 p.m.

II.C. Settlement Conference Cases and Proposed Consent Agreements

II.C.1. Karen Lane Roebuck RN161059 Zack/Barber

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

Zack addressed the Board and recommended the Board accept the Consent Agreement for a Decree of Censure.

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

Perry moved, Dalton seconded, and it was unanimously carried to table Agenda Item II.C.1.

II.C.2. Suzanne Rae Salem RN034491; AP0047 Zack/Barber

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

Zack addressed the Board and recommended the Board issue a Letter of Concern instead of discipline in this matter.

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

Quinn moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for not maintaining a complete medical record while providing medical care for her mother from February 2003 until her mother’s death in November 2005.

II.C.3. Amanda Jain Mossman-Bonnette RN149990 Zack/Barber

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

An attempt was made to contact Mossman-Bonnette, telephonically, at her counsel, Scott King’s request. King addressed the Board with a request to delete from the proposed Consent Agreement, the required urine drug screens for the first 6 months of the 12 month probation.

Zack addressed the Board and recommended, on behalf of the State, that the drug testing remain in the proposed Consent Agreement.

Malloch moved, Quinn seconded, and it was unanimously carried to reaffirm prior Board decision to offer a Consent Agreement for 12 months probation with the attached stipulations, to include drug testing for the first 6 months.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

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

II.D.4. Karen L. Butler CNA054108593 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 and requested the Board grant the motion to deem and revoke the certification.

Butler was present and addressed the Board.

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

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

Quinn moved, Berrigan seconded, to accept the State’s recommended discipline for revocation of nursing assistant certification No. CNA054108593 previously issued to Karen L. Butler. The motion carried with nine in favor and two opposed.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X	X		
NO	2										X	X
ABSTAIN	0											
ABSENT	0											

II.D.11. Norman Lacambra LP030186 Campbell

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

Lacambra was present and available for questions.

Campbell addressed the Board.

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

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

Malloch moved, Johnson seconded, and it was unanimously carried to accept the State’s recommended discipline for revocation of practical nursing license No. LP030186 previously issued to Norman Lacambra.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

**II.D.14. Virginia Stump RN109792 Verstegen
(aka: Rock; Henely)**

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

Verstegen addressed the Board and requested the Board accept the State’s recommended discipline for revocation.

Stump was present and addressed the Board.

Malloch moved, Gutierrez seconded, and it was unanimously carried to table Agenda Item II.D.14.

Perry left the meeting at 2:13 p.m. and returned at 2:14 p.m.

II.D.19. Gail D. Knerr RN070222 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 and noted the date notice was sent to Respondent.

Knerr was present and addressed the Board.

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

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

Busby moved, Malloch seconded, to issue an Order of stayed revocation with the license suspended pending the completion of a psychiatric evaluation with a Board approved licensed psychiatrist to be completed within 60 days and return to the Board to determine status of continued suspension or monitored probation with terms and conditions. After discussion, Busby moved, Perry seconded and it was unanimously carried to table Agenda Item II.D.19.

AGENA	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.D.1.	Deng Geu Ayll (aka: Abraham Deng Geu; Abraham Geu)	CNA10000003762	Revocation	Zack
II.D.2.	Lucianeteena Rey Begay (aka: Keedah)	CNA1000016417	Revocation	Zack
II.D.3.	Cynthia Marie Brossia (aka: Suchomel; Johnson; Douglass)	CNA1000021729	Revocation	Zack
II.D.5.	Kaylee Therese Dunn	CNA1000015976	Revocation	Zack
II.D.6.	Jonathan Ellis England	CNA1000014838	Revocation	Zack
II.D.7.	Jennifer L. Gilbert	CNA999949236	Revocation	Campbell
II.D.8.	Lesa Marie Gonzales	RN088545	Revocation	Campbell
II.D.9.	Diane Marie Grover	LP041303	Revocation	Campbell
II.D.10.	Dennis Roger Key	CNA1000012142	Revocation	Campbell
II.D.12.	Mildred Morales	CNA999991547	Revocation	Verstegen
II.D.13.	Vicki L. Stevens-Hjerpe (aka: Stevens; Stevens Tanoe)	LP031666	Revocation	Verstegen
II.D.15.	Michelle D. Tselentis	CNA893127803	Revocation	Verstegen
II.D.16.	Kelly Lynn Williams (aka: Deist)	RN160817	Revocation	Verstegen
II.D.17.	Laurie Ann Wilson-Taylor	RN101267	Revocation	Verstegen
II.D.18.	Sean Clay Wright	RN155595	Revocation	Verstegen

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

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

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

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

Busby moved, Dalton seconded, and it was unanimously carried to accept the State’s recommended discipline for Agenda Items II.D.1-3, 5-10, 12, 13, and 15-18.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	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. Vallerie Lax Gardner RN069104 Campbell

The proceeding began at 2:37 p.m. with the following Board members present: Scott, Malloch, Johnson, Berrigan, Busby, Dalton, Gutierrez, McCormies, Perry, Quinn and Snider.

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

Gardner was present and available for questions.

Campbell addressed the Board and stated the time to offer new information and present testimony and evidence has passed.

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

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	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. Karen Sue Megivern RN102304; AP1201 Zack

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

Megivern was not present but was represented by legal counsel, Teresa Sanzio, who addressed the Board and requested the Board accept the signed Consent Agreement.

Zack addressed the Board and recommended the Board accept the signed Consent Agreement.

Busby moved, Malloch seconded, and it was unanimously carried to accept the attached signed Consent Agreement for stayed revocation/suspension/probation of Respondent's professional nurse license and advanced practice certificate as settlement in this matter in lieu of administrative hearing.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

II.F.2. Andrew J. Patterson RN160122 Zack

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

Patterson was not present but was represented by legal counsel, Teresa Sanzio, who addressed the Board and requested the Board accept the signed Consent Agreement.

Zack addressed the Board and recommended the Board accept the signed Consent Agreement.

Busby moved, Dalton seconded, and it was unanimously carried to accept the attached signed Consent Agreement for stayed revocation/suspension of Respondent’s multi-state privilege to practice as a professional nurse in the State of Arizona as settlement in this matter in lieu of administrative hearing.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

II.F.3. Jennifer Lynn Valenzuela RN143557 Zack

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

Valenzuela was not present but was represented by legal counsel, Robert Chelle, who was available for questions.

Zack addressed the Board and recommended the Board accept the signed Consent Agreement.

Perry moved, Busby seconded, and it was unanimously carried to accept the attached signed Consent Agreement for suspension of Respondent’s professional nurse license as settlement of this matter in lieu of administrative hearing.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

II.F.4. Christina F. Delgado CNA999948037 Zack/Richards

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

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

Richards presented for the Board’s approval the signed Consent Agreement negotiated by the parties.

Busby moved, Perry seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the July 2011 investigative report and based upon the new incident self-reported by Delgado and described in the Hearing Department Update Report, to accept the signed Consent Agreement for stayed revocation/suspension (not to exceed 12 months), followed by 12 months stayed revocation in settlement of complaint No. 1009099.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

II.F.5. Michael Eugene Fleek RN072770 Zack/Richards

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

Richards addressed the Board with additional information.

Fleek was not present but was represented by legal counsel, Robert Chelle, who addressed the Board.

Busby moved, Perry seconded, and it was unanimously carried to issue a Letter of Concern for Fleek's inappropriate conversation about his personal experiences and opinions relative to the nature of women while on duty at Arrowhead Hospital in Glendale, Arizona on February 9, 2011.

II.F.6. Maria J. Tovar CNA999950283 Verstegen/Richards
The Board was represented by Christopher Munns, Assistant Attorney General, Division of Solicitor General. Keely Verstegen, Assistant Attorney General, represented the State.

Tovar and legal counsel, Michael Vingeli, were present telephonically. Vingeli addressed the Board.

Busby moved, Snider seconded, to rescind the Board's previous offer of March 24, 2011, for a Consent Agreement for a \$50 Civil Penalty, and issue a Letter of Concern for verbally abusing a resident in or about July 2010, while employed as a CNA at La Colina Healthcare in Tucson, Arizona, resulting in termination of employment. After discussion the motion carried with eight in favor and three opposed.

II.F.7. Laura Elaine Tanner RN126412 Verstegen/Richards
The Board was represented by Christopher Munns, Assistant Attorney General, Division of Solicitor General. Keely Verstegen, Assistant Attorney General, represented the State.

Tanner was present and addressed the Board.

Verstegen addressed the Board.

Busby moved, Malloch seconded, and it was unanimously carried to table Agenda Item II.F.7.

II.C. Settlement Conference Cases and Proposed Consent Agreements
II.C.1. Karen Lane Roebuck RN161059 Zack/Barber
Malloch moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item II.C.1.

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

Zack addressed the Board and recommended the Board issue a Complaint and Notice of Hearing.

Attorney Teresa Sanzio addressed the Board.

Busby moved, Malloch seconded, and it was unanimously carried to table Agenda Item II.C.1. until the following day, November 15, 2011.

II.D. Motion to Deem Allegations Admitted for Failure to Respond to Notice of Charges & Recommended Discipline
II.D.14. Virginia Stump RN109792 Verstegen
(aka: Rock; Hanely)

Malloch moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item II.D.14. The Board was represented by Christopher Munns, Assistant Attorney General, Division of Solicitor General. Kim Zack, Elizabeth Campbell and Keely Verstegen, Assistant Attorney's General, represented the State.

Verstegen addressed the Board and withdrew the State’s motion to deem.

II.D.19. Gail D. Knerr RN070222 Campbell

Busby moved, Quinn seconded, and it was unanimously carried to reopen Agenda Item II.D.19.

Busby moved, Perry seconded, and it was unanimously carried to issue an Order of Revocation, staying the revocation and placing the license on suspension, not to exceed 18 months contingent upon compliance, followed then by suspension, staying the suspension and placing the license on probation for 24 months of clinical practice to include the attached terms and conditions.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

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

**V.D.2. Lauren K. Glynn RN165661 (Garcia)
(aka: Noblin)**

Burns addressed the Board with additional information. Glynn was present and available for questions. Attorney Robert Chelle was present and addressed the Board. Busby moved, Perry seconded, and it was unanimously carried to approve request to amend Consent Agreement and Order No. 0910087, to allow Glynn to work under on-site supervision with registry in block assignments only, and deny request to allow her to work Home Health and Agencies.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

The meeting recessed at 3:32 p.m. and reconvened at 3:46 p.m.

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

VII.B. Educational Reports and Rules – Randolph/McGinty

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. Nursing Program Changes: Paradise Valley Health Science Facility Opening; ITT Technical Institute; Fortis College; Mohave Community College

The following information was provided to the Board: Paradise Valley Community College Partnership with John C. Lincoln Health Network termination. Information on changes – PVCC Faculty offices, classrooms, and Lab Space in new building; ITT Technical Institute’s Associate Degree in Nursing program name change to Breckenridge School of Nursing @ ITT Technical Institute; the appointment of Debra McKinney as Nursing Program Chair for the Associate of Science in Breckenridge School of Nursing for ITT Technical Institute; the appointment of Dr. Esperanza Villanueva-Joyce as Regional Dean, and the appointment of Cheryl Statts as Director of Nursing for the practical nursing program at Fortis College School of Nursing; and the appointment of Cynthia Huth as Director of Nursing for the AAS Nursing Program at Mohave Community College.

Busby returned to the meeting at 3:48 p.m.

VII.B.3. Metro Tech High School Nursing Assistant Program – Report of Site Visit

Kristen Hannay was present and available for questions. Perry moved, Berrigan seconded, and it was unanimously carried to grant 2 year approval with a Letter of Concern for a 25% first time pass rate on the manual skills competency exam for the period of August 2009 through August 2011.

VII.B.4. Caring House Nursing Assistant Program – Report of Site Visit

Perry moved, Quinn seconded, and it was unanimously carried to grant 2 year approval with a Letter of Concern for a 38% first time pass rate on the manual skills competency exam for the period of August 2009 through August 2011.

VII.B.5. Nelson Academy Investigative Report

Busby moved, Perry seconded, and it was unanimously carried to accept the signed Consent Agreement for 12 months probation.

VII.B.6. Application for Continued Approval Pima Community College CTD LPN Program

Busby moved, Perry seconded, and it was unanimously carried to grant 5 year approval for Pima Community College Center for Training and Development Practical Nursing Program.

VII.B.7. Application for Final Approval Everest College RN Program

Susan Gonda and Todd McDonald were present and available for questions. Dr. Edward Johnson was present and addressed the Board. Dalton moved, Quinn seconded, and it was unanimously carried to grant full approval of the Everest College Registered Nursing Program for 5 years or consistent with national accreditation cycle.

VII.B.8. Application for Continue Approval Southwest Skill Center Estrella Mountain Community College LPN Program

Sandy Maas was present and addressed the Board. Perry moved, Berrigan seconded, and it was unanimously carried to continue full approval of the Southwest Skill Center LPN Program for five years with a report in one year regarding curriculum changes, systematic evaluation plan, and policy changes regarding the physical and mental ability of faculty to provide safe client care. If a report is not received or does not provide sufficient evidence remedying the potential deficiency, return to the Board for a determination of status.

VII.B.9. Application for Program Change MaricopaNursing/Northern Arizona University Concurrent Enrollment – Length of Program

Dalton moved, Quinn seconded, and it was unanimously carried to approve the MaricopaNursing-Northern Arizona University Associate-Baccalaureate Concurrent Enrollment Nursing Program retroactive to the start in the summer semester of June 2011.

VII.B.10. Application for Program Change MaricopaNursing/Arizona State University Concurrent Enrollment – Length of Program

Dalton moved, Perry seconded, and it was unanimously carried to approve the MaricopaNursing-ASU Associate-Baccalaureate Concurrent Enrollment Nursing Program.

VII.B.11. Application for Program Change MaricopaNursing/University of Phoenix Concurrent Enrollment – Length of Program

Perry recused himself to avoid the appearance of impropriety. McCormies moved, Dalton seconded to approve the MaricopaNursing-University of Phoenix Associate-Baccalaureate Concurrent Enrollment Nursing Program. The motion carried with ten in favor and one abstained.

VII.B.12. Application for Program Change Arizona State University Second Degree Pre-Licensure Option – Length of Program

Brenda Morris was present and available for questions. Dalton moved, Quinn seconded, and it was unanimously carried to approve the program change for Arizona State University offering a Second Degree PreLicensure Option.

VII.B.13. Criteria for Summary Letters of Concern for Educational Programs

Perry moved, Johnson seconded, and it was unanimously carried to approve the criteria for Summary Letters of Concern for Educational Programs.

VII.B.14. Policy Special Accommodation Request for NCLEX®

Busby moved, McCormies seconded, and it was unanimously carried to approve the policy for special accommodation request for NCLEX.

VII.B.15. Policy Special Accommodation Request for Nursing Assistant and Medication Assistant Written and Manual Skills Certifying Exams

Busby moved, Dalton seconded, and it was unanimously carried to approve the policy for special accommodation request for Nursing Assistant and Medication Assistant written and manual skills certifying exams

VII.B.16. Fortis College Investigative Report

Dalton moved, Busby seconded, and it was unanimously carried to issue a Letter of Concern to the Fortis College PN program for failing to ensure that each practical nursing program faculty member has at least two years of experience as a professional nurse providing patient care.

VII.B.17. Brookline College Investigative Report

Busby moved, Dalton seconded, and it was unanimously carried to dismiss the complaint against Brookline College Nursing Program.

VII.B.18. Glendale Community College Investigative Report Follow-up

Susan Mayer was present and available for questions. Perry moved, Dalton seconded, and it was unanimously carried to continue approval of the Glendale Community College Nursing Program for a period of 5 years or consistent with the national accreditation cycle.

VII.B.19. Northland Pioneer College Site Visit Report

Dalton moved, Quinn seconded, and it was unanimously carried to approve the Northland Pioneer College Certified Nursing Assistant program for a period of two years and issue a Letter of Concern for a 34% first-time pass rate on the manual skills competency exam for students enrolled in the Spring 2011 semester at the Winslow campus.

VII.B.20. Maricopa Skill Center Notice of Deficiency

Becki Lorimor and Sue Kater were present and available for questions. Ellen Gallagher was present and addressed the Board. Johnson moved, Gutierrez seconded, and it was unanimously carried to issue Notice of Deficiency to Maricopa Skills Center Practical Nursing Program for violations of R4-19-201 (I) plan for systematic evaluation, R4-19-202 (A) (3) private space for faculty-student conferences, R4-19-202 (A) (5) equivalent laboratory facilities, R4-19-202 (A) (6) equivalent acoustics, plumbing, and location that simulate patient care, and R4-19-203 (C) (5) faculty evaluation in areas of knowledge, skill, and teaching ability with 6 months to correct.

VII.B.21. Deans and Directors Dinner Survey Results

Randolph offered a brief summary of the Deans and Directors dinner survey results and noted this second year dinner had positive feedback and was well attended.

VII.B.22. ITT Tech Investigative Report

Gene McWhorter was present and addressed the Board. Kelly Smith was present and available for questions. Quinn moved, Berrigan seconded, and it was unanimously carried to offer consent for probation with terms to include suspension of student admissions until all Board rules are met as determined by the Board. Board staff shall conduct a comprehensive site visit to assess compliance following a receipt of a self study document which provides evidence of compliance with all regulations to be signed within 30 days or hearing.

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

II.F.7. Laura Elaine Tanner RN126412 Verstegen/Richards

Berrigan moved, Malloch seconded, and it was unanimously carried to reopen Agenda Item II.F.7.

Richards addressed the Board with additional information.

Busby moved, Berrigan seconded, and it was unanimously carried to accept the attached amended, signed Consent Agreement No. 1010120 for 18 months of stayed revocation/probation, followed by 18 months of standard probation, with terms and conditions, in settlement of complaint number 11 A-I 0 1 0 120.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI. RN/LPN/CNA Investigative Reports

VI.D.8. Joanne Karen Wolf LP044281 (Grady)

Grady addressed the Board and confirmed the receipt of additional information. Wolf and attorney Dominique Barrett were present and available for questions. Malloch moved, Johnson seconded, and it was unanimously carried to dismiss the complaint.

V.F. CANDO Eligibility/Noncompliance & Investigative Reports

V.F.5. Leslie Christine Radcliffe RN121673; CNA999987590 (Pendergast)

Radcliffe was present telephonically and addressed the Board. Busby moved, Dalton 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 48 months stayed revocation including the attached stipulations. For the first 12 months the license will be placed on suspension and for the duration of the stayed revocation, the license will be placed on probation. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

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

III.A. 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 Licenses

IV.A. Lapsed Licenses & Certificate Administrative

IV.A.1. Rosalind Beltran CNA1000020761 (Driver)

Malloch moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to accept the signed Consent Agreement for an administrative penalty of \$25 for working on an expired certificate.

IV.A.2. Brandon Fimbres CNA1000021933 (Driver)

Johnson moved, Malloch seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to accept the signed Consent Agreement for an administrative penalty of \$25 for working on an expired certificate. If the administrative penalty is not paid within 6 months of the effective date of the order, issue Notice of Charges.

IV.A.3. Felicia Jones CNA1000000442 (Driver)

Johnson moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to accept the signed Consent Agreement for an administrative penalty of \$25 for working on an expired certificate. If the administrative penalty is not paid within 6 months of the effective date of the order, issue Notice of Charges.

IV.A.4. Kristin Magee CNA160714263 (Driver)

Malloch moved, Quinn seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to accept the signed Consent Agreement for an administrative penalty of \$25 for working on an expired certificate; and refer employer to Department of Health Services for licensees/certificate holders working on a lapsed license/certificate for three months or greater.

IV.A.5. Theresa Young RN145699 (Driver)

Johnson moved, Quinn seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to accept the signed Consent Agreement for an administrative penalty of \$100 for working on an expired license. If the administrative penalty is not paid within 6 months of the effective date of the order, issue Notice of Charges.

IV.A.6. Lisa D'Onofrio RN082181 (Driver)

Gutierrez moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to accept the signed Consent Agreement for an administrative penalty of \$300 for working on an expired license; and refer employer to Department of Health Services for licensees/certificate holders working on a lapsed license/certificate for three months or greater.

IV.A.7. Elizabeth Jones LP017698 (Driver)

McCormies moved, Perry seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to accept the signed Consent Agreement for an administrative penalty of \$300 for working on an expired license; and refer employer 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

Agenda #	Name	License/Certificate #	Staff
IV.B.1.a.	Naomi Johnson	CNA Applicant	Lester

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

	VOTE	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	Scott President	Malloch V. Pres.	McCormies Member	Gutierrez Member	Perry Member	Dalton Member	Busby Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

IV.B.2. Felony Bar Cases

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

Agenda #	Name	License/Certificate #	Staff
IV.B.2.a.	Yuruby Quintana	CNA1000013094	Olson
IV.B.2.b.	Cynthia Louise Rock	LP042880	Olson

Busby moved, Dalton seconded, and unanimously carried to adopt the attached Notice of Charges for Agenda Items IV.B.2.a & b.

IV.C. Recommended Notice of Charges

Agenda #	Name	License/Certificate #	Staff
IV.C.1	William Channer Page	RN154093	Grady
IV.C.2.	Katie Beth Nydam	RN155988	Grady
IV.C.3.	Janet Christine Hsiao	RN121350	Grady
IV.C.5.	Mary Lou Boyle	LP029966	Grady
IV.C.6.	Tonya Lynne Cobb	RN032537	Grady

Busby moved, Malloch seconded, and unanimously carried to issue Notice of Charges for Agenda Items IV.C.1-3, 5 and 6.

IV.C.4. Bonita Ann Edgeworth RN129225 Grady

Grady addressed the Board with additional information. Busby moved, Perry seconded, and unanimously carried to issue Notice of Charges.

IV.D. Recommended Applicants for Licensure

IV.D.1. Michael Owen RN Endorsement Bontrager

Busby moved, Malloch seconded, and it was unanimously carried to grant licensure that is “Valid in AZ only”, upon meeting all requirements except the requirement to hold a diploma or degree from an approved registered nursing program.

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

Busby moved, Perry seconded, and it was unanimously carried to approve the full compliance list to terminate Board Order if no evidence of non-compliance with Board Order/Consent Agreement exists.

V.B. Applicants for Reissuance & Investigative Reports

V.B.2. Kimberly Diane Tellechea CNA999987330 Olson

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

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

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

V.D.1. Shawn Swayn Erdman RN143958 (Garcia)

Busby moved, Dalton seconded, and it was unanimously carried to approve request to amend Consent Agreement No. 0911022, to allow Erdman to work 96 hours a 14-day period and allow him to work a pool position.

V.D.6. Nancy M. Acheson LP024034 (Garcia)

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

V.D.7. Robin Rae Haney RN110519 (Garcia)

Busby moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the monitoring non-complaint report, to issue Notice of Charges.

V.D.8. Marisela Lopez CNA1000019751 (Garcia)

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

V.D.9. Anna Maria Thurman RN138358 (Garcia)

Perry moved, McCormies seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the monitoring update report, to issue Notice of Charges.

V.D.10. Steven Scot Dunn RN107235 (Garcia)

An attempt was made to contact Dunn telephonically and a message was left that the Board would move forward with the case. Malloch moved, Busby seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the monitoring update report, to issue Notice of Charges.

V.F. CANDO Eligibility/Noncompliance & Investigative Reports

V.F.1. Gary Michael Bober LP043745 (Pendergast)

Bober was present, telephonically, and available for questions. Pendergast 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, upon meeting all requirements, to grant temporary licensure for the purpose of a refresher course and accept the signed CANDO Stipulated Agreement.

V.F.3. Rodney Alan Moedt RN106554 (Pendergast)

Pendergast addressed the Board with additional information. Moedt was present, telephonically, and addressed the Board. Busby moved, Quinn 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 48 months stayed revocation including the attached stipulations. For the first 12 months

the license will be placed on suspension and for the duration of the stayed revocation, the license will be placed on probation. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

V.F.4. Hannah Nicole Paul RN150911 (Pendergast)

Busby moved, Quinn 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 48 months stayed revocation including the attached stipulations. For the first 12 months the license will be placed on suspension and for the duration of the stayed revocation, the license will be placed on probation. If not signed within 15 days, issue Complaint and Notice of Hearing.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

V.F.7. Mark Travis Stanley RN156750 (Pendergast)

Malloch moved, Dalton 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.2. Jenna Elaine Lemond RN155151 (Austin)

Berrigan moved, Malloch seconded, and it was unanimously carried to table Agenda Item VI.A.2.

VI.A.5. Jane Ann Brewer RN157594 (Austin)

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

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.A.6. Linda Thurmond Johnstone RN075203 (Austin)

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

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.A.7. Dianna Chamberlain RN155376 (Austin)

Gutierrez moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for refusing to go to Occupational Health to be evaluated for slurred speech on or about July 19, 2011, while

on-duty and employed as a RN at Banner Desert Medical Center/Cardon Children’s Medical Center in Mesa, Arizona.

VI.A.9. Heidi Boliek RN109819 (Austin)

Busby moved, Malloch seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 12 months stayed suspension/probation followed by 24 months probation to include the attached stipulations. If not signed within 30 days, issue Notice of Charges. In addition, making a finding of reasonable cause, based upon the allegations in the investigative report and at cost to the Board, issue an Interim Order for an addiction evaluation to be completed by a Board approved addictionologist (physician) evaluator and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and then returned to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.D.1. Darlene Brown RN129329 (Grady)

Malloch moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 24 months probation to include a substance abuse evaluation by a Board approved PhD prepared evaluator, to be completed within 30 days and to include the attached stipulations. If found to have substance abuse disorder or in need of treatment, the length of the probation will be 36 months and will include standard substance abuse disorder stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.D.2. Kelee Nicole Litzler TRN162504 (Grady)

Quinn moved, Snider 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>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.D.4. Starshine Ariana Hasman RN156278 (Grady)

Hasman was present telephonically and available for questions. Quinn 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	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.D.6. Shawn Denice Holmes Martinez LP043989; CNA999951218 (Grady)

Grady addressed the Board and confirmed the receipt of additional information. Busby moved, Quinn 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.7. Janet Kathleen Stinson RN120792 (Grady)

Johnson moved, Malloch seconded, and it was unanimously carried to issue a Letter of Concern for pre-charting a chemotherapy infusion and alleged failure to document patient J.D.'s complaint of pain and/or follow policy regarding an alleged extravasation on or about October 8, 2009, while employed with Arizona Oncology Associates.

VI.D.9. Susan Marie Harris RN126695 (Grady)

An attempt was made to contact Harris, telephonically, and a message was left that the Board would move forward with the case. Busby moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.E.4. Jane A. Spurgeon RN080711 (Guffey)

Spurgeon was present, telephonically, and available for questions. Malloch moved, Johnson 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 carried with eight in favor and three opposed.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	8			X	X	X	X	X	X	X	X	
NO	3	X	X									X
ABSTAIN	0											
ABSENT	0											

Malloch left the meeting at 5:30 p.m.

VI.E.6. Lorraine J. Lyle RN096077 (Guffey)

Perry moved, Dalton 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.G.1. Benjamin E. Barger CNA Exam (Lester)

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

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X		X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	1						X					

Malloch returned to the meeting at 5:34 p.m.

VI.G.2. Veronica L. Conley CNA Exam (Lester)

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

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X		X	X	X	X	X
NO	0											
ABSTAIN	1						X					
ABSENT	0											

VI.G.3. Maria L. Martinez CNA999992730 (Lester)

Gutierrez moved, Johnson 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 to be completed by a Board approved PhD prepared evaluator with an expertise in substance abuse to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.G.4. Arrione L. Milk CNA Endorsement (Lester)

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

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.G.5. Diana L. Miller RN134399; CNA999953536 (Lester) (aka: Church)

Johnson moved, Snider seconded, and it was unanimously carried to issue a Letter of Concern for the misdemeanor driving under the influence (DUI) conviction on April 3, 2009, in Phoenix Municipal Court in Phoenix, Arizona.

VI.G.7. Robin K. Pakkala RN133764 (Lester)

Quinn moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for the January 8, 2010, misdemeanor conviction for DUI, in Yuma Justice Court, Yuma, Arizona, and for failing to report the charges to the Board within ten days as required by the Statutes and Rules.

VI.G.8. William L. Stout CNA Exam (Lester)

Malloch moved, Busby seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all requirements and signing a Consent Agreement for a Decree of Censure, to grant certification. If not signed within 30 days, deny certification.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.G.9. Donna L. Vigil CNA1000016438 (Lester)

Busby moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for the December 6, 2009 arrest for domestic assault, where the charge was later dismissed on September 20, 2010, after a deferred program was completed, and for failing to report the charges to the Board within ten days as required by the Statutes and Rules.

**VI.F.1. Gail Jean DelHuerto RN156290 (Hemann)
(aka: Malamowski)**

Johnson moved, Berrigan seconded, and it was unanimously carried, based upon the alleged findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a 36-month stayed revocation to include the attached stipulations. During the stay of revocation, the license will be placed on suspension not to exceed 12-months. Upon the completion of suspension, and for the duration of the stayed revocation, the license will be placed on probation. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

**VI.F.2. Susan Angela Friend RN150060 (Hemann)
(aka: Suchevids)**

Hemann addressed the Board with additional information. Busby moved, Malloch seconded, and it was unanimously carried, based upon the alleged findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a 24-month probation to include a neuropsychological evaluation by a Board approved PhD prepared evaluator to be completed within 30 days and to include the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

**VI.F.3. Barbara Ann Mills RN106182 (Hemann)
(aka: Nervig)**

Malloch moved, Dalton seconded, and it was unanimously carried, based upon the alleged findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a 36-month stayed suspension. During the stay of suspension, the license will be placed on probation to include the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.F.4. Brandi Jill-Ann St. Onge RN088394; LP028816 (Hemann)
(aka: Baker)

Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the alleged findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 36-month probation to include a neuropsychological evaluation by a Board approved PhD prepared evaluator to be completed within 30 days and to include the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.F.5. Stacey Eileen Whelan RN127260 (Hemann)
(aka: Antola)

Hemann addressed the Board with additional information. Quinn 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 12-month stayed revocation to include the attached stipulations. During the stay of revocation, the license will be placed on probation and will be followed by a 24-month stayed suspension during which time the license will be placed on probation to include the attached stipulations. Upon completion of the stayed suspension, the license will be placed on 12-month probation to include the attached stipulations. If not signed within 30 days, issue a Complaint Notice of Hearing.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.F.6. Elana Maria Hunter-McLean RN055756 (Hemann)

Malloch moved, Johnson seconded, and it was unanimously carried, based upon the alleged findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for probation, and to include the attached terms. If the findings of the evaluation required by the Consent Agreement identify that Respondent has a substance use disorder or is in need of treatment, the length of the probation will be at minimum 36 months with the standard requirements for substance use disorders. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.F.7. James Andrew Stock CNA1000014143 (Hemann)

Busby moved, Dalton seconded, and after discussion it was unanimously carried, to rescind prior Board motion and, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a 48-month stayed revocation to include the attached stipulations. For the first 12-months, the certificate will be placed on suspension and thereafter, for the duration, the certificate will be placed on a stayed revocation to include the attached stipulations. If not signed within 15-days, issue a Complaint Notice of Hearing.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.H.1. Anneka Sue Baker CNA Exam (Monas)

Monas addressed the Board with additional information. Busby moved, Malloch seconded, and it was unanimously carried to continue the investigation to allow Baker the opportunity to voluntarily obtain a psychological evaluation, to include a substance abuse evaluation, by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

**VI.H.3. Barbara Lynn Caffrey CNA Endorsement (Monas)
(aka: Martins; Fejaran)**

Malloch moved, Dalton 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>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.H.6. David Gabriel Ortega CNA Exam (Monas)

Monas addressed the Board with additional information. Busby moved, Malloch seconded, and it was unanimously carried to continue the investigation to allow Ortega the opportunity to voluntarily obtain a psychological evaluation, to include an anger management and substance abuse evaluation, by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and then return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

**VI.I.3. Gina Marie Mahar LP040356 (Olson)
(aka: Smith; Acuna)**

Malloch moved, Dalton 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	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.I.4. Robert Taylor Jones RN134092 (Olson)

Busby moved, Snider 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.I.6. Laura McElderry RN Exam (Olson)
(aka: Clearey)**

Perry moved, Gutierrez seconded, and it was unanimously carried to allow McElderry to withdraw her application for RN licensure.

VI.I.7. Charles Vernal Spratt CNA Exam (Olson)

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

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.I.8. Tiara Marie Woods CNA Exam (Olson)

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

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.I.9. Angelica Miranda RN Exam (Olson)

Malloch moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all licensure requirements and signing a Consent Agreement for a 24-month Stayed Revocation/Probation, with attached stipulations, including payment of a \$250 Civil Penalty, to grant licensure. If not signed within 30 days, or the Civil Penalty is not paid within 60 days, deny licensure.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.I.10. Melissa Marie Johnson RN Endorsement (Olson)

Johnson moved, Snider seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all licensure requirements, signing a Consent Agreement for a \$250 Civil Penalty and payment of the Civil Penalty, to grant licensure. If not signed within 30 days or payment not received within 60 days, deny licensure.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.I.11. Kelly DeAnn McMurray LP Endorsement (Olson)

Olson addressed the Board with additional information. Busby moved, Perry seconded, and it was unanimously carried, upon meeting all licensure requirements, to accept the signed Consent Agreement for a \$250 Civil Penalty and grant licensure.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

The meeting recessed at 5:57 p.m., Monday, November 14, 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 8:01 a.m., Tuesday, November 15, 2011, in the Board of Nursing Board Room, Suite 200, 4747 N. 7th Street, Phoenix, Arizona, with Kathy Scott, RN, MPA, PhD, FACHE, President, presiding.

BOARD MEMBERS PRESENT:

Kathy Scott, RN, MPA, PhD, FACHE, President
Kathy Malloch, PhD, MBA, RN, FAAN, Vice President
Patricia Johnson, LPN, Secretary
Theresa (Terri) Berrigan, LPN, C-AL, Member
Kathryn L. Busby, JD, Member
Leslie Dalton, MSN, RN, Member
Lori Gutierrez, BS, RN-C, Member
Carolyn Jo McCormies, RN, MS, FNP-BC, Member
M. Hunter Perry, BSHA, Member
Charleen L. Snider, BSN, RN, Member
Randy C. Quinn, CRNA, Member

LEGAL COUNSEL:

Elizabeth Campbell, Assistant Attorney General
Emma Mamaluy, Assistant Attorney General
Keely Verstegen, Assistant Attorney General
Kim Zack, 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:

Nikki Austin, RN, JD, Nurse Practice Consultant Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings Tammi Burns, RN, MSN, Nurse Practice Consultant/Monitoring Janeen Dahn, MSN, FNP, Nurse Practice Consultant/AP Esther Garcia, Legal Assistant/Monitoring Karen Grady, RN, MS, FNP, Nurse Practice Consultant/Advanced Practice Teddylen Guffey, MHSA, RN, LNCC, Nurse Practice Consultant Lynda Hemann, PhD, MPH, LISAC, Senior Investigator Dolores Hurtado, Senior Investigator Ron Lester, Senior Investigator Debra McGinty RN, PhD, Administrator/Nursing Programs	Patricia Midkiff, RN, MN, Nurse Practice Consultant Linda Monas, Senior Investigator Kirk Olson, Senior Investigator Doug Parlin, Senior Investigator Susan Perkins RN, MSN, Nurse Practice Consultant 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 Sister Rachel Torrez, RN, MS, Nurse Practice Consultant Dirk VandenBerg, Sr., Senior Investigator Barbara Melberg, Legal Secretary
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I. Call to Order

The meeting was called to order at 8:01 a.m., Tuesday, November 15, 2011.

The following Board members were present: Scott, Malloch, Johnson, Berrigan, McCormies, Quinn, Snider, Dalton, Perry and Gutierrez..

Scott presided.

Scott welcomed members of the audience, explained the procedure for addressing the Board, and stated the mission of the Board.

VI. RN/LPN/CNA Investigative Reports

VI.A.2. Jenna Elaine Lemond RN155151 (Austin)

Malloch moved, Gutierrez seconded, and it was unanimously carried to reopen Agenda Item VI.A.2. Lemond was present and available for questions. Malloch moved, Gutierrez seconded, and it was unanimously carried to issue a Letter of Concern for documenting a physician’s order for insertion of a rectal tube for patient S.T. when Respondent had not spoken with, or obtained, an actual physician’s order for insertion of a rectal tube on patient S.T. and thereafter inserting a rectal tube into patient S.T. on or about July 3, 2011, while working as a RN at Banner Estrella Medical Center in Phoenix, Arizona.

Busby arrived at the meeting at 8:07 a.m.

VI.A.3. Michael Wentzel (Tennessee RN Compact) 159602 (Austin)

Wentzel was present and available for questions. Perry moved, Johnson seconded, to issue a Letter of Concern for inserting a nasal trumpet (aka nasopharyngeal airway) into a patient’s rectum and connecting the trumpet to a Foley catheter bag for purposes of managing the patient’s liquid stool, which resulted in a Letter of concern from the Tennessee Board of Nursing on or about August 9, 2011; and, 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, issue Notice of Charges. The motion carried with ten in favor and one abstained.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	0											
ABSTAIN	1											X
ABSENT	0											

VI.A.8. Jennifer Thomas RN105846 (Austin)

Busby moved, Perry seconded, and it was unanimously carried to table Agenda Item VI.A.8.

VI.E.5. Sophia Hinds LP047051 (Guffey)

Guffey addressed the Board with additional information. Hinds was present and available for questions. Malloch moved, Snider 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 eight opposed and three in favor.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	3			X			X		X			
NO	8	X	X		X	X		X		X	X	X
ABSTAIN	0											
ABSENT	0											

Perry moved, Berrigan seconded, to issue a Letter of Concern for a medication error and failure to document the physician orders on patient L.H., while employed at Highland Manor in Phoenix, Arizona on March 16, 2011. The motion carried with eight in favor and three opposed.

The Board directed staff to open an investigation on the registered nurse involved in this case.

VI.E.7. Guy Trahan RN111670 (Guffey)

Scott knows Trahan but shows no bias. Johnson moved, Perry seconded, and after discussion it was unanimously carried to dismiss the complaint.

VI.G.6. Antonia D. Mills LP045223 (Lester)

Mills was present and available for questions. Malloch 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 Decree of Censure. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.H.2. Janelle Christine Baldwin RN Exam (Monas)

Perry moved, Dalton seconded, and it was unanimously carried to table Agenda Item VI.H.2.

**VI.H.4. Beverly Jean Gomes CNA Exam (Monas)
(aka: Williams; Linda Lewis)**

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

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

**VI.H.5. Ameer Michelle Hayes CNA Exam (Monas)
(aka: Nicita)**

Malloch moved, Berrigan seconded, and it was unanimously carried to continue the investigation to allow Hayes the opportunity to voluntarily obtain a psychological evaluation, to include a substance abuse evaluation, by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.H.7. Pauline Ann Pinks CNA Endorsement (Monas)

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

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X		X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	1			X								
ABSENT	0											

VI.H.8. Julie Bernarda Sarmiento CNA100003901 (Monas)

Monas addressed the Board with additional information. Berrigan moved, Quinn seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to issue Notice of Charges.

**VI.H.9. Brandi Superville CNA Exam (Monas)
(aka: Timmer; Housewright)**

Monas addressed the Board with additional information. Busby moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report and new information from this meeting, upon meeting all requirements and signing a Consent Agreement for a \$100 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	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.J.1. Bonnie Ann Whiteman RN12966 (Parlin)

Malloch moved, Snider 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 24-month stayed revocation to include the attached stipulations. During the stay of revocation, the license will be placed on suspension for a period not to exceed 12 months. Upon the completion of suspension, and for the duration of the stayed revocation, the license will be placed on probation. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.J.2. Diana Michelle Oller CNA1000022440 (Parlin)

Johnson moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a stayed revocation, including the attached terms. If the findings of the evaluation required by the Consent Agreement identify that Respondent has a substance abuse disorder or is in need of treatment, the length of the stayed revocation will be at minimum 36 months with the standard requirements for substance use disorders. If the findings from the evaluation required by this Consent Agreement do not find Respondent to have a substance abuse disorder or in need of treatment, the length of the stayed revocation will be at minimum 12 months. If not signed within 30 days, issue a Notice of Charges.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.J.3. Justin Thomas Moore RN161670; LP044942 (Parlin)

Quinn moved, Dalton 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	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

**VI.J.4. Lesly Annette Wold CNA1000019023 (Parlin)
(aka: Chavez)**

Johnson moved, Malloch 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.6. Sandra M. Munoz CNA999997817 (Parlin)

Munoz was present and available for questions. Busby moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for the July 30, 2010, conviction for misdemeanor Criminal Trespass in Phoenix, Arizona, and for failing to report the charges to the Board within ten days as required by the Statutes and Rules.

VI.J.7. Priscilla Ann Carmody CNA999999296 (Parlin)

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

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.K.1. Jennifer Marie Magrady RN Exam (Pendergast)

Magrady was present and available for questions. Malloch 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 and signing a Consent Agreement for 36 months probation including the attached stipulations, to grant licensure. If not signed within 30 days, deny licensure.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

**VI.L.3. Tina Marie Menghe RN159787 (Perkins)
(aka: Greco)**

Dalton recused herself to avoid the appearance of impropriety and left the meeting at 8:39 a.m. Johnson moved, Malloch 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 seven opposed and three in favor.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	3				X		X	X				
NO	7	X	X			X			X	X	X	X
ABSTAIN	0											
ABSENT	1			X								

Quinn moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for practicing beyond the scope of practice of a registered nurse on July 12, 2011, while employed at Oasis Hospital in Phoenix, Arizona.

Dalton returned to the meeting at 8:42 a.m.

VI.L.4. Rebecca Faith Crotinger RN155961; LP043777; CNA1000000462(Perkins)
Perry moved, Busby seconded, and it was unanimously carried to table Agenda Item VI.L.4.

VI.L.5. John Joseph Provost RN137623 (Perkins)

Perkins addressed the Board with additional information. Provost was present and addressed the Board. Busby 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 Decree of Censure. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.L.6. Judy Jean Bridgeman RN160637; LP027761 (Perkins)

Perkins addressed the Board with additional information. Busby moved, Malloch seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, amended to delete finding #2 and rule violation #9, to offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.L.7. Kirsten Judith Erikson RN144076 (Perkins)
(aka: Pothen)

Perkins addressed the Board with additional information. Erikson was present and available for questions. Busby moved, Gutierrez seconded, and it was unanimously carried to issue a Letter of Concern for failing to carry out wound care responsibilities for patient L.P. on April 4, 2011, patient M.W. on May 28, 2011, and patient C.D. on June 6, 2011, while employed at Hacienda Healthcare in Phoenix, Arizona.

VI.L.8. Anne McGregor Walsh RN140422 (Perkins)

Perry moved, Busby seconded, to issue a Letter of Concern for failing to document 31 instances of medication administration of narcotics made in December 2010, while working at Banner Baywood Medical Center in Mesa, Arizona. After discussion the motion failed with eight opposed and three in favor.

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

	VOTE	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	Scott President	Malloch V. Pres.	McCormies Member	Gutierrez Member	Perry Member	Dalton Member	Busby Member
YES	8	X	X		X	X	X	X	X		X	
NO	3			X						X		X
ABSTAIN	0											
ABSENT	0											

VI.L.9. Colin Donald Robertson RN156092; LP038750; CNA999997285 (Perkins)

Perkins addressed the Board and confirmed the receipt of additional information. Robertson was present and available for questions. Johnson moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 36 months probation including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	Scott President	Malloch V. Pres.	McCormies Member	Gutierrez Member	Perry Member	Dalton Member	Busby Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

**VI.L.10. Stephanie Ann Mullikin LP046338 (Perkins)
(aka: Swindle)**

Perkins addressed the Board and noted a technical correction to the investigative report. Snider moved, Quinn seconded, and it was unanimously carried to issue a Letter of Concern for medication/documentation errors made on May 9, 2011, while working at Huger Mercy Living Center in Phoenix, Arizona.

Malloch left the meeting at 9:05 a.m.

VI.L.11. Shauna Marie Smith RN166198 (Perkins)

Busby moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for withholding information on an employment application for Mayo Clinic in Phoenix, Arizona in April 2010, by failure to disclose holding an active California nursing license.

VI.M.1. Carren Doreen Butler RN200997 (Compact) South Carolina (Rappoport)

Busby moved, Dalton seconded, and it was unanimously carried, based upon the information contained in the investigative report, to issue a Letter of Concern for an October 16, 2011 misdemeanor extreme DUI conviction in the Bullhead City Municipal Court, Bullhead City, Arizona and failing to report the June 17, 2011 DUI arrest, within 10 days, as required by the Arizona Nurse Practice Act; and refer investigative case information including investigational documents to home state (South Carolina) for their review and further licensure determination.

**VI.M.3. Lori Marie Dorcis RN158422 (Rappoport)
(aka: Leander; Wondra)**

Rappoport addressed the Board with additional information and noted the deletion of (25a) from the potential violation of rules in the investigative report. Dorcis was present, telephonically, and available for questions. Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 24 months probation including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X		X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	1						X					

VI.M.5. Natalija A. Kuznecova RN Endorsement (Rappoport)
(aka: Kiseleva; Natalya Kuzenkova)

Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, and upon meeting all requirements, to grant licensure.

VI.N.1. Bernita Mae Begay CNA1000005672 (Richter)

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

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X		X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	1						X					

VI.N.2. Lillie L. Blackhoop CNA Exam (Richter)

Johnson moved, Quinn 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>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X		X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	1						X					

VI.N.3. Katherine Ann Donahoe CNA Exam (Richter)

Quinn moved, Dalton 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>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X		X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	1						X					

VI.N.4. Joseph Anthony Fernandez CNA Exam (Richter)

Quinn 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	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X		X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	1						X					

VI.N.5. Jeremy Allen Fultz CNA Exam (Richter)

Busby moved, Quinn seconded, and it was unanimously carried to grant certification upon meeting all requirements and issue a Letter of Concern for the July 2002 conviction in Scottsdale Municipal Court

for DUI, a misdemeanor and for the October 2005 conviction in Phoenix Municipal Court for DUI, a misdemeanor.

VI.N.7. Kimberly Lynn Liska CNA999999576 (Richter)

Quinn moved, Busby 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.9. Erica Lynn Maldonado CNA Exam (Richter)

Snider moved, Busby seconded, and it was unanimously carried, upon meeting all requirements and signing a Consent Agreement for \$50 Civil Penalty, to grant certification. If not signed within 30 days and payment not received within 60 days, deny certification.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X		X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	1						X					

VI.N.10. Michael James Marrama CNA Exam (Richter)

Busby moved, Dalton seconded, and it was unanimously carried, upon meeting all requirements and signing a Consent Agreement for \$50 Civil Penalty, to grant certification. If not signed within 30 days and payment not received within 60 days, deny certification.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X		X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	1						X					

Malloch returned to the meeting at 9:20 a.m.

VI.N.12. Leonardo Carlos Riedel CNA Exam (Richter)

Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all requirements and signing a Consent Agreement for a Decree of Censure, to grant certification. If not signed within 30 days, deny certification.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.N.13. Caroline Turquoise CNA1000013078 (Richter)

Busby moved, Perry seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a \$50 Civil Penalty. If not signed within 30 days and payment not received within 60 days, issue Notice of Charges. After discussion the motion failed with six opposed and five in favor.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	5	X		X				X		X		X
NO	6		X		X	X	X		X		X	
ABSTAIN	0											
ABSENT	0											

Quinn moved, Johnson seconded, to continue the investigation to allow Respondent the opportunity to voluntarily submit to a psychological evaluation with an emphasis on substance abuse with a Board approved PhD prepared evaluator, and to include any additional testing deemed necessary by the

evaluator, to be scheduled within 15 days and completed within 45 days. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges. The motion carried with eight in favor and three opposed.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	8	X	X		X	X	X	X	X		X	
NO	3			X						X		X
ABSTAIN	0											
ABSENT	0											

VI.N.14. Islande Patrice Williams CNA Endorsement (Richter)

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

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.N.15. Gina Renee Williams CNA Exam (Richter)

Quinn moved, Dalton 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>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.N.16. Codee Elizabeth Hayes CNA Exam (Richter)

Hayes was present telephonically and available for questions. Busby moved, Gutierrez seconded, and it was unanimously carried, upon meeting all requirements, to grant certification and issue a Letter of Concern for the July 2010 conviction in Mesa Justice Court for Underage Liquor Consumption, a misdemeanor, and for the December 2010 conviction in Chandler Municipal Court for Extreme DUI, a misdemeanor.

VI.O.1. Zipporah Ruth Amie CNA1000011790 (Sage)

Malloch moved, Johnson seconded, and it was unanimously carried, based upon the findings of fact, statute/rule violations identified in the investigative report, to offer a Consent Agreement for a 12-month stayed revocation with stipulations to be signed within 30 days or issue a Notice of Charges.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.O.2. Michele L. Dixon CNA138354441 (Sage)

Busby 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.O.3. Antonio D. Fernandez CNA075199641 (Sage)

Gutierrez moved, Dalton 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.

	VOTE	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	Scott President	Malloch V. Pres.	McCormies Member	Gutierrez Member	Perry Member	Dalton Member	Busby Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

**VI.O.4. Lorie Louise Graham CNA1000011718 (Sage)
(aka: Laurie Louise Graham; Lori L. Brooks)**

Busby moved, Dalton 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 stayed revocation to include the attached terms and a \$50 Civil Penalty. If the findings of the evaluation required by the Consent Agreement identify that Respondent has a substance abuse disorder or is in need of treatment, the length of the stayed revocation will be at minimum 36 months with the standard requirements for substance use disorders. If the finding from the evaluation required by this Consent Agreement do not find Respondent to have a substance abuse disorder or in need of treatment, the length of the stayed revocation will be at minimum 12 months. The substance abuse evaluation is to be completed by a Board approved PhD prepared evaluator. The Consent Agreement is to be signed within 30 days or issue a Notice of Charges.

	VOTE	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	Scott President	Malloch V. Pres.	McCormies Member	Gutierrez Member	Perry Member	Dalton Member	Busby Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.O.5. Kathy Lynn Guyer CNA1000022424 (Sage)

Guyer was present and available for questions. Berrigan moved, Johnson seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue Notice of Charges. The motion carried with ten in favor and one opposed.

	VOTE	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	Scott President	Malloch V. Pres.	McCormies Member	Gutierrez Member	Perry Member	Dalton Member	Busby Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	1											X
ABSTAIN	0											
ABSENT	0											

VI.O.6. Mark William Hood CNA1000024469 (Sage)

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

	VOTE	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	Scott President	Malloch V. Pres.	McCormies Member	Gutierrez Member	Perry Member	Dalton Member	Busby Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.O.7. Frances Brittany Hunter CNA1000022445 (Sage)

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

VI.O.8. Kefa Nyangau Omanwa LP045680 (Sage)

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

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.O.9. Lizbeth Acevedo CNA999993309 (Sage)

Quinn moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for failing to notice that resident F.S. was missing and unaccounted for for 3 hours resulting in his sustaining a serious sunburn while out on the patio on April 20, 2011, resulting in termination of employment as a CNA at the Veterans' Home in Phoenix, Arizona.

VI.O.10. Laura Lee Yazzie CNA999987946 (Sage)

Quinn moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for failing to notice that resident F.S. had been missing and unaccounted for for 3 hours and was out on the patio long enough to become seriously sunburned on April 20, 2011 while employed as a CNA at the Veterans' Home in Phoenix, Arizona.

**VI.O.11. Margaret Ellen Perry CNA999996764 (Sage)
(aka: McMillian)**

Sage addressed the Board with additional information. Johnson moved, Snider seconded, and it was unanimously carried to issue a Letter of Concern for reportedly being rough and speaking inappropriately in the presence of resident B.P. on July 4, 2011 while employed as a CNA at Glendale Care Center in Glendale, Arizona.

VI.O.12. Vichitra Pitman CNA473111619 (Sage)

Quinn moved, Dalton 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	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.O.13. Patricia A. Puig CNA911899103 (Sage)

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

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.O.14. John Eric Roll CNA1000012098 (Sage)

Sage addressed the Board with additional information. Johnson moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for displaying inappropriate behavior in the work

center and in a patient care area while employed in January of 2011 at Desert Life Care and Rehab in Tucson, Arizona.

VI.O.15. Christina L. Rubio LP042684 (Sage)
(aka: Soto; Palacios)

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

	VOTE	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	Scott President	Malloch V. Pres.	McCormies Member	Gutierrez Member	Perry Member	Dalton Member	Busby Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.O.16. Annette Simpson-Mayes CNA999988814 (Sage)
(aka: Simpson)

Gutierrez moved, Quinn 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.

	VOTE	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	Scott President	Malloch V. Pres.	McCormies Member	Gutierrez Member	Perry Member	Dalton Member	Busby Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.O.17. Dawn Fuyue Talbot CNA1000024774 (Sage)
(aka: Cumerford)

Dalton moved, Gutierrez seconded, and it was unanimously carried to issue a Letter of Concern for reportedly being rough and verbally abusive to resident L.H. on July 8, 2011, while employed as a CNA at Sierra Blanca Rehab and Care Center in Lakeside, Arizona.

VI.O.18. Henry Ariza CNA999952064 (Sage)
(aka: Ariza Rios)

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

VI.O.19. Cortnie Louise Allen CNA999999706 (Sage)
(aka: Murray)

Quinn 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	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	Scott President	Malloch V. Pres.	McCormies Member	Gutierrez Member	Perry Member	Dalton Member	Busby Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.O.20. Joey L. Chavarin CNA181645641 (Sage)
(aka: Miramontes; Wharton)

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

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.O.21. Jessica Nicole Folts CNA1000014367 (Sage)

Dalton moved, Quinn 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 to include allegations presented at the September 2011 Board meeting and the allegations in the updated investigative report.

The meeting recessed at 9:48 a.m. and reconvened at 10:06 a.m.

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

V.C.2. Chris Erin Johnston CNA089715663; RN102748 (Rappoport/Burns)

Burns addressed the Board and confirmed the receipt of additional information. Johnston was present and available for questions. Attorney Lisa Gervase was present and addressed the Board with a request to amend the current Consent Agreement.

Busby returned to the meeting at 10:12 a.m.

Perry moved, Quinn seconded, and it was unanimously carried to go into Executive Session on Agenda Item V.C.2. for the purpose of obtaining legal advice pursuant to A.R.S. §38-431.03 (3). Executive Session convened at 10:25 a.m. and adjourned at 10:40 a.m.

Gervase provided updated information and requested amendments to the current Consent Agreement. Johnson moved, Quinn seconded, to lift the stay for the stayed revocation/probation and revoke RN102748 license and CNA089715663 certification, for five years. After discussion the motion carried with ten in favor and one abstained.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	0											
ABSTAIN	1											X
ABSENT	0											

VI. RN/LPN/CNA Investigative Reports

VI.D.1. Darlene Brown RN129329 (Grady)

Malloch moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item VI.D.1. for the purpose of allowing Brown to address the Board. Malloch moved, Berrigan seconded, and it was unanimously carried to amend the stipulations of the prior Board decision to allow Brown to work night shift in her current employment setting.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.J.1. Bonnie Ann Whiteman RN129696 (Parlin)

Malloch moved, Johnson seconded, and it was unanimously carried to reopen Agenda Item VI.J.1. for the purpose of allowing Whiteman to address the Board. Busby moved, Malloch seconded, and it was unanimously carried to amend the stipulations of the prior Board decision to allow Whiteman to work registry in block assignments.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.L.4. Rebecca Faith Crotinger RN155961; LP043777; CNA1000000462(Perkins)
 Malloch moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item VI.L.4. Perkins addressed the Board with additional information. Busby moved, Malloch seconded, and it was unanimously carried to continue the investigation to allow Respondent the opportunity to voluntarily obtain a neuropsychological evaluation to be completed by a Board approved licensed psychologist and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and then return to the Board.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

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

VII.A. Executive Directors Report – Ridenour

VII.A.2. Update on Board of Nursing Sunset Review & Potential 2012 Legislative Session/Bills Impacting Nursing Regulation – Harris/Ridenour

Greg Harris, legislative liaison to the Board, offered an update. Harris commended Board staff for being awarded a ten year continuation from the Sunset Review. Topics reported on and discussed were:

- Sunset review hearing with ten year continuation awarded
- Sunrise application with the CRNA Association and planned meeting for later this week
- Bills being drafted from the Sunset Report
 - Executive Director to issue Interim Orders
 - Continuing Competency
 - Sunrise Bill
- Areas of focus for other Boards receiving ten year continuation from Sunset review
- Legislative concerns regarding pain management

Busby left the meeting at 11:29 a.m.

VI. RN/LPN/CNA Investigative Reports

VI.A.8. Jennifer Thomas RN105846 (Austin)

Perry moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item VI.A.8. Attorney Robert Chelle was present and addressed the Board. Johnson moved, Malloch seconded, and it was unanimously carried, making a finding of reasonable cause, based upon the allegations in the investigative report and at cost to the Board, to issue an Interim Order for a psychological evaluation to be completed by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	1											X

VI.H.2. Janelle Christine Baldwin RN Exam (Monas)

Perry moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item VI.H.2. Monas addressed the Board with additional information. Baldwin and attorney Robert Chelle were present and addressed the Board. Malloch moved, Snider seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all licensure requirements, signing a Consent Agreement for a \$250 Civil Penalty and payment of the Civil Penalty, to grant licensure. If not signed within 30 days or payment not received within 60 days, deny licensure. After discussion the motion carried with eight in favor and two opposed.

	VOTE	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	Scott President	Malloch V. Pres.	McCormies Member	Gutierrez Member	Perry Member	Dalton Member	Busby Member
YES	8			X	X	X	X	X	X	X	X	
NO	2	X	X									
ABSTAIN	0											
ABSENT	1											X

Perry left the meeting at 11:40 a.m. and returned at 11:48 a.m.

VI.P.3. Dawn L. Solik-O'Shaughnessy RN088006 (Torrez)

Solik-O'Shaughnessy was present and addressed the Board. Malloch moved, McCormies seconded, based upon the facts and statute/rule violations identified in the investigative report, to offer a Consent Agreement for probation including the attached amended terms. If the findings of the evaluation required by the Consent Agreement identify that Respondent has a substance abuse disorder, or is in need of treatment, the length of the probation will be at minimum 36 months with the standard requirements for substance use disorders. If the finding from the evaluation required by this Consent Agreement do not find Respondent to have a substance abuse disorder or in need of treatment, the length of the probation will be at minimum 12 months. If not signed in 30 days issue Notice of Charges. The motion carried with nine in favor and one abstained.

	VOTE	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	Scott President	Malloch V. Pres.	McCormies Member	Gutierrez Member	Perry Member	Dalton Member	Busby Member
YES	9	X	X	X	X	X	X	X	X		X	
NO	0											
ABSTAIN	1									X		
ABSENT	1											X

VI.P.4. Darcy Lee Benavides RN119173 (Torrez)

Benavides was present and addressed the Board. Gutierrez moved, Perry seconded, and it was unanimously carried to issue a Letter of Concern for failing to report a Certified Nursing Assistant to the Board of Nursing after the CNA admitted that she had used methamphetamines on or about January 2010, where Respondent was employed as the Director of Nursing at Good Samaritan Society in Prescott Valley, Arizona.

VI.P.5. Sara Nash RN064730 (Torrez) (aka: Jeffers)

Torrez addressed the Board with additional information. Complainant Darcy Benavides was present and addressed the Board. Johnson moved, Gutierrez seconded, and after discussion, it was unanimously carried, for complaints 1, 2, and 3, 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	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	Scott President	Malloch V. Pres.	McCormies Member	Gutierrez Member	Perry Member	Dalton Member	Busby Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	1											X

Johnson left the meeting at 12:00 p.m. and returned at 12:04 p.m.

VI.P.6. Janet Kay King RN142826 (Torrez)

Torrez addressed the Board and noted a technical correction to the investigative report. An attempt was made to contact King, telephonically, and a message was left that the Board would move forward with the case. Malloch moved, Berrigan seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue Notice of Charges. The motion carried with nine if favor and one abstained.

	VOTE	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	Scott President	Malloch V. Pres.	McCormies Member	Gutierrez Member	Perry Member	Dalton Member	Busby Member
YES	9	X	X	X		X	X	X	X	X	X	
NO	0											
ABSTAIN	1				X							
ABSENT	1											X

VI.P.7. Adam John Kometer LP040327; CNA999993010 (Torrez)

Kometer was present and addressed the Board. Malloch 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 probation, and to include the attached terms. If the findings of the evaluation required by the Consent Agreement identify that Respondent has a substance abuse disorder, or is in need of treatment, the length of the probation will be at minimum 36 months with the standard requirements for substance use disorders. If the finding from the evaluation required by this Consent Agreement do not find Respondent to have a substance abuse disorder or in need of treatment, the length of the probation will be at minimum 12 months. If not signed in 30 days issue Notice of Charges.

	VOTE	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	Scott President	Malloch V. Pres.	McCormies Member	Gutierrez Member	Perry Member	Dalton Member	Busby Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	1											X

VI.P.8. Kristin Leigh Gray RN117794 (Torrez)

Johnson moved, Malloch seconded, and it was unanimously carried to issue a Letter of Concern for making personal phone calls while on duty, misappropriate use of hospital equipment and supplies on someone who was not a patient, and failing to record at least 45 minutes on her time card when she was away from her assigned duty, on March 29, 2011, while employed at Banner Good Samaritan Hospital in Phoenix, Arizona.

VI.P.9. Jennifer Leigh George RN153283 (Torrez)

Malloch moved, Snider seconded, and it was unanimously carried to issue a Letter of Concern for writing orders for N.C. who was a patient at St. Joseph's Hospital in Tucson, Arizona, and for an employee of Arizona Homecare Patient Infusion. Respondent assessed N.C. for home infusion services and wrote orders for infusion treatment when she did not have the authority or permission as an outside vendor to write orders in the medical record.

VI.P.10. Nicole Denise Jordan LP045420; CNA843401574 (Torrez)

Torrez addressed the Board and noted the addition of R4-19-308 (b) to the potential violation of rules in the investigative report. Quinn moved, Johnson seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to issue Notice of Charges.

VI.P.11. Lana Gray Everett LP007167 (Torrez)

Torrez addressed the Board with additional information. Johnson moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to issue Notice of Charges.

VI.P.12. Valerie Pearl Brown LP041953 (Torrez)

Johnson moved, Dalton 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.

Berrigan left the meeting at 12:14 p.m. and returned at 12:16 p.m.

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Maricopa SkillCenter and Glendale Community College Nursing Students regarding Board functions, policies and procedures. Questions were asked on typical penalty for first time DUI, and how the Board deals with a Respondent that doesn't understand their error in ethics if the areas are not clearly defined.

The meeting recessed at 12:25 p.m. and reconvened at 1:02 p.m. Busby returned to the meeting at 1:02 p.m.

VI.Q.1. April Megan Robinette CNA999990413 (VandenBerg)

Busby moved, based upon the findings of fact and statute/rule violations identified in the investigative report, to issue Notice of Charges. After discussion, Busby withdrew the motion.

Busby moved, Berrigan seconded, to continue the case to await Court Trial outcome for Case No. CR-2011-007359. After discussion the motion failed with seven opposed and four in favor.

After further discussion, Quinn moved, McCormies seconded, and it was unanimously carried to continue the case to await Court Trial outcome for Case No. CR-2011-007359.

Gutierrez left the meeting at 1:05 p.m. and returned at 1:10 p.m.

VI.Q.2. Jaynee Lee Cardoza CNA999990071 (VandenBerg)

Cardoza was present and available for questions. Busby moved, Dalton seconded, to issue a Letter of Concern for her inappropriate comments and actions while employed at Arrowhead Hospital from October 05, 2009 to November 09, 2010. After discussion the motion carried with nine in favor and two opposed.

VI.Q.3. Jennifer Lynn Maggart CNA1000019688 (VandenBerg)

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

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

**VI.Q.5. Jeremy Jason Marine RN Exam (VandenBerg)
(aka: Bob Marine; Jay Marine; Robert Marine)**

Marine was present and addressed the Board. Berrigan moved, upon meeting all requirements, to grant licensure and issue a Letter of Concern for multiple arrests and convictions for drugs and alcohol, and

weapons charges from 1991 to 2007, in Sierra Vista and Tucson, Arizona. The motion carried with eight in favor and three opposed.

VI.Q.6. Jared Nathan Porter RN Exam (VandenBerg)

VandenBerg addressed the Board with additional information. Porter was present and addressed the Board. Busby moved, Berrigan seconded, and after discussion it was unanimously carried, upon meeting all requirements, to grant licensure and issue a Letter of Concern for the 1993 false reporting/suspended license in Mesa City Court, 2002 arrest by the Mesa Police Department for assault-physical injury, and arrest by Maricopa County Sheriff’s Department for driving under the influence of alcohol.

Busby left the meeting at 1:40 p.m. and returned at 1:43 p.m.

VI.R.1. Alan Hoffmann RN095902 (Midkiff)

Midkiff addressed the Board with additional information. Hoffmann was present and addressed the Board. Johnson moved, Dalton seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue Notice of Charges. The motion carried with ten in favor and one abstained.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X	X	X	X	X	X	
NO	0											
ABSTAIN	1											X
ABSENT	0											

VI.R.2. Trisha Murray RN114949 (Midkiff)

Murray was present and available for questions. Johnson moved, Malloch seconded, and it was unanimously carried, making a finding of reasonable cause, based upon the allegations in the investigative report and at cost to the Board, issue an Interim Order for an addiction evaluation to be completed by a Board approved neuropsychologist with expertise in chemical dependency and to include any additional testing deemed necessary by the evaluator, to be scheduled within 45 days and then return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

VI.R.3. Teonna Hargrove LP039393 (Midkiff)

Hargrove was present and available for questions. Malloch moved, Gutierrez seconded, and after discussion it was unanimously carried to issue a Letter of Concern for practicing beyond the LPN scope of practice by removing excess tissue with surgical scissors from patient D.H.’s wound on or about July 18, 2010, while employed by Maryland Gardens in Phoenix, Arizona.

**VI.P.5. Sara Nash RN064730 (Torrez)
(aka: Jeffers)**

Malloch moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item VI.P.5. for the purpose of allowing Nash to address the Board. Malloch moved, Quinn seconded, and it was unanimously carried to reaffirm prior Board decision for 24 months probation.

VI.P.6. Janet Kay King RN142826 (Torrez)

Malloch moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item VI.P.6. for the purpose of allowing King to address the Board. Busby moved, Perry seconded, and it was unanimously carried to reaffirm prior Board decision for a Decree of Censure.

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. September 22-23, 2011 Regular Board Meeting Minutes

Busby moved, Johnson seconded, and it was unanimously carried to approve minutes of September 22-23, 2011 regular Board meeting.

VII.A.1.b. September 9, 2011 Special Board Meeting

VII.A.1.c. September 9, 2011 Executive Session Minutes

Busby moved, Johnson seconded, and it was unanimously carried to approve minutes of September 9, 2011 special Board meeting; and the September 9, 2011 Executive Session.

VII.A.3. Proposed Policies: Online Renewal License/Certificates – Bontrager

Busby moved, Dalton seconded, and it was unanimously carried to approve the policy recommendation to require RN/LPN's to submit their renewal application on-line unless they meet the exception criteria. Exceptions will be made if the person is unable to submit online and if the person submits a self addressed/stamped envelope requesting a paper application be sent to them.

Consent Agreement Language for Stayed Revocations – Smith

The Board verbally agreed to the Consent Agreement language for stayed revocations and stayed suspensions submitted.

VII.A.4. Update on 2012 Budget & Additional Funds Received From DHS for Certified Nursing Assistant Program – Bontrager/Orchard

Orchard offered a budget update on the 2nd quarter of the fiscal year. Items reported on were:

- Total revenue for the year as of the end of October and appropriated operating funds
- Fund transfers and appropriation reductions
- Personal services, risk management, delayed benefits, un-captured savings, and retirement adjustments
- Additional funding for the CNA program from Department of Health Services in the amount of \$150,000
- Estimated expenses to year end and available funds at year end

II.C. Settlement Conference Cases and Proposed Consent Agreements

II.C.1. Karen Lanee Roebuck RN161059 Zack/Barber

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

Zack addressed the Board and relayed her several unsuccessful attempts to contact attorney Teresa Sanzio earlier in the day and that the State was prepared to proceed and support Roebucks proposed revisions to the Consent Agreement.

Another attempt was made to contact attorney Teresa Sanzio, telephonically, and a message was left that the Board would move forward with the case.

Zack addressed the Board and provided Roebuck's proposed revisions to the Consent Agreement, which previously was drafted by the parties at a Settlement Conference on September 28, 2011.

Busby moved, Perry seconded, and it was unanimously carried to offer a Consent Agreement for a Decree of Censure with revisions to Findings of Fact and Conclusions of Law necessary to omit allegations of patient abandonment. If not signed within 5 business days, issue Complaint and Notice of Hearing.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<u>Scott</u> President	<u>Malloch</u> V. Pres.	<u>McCormies</u> Member	<u>Gutierrez</u> Member	<u>Perry</u> Member	<u>Dalton</u> Member	<u>Busby</u> Member
YES	11	X	X	X	X	X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	0											

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

VII.D. A.A.G. Report – Zack

VII.D.1. Updates, New Processes, Accomplishments – Mamaluy/All

Mamaluy offered a brief summary of Hearing Department updates.

VII.E. Committee Reports

VII.E.2. Education – Randolph/McGinty/Malloch

VII.E.2.a. Draft Minutes of Education Committee Meeting -

Education Advisory Committee meeting draft minutes of October 7, 2011 were provided to the Board.

VII.C. President’s Report – Scott

VII.C.1. Introduction of New Board Appointment & Assignment of Mentor: Carolyn Jo McCormies RN MSN FNP-BC - Scott

Scott welcomed Carolyn McCormies to the Board and presented her with the Governor’s letter of appointment.

Scott recognized Ridenour for being selected for the 2011 Arizona State University Nursing award.

VII.C.2. Finalize/Revise Annual Appointment of Board Members as Committee Chairs/CoChairs: Advanced Practice – Quinn; Scope of Practice – Gutierrez, Snider & Berrigan; Education – Scott & Dalton

Scott noted Board members interested in being nominated for seats on the Board, and stated the elections would be held at the January 2012 Board meeting.

Scott requested that Ridenour coordinate Board member schedules and make changes to Board meeting dates for the January Board meeting, to the 24th and 25th. Scott’s request that changes to the March Board meeting will be placed on the January 2012 Agenda.

Malloch moved, Berrigan seconded, and it was unanimously carried to approve the following Board members to the following Committees for 2012.

Advanced Practice Committee: Quinn (Chair), Busby (Member)

Scope of Practice Committee: Gutierrez (Co-Chair); Berrigan (Co-Chair); Snider (Member)

Education Committee: Dalton (Co-Chair); McCormies (Co-Chair)

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Eastern Arizona College and Chamberlain College Nursing Students regarding Board functions, policies and procedures. Questions were asked on how to acquire a position on the Board, the most common complaints, the difference between a Letter of Concern and a Decree of Censure, the most common discipline imposed for substance abuse, and the possibility of CNA’s being included in the CANDO program in the future.

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).

Busby left the meeting at 3:03 p.m.

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

VII.C. President's Report – Scott

VII.C.3. Debriefing on Board Processes & Suggested Changes - All

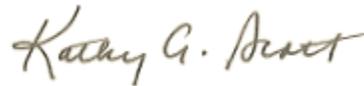
Topics of discussion and comment:

- The role of the security guard and appreciation for her presence
- The offensiveness of the term “mid level providers”
- The A.A.G.’s and investigator’s skill in dealing with difficult situations during the course of meetings
- Request for Smith to provide another substance abuse presentation
- Commendation for Board members in creating motions apart from suggested motions when new evidence is submitted.
- Request for A.A.G.’s to provide another “After Action Review” presentation

X. Adjournment

Quinn moved, Berrigan seconded, and it was unanimously carried to adjourn the meeting.

The meeting adjourned at 3:17 p.m., Tuesday, November 15, 2011.



Kathy Scott, RN, MPA, PhD, FACHE, President