

Arizona State Board of Nursing

Janice K. Brewer
Governor

Joey Ridenour
Executive Director



Board Meeting Minutes

The special meeting of the Arizona State Board of Nursing convened at 1:34 p.m., Wednesday, April 11, 2012, in the Board of Nursing Board Room, Suite 200, 4747 N. 7th Street, Phoenix, Arizona, with Randy C. Quinn, CRNA, President, presiding.

BOARD MEMBERS PRESENT:

Randy C. Quinn, CRNA, President
Theresa (Terri) Berrigan, LPN, C-AL, Secretary (telephonic)
Kathryn L. Busby, JD, Member
Leslie Dalton, MSN, RN, Member (telephonic)
Lori Gutierrez, BS, RN-C, Member (telephonic)
M. Shawn Harrell, RN, MSN, Member
Carolyn Jo McCormies, RN, MS, FNP-BC, Member (telephonic)

BOARD MEMBERS ABSENT:

Kathy Malloch, PhD, MBA, RN, FAAN, Vice President
Joel S. Feldman, JD, Member
Patricia Johnson, LPN, Member
Charleen L. Snider, BSN, RN, Member

LEGAL COUNSEL:

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
Nikki Austin, JD, RN, Associate Director of Investigations/Compliance

STAFF:

Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings
Karen Grady, RN, MS, FNP, Nurse Practice Consultant/AP

I. Call to Order

The meeting was called to order at 1:34 p.m., Wednesday, April 11, 2012.

The following Board members were present: Quinn, Berrigan, Dalton, McCormies, Harrell, Gutierrez, and Busby.

Quinn presided.

II.A. APRN/RN/LPN/CNA Investigative Report/Potential Summary Suspension Pursuant to A.R.S. § 41-1092.11(B) and/or Acceptance of a Consent Agreement and/or Adoption of Complaint & Notice of Hearing

II.A.1. Trudy Ruman Heil RN056661; AP0213 Grady

The proceeding began at 1:35 p.m. with the following Board members present: Quinn, Berrigan, Dalton, McCormies, Harrell, Gutierrez, and Busby.

Grady addressed the Board with an update of the case

Respondent was not present, but attorney Rob Chelle was appeared on her behalf and addressed the Board. Chelle disputed the alleged Findings of Fact and Conclusions of Law, and objected to a Summary Suspension and to an emergency finding that Heil poses a threat to the health, safety and welfare of the public.

Based upon the information presented at this meeting, all Board members verbally agreed that a showing of extraordinary circumstances or the possibility of irreparable harm has been made supporting the need for a Summary Suspension.

Busby moved, Quinn seconded, and it was unanimously carried, based upon the information presented at this meeting and the information contained in the investigative report, to accept and adopt the proposed preliminary Findings of Fact and Conclusions of Law of the Findings set forth in the draft Order attached to the investigative report.

All Board members verbally agreed that the foregoing conduct poses an immediate threat to the public health, safety, or welfare and requires emergency action pursuant to A.R.S. § 41-1092.11(B).

Busby moved, Dalton seconded, and it was unanimously carried, based upon the information presented at this meeting, and the findings of fact and statute/rule violations identified in the investigative report, to make a finding that public health safety and welfare imperatively requires emergency action and issue an Order summarily suspending the professional nursing license and nurse practitioner certificate of Trudy Heil pending further hearing. The hearing shall be promptly instituted and determined.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Johnson Member	Berrigan Secretary	Quinn President	Malloch V. Pres.	Feldman Member	Gutierrez Member	Snider Member	Busby Member
YES	7	X	X	X		X	X			X		X
NO	0											
ABSTAIN	0											
ABSENT	4				X			X	X		X	

It was therefore ordered that the license No. RN056661 and certificate No. AP0213 of Trudy Heil be suspended effective with the service of the written Order, and that Heil will immediately cease practice as a nurse/nurse practitioner. This suspension shall remain in effect pending a public hearing and final decision by the Arizona State Board of Nursing pursuant to A.R.S. § 32-1664.

III. Reconsideration of Summary Rulemaking to Repeal R4-19/515 and R4-19-516 - Randolph
Busby moved, McCormies seconded, and it was unanimously carried to rescind summary rulemaking to repeal R4-19-515 and R4-19-516, and institute regular rulemaking to rescind these rules with an effective date coincident with the effective date of the CRNA statute changes.

IV. Call to the Public

A public body may make an open call to the public during a public meeting, subject to reasonable time, place and manner restrictions, to allow individuals to address the public body on any issue within the jurisdiction of the public body. The Board may ask staff to review a matter or may ask that a matter be put on a future agenda. Members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. A.R.S. § 38-431.01(G).

V. Adjournment

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

The meeting adjourned at 1:57 p.m., Wednesday, April 11, 2012.



MSN CRNA

Randy C. Quinn, CRNA, President