

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 8:03 a.m., Tuesday, January 24, 2012, in the Board of Nursing Board Room, Suite 200, 4747 N. 7th Street, Phoenix, Arizona, Kathy Malloch, PhD, MBA, RN, FAAN, Vice President, presiding.

BOARD MEMBERS PRESENT:

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 8:03 a.m., Tuesday, January 24, 2012.

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

Malloch presided.

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

Malloch commented on the resignation of Board President Kathy Scott due to other commitments, and noted the election of officers for 2012 would occur later in the meeting.

VI.Q.1. Cynthia A. Toliver RN034552 (Torrez)

Snider recused herself to avoid the appearance of impropriety and left the meeting at 8:04 a.m. Attorney Melanie Balestra was present, telephonically, and available for questions. Toliver was present and available for questions. Berrigan moved, Gutierrez seconded, and it was unanimously carried to issue a Letter of Concern for performing oral suctioning on resident C. R. who was Respondent's mother while she was a resident at Emerald Gardens Assisted Living Center, when there was no order to suction C. R. and you were not employed at Emerald Gardens Assisted Living Center in Gilbert, Arizona on April 21, 2011.

Snider returned to the meeting at 8:09 a.m.

VI.Q.2. Mary Joyce Pascua Mejia RN142844 (Torrez)

Attorney Teresa Sanzio was present and available for questions. Dalton moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for failing to follow facility policy by failing to place patient E.H. in a supine slight trendelenburg position when Respondent removed her central Venous Line on April 5, 2011, while employed at Banner Desert Medical Center in Mesa, Arizona.

Busby arrived at the meeting at 8:10 a.m.

VI.Q.3. Lisa Kay Rubenbauer RN128437 (Torrez)

Attorney Robert Chelle was present and addressed the Board. 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 offer a Consent Agreement for a \$250 Civil Penalty. 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>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	0										

VI.Q.5. Kirk Alan Tjalas RN124753 (Torrez)

Tjalas was present and addressed the Board. Attorney Robert Chelle was present and available for questions. Perry moved, Snider seconded, and after discussion it was unanimously carried, for complaint #1, to dismiss, and for complaint #2, to issue a Letter of Concern for accepting \$1900 for a referral and placement of patient M. H. to Villas at Las Canada Care Center in Tucson, Arizona, while you were employed by Amedisys Inc. and assigned to care for M.H. by your employer on or about July, 2010.

VI.N.5. Gail Sylvia Ziv RN04506; AP0033 (Rappoport)

Attorney Teresa Sanzio was present and addressed the Board. Quinn moved, Dalton seconded, and it was unanimously carried, based upon additional information, to rescind prior Notice of Charges, and reissue revised Notice of Charges to include the new factual allegations and statute/rule violations contained in the updated investigative report.

VI.T.1. Angela Philips-Anderson RN071918; AP0198 Smith

Philips-Anderson was present, telephonically, and available for questions. Smith addressed the Board and confirmed the receipt of additional information. Attorney Teresa Sanzio was present and addressed the Board. Johnson moved, McCormies seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 12 months stayed suspension during which time the license is placed on probation with the attached stipulations. Upon the completion of stayed suspension, Respondent’s license shall be placed on 12 months probation including the attached stipulations. If the Consent Agreement is not signed within 30 days, issue Notice of Charges. After discussion the motion carried with nine in favor and one opposed.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	1								X		
ABSTAIN	0										
ABSENT	0										

VI.D.1. Max Alan Bishop RN139015 (Grady)

Bishop was present and available for questions. Attorney Teresa Sanzio was present and addressed the Board. Quinn moved, Gutierrez seconded, and it was unanimously carried, for complaint #1, 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>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	0										

Quinn moved, Dalton seconded, and it was unanimously carried, for complaint #2, to issue a Letter of Concern for failing to timely evaluate and intervene when informed that a clinical instructor appeared to be impaired and unsafe while on duty at clinical site, on or about May 11, 2011, while employed at Fortis College.

The meeting recessed at 8:51 a.m. and reconvened at 9:12 a.m.

VI.D.2. Laurie B. Escalante RN054368; SN0261; LP016353 (Grady)

Attorney Jill Osborne was present and available for questions. Escalante 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, 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>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	0										

VI.C.1. Ira Nathan Yedlin RN162970; AP3666 (Dahn)

Dahn addressed the Board and confirmed the receipt of additional information. Yedlin was present and available for questions. Busby moved, Quinn seconded, and it was unanimously carried, finding that treating male patients for STDs is within the scope of his practice, to issue a Letter of Concern to Yedlin

for failing to document an accurate exam in the medical record on or about October 2010 through November 2011, while working in a Public Health Clinic.

VI.C.2. Maryann Staniff Ophals RN083086; CRNA0074 (Dahn)

Ophals was present and available for questions. Quinn moved, Snider seconded, and it was unanimously carried, for complaint #1, 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>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	0										

Quinn moved, Perry seconded, and it was unanimously carried, for complaint #2, to dismiss.

VI.C.3. Sandra Elizabeth Gallo RN129362; AP2079 (Dahn)

Attorney Scott King was present, telephonically, and available for questions. Johnson moved, Dalton seconded, and it was unanimously carried to dismiss the complaint.

VI.C.4. Mary Ann Pasternacki RN050178; AP0647 (Dahn)

Complainant Jackie Johnson was present, telephonically, and available for questions. Attorney Ken Baker and Dr. Bradford Croft were present and available for questions. Pasternacki and Kim Delgado were present and addressed the Board. Busby moved, Berrigan seconded, and it was unanimously carried to dismiss the complaint.

VI.C.5. Leslie Anne Johnson RN091028; AP1352 (Dahn)

Dahn addressed the Board and confirmed the receipt of additional information. Attorney Kevin Nicholas was present and available for questions. Johnson was present and addressed the Board. Busby moved, Dalton seconded, and it was unanimously carried to dismiss the complaint.

Perry left the meeting at 10:10 a.m.

VI.C.6. Timothy Miller RN134811; AP2246; AP3087 (Dahn)

Dahn addressed the Board and confirmed the receipt of additional information. Complainant Julie Tyson, attorney Shad Bearers and Miller were present and addressed the Board.

Perry returned to the meeting at 10:19 a.m.

Quinn moved, Berrigan seconded, for complaint #1, 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, one opposed and one abstained.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	1										X
ABSTAIN	1								X		
ABSENT	0										

Quinn moved, Berrigan seconded, for complaint #2, to continue the case to allow Respondent to undergo a psychosexual misconduct evaluation to be completed by a Board approved licensed psychologist who has experience in professional sexual misconduct, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and then return to Board. If not completed, based on findings of fact, issue Notice of Charges. The motion carried with nine in favor and one abstained.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	1								X		
ABSENT	0										

**VI.F.4. Angela Carol Schroedl RN144597; AP2645 (Hemann)
(AKA: Wallen; Counterman)**

Attorney Teresa Sanzio was present and addressed the Board. 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 12-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 the stayed revocation, the license will be placed on stayed suspension for 24 months. During the stay of suspension, the license will be placed on probation with terms and conditions as attached. Upon completion of the stay of suspension, the license will be placed on probation for 12-months with terms and conditions as attached. If not signed within 30 days, issue a Complaint and Notice of Hearing.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										

VI.K.1. Rose M. Mack LP007014 (Parlin)

Parlin addressed the Board with additional information.

Johnson left the meeting at 10:27 a.m. and returned at 10:28 a.m.

Attorney Dominique Gomez and Mack were present and addressed the Board. Snider moved, Dalton seconded, to dismiss the complaint. After discussion the motion carried with five in favor, four opposed and one abstained.

VI.H.1. Paula Ann Amerine RN102798 (Midkiff)

Amerine was present and available for questions. Attorney Robert Chelle was present and addressed the Board. Busby 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 six in favor and four opposed.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										

V.F. CANDO Eligibility/Noncompliance & Investigative Reports

V.F.2. Andrea Michelle Parpart RN133307 (Pendergast)

Pendergast addressed the Board with additional information. Attorney Robert Chelle was present 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 accept the signed CANDO Stipulated Agreement.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										

V.F.3. Julie Ann Boyett RN090697; LP029478 (Pendergast)

Attorney Robert Chelle was present and addressed the Board. Quinn moved, Dalton seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to issue Notice of Charges. After discussion, Quinn withdrew the motion.

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 offer a Consent Agreement for a 48-month stayed revocation to include 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>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	0										

V.F.1. Case #1111040 RN (Pendergast)

Attorney Lisa Gervase was present and addressed the Board. Quinn moved, McCormies seconded, and it was unanimously carried to approve request for nurse listed as case No. 1111040 to complete the terms of the CANDO Stipulated Agreement, signed on or about December 23, 2011, in the state of Maryland.

VI. RN/LPN/CNA Investigative Reports

VI.A.1. Rita Underwood Benson RN071726 (Austin)

Benson was present and available for questions. Attorney Susan McLellan was present and addressed the Board. Snider moved, Quinn seconded, to dismiss the complaint. After discussion the motion carried unanimously.

VI.A.2. Alice June Minch RN079946 (Austin)

Attorney Shawn Nelson was present and addressed the Board. Busby moved, Quinn 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 15 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>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	0										

Busby left the meeting at 11:00 a.m.

VI.A.3. Marie Eden Pierre LP034306 (Austin)

Austin addressed the Board with additional information. Pierre was present and available for questions. Attorney David Williams was present and addressed the Board. Quinn moved, Gutierrez seconded, and it was unanimously carried, to 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>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	1										X

VI.A.4. Casey James Christian RN129051 (Austin)
(AKA: Leno James Lucchesi; David James Lucchesi; David James Lucasey)

Austin addressed the Board with additional information. Christian and attorney Teresa Sanzio were present and addressed the Board. 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 stayed suspension/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>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	1										X

VI.A.5. Amanda Lucia Trujillo RN137552 (Austin)

Austin addressed the Board with additional information. Attorney Robert Chelle was present and addressed the Board. Quinn moved, Dalton 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 30 days and then returned to the Board. If the Interim Order is not completed within 30 days, 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>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	1										X

VI.A.8. Karissa Nawal Alkhafi RN158852 (Austin)

Austin addressed the Board with additional information. Alkhafi was present and available for questions. Attorney Scott Donald was present and addressed the Board.

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

Quinn moved, McCormies seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for suspension pending the completion of an addiction evaluation by a Board approved addictionologist (physician), and the successful completion of all treatment recommendations resulting from the evaluation, to be followed by a 36-month probation to include the attached stipulations. If not signed within 30 days, issue Notice of Charges.

After discussion, Quinn amended the motion to state: based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a suspension pending the completion of an addiction evaluation by a Board approved addictionologist (physician), and the successful completion of all treatment recommendations resulting from the evaluation. If the findings of the addiction 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 the findings of the addiction evaluation required by the Consent Agreement do not find Respondent to have a substance use disorder or in need

of treatment, the length of the probation will be at minimum 18 months. If not signed within 30 days, issue Notice of Charges. McCormies concurred. The motion carried with nine in favor and one abstained.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	1										X
ABSENT	0										

Snider left the meeting at 11:42 a.m.

VI.O.8. Allan Sheldon Myers CNA Exam (Richter)

Richter addressed the Board with additional information.

Snider returned to the meeting at 11:45 a.m.

Meyers was present and available for questions. Attorney Robert Chelle was present and addressed the Board. Johnson moved, Busby seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all requirements and signing a Consent Agreement for A \$50 Civil Penalty and payment of the Civil Penalty, to grant certification. If not signed within 30 days and payment not received within 60 days, deny certification. After discussion the motion carried with eight in favor, one opposed and one abstained.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	1		X								
ABSTAIN	1			X							
ABSENT	0										

Berrigan left the meeting at 11:52 a.m. and returned at 11:54 a.m.

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Brown-Mackie and Gateway Community College Nursing Students regarding Board functions, policies and procedures. A question was asked on whether Respondents continue to work while under investigation by the Board.

The meeting recessed at 12:02 p.m. and reconvened at 1:05 p.m.

II.A. Administrative Law Judge (ALJ) Recommendations

II.A.1. John Clifford Allen CRNA0632; RN159804 Mamaluy

The proceeding began at 1:06 p.m. with the following Board members present: Malloch, Johnson, Berrigan, Busby, 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. Emma Mamaluy, Assistant Attorney General, represented the State.

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

Mamaluy addressed the Board and requested the Board accept the State’s motion to modify the Administrative Law Judge’s (ALJ’s) recommendation. Mamaluy asked the Board to adopt the ALJ’s recommended findings of fact 1-80 and conclusions of law 1-7 and 10-12, and to modify Conclusions of

Law 8, 9 and 13. Mamaluy further recommended revocation as opposed to the ALJ’s recommendation for probation, due to Respondent’s failure to cooperate with the Board and the Board’s investigation.

Johnson moved, Perry seconded, and it was unanimously carried to accept the ALJ’s Findings of Fact the allegations contained in Paragraphs 1 through 80.

Berrigan moved, Quinn seconded, and it was unanimously carried to accept the ALJ’s Conclusions of Law alleged violations in Paragraphs 1 through 12 with modifications to 8, 9 and 13 as recommended.

Busby moved, Berrigan seconded, to adopt the State’s rationale for modification of the Conclusions of Law the alleged violations paragraphs 8, 9 and 13. The motion carried with seven in favor and three opposed.

Snider moved, Johnson seconded, to modify the Administrative Law Judge’s recommendation to revoke the license previously issued to John Clifford Allen, with the rational that due to Respondent’s failure to provide records, and considering Respondent’s failure follow the Board’s direction, the licensee cannot be regulated by the Board at this time. After discussion the motion carried with seven in favor and three opposed.

	VOTE	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	Malloch V. Pres.	McCormies Member	Gutierrez Member	Perry Member	Dalton Member	Busby Member
YES	7	X		X	X	X	X	X		X	
NO	3		X						X		X
ABSTAIN	0										
ABSENT	0										

II.A.2. Mamie Jean Whitmore CNA Applicant Campbell

The proceeding began at 1:36 p.m. with the following Board members present: Malloch, Johnson, Berrigan, Busby, 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.

Whitmore was present and addressed the Board.

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

Quinn moved, Perry seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 9.

Quinn moved, Dalton seconded, and it was unanimously carried, to accept as Conclusions of Law the alleged violations in Paragraphs 1 through 4.

Quinn moved, Berrigan seconded, and it was unanimously carried to accept the Administrative Law Judge’s recommended Order to deny the applicant’s appeal and that prior denial of Whitmore’s application for nursing assistant certification be upheld and affirmed.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										

II.A.3. Leslee A. Winters RN083201 Campbell

The proceeding began at 1:48 a.m. with the following Board members present: Malloch, Johnson, Berrigan, Busby, 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 Order.

Attorney Teresa Sanzio was present and addressed the Board with recommendations to delete portions of the Findings of Fact.

Campbell addressed the Board with rebuttal that the Findings of Fact were supported by the evidence and should be left intact.

Quinn moved, Berrigan seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 54.

Johnson moved, Quinn seconded, and it was unanimously carried, to accept as Conclusions of Law the alleged violations in Paragraphs 1 through 7.

Quinn moved, Berrigan seconded, and it was unanimously carried to accept the Administrative Law Judge’s recommended Order to enter a Decree of Censure.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										

II.B. Consent Agenda - 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.	Jessica Lee Ehlert	CNA1000012550	Revocation	Mamaluy
II.B.2.	Davida Joan Dewitt	LP036646	Revocation	Zack
II.B.4.	Frances Joy Canode	RN148569	Revocation	Verstegen
II.B.5.	Deborah Ann Lopez	LP046590	Revocation	Verstegen
II.B.6.	Brian Jay Huff	RN142487	Revocation	Verstegen
II.B.7.	Nancy Ann Polanco	LP040666	Revocation	Campbell

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

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

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

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

Busby moved, Dalton seconded, and it was unanimously carried to accept the State’s recommended discipline.

	VOTE	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	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	0										

II.C. Settlement Conference Cases and Proposed Consent Agreements

II.C.1. Elisabeth Marie Burns LP041758 Zack/Richards

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 a Letter of Concern.

Burns was present and available for questions. Attorney Teresa Sanzio was present and addressed the Board and requested a Letter of Concern.

Busby moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for Burns’ termination from Mi Casa Nursing Center on November 2, 2007, for allegedly violating company rule and policy regarding locking the medication cart and keeping the med book closed.

II.C.2. Christine Alane Champine LP043212; RN161499 Zack/Richards

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 a Consent Agreement for a \$250 Civil Penalty.

Attorney Teresa Sanzio was present and addressed the Board.

Busby moved, Quinn seconded, and it was unanimously carried to accept the signed Consent Agreement for a \$250 Civil Penalty, modified to correct a technical error on page 4 of the Consent Agreement.

	VOTE	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	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	0										

II.C.3. Erich A. Widemark RN083736; AP0909 Mamaluy

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

Quinn recused himself and left the meeting at 2:01 p.m. because he led the settlement conference.

Mamaluy addressed the Board and recommended the Board order a Decree of Censure and Voluntary Surrender of Respondent’s prescribing and dispensing authority.

Widemark was present and available for questions. Attorney Teressa Sanzio was present and addressed the Board.

Busby moved, Dalton seconded, and it was unanimously carried to accept the signed Consent Agreement for a Decree of Censure and voluntary surrender of prescribing authority.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	1		X								

Quinn returned to the meeting at 2:08 p.m.

Gutierrez left the meeting at 2:09 p.m.

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

**II.D.2. Lisa Marie Layne RN130495 Verstegen
(AKA: Pacis; Pacis-Layne)**

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

Gutierrez returned to the meeting at 2:11 p.m.

Layne was present and addressed the Board.

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

Busby moved, Quinn seconded, to grant the State’s Motion to Deem Allegations Admitted. The motion carried with nine in favor and one abstained.

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

Busby moved, Quinn seconded, carried to accept the State’s recommended discipline for revocation. The motion carried with nine in favor and one abstained.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	1							X			
ABSENT	0										

AGENA	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.D.1.	Cassandra E. Kennedy	CNA1000010553	Revocation	Verstegen
II.D.3.	Joe Daniel Munoz	LP029628	Revocation	Verstegen
II.D.4.	Sesha Nicole Irwin	CNA1000018654	Revocation	Verstegen
II.D.5.	Faith Ann Harton	LP038341	Revocation	Verstegen
II.D.6.	Melissa Brooke Dungan	CNA1000019089	Revocation	Verstegen
II.D.7.	Mara Davis	CNA503843334	Revocation	Zack
II.D.8.	Victoria Bernardo (AKA: Egrini)	LP041506	Revocation	Zack
II.D.9.	Carlos Guitguiten Bague	RN145866	Revocation	Zack
II.D.10.	Krista Opal Cook	CNA1000011440	Revocation	Zack
II.D.11.	Saundra Mae Barak	CNA1000024454	Revocation	Zack
II.D.12.	Marsha Marie Thompson	CNA1000002613	Revocation	Campbell
II.D.13.	Lisa L. Salcido	CNA464390803	Revocation	Campbell
II.D.14.	Daniella Villegas Romo	CNA100009444	Revocation	Campbell
II.D.15.	Thomas Lee Patton	LP45289	Revocation	Campbell
II.D.16.	Tracy Lynn Watson (AKA: Bretza; Tolzman)	CNA1000001895; LP040344	Revocation	Campbell
II.D.17.	Dustin Watson	CNA1000008087	Revocation	Campbell
II.D.18.	Gabriella Honoria	CNA1000010782	Revocation	Campbell
II.D.19.	William Ramon Martinez	CNA999988624	Revocation	Campbell
II.D.20.	Holly Kristine Smith	LP043727	Revocation	Campbell

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

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

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

Dalton 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 Notices of Charges.

McCormies moved, Dalton seconded, and it was unanimously carried to accept the State's recommended discipline for Agenda Items II.D.1, and 3-20.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										

Busby left the meeting at 2:22 p.m.

II.E. Rehearing Requests or Review of Board Decision

II.E.1. Lesa Marie Gonzales RN088545 Campbell

The proceeding began at 2:22 p.m. with the following Board members present: Malloch, Johnson, Berrigan, 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.

Gonzales was present and available for questions. Attorney Charles Slack-Mendez was present and addressed the Board.

Campbell addressed the Board and recommended the Board deny request for rehearing/reconsideration.

Snider moved, Johnson seconded, and after discussion it was unanimously carried to grant request for rehearing/reconsideration.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	1										X

II.E.2. Vicki Stevens-Hjerpe L031666 Verstegen

The proceeding began at 2:39 p.m. with the following Board members present: Malloch, Johnson, Berrigan, Dalton, Gutierrez, McCormies, Perry, Quinn and Snider.

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

Stevens-Hjerpe was present and addressed the Board.

Verstegen addressed the Board and recommended the Board grant request for rehearing and modify the Order for a Decree of Censure.

Quinn moved, Johnson seconded, and it was unanimously carried to grant request for rehearing/reconsideration.

Quinn moved, Berrigan seconded, and it was unanimously carried to modify the Order and issue a Decree of Censure.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	1										X

II.E.3. Laura Michael RN113397 Campbell

The proceeding began at 2:46 p.m. with the following Board members present: Malloch, Johnson, Berrigan, 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.

Campbell addressed the Board and recommended the Board grant limited rehearing to add documents under A.R.S. § 32-3206.

Michael was present, telephonically, and addressed the Board.

Snider moved, Johnson seconded, and it was unanimously carried to grant request for rehearing based on irregularities of A.R.S. § 32-3206.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	1										X

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

II.F.1. Mary Fletcher McNeal LP007006 Perkins/Mamaluy

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

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

Perkins addressed the Board and recommended the Board accept the signed Consent Agreement for a Decree of Censure and a \$100 Civil Penalty for both cases.

Quinn moved, McCormies seconded, and it was unanimously carried to accept the signed Consent Agreement for a Decree of Censure and \$100 Civil Penalty for combined cases No. 0809137 and 1106123.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	1										X

II.F.2. Gwen Reese LP031894 Zack/Richards

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

Reese was present, telephonically, and available for questions. .

Johnson moved, Berrigan seconded, and it was unanimously carried to accept the signed Consent Agreement for 18 months probation including the attached stipulations in settlement of complaint No. 1004025.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	1										X

II.F.3. Lori Michelle Miller RN152832 Verstegen

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

Attorney Terry Hall was present, telephonically, and addressed the Board with a request to modify the Consent Agreement.

Verstegen addressed the Board and withdrew her request to modify the previously offered Consent Agreement.

Quinn moved, Berrigan seconded, and it was unanimously carried to reaffirm previous Consent Agreement with modifications to the terms to include that Respondent is allowed to work the night shift for her current employer and communication with family by employer occur monthly instead of weekly.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	1										X

II.F.4. Derek Byrne RN146211 Verstegen

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 recommended the Board accept the signed Consent Agreement for probation.

Attorney Teresa Sanzio was present and addressed the Board with a request to accept the signed Consent Agreement for probation.

Quinn moved, Gutierrez seconded, and it was unanimously carried to accept the signed Consent Agreement for probation.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	1										X

II.F.5. Anne Marie Guerin CNA99999339; RN144465 Verstegen

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 recommended the Board order a Decree of Censure or issue a Letter of Concern.

Guerin was present and available for questions. Attorney Teresa Sanzio was present and addressed the Board and recommended a Letter of Concern.

Johnson moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for allegedly falsifying medical record entries on or about July 29, 2008 while employed at John C. Lincoln Hospital in Phoenix, Arizona.

II.F.6. Fred McFarland RN139197 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 recommended the Board issue a Letter of Concern.

Attorney Teresa Sanzio was present and addressed the Board.

Quinn moved, Dalton seconded, to issue a Letter of Concern for failing to more effectively communicate patient G.K.'s needs to her family. After discussion the motion carried with eight in favor and one opposed.

The meeting recessed at 3:23 p.m. and reconvened at 3:42 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 Updates: Breckinridge School of Nursing @ ITT Technical Institute

Information was provided to the Board regarding the appointment of Debra Colbert as Nursing Program Chair.

VII.B.3. Application for Program Change University of Arizona Master's Entry to the Profession – Phoenix Location

Johnson moved, Quinn seconded, and it was unanimously carried to approve a program change for the Phoenix location of The University of Arizona College of Nursing Master's Entry to the Profession of Nursing.

VII.B.4. Arizona State University Nursing Program Summary Letter of Concern

Perry moved, Quinn seconded, and it was unanimously carried to issue a summary Letter of Concern to Arizona State University for employing a faculty member without a baccalaureate degree with a major in nursing from January 2007 to December/November 2011.

VII.B.5. Pima CTD Practical Nursing Program Case Dismiss

Perry moved, Dalton seconded, and it was unanimously carried to case dismiss Pima CTD Practical Nursing Program.

Direction was given by the Board to bring Education case dismissals to the Board in the form of case dispositions for future Board meetings.

VII.B.6. Investigative Report and Renewal Application – Basic CNA Program Glendale Community College

Susan Mayer and Barbara Crawford were present and available for questions. Perry moved, Berrigan seconded, and after discussion it was unanimously carried to re-approve Basic CNA Program – Glendale Community College's Application for Renewal upon receipt of a signed Consent Agreement for a \$1,000 Civil Penalty within 30 days, and meeting all other requirements, or issue Notice of Deficiency.

VII.B.7. Pima Community College Associate Degree Nursing Program Case Dismiss

Berrigan moved, Dalton seconded, and it was unanimously carried to dismiss the complaint against the Pima Community College Nursing Program.

VII.B.8. Investigative Report Star Canyon Certified Nursing Assistant Program

Dalton moved, Berrigan seconded, and it was unanimously carried to dismiss the case against Star Canyon School of Nursing Certified Nursing Assistant Training Program.

VII.B.9. Analysis of Potential Deficiencies Breckinridge School of Nursing @ ITT Technical Institute

Debra Colbert and Eugene McWerter were present and addressed the Board. Quinn moved, Berrigan seconded, and it was unanimously carried to return the Breckinridge School of Nursing program

response for R4-19-203 (C) (6) and R4-19-204 (G) (2) to the Education Committee February 10, 2012 meeting for review and recommendation.

V.B. Applicants for Reissuance & Investigative Reports

V.B.1. Michelle Marie Burns RN078233 Rappoport

Burns was present and addressed the Board. McCormies moved, Dalton 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 licensure requirements and signing a Consent Agreement for 12 months stayed revocation/probation, followed by 24 months standard probation to include attached stipulations, to grant temporary conditional licensure for RN Refresher Course only. Upon successful completion of RN Refresher Course, grant RN license under applicable terms. If not signed within 30 days, deny licensure based upon the information contained in the investigative report.

	VOTE	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	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	0										
ABSENT	1										X

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

V.C.7. Leslie Joy Silverstein LP041062 (Rappoport/Burns)

Silverstein was present and addressed the Board. Johnson moved, Gutierrez seconded, and it was unanimously carried to amend current Consent Agreement and Order No. 1011101, page 11-12, paragraph 10. Practice under On-Site, then Direct Supervision to allow Applicant to practice as a nurse, only under the direct supervision of a licensed practical nurse in good standing with the Board, for the first 12 months. *Direct supervision* is defined as having a practical nurse present on the same unit with the Applicant whenever Applicant is practicing as a practical nurse. Thereafter and until completion of probation, Applicant shall practice only under the on-site supervision of a practical nurse in good standing with the Board. *On-site supervision* is defined as having a practical nurse present in the building while Applicant is on duty. While working at CSL Plasma, if employed in another facility, will revert to supervision with a registered nurse in good standing.

	VOTE	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	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	0										
ABSENT	1										X

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

V.D.3. Lavena R. Abeita CNA982178353 (Garcia)

Abeita was present and available for questions. Dalton moved, Perry seconded, and it was unanimously carried to accept the substance abuse assessment performed by Mary Erhart on September 27, 2011, in lieu of previous Board Order and allow Abeita to continue current Board Order No. 0907115.

VI. RN/LPN/CNA Investigative Reports

VI.B.1. Heather Kathryn Hayes RN115901 (Burns)

Attorney Kraig Marton was present, telephonically, and available for questions. Hayes was present and available for questions. Burns addressed the Board and confirmed the receipt of additional information. Perry moved, Gutierrez seconded, and it was unanimously carried to issue a Letter of Concern for administering a paralytic medication to a ventilated child during an emergent situation without receiving an order from the physician on or about November 7, 2009, while working at Banner Desert Medical Center/Cardon Children’s Medical Center in Mesa, Arizona.

VI.B.2. Colleen Kathleen Kane RN085203 (Burns)

Burns addressed the Board and confirmed the receipt of additional information. Kane was present and addressed the Board. Quinn moved, Johnson seconded, and after discussion it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 24 months stayed revocation/probation during which time the license would be on probation, followed by 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>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	1										X

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

V.C.9. Heidi Lynn Welch LP040399 (Rappoport/Burns)

Welch was present and addressed the Board.

Busby returned to the meeting at 4:24 p.m.

Quinn moved, Berrigan seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 24 months stayed revocation/probation including the attached stipulations. If not signed within 30 days, issue Notice of Charges. The motion carried with nine in favor and one abstained.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	1										X
ABSENT	0										

After discussion, Perry moved, Berrigan seconded, to reopen Agenda Item V.C.9. The motion carried with nine in favor and one abstained. Quinn moved, Berrigan seconded, to amend prior Board decision to include statute/rule violation 32-1601(j). The motion carried with nine in favor and one abstained.

VI. RN/LPN/CNA Investigative Reports

VI.D.7. Cameron Kenneth Shaw RN150964 (Grady)

Shaw was present and addressed the Board. 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 18 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>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	0										

VI.D.9. Noemi Ramirez Barrios RN051921 (Grady)

Barrios were present and addressed the Board. Johnson moved, Gutierrez seconded, and it was unanimously carried to issue a Letter of Concern for failure to accurately document patient T.O.'s post-operative care and failure to verify post-operative orders on or about June 4, 2007, at Health South Outpatient Surgery Center in Tucson, Arizona.

VI.I.2. Ian Joseph Begay CNA Exam (Monas)

Monas addressed the Board with additional information. Begay was 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 deny certification.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										

VI.D.5. Lindsay Kelly Lynch RN147112 (Grady)

Lynch was present and addressed the Board. Gutierrez moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for a one time DUI on August 5, 2010, in Phoenix, Arizona, and for failing to report the charges to the Board within ten days as required by Statutes and Rules.

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, Notice of Denial of Application for Licensure/Certification, Applicants for Licensure

IV.A. Lapsed Licenses & Certificates: Possible Administrative Penalty

IV.A.1. Board Staff Recommendation: Offer Consent Agreement (Driver)

Agenda #	Name	License/Certificate #	Penalty Amount
IV.A.1.a.	Amy Brouellette	CNA1000012384	\$25
IV.A.1.b.	Chandra Giesler	CNA1000020682	\$25
IV.A.1.c.	Darlene Jack	CNA1000012593	\$25
IV.A.1.d.	Andrea Gonzales	CNA999953473	\$25

Perry moved, Gutierrez seconded, and it was unanimously carried, based on the Finding of Fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for an administrative penalty for the amount stated for working on an expired license/certificate. If the administrative penalty is not paid within 6 months of the effective date of the order, issue Notice of Charges; and referral of the employer will be made to the Department of Health Services for licensee/certificate holders working on a lapsed license/certificate for three months or greater.

IV.A.2. Board Staff Recommendation: Accept Signed Consent Agreement (Driver)

Agenda #	Name	License/Certificate #
IV.A.2.a.	Asucena Calderon	CNA999951559
IV.A.2.b.	Alfredo Tribolet	CNA1000022962
IV.A.2.c.	Adrian Johnson	CNA1000014522
IV.A.2.d.	Maria Del Carmen Aguilar	LP008668

Perry moved, Gutierrez seconded, and it was unanimously carried, based on the Finding of Fact and statute/rule violations identified in the investigative report, to accept the signed Consent Agreement and paid administrative penalty for the amount stated for working on an expired license/certificate; and referral of the employer will be made to the Department of Health Services for licensees/certificate holders working on a lapsed license for three months or greater.

IV.A.3. Board Staff Recommendation: Accept Signed Consent Agreement/Grant Licensure (Rappoport)

Agenda #	Name	License/Certificate #
IV.A.3.a.	Carol Elizabeth Price (AKA: Tomlinson)	TRN171765

Perry moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute and rule violations identified in the investigation report, and upon meeting all licensure requirements, to accept the signed Consent Agreement for a \$100 Administrative Penalty and grant licensure.

IV.B. Felony Bar Cases

IV.B.1. Board Staff Recommendation: Adopt Order of Denial for Applicants

Agenda #	Name	License/Certificate #	Staff
IV.B.1.a.	Janeile L. Parker	RN Exam	Olson
IV.B.1.b.	Latrish Domonique Hooten	CNA Exam	Richter

Busby moved, Perry seconded, and it was unanimously carried to adopt the attached Order of Denial for Agenda Items IV.B.1.a. and b.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										

IV.B.2. Felony Bar Cases

IV.B.2. Board Staff Recommendation: Issue Notice of Charges for RN/LPN/CNA

Agenda #	Name	License/Certificate #	Staff
IV.B.2.a.	Jennifer Lee Etzel-Elaqad	RN154226	Olson
IV.B.2.b.	Imelda Madrigales	CNA999995712	Olson
IV.B.2.c.	Tina Marie Pizano	CNA1000005305	Richter
IV.B.2.d.	Marylee Delate (AKA: Kennedy; Shutt)	RN152204	Rappoport

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

IV.D. Board Staff Recommendation: Grant Licensure

IV.D.1. Nida Liwanag TRN168509 Bontrager

Busby moved, Dalton seconded, and it was unanimously carried to grant RN licensure when all licensure requirements are met except the CGFNS report validating education completed in the Philippines in 1977.

V.A. Board Staff Recommendation: Terminate Previously Issued Board Orders after Full Compliance, RN/LP/CNA – (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. Ike Regimus Oguadimma RN109558 Rappoport

Oguadimma was present, telephonically, 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, and upon meeting all requirements, to grant licensure.

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

V.C.2. Vanessa Lynn Christensen RN128064 (Rappoport/Burns)

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 issue Notice of Charges.

V.C.1. Karen Luper Aunquoé LP026104; RN083176 (Rappoport/Burns)

Johnson moved, Snider seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations, modified to include: 32-1601-16(j), identified in the investigative report, to offer a Consent Agreement for a 24-month stayed revocation with the license suspended during the first 12 months and on probation the second 12 months, followed by a 12-month probation, and to include the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	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	0										

V.C.3. Kim Marie Colombo RN077125 (Rappoport/Burns)

Colombo was present, telephonically, and addressed the Board. Perry moved, McCormies seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to include 32-1601(18)(j), to offer a Consent Agreement for 12 months stayed suspension/probation 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	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	0										

V.C.4. Nancy Skehan Leonardo RN056074 (Rappoport/Burns)

Perry 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.C.5. Shari Lyne Evans-Olson LP040410 (Rappoport/Burns)

Burns addressed the Board with additional information. Evans-Olson was present, telephonically, and addressed the Board. Perry moved, Quinn seconded, and it was unanimously carried to terminate probation and issue a Letter of Concern for working as a LPN for a Home Health agency in an unsupervised position, which was in violation of Consent Agreement and Order No. 0905016.

V.C.6. Shannon Marie Selleck RN145401; LP042614; CNA848181103 (Rappoport/Burns)

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 offer a Consent Agreement for 24 months stayed revocation/probation including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	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	0										

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

V.D.1. Rebecca Ellen Cole LP044841 (Garcia)

Perry moved, Dalton seconded, and it was unanimously carried to approve request to amend Consent Agreement and Order No. 0901084, to allow Cole to complete the terms of probation in the state of Nevada.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										

V.D.2. Maryellen Hawco Jeffrey RN079790 (Garcia)

Busby moved, Perry seconded, and it was unanimously carried to approve request to amend Consent Agreement and Order No. 0811108, to allow Jeffrey to practice under on-site supervision and work night shift.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										

V.D.4. Stacey Janette Burke RN101708 (Garcia)

Garcia addressed the Board with additional information. Busby moved, Perry seconded, to continue the investigation to the March 2012 Board meeting. The motion failed with five in favor and five opposed. Quinn 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. The motion carried with seven in favor and three opposed.

V.D.5. Kathryn Lorraine Do Carmo LP037548 (Garcia)

Perry 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.6. Michael P. Espinosa CNA999950102 (Garcia)

Johnson moved, Quinn 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. Lori Ann Faulx RN153031 (Garcia)

Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the monitoring report, to offer a Consent Agreement for 12 months stayed revocation to include the attached stipulations. During the stay of revocation the license will be placed on probation. Upon the completion of the stayed revocation, the license will be placed on 12 months 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>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	0										

V.D.8. Tameria Lee Harrington RN103861 (Garcia)

Busby moved, Perry seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the monitoring report, to offer a Consent Agreement for an 12 -month stayed revocation to include the attached stipulations. During the stay of revocation, the license will be

placed on probation. Upon the completion of the stayed revocation, the license will be placed on 12-month probation to include the attached stipulations and allow Harrington to complete the terms of probation in the state of Texas. 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>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	0										

V.D.9. Chyi Jen Hua RN114042; LP033131; CNA576648499 (Garcia)
Busby moved, Gutierrez 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. Stephanie Lei Landa RN090090 (Garcia)
Gutierrez moved, Dalton 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.11. Alba Diane McElroy CNA999989078 (Garcia)
Busby moved, Perry 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.12. Silvia N. Martinez CNA371608621 (Garcia)
(AKA: Martinez Nunez)
Perry moved, Dalton seconded, and it was unanimously carried to lift suspension and terminate Consent Agreement and Order No. 0303083, entered into on December 11, 2003, and upon meeting all renewal requirements, grant renewal.

V.D.13. Margo Faye Myrick LP016807 (Garcia)
Quinn moved, Berrigan 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.14. Cindy C. Noble RN090524 (Garcia)
Perry moved, Dalton 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.15. Cynthia Korpi Olstein RN030305 (Garcia)
McCormies moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations, including 32-1601-18 (d), identified in the monitoring update report, to issue Notice of Charges.

V.D.16. Jennifer Denise Rider LP037135 (Garcia)
Busby moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations, including 32-1601-18 (d)(j), identified in the monitoring update report, to issue Notice of Charges.

V.D.17. Linda Diane Smith RN079924 (Garcia)
(AKA: Acker)
Busby moved, Gutierrez seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations, including 32-1601-18 (d), identified in the monitoring update report, to issue Notice of Charges.

The meeting recessed at 5:11 p.m., Tuesday, January 24, 2012.

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., Wednesday, January 25, 2012, in the Board of Nursing Board Room, Suite 200, 4747 N. 7th Street, Phoenix, Arizona, Kathy Malloch, PhD, MBA, RN, FAAN, Vice President, presiding.

BOARD MEMBERS PRESENT:

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., Wednesday, January 25, 2012.

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

Malloch presided.

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

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

VII.A. Executive Directors Report – Ridenour

VII.A.2. Update on 2012 Legislative Session/Bills Impacting Nursing Regulation; Senate Bill 1002 – Continuation of Arizona State Board of Nursing – Harris/Smith/Ridenour

Greg Harris, legislative liaison to the Board, offered an update. Topics reported on and discussed were:

- SB1002 Continuation Bill which passed in the Senate by a vote of 24-4, with rationale of those voting against the Bill that ten years is too long.
- CRNA issue regarding Certified Registered Nurse Anesthetist's to continue practicing in Arizona as they have been.

Busby arrived at the meeting at 8:11 a.m.

- Additional recommendations from the Audit Report
 - Cycle times
 - Interim Orders – financial responsibility
 - Interim Orders – legislation to give Executive Director the ability to order Interim Orders

Harris advised the Board to focus on the continuation Bill this year and wait on other issues until next year.

Busby moved, Quinn seconded, and it was unanimously carried to delay legislation until next year and continue to work with appropriate legislators on other issues.

VII.A.7. IOM Future of Nursing AZ Action Coalition Draft Application – Robin Schaffer (Exec Dir AZ Nurses Association)

Robin Schaffer, Executive Director, Arizona Nurses Association (AzNA) gave an overview of the Future of Nursing Campaign for Action and offered a background of the intent of the IOM (Institute of Medicine) Arizona Action Coalition Application.

Busby moved, Perry seconded, and it was unanimously carried to approve the IOM Future of Nursing AZ Action Coalition draft application.

Perry left the meeting at 8:56 a.m.

VI. RN/LPN/CNA Investigative Reports

VI.N.2. Donna J. Casey RN37009 (Compact RI) (Rappoport)

Casey was present and addressed the Board.

Perry returned to the meeting at 9:00 a.m.

Rappoport addressed the Board with additional information. Busby moved, Gutierrez seconded, to dismiss the complaint. The motion carried with nine in favor and one abstained.

VI.O.12. John Scott Wooley CNA Exam (Richter)

Wooley was present and addressed the Board. Gutierrez moved, Dalton seconded, and it was unanimously carried to continue the investigation to allow Applicant the opportunity to voluntarily obtain a psychological evaluation with an emphasis on substance abuse/chemical dependency 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 with 90 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	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	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	0										

V.F. CANDO Eligibility/Noncompliance & Investigative Reports

**V.F.4. Jennifer Diane Burke RN162675; CNA1000011599 (Pendergast)
(AKA: Pemberton)**

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 issue Notice of Charges.

V.F.5. Tamara Dee Kalk RN118034 (Pendergast)

Perry moved, Gutierrez 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 CANDO Stipulated Agreement.

V.F.6. Lisa Elna Layne RN Endorsement (Pendergast)

Layne was present, telephonically, and available for questions. Busby moved, Dalton seconded, and it was unanimously carried, upon meeting all requirements, to grant licensure and accept the signed modified CANDO Stipulated Agreement.

VI. RN/LPN/CNA Investigative Reports

**VI.A.7. Esther Miriam Shapiro RN165644 (Austin)
(AKA: Melanie B. Shapiro; Melanie Guilbault; Esther Miriam Guilbault)**

Austin addressed the Board with additional information. Shapiro was present and addressed the Board. Busby moved, Perry seconded, to dismiss the complaint.

After discussion, Busby moved, Perry seconded, and it was unanimously carried to go into Executive Session on Agenda Item VI.A.7. for the purpose of obtaining legal advice pursuant to A.R.S. §38-431.03 (A)(3). Executive Session convened at 9:34 a.m. and adjourned at 9:51 a.m.

The motion to dismiss the complaint was voted on and failed with six opposed and four in favor.

Quinn moved, McCormies seconded, to issue a Letter of Concern for testing positive for marijuana, noting that there was no allegation of impairment, while holding a valid medical marijuana card, on or about August 18, 2011, while employed at Verde Valley Community Hospice in Cottonwood, Arizona. After discussion, the motion carried with eight in favor and two opposed.

VI.A.9. Sandra Lynn Pappas RN103669 (Austin)

Johnson moved, Quinn seconded, and it was unanimously carried to issue a Letter of Concern for photocopying a physician's signature on a blank telephone order form on or about October 14, 2010, December 9, 2010, January 6, 2011, January 13, 2011, March 8, 2011, and March 16, 2011, while working at Evercare Hospice and Palliative Care in Tucson, Arizona.

VI.D.3. Phil L. Gentile RN097452 (Grady)

Grady addressed the Board and confirmed the receipt of additional information. Gutierrez moved, Perry seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to issue Notice of Charges.

VI.D.4. William Edward Hudson RN120291 (Grady)

Grady addressed the Board with additional information. Hudson was present and addressed the Board. Johnson moved, Berrigan seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for probation, including the attached stipulations. If the findings of the evaluation required by the Consent Agreement identify that Respondent has a substance abuse disorder or is in need of treatment, the length of the probation will be at minimum 36 months with the standard requirements for substance use disorders. The stipulations were amended to include, the evaluation to be with an addictionologist, one medical provider, one pharmacy, pharmacy profiles, twice monthly urine drug screens for the first 50% of probation. If the findings of the evaluation required by the Consent Agreement do not find Respondent to have a substance abuse disorder or in need of treatment, the length of the probation will be at minimum 12 months. If not signed within 30 days, issue Notice of Charges. The motion carried with nine in favor and one opposed.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	1										X
ABSTAIN	0										
ABSENT	0										

VI.D.6. Ashley Nicole McQuinn RN155036 (Grady)

Grady addressed the Board with additional information. Berrigan moved, Quinn seconded, and it was unanimously carried to continue the investigation to allow Respondent the opportunity to voluntarily 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 and then return to the Board.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										

VI.D.8. Krista Ann Lussier RN126872; AP3229 (Grady)

Grady addressed the Board and confirmed the receipt of additional information. Lussier 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, 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>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	0										

The meeting recessed at 10:19 a.m. and reconvened at 10:32 a.m.

VI.E.2. Astra V. Peterson LP045252 (Guffey)

Complainant Mary Wilson was present and addressed the Board. Wilson’s attorney, Douglas Shook was present and available for questions. Peterson was present and available for questions. Quinn moved,

Gutierrez seconded, and it was unanimously carried to dismiss the complaint allegations of January 07, 2011, and request a new complaint be opened related to the Respondent's employment history and the clinical judgment and medication management issues reflected therein.

The Board directed staff to refer the issue to DHS.

VI.E.3. Jeff A. Stride LP042836 (Guffey)

Busby moved, Dalton seconded, and it was unanimously carried to dismiss the complaint.

VI.E.5. Nichole E. Vaughan RN156441 (Guffey)

Vaughan was present and addressed the Board. Busby moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for failing to ensure the physician was monitoring the patient while administering Adenosine to patient L.H. on May 13, 2011, while employed in the Emergency Department at St. Joseph's Hospital and Medical Center, Phoenix, Arizona.

VI.E.6. Vanessa Cazad LP038158 (Guffey)

Snider moved, Busby seconded, and it was unanimously carried to dismiss the complaint.

VI.E.7. Patricia Calderon LP033164 (Guffey)

An attempt was made to contact Calderon telephonically and a message was left that the Board would move forward with the case. Perry moved, Dalton seconded, and it was unanimously carried to dismiss the complaint.

VI.E.8. Katie M. Price RN119415 (Guffey)

Price was present and addressed the Board. Perry moved, Gutierrez seconded, to issue a Letter of Concern for failure to carefully review and correct the cardiac catheter report of patient R. K. on May 19, 2011, while on traveler assignment to Frederick Memorial Hospital in Frederick, Maryland. After discussion, Perry withdrew the motion. Busby moved, Quinn seconded, and it was unanimously carried to dismiss the complaint.

VI.E.9. Charlotte Jenkins LP046265 (Guffey)

Guffey addressed the Board with additional information. Jenkins was present and addressed the Board. Busby moved, Johnson seconded, and it was unanimously carried to dismiss the complaint.

VI.F.1. April Dawn Myra Faraci LP0a46426 (Hemann)

Faraci was present and addressed the Board. 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 36-month stayed revocation to include the attached stipulations. During the stay of revocation, the license will be placed on probation. Upon the completion of the stayed revocation, the license will be placed on 12 months probation to include the attached stipulations. If not signed within 30 days, issue a Complaint and Notice of Hearing.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										

VI.F.2. Mary Lu Maldonado Lopez LP044879 (Hemann)

Johnson moved, Gutierrez seconded, and it was unanimously carried to rescind Board decision of July 2011, for probation, and issue a Letter of Concern for the March 2011 public intoxication incident in Parker, Arizona.

VI.F.3. Kimberly Rae Mulhare RN119228 (Hemann)

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 12-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 the stayed revocation, the license will be placed on stayed suspension for 24 months. During the stay of suspension, the license will be placed on probation with terms and conditions as attached. Upon completion of the stay of suspension, the license will be placed on probation for 12-months with terms and conditions as attached. If not signed within 15 days, issue a Complaint and Notice of Hearing.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										

VI.F.5. Kathleen Holahan Shrewsbury RN063241 (Hemann)

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 12 months stayed suspension/probation followed by 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>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	0										

VI.F.6. Tressa Marie King RN163448 (Hemann) (AKA: Ford)

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 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>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	0										

VI.F.7. Nancy Disbrow Kerrigan RN092632 (Hemann)

Gutierrez moved, McCormies seconded, and it was unanimously carried to rescind the Board decision of September 2011, to offer 36 months stayed revocation/probation. Based upon the findings of fact and statute/rule violations identified in the investigative report, offer a Consent Agreement for a stayed revocation with the license suspended for a period of time not to exceed 24 months followed by 12 months probation under the stay of revocation, to include the attached terms. Upon the successful completion of the stayed revocation, the license will remain on probation for 12 months, including the attached stipulations. If not signed within 30 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>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	0										

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Mesa Banner Boswell and Gateway Community College Nursing Students regarding Board functions, policies and procedures. Questions were asked on the role of the investigator and the membership and role of the Board.

VI. RN/LPN/CNA Investigative Reports

VI.G.5. Audrey I. Dear CNA100022536 (Lester)

Dear was present and addressed the Board. Busby moved, Dalton seconded, to offer a Consent Agreement for a \$100 Civil Penalty. If not signed within 30 days, issue Notice of Charges. After discussion, the motion failed with nine opposed and one in favor.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	1										X
NO	9	X	X	X	X	X	X	X	X	X	
ABSTAIN	0										
ABSENT	0										

Quinn moved, Berrigan seconded, to continue the investigation to allow Respondent the opportunity to voluntarily obtain a psychological evaluation with an emphasis on substance abuse and dishonesty and credibility 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. The motion carried with nine in favor and one opposed.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	1										X
ABSTAIN	0										
ABSENT	0										

VI.H.4. Summer Audrey Risley RN165458; CNA100015865 (Midkiff)

Risley was present and addressed the Board. Dalton 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 two opposed.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	2			X			X				
ABSTAIN	0										
ABSENT	0										

VI.H.10. Donna Theresa Wiest LP046588 (Midkiff)

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

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										

VI.H.12. Trisha Ann Murray RN114949 (Midkiff)

Murray was present 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 24 months probation including the attached stipulations, amended to include: night shift allowed, delete relapse recovery prevention evaluation. 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>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	0										

VI.I.8. Nathaniel Augustine Herrera CNA Exam (Monas)

Herrera was present and available for questions. Berrigan moved, Snider seconded, to continue the investigation to allow Herrera the opportunity to voluntarily obtain a psychological evaluation, to include 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. The motion carried with seven in favor and three opposed.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	7	X		X	X	X	X	X	X		
NO	3		X							X	X
ABSTAIN	0										
ABSENT	0										

VI.I.11. Raymond Maldonado Jr. CNA Exam (Monas)

Monas addressed the Board with additional information. Maldonado was present and available for questions. 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 18 stayed revocation including the attached stipulations, 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>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	0										

VI.I.12. David Ortega CNA Exam (Monas)

Monas addressed the Board with additional information. Ortega was present 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, upon meeting all certification requirements and signing a Consent Agreement for a 24-month stayed revocation to include the attached stipulations, amended to include: night shift allowed with direct supervision. During the stay of revocation, the certificate will be placed on suspension for a period not to exceed 12 months. Upon the completion of suspension, and for the duration of the 24-months, the certificate will be placed on a stayed revocation. 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>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	0										

VI.I.13. Lisa Kay Priest CNA Exam (Monas)

Priest was present 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, upon meeting all certification requirements and signing a Consent Agreement for 18 months Stayed Revocation with attached stipulations, 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>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	0										

VI.I.14. Jessica Marie Soto CNA100006869 (Monas)

An attempt was made to contact Soto telephonically. 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.J.6. Jennifer Lynn Mitchell RN Exam (Olson)
(AKA: Arndt)**

Olson addressed the Board with additional information. Mitchell 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, to accept the signed Consent Agreement for a Decree of Censure, and upon meeting all requirements, grant licensure.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										

VI.J.7. Stephanie Lynn Stevens RN Exam (Olson)

Olson addressed the Board with additional information. Stephens was present and addressed the Board. Busby moved, Perry seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all requirements and signing a Consent Agreement for a Decree of Censure, to grant licensure. If not signed within 30 days, deny licensure. After discussion, the motion failed with eight opposed and two in favor.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	2								X		X
NO	8	X	X	X	X	X	X	X		X	
ABSTAIN	0										
ABSENT	0										

Quinn moved, Berrigan seconded, to continue the investigation to allow Stevens the opportunity to 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 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 licensure. The motion carried with eight in favor and two opposed.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	2								X		X
ABSTAIN	0										
ABSENT	0										

VI.J.8. Ranell Ann Marie Weddle CNA Exam (Olson)
(AKA: Dugan)

Weddle was present and addressed the Board. Perry moved, Gutierrez seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all certification requirements and signing a Consent Agreement for a Decree of Censure, grant certification. If not signed within 30 days, deny certification. After discussion, 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>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	0										

VI.K.2. Sheryl Lynn Braat RN143215 (Parlin)

Braat was present and addressed the Board. Busby moved, Quinn seconded, and it was unanimously carried to continue the investigation to allow Respondent the opportunity to voluntarily obtain a psychological evaluation with a Board approved licensed psychologist, to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and return to the Board. If not completed, issue Notice of Charges.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										

VI.K.6. Linda Susan Vanderwalker RN071998; LP023408 (Parlin)

Vanderwalker was present and addressed the Board. Busby 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 an 18 -month stayed suspension to include the attached stipulations, amended to include: one pharmacy profile and one provider. During the stayed suspension, the license will be placed on probation. Upon the completion of the stayed suspension, the license will be placed on 18 months 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>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	0										

VI.K.8. Rebecca Lynn Webb RN158734 (Parlin)

Webb was present and addressed the Board. Johnson moved, Snider seconded, to issue a Letter of Concern for conduct leading to felony Illegal Control of an Enterprise and Conspiracy charges on or about January 4, 2011, in Maricopa County Superior Court and for failing to report the charges to the Board within ten days as required by the Statutes and Rules. After discussion, the motion carried with seven in favor and three opposed.

The meeting recessed at 12:02 p.m. and reconvened at 12:46 p.m.

VI.S. 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

VI.S.2. Gloria Lorraine Acuna RN132120 Austin

The proceeding began at 1:03 p.m. with the following Board members present: Malloch, Johnson, Berrigan, McCormies, Quinn, Snider, Dalton, Perry, Gutierrez, and Busby.

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

Austin addressed the Board with a brief summary of the case.

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.

Perry moved, Berrigan 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).

Quinn moved, Dalton seconded, and it was unanimously carried, based upon the information presented at this meeting, the information contained in the investigative report, and the preliminary Findings of Fact and Conclusions of Law, the Board make a finding that public health safety and welfare imperatively requires emergency action and issue an Order summarily suspending professional license No. RN132120, issued to Gloria Lorraine Acuna pending further hearing, which shall be promptly instituted and determined.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										

It was therefore ordered that the license of Gloria Lorraine Acuna be suspended effective with the service of the written Order, and that Acuna will immediately cease practice as a nurse. 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.

VI.L.1. Suzanne Marie Milan RN147685; LP042988 (Pendergast)

Pendergast addressed the Board with additional information. Milan was present and available for questions. Attorney Kelly McDonald was present, telephonically, and addressed the Board. Busby moved, Snider seconded, and it was unanimously carried to continue the investigation to allow Respondent the opportunity to voluntarily obtain a chemical dependence relapse 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 with 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>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	0										

VI.L.2. John Joseph O’Grady RN135233 (Pendergast)

Pendergast addressed the Board with additional information. O’Grady was present and addressed the Board. Quinn moved, Perry seconded, upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 12 months probation including the attached stipulations. If not signed within 30 days, issue Notice of Charges. After discussion, Quinn amended the motion to include stipulations: remove work setting restrictions, remove night shift restriction and remove supervision stipulation.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										

VI.M.3. Khiva Linnie Skelton CNA100000421 (Perkins)

Skelton was present and addressed the Board. Johnson moved, Dalton seconded, and after discussion it was unanimously carried to issue a Letter of Concern for failing to accurately document every 15 minutes safety checks for patient A.H. on June 14, 2011, while employed at Maravilla Care Center in Phoenix, Arizona.

VI.M.8. Deborah Metz Neufeldt RN045441 (Perkins)

Perkins addressed the Board with additional information. Neufeldt was present and addressed the Board. 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>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	0										

VI.M.7. Roxanne Ida Exel RN119602 (Perkins)

Perkins addressed the Board with additional information. Exel was present and addressed the Board. Busby moved, Perry seconded, and after discussion it was unanimously carried to issue a Letter of Concern for an attempted suicide on July 6, 2011.

**VI.M.10. Jane Lou Ryszka LP041036 (Perkins)
(AKA: Pickens)**

Ryszka was present and addressed the Board. Johnson moved, Busby 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 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 to 60 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 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>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	0										

VI.Q.7. Karen Lewis LP027140 (Torrez)

Lewis was present and addressed the Board. Busby moved, Snider seconded, and it was unanimously carried to dismiss the complaint.

VI.Q.8. Sharon Young LP021071 (Torrez)

Young was present and addressed the Board. Busby moved, Berrigan seconded, and it was unanimously carried to dismiss the complaint.

VI.Q.11. Wenday Lynn Hatt RN167589; LP038844; CNA815576441 (Torrez)

Hatt was present and addressed the Board. Busby moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for applying a Hydrocollator pack on patient P.L. when the order was to apply K-Pad, on March 17, 2011, while employed at HealthSouth Rehabilitation Hospital in Tucson, Arizona.

VI.Q.12. Angela Dawn Garrison RN135467 (Torrez)

Busby moved, Dalton seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for suspension not to exceed 12 months, followed by 24 months stayed revocation/probation, followed by 12 months standard probation to include the attached stipulations. During the stay of revocation the license will be placed on probation. Upon completion of the stayed revocation, the license will be placed on 12 months standard probation to include the attached stipulations. If not signed within 30 days, issue Notice of Charges. The motion carried with nine in favor and one opposed.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										

VI.O.6. Angela Lorraine Johnson RN Exam (Richter)

Johnson was present and addressed the Board. 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 requirements, signing a Consent Agreement for a \$250 Civil Penalty, to grant licensure. If not signed within 30 days or payment of the Civil Penalty 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>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	0										

VI.O.4. Aaron James Hayes RN165398 (Richter)

Kristine Schmidt was present, telephonically, and addressed the Board. Hayes was present and addressed the Board. Busby moved, Quinn seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 36 months probation with the attached stipulations amended to include: remove AA requirement, to include a psychiatric evaluation by a Board approved psychiatrist (addictionologist), to be completed within 45 days. If not signed within 30 days, issue Notice of Charges. After discussion the motion carried with seven in favor and three opposed.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	7	X	X	X	X			X	X		X
NO	3					X	X			X	
ABSTAIN	0										
ABSENT	0										

VI.P.7. Kim P. Kindred CNA434541789 (Sage)

Kindred addressed the Board with additional information. 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>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	0										

VI.P.1. Michael Scott Azrak RN091249 (Sage)

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

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										

VI.P.2. Conrad Solarez Castro CNA1000022142 (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 \$50 Civil Penalty. 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>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	0										

**VI.P.3. Erin Lee Colwell CNA1000028260 (Sage)
(AKA: Wyatt)**

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>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	0										

VI.P.4. Mary Elaine Cook RN138025 (Sage)

Gutierrez moved, McCormies seconded, and it was unanimously carried to issue a Letter of Concern for reportedly failing to address CNA's report that a resident's blood pressure was 85/61 on March 18, 2011, while employed as an RN at Hacienda Rehab and Care Center in Sierra Vista, Arizona.

VI.P.5. Esperanza Felix CNA128361103 (Sage)
(AKA: Garcia; Amaral)

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 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>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	0										

VI.P.6. Bertha Lee Garcia CNA148972703 (Sage)

Johnson moved, Busby seconded, and it was unanimously carried to issue a Letter of Concern for making statements and behaving in a manner that caused resident G.V. and her roommate to perceive that Garcia was verbally rude to the resident on or about August 16, 2011, while employed as a CNA at Royal Oaks Health Care Center in Sun City, Arizona.

VI.P.8. Jacqueline Renae Koch CNA10000669 (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 issue Notice of Charges.

VI.P.9. Carlos Antonio Leiva Roldan CNA1000013878 (Sage)

Dalton moved, Busby seconded, and it was unanimously carried to issue a Letter of Concern for reportedly failing to give peri-care to several female residents in September 2011, resulting in termination of employment as a CNA at Suncrest Health Care in Phoenix, Arizona.

VI.P.10. Jason E. Lohman CNA614758593 (Sage)

McCormies 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>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	0										

VI.P.11. Heather Marie Marciniak CNA1000017156 (Sage)

Dalton moved, Busby seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the September 11, 2011 investigative report, to issue Notice of Charges.

VI.P.12. Susan Njeri Muiga CNA100006272 (Sage)

Busby moved, Snider seconded, and it was unanimously carried to issue a Letter of Concern for resident's perceptions that Respondent was rude and uncaring while employed as a CNA at Glendale Care Center in Glendale, Arizona.

VI.P.13. Tajudeen O. Oladiran LP000032877 (Sage)

Dalton 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.P.14. Linda Ann Piper CNA999989635 (Sage)
(AKA: McClaren)

Sage addressed the Board with additional information. 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.P.15. Hope Marie Pizano CNA999992582 (Sage)

Dalton moved, Snider seconded, and it was unanimously carried to issue a Letter of Concern for leaving a resident alone in the bathroom, who subsequently fell and fractured his hip on February 5, 2011, while employed as a CNA at Park Avenue Healthcare in Tucson, Arizona.

VI.P.16. Thomas Colterbryan Robison CNA1000014751 (Sage)

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 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>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	0										

VI.P.17. Richard LeRoy Sampson CNA1000008560 (Sage)

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 issue Notice of Charges.

VI.P.18. Dena LaVerne Sohl CNA999993487 (Sage)

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 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>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	0										

VI.P.19. Maria Cruz Trujillo CNA354499803 (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 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>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	0										

VI.P.20. Alexandra J. Watson CNA1000020926 (Sage)

Gutierrez 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>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	0										

VI.P.21. Bozena Anna Prawdzic-Witoslawski RN111477 (Sage)

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 issue Notice of Charges.

VI.P.22. Dorothy Ann Blackgoat CNA999998551 (Sage)

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

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										

The meeting recessed at 2:24 p.m. and reconvened at 2:38 p.m.

**VI.G.1. Paula J. Beall TLP047345 (Lester)
(AKA: Paula Matty Beall)**

Dalton moved, Johnson seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 18 months probation including the attached stipulations, and 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>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	1										X

VI.G.2. Josh T. Blanton CNA Exam (Lester)

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>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	1										X

VI.G.3. Sarah E. Brake CNA Endorsement (Lester)

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 deny certification.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	1										X

VI.G.4. Catherine D. Brent CNA159162103 (Lester)

Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, deny reissuance of CNA159162103.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	1										X

**VI.G.6. Bobbery Johnson CNA Endorsement (Lester)
(AKA: Reed; Roundtree)**

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 deny certification.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	1										X

**VI.G.7. Jessica Lu Luna CNA100003999 (Lester)
(AKA: Pelly)**

Gutierrez moved, Snider 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 anger management and substance abuse to be completed by a Board PhD prepared evaluator who has an expertise in anger management and 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>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	1										X

VI.G.8. Stephanie A. Lynch RN Exam (Lester)

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 requirements, to offer a Consent Agreement for 12 months probation including the attached stipulations, and 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>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	1										X

VI.G.9. Francisco Medina CNA Exam (Lester)

Quinn 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 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>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	1										X

VI.H.2. Beverly Jean Levi RN139836 (Midkiff)

Quinn moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for pre-filling initials in a narcotic inventory logs from September 2010 to October 2010 while employed by RIAZ in Arizona.

VI.H.3. Adrina Lashun Morrisette LP044936 (Midkiff)

Johnson 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 \$250 Civil Penalty. 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>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	1										X

VI.H.5. Linda Solomon Ritter RN070361 (Midkiff)

Midkiff addressed the Board with additional information. Quinn moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for, by admission, failing to administer the correct dosage of Dilaudid to a patient for three days in November 2010, while employed by Cornerstone Hospital in Tucson, Arizona.

VI.H.6. Michael Adam Stroud RN165349 (Midkiff)

Midkiff addressed the Board and confirmed the receipt of additional information. 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 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>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	1										X

VI.H.7. Jone Alice Dallas LP029481 (Midkiff)

Quinn moved, Snider seconded, to issue a Letter of Concern for removing supplements from the facility's stock supplies and providing the supplements to a co-worker while employed at Glendale Care Center. After discussion the motion carried with eight in favor and one opposed.

VI.H.8. Tracy Lynn Pattik LP0407562; CNA999994812 (Midkiff)

Midkiff addressed the Board with additional information. Quinn moved, Snider seconded, and it was unanimously carried to issue a Letter of Concern for removing supplements from the facility's stock supplies and providing the supplements to a co-worker while employed at Glendale Care Center during 2009 and 2010.

VI.H.9. Maria L. Rodriguez LP024039 (Midkiff)
(AKA: Maria R. Gingerich)

Dalton moved, Snider seconded, and it was unanimously carried to issue a Letter of Concern for removing supplements from the facility's stock supplies and providing the supplements to a co-worker while employed at Glendale Care Center during 2010.

VI.H.11. Barbara Marcene Nelson RN146721; LP041740; CNA1000000459 (Midkiff)

An attempt was made to contact Nelson telephonically. Midkiff addressed the Board with additional information. Quinn moved, Gutierrez seconded, and it was unanimously carried to issue a Letter of Concern for failing to timely notify Dr. Mohtaseba of patient D.G.'s critical laboratory values on or about June 7, 2010.

Busby returned to the meeting at 2:50 p.m.

VI.I.1. Aneka Sue Baker CNA Exam (Monas)

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 requirements and signing a Consent Agreement for 18 months stayed revocation with the attached stipulations, to grant licensure. 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>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	0										

VI.I.3. Lena Francis Celiero CNA Endorsement (Monas)

Monas addressed the Board with additional information. Quinn moved, McCormies seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification. The motion carried with nine in favor and one opposed.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	1										X
ABSTAIN	0										
ABSENT	0										

VI.I.4. Hayley E. Dannenberg CNA1000011678 (Monas)
(AKA: Morgan)

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 36 months stayed revocation 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>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	0										

VI.I.5. Jessica Dermody CNA Exam (Monas)
(MacClure; MaClure)

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 36 stayed revocation including the attached stipulations, 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>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	0										

VI.I.6. Jayce Loren Garcia CNA Exam (Monas)

Busby moved, Dalton 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>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	0										

VI.I.7. Hawa Gaye CNA Endorsement (Monas)

Monas addressed the Board with additional information. Gutierrez moved, McCormies 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>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	0										

VI.I.9. Keisha Reshet Johnson CNA Endorsement (Monas)

Quinn 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 requirements and signing a Consent Agreement for \$50 Civil Penalty and payment of the 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>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	0										

VI.I.10. Krista Marie Likins CNA Endorsement (Monas)

Monas addressed the Board with additional information. 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 deny certification.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										

**VI.J.1. Balerie Jean Brooks RN Endorsement (Olson)
(AKA: Williamson)**

Olson addressed the Board with additional information. Busby moved, based upon the findings of fact and statute/rule violations identified in the investigative report, to deny licensure. The motion failed for lack of a second. Johnson moved, Quinn seconded, to allow Brooks to withdraw her application for licensure. The motion carried with nine in favor and one opposed.

VI.J.2. Rosa Padilla Casillas CNA999946871 (Olson)

Olson addressed the Board with additional information. 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.J.3. Eric Edgardo Abat RN135275 (Olson)
(AKA:Eric Edgar Abat)**

Olson addressed the Board with additional information. Perry 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.J.4. Nicole Lee Engelbretson RN Exam (Olson)

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 deny licensure.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										

**VI.J.5. Tiffany Lynn McGowan RN Exam (Olson)
(AKA: Stewart)**

Johnson moved, Berrigan seconded, and it was unanimously carried to continue the investigation to allow McGowan the opportunity to 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 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 licensure.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										

VI.J.9. Thomas Vernon Kimble RN124011 (Olson)

Kimble was present, telephonically, and addressed the Board. Busby moved, Perry seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to issue Notice of Charges. After discussion the motion failed with five in favor and five opposed. McCormies moved, Dalton seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 24 months probation including the attached stipulations. If not signed within 30 days, issue Notice of Charges. The motion carried with seven in favor and three opposed.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	7	X		X	X	X	X	X		X	
NO	3		X						X		X
ABSTAIN	0										
ABSENT	0										

VI.K.3. Martha Anne Chavez CNA100002168 (Parlin)

Busby moved, Johnson seconded, and it was unanimously carried to issue a Letter of Concern for the November 28, 2011, conviction for misdemeanor DUI in Tucson, Arizona.

VI.K.4. Jennifer Anne Mitchell LP045304 (Parlin)
(AKA: Elson)

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 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, the license will be placed on probation for 24 months, followed by 12 months standard probation. If not signed within 15 days, issue a Complaint and Notice of Hearing.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										

VI.K.5. Laurie Diane Rowe LP039057 (Parlin)

Parlin 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, to offer a Consent Agreement for a \$1,000 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>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	0										

VI.K.7. Sheema T. Vincent RN160863 (Parlin)

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.K.9. David Karl Zuendel LP024984 (Parlin)

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 issue Notice of Charges.

VI.M.2. Brian Keith Muir LP044840 (Perkins)

Johnson moved, Dalton seconded, to issue a Letter of Concern for failing to follow policy and call a code 3000 indication that an elopement was in progress on June 14, 2011, while employed at Maravilla Care Center in Phoenix, Arizona. After discussion the motion carried with six in favor and four opposed.

VI.M.4. Rebecca Faith Crotinger RN155961; LP043777; CNA1000000462(Perkins)

Johnson moved, Busby seconded, to issue a Letter of Concern for removing insulin without authorization in June 2010, while employed at Kingman Regional Medical Center in Kingman, Arizona. After discussion the motion failed with five in favor and five opposed. Berrigan moved, Gutierrez seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue Notice of Charges. The motion carried with eight in favor and two opposed.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	2						X		X		
ABSTAIN	0										
ABSENT	0										

VI.M.5. Debra Fay Kloster RN165058 (Perkins)

An attempt was made to contact Kloster telephonically and a message was left that the Board would move forward with the case. Perry moved, Gutierrez seconded, to issue a Letter of Concern for failing to follow employer’s policy for HIPAA (Health Insurance Portability and Accountability) on March 11, 2011, while employed at Amedisys Home Care in Yuma, Arizona. After discussion the motion failed with six opposed and four 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 two opposed.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	2							X	X		
ABSTAIN	0										
ABSENT	0										

VI.M.6. Alberto M. Gonzales LP032748 (Perkins)

Perkins addressed the Board with additional information. Scott moved, Johnson seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 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>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	0										

VI.M.9. Ramona Lavelle LP015449 (Perkins)

Quinn moved, Busby seconded, and it was unanimously carried to dismiss the complaint.

**VI.M.11. Christina Diane Watson RN141003 (Perkins)
(AKA: Klaske; Charette; Heath)**

Perkins informed the Board that Watson had signed a Voluntary surrender.

**VI.N.1. Cynthia Ann Cherry RN14725 (Rappoport)
(AKA: Jonas)**

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

VI.N.3. Asha Annie George (RN) 6288813-3102UT (Compact UT)(Rappoport)

Perry moved, Quinn seconded, and it was unanimously carried to rescind prior November 10, 2010 decision to issue Notice of Charges, and dismiss the complaint.

VI.N.4. Linda E. Gabbard RN078051 (Rappoport)

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

**VI.N.7. Leanne Celeste Emmons RN168577 (Compact TN) (Rappoport)
(AKA: Leeann Celeste Hickey; Leeann C Celeste Hickey Emmons)**

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 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>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	0										

VI.N.8. Diane Lynn Dunklin RN Endorsement (Rappoport)
(AKA: Snyder; Torres)

Rappoport addressed the Board with additional information. Dunklin was present, telephonically, 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 issue an Order of Denial.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										

VI.N.9. Kathy Mary Carter RN119420 (Rappoport)
(AKA: Bickford; Johnson)

Busby moved, Perry seconded, and it was unanimously carried to issue a Letter of Concern for the November 2, 2000, disciplinary action, Indefinite Suspension by Default of Respondent's Washington State credential number RN00133486, by the State of Washington, Department of Health, Nursing Care Quality Assurance Commission.

VI.N.11. Debra Alice Berg LP041858 (Rappoport)
(AKA: Vidinha)

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 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>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	0										

The meeting recessed at 3:53 p.m. and reconvened at 4:01 p.m.

VI.O.1. Christina Renee Baez CNA Exam (Richter)

Johnson moved, Quinn 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 chemical dependency 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, deny certification.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										
ABSTAIN	0										
ABSENT	2						X				X

VI.O.2. Marcy Lynn Burroughs CNA Exam (Richter)
(AKA: Dudder)

Quinn moved, Snider seconded, and it was unanimously carried, upon meeting all requirements, to grant certification and issue a Letter of Concern for the arrest on January 21, 2010 for DUI in Pima County, Arizona and for failing to cooperate with the Board during an investigation by not completing and returning a Board-issued questionnaire within thirty days.

VI.O.3. Lindsey Faye Gergal CNA Exam (Richter)

Gutierrez 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 certification.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										
ABSTAIN	0										
ABSENT	2						X				X

VI.O.5. Joseph William Huntsman CNA Exam (Richter)

Huntsman was present, telephonically, and available for questions. Quinn 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 requirements and signing a Consent Agreement for 18 months stayed suspension including the attached stipulations, 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>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	0										
ABSTAIN	0										
ABSENT	2						X				X

VI.O.7. Mia Lashae Jones CNA Exam (Richter)

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 deny certification.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										
ABSTAIN	0										
ABSENT	2						X				X

VI.O.9. Marcia Lynn Parrish CNA Exam (Richter)

Berrigan 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>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	0										
ABSTAIN	0										
ABSENT	2						X				X

VI.O.10. Melody Ann Stuehm 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, to deny certification.

	VOTE	<u>Berrigan</u> Member	<u>Quinn</u> Member	<u>Snider</u> Member	<u>Johnson</u> Secretary	<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	0										
ABSTAIN	0										
ABSENT	2						X				X

VI.O.11. Margarita Kira Villaraza CNA Exam (Richter)
(AKA: Margarita Kirakristina Villaraza)

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 deny certification.

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

VI.O.13. Heather Lynn Pyle LP Exam (Richter)
(AKA: Corral)

Quinn moved, Gutierrez seconded, and it was unanimously carried, upon meeting all requirements, grant licensure and issue a Letter of Concern for an arrest in May 2005, in Surprise, Arizona for Dangerous Drug Possession and Possession of Drug Paraphernalia.

McCormies returned to the meeting at 4:09 p.m.

VI.Q.4. Michele Noreen Gollihur RN150363; LP039113 (Torrez)

Torrez addressed the Board with additional information. Quinn moved, Berrigan seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 12 months probation including the attached stipulations. If not signed within 30 days, issue Notice of Charges. The motion carried with eight in favor and one abstained.

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

VI.Q.6. Carilyn Elmer LP14665 (Torrez)

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

VI.Q.9. Jack Jacobs RN142206 (Torrez)

Quinn moved, McCormies seconded, and it was unanimously carried to issue a Letter of concern for failing to document that patient C. L. may have fallen in the bathroom, and also for failing to notify the doctor and the daughter of the possible fall on April 9, 2011, while C. L. was waiting to be transferred from Banner Del Webb Medical Center to Boswell Rehabilitation Center in Sun City, Arizona.

VI.Q.10. Cynthia May Scanlon RN117890 (Torrez)

Quinn moved, Gutierrez seconded, and it was unanimously carried to dismiss the complaint.

VI.Q.13. Sarah Mclain RN113175 (Torrez)

Torrez addressed the Board with additional information and the addition of Finding of Fact 25 (a) (failure to cooperate with the Board) to the investigative report. 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 issue Notice of Charges.

VI.R.1. Heather Jayne Taylor CNA1000023673 (VandenBerg)

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 issue Notice of Charges.

VI.R.2. Cristina A. Cordova CNA Exam (VandenBerg)

VandenBerg addressed the Board and confirmed the receipt of additional information. Busby returned to the meeting at 4:15 p.m.

Berrigan moved, Gutierrez seconded, to allow Cordova to withdraw her application for certification. After discussion the motion failed with five opposed, four in favor and one abstained.

Quinn moved, McCormies seconded, to grant certification upon meeting all requirements and issue a Letter of Concern for her DUI conviction of Intoxicating Liquor, a class one misdemeanor on April 16, 2009, in West McDowell Justice Court, Arizona. After further discussion the motion carried with seven in favor, two opposed and one abstained.

VI.R.3. Scott Michael Godsil CNA Exam (VandenBerg)

Busby moved, Berrigan seconded, and it was unanimously carried to grant certification upon meeting all requirements and issue a Letter of Concern for convictions of DUI on March 9, 2000, Possession of Marijuana on February 19, 2003, DUI on May 21, 2003, and Aggravated Battery on March 28, 2007.

VI.R.4. April A. Cook CNA386348627 (VandenBerg)

An attempt was made to contact Cook telephonically. VandenBerg addressed the Board with additional information. Busby moved, Malloch seconded, to continue the investigation to allow Respondent 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 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 a Notice of Charges. A further attempt to contact Cook telephonically was successful and she addressed the Board. After discussion Busby amended the motion to extend the required time to obtain the evaluation from 45 days to 90 days. Malloch concurred. The motion carried unanimously.

	VOTE	Berrigan Member	Quinn Member	Snider Member	Johnson Secretary	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	0										

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

VII.A. Executive Directors Report – Ridenour

VII.A.1. Discuss/Amend and/or Approve Board Minutes

VII.A.1.a. November 14-15, 2011 Regular Board Meeting Minutes

VII.A.1.b. November 15, 2011 Executive Session Minutes

Busby moved, Perry seconded, and it was unanimously carried to approve minutes of November 14-15, 2011 regular Board meeting; and approve minutes of November 15, 2011 Executive Session.

VII.A.3. Recommended Policy: Criteria for Negotiating Consent Agreement Pre-Board - Smith

Perry moved, Busby seconded, and it was unanimously carried to approve the policy: Criteria for Negotiating Consent Agreement Pre-Board.

VII.A.5. FY 2013 Budget OSPB/JLBC Budget Proposals – Orchard/Bontrager

Orchard offered an update on FY2013 Budget OSPC/JLBC Budget Proposals. Items reported on:

- The Governor and Joint Legislative Budget Committee’s January 13, 2012 release of Budget recommendations for fiscal year 2013
- The Executive recommendations for appropriated funding for the Board of Nursing of \$4,129,300
- Recommendations for 5% pay raise for State employees; increase in retirement; decrease in Health insurance Rate; and overall adjustments

- Executive recommendation regarding fund transfer

VII.A.6. Transitioning of Roles: Associate Director Investigations – Val Smith – Recognition by Board – Malloch/Ridenour/All

The announcement was made of the upcoming retirement of Val Smith from the role of Associate Director of Investigations.

VII.A.8. Recommended Policy: Credential Evaluation Report: Foreign Educated RN Endorsement Applicant Requirement for Licensure by Endorsement – Bontrager

Busby moved, Perry seconded, and it was unanimously carried to approve policy: Credential Evaluation Report: Foreign Educated RN Endorsement Applicant Requirement for licensure by endorsement.

VII.C. President’s Report – Malloch

VII.C.1. Election of 2012 Board Officers: President, Vice President & Secretary - All

Board members indicated their interest in serving as officers on the Board for 2012.

Perry moved, Gutierrez seconded, and it was unanimously carried to nominate Quinn for President. Quinn accepted.

Gutierrez moved, Perry seconded, and it was unanimously carried to nominate Malloch for Vice President. Malloch accepted.

Gutierrez moved, Johnson seconded, and it was unanimously carried to nominate Berrigan for Secretary. Berrigan accepted.

**VII.C.2. Board Member Representatives to NCSBN Midyear Meeting & Selection of Two Delegates to Annual Meeting – All
NCSBN Midyear Meeting: Chicago March 12-14, 2012; NCSBN Annual NCSBN Meeting: Dallas, Texas, August 8-10, 2012**

After discussion Busby moved, Johnson seconded, and it was unanimously carried to approve the following people for upcoming NCSBN meetings:

NCSBN Midyear: Ridenour, Berrigan, and Gutierrez (resource)

NCSBN Annual: Quinn and Ridenour as Delegates, with alternates, Perry and Dalton.

VII.C.3. Changes 2012 Board Meeting Dates - All

Berrigan moved, Gutierrez seconded, and it was unanimously carried to approve 2012 Board meeting dates.

VII.E. Committee Reports

VII.E.1. Scope of Practice – Gutierrez/Berrigan/Bontrager/Burns

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

Scope of Practice Committee Meeting draft minutes of December 5, 2011, were provided to the Board.

VII.E.2. Education – Dalton/McCormies/Randolph/McGinty

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

Education Advisory Committee meeting draft minutes of December 2, 2011 were provided to the Board.

VII.D. A.A.G. Report – Zack

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

Mamaluy offered a brief update on the Hearing Department.

VII.C.4. Debriefing on Board Processes & Suggested Changes - All

Board members and staff discussed the flow of the meeting.

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).

X. Adjournment

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

The meeting adjourned at 5:17 p.m., Wednesday, January 25, 2012.

Kathy Malloch PhD, MBA, RN, FAAN

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