

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 8:02 a.m., Wednesday, July 18, 2012, in the Board of Nursing Board Room, Suite 200, 4747 N. 7th Street, Phoenix, Arizona, with Randy C. Quinn, CRNA, President, presiding.

BOARD MEMBERS PRESENT:

Randy C. Quinn, CRNA, President
Patricia Johnson, LPN, Vice President
Kathryn L. Busby, JD, Member
Leslie Dalton, MSN, RN, Member
Joel S. Feldman, JD, Member
M. Shawn Harrell, RN, MS, Member
Carolyn Jo McCormies, RN, MS, FNP-BC, Member
Charleen L. Snider, BSN, RN, Member

BOARD MEMBERS ABSENT:

Theresa (Terri) Berrigan, LPN, C-AL, Secretary
Lori Gutierrez, BS, RN-C, Member
Kim Post, RN, BSN, MBA/HCM, NEA-BC, Member

LEGAL COUNSEL:

Elizabeth Campbell, Assistant Attorney General
Emma Mamaluy, Assistant Attorney General

STAFF DIRECTORS:

Joey Ridenour, RN, MN, FAAN, Executive Director
Nikki Austin, JD, RN, Associate Director of Investigations/Compliance
Judy Bontrager, RN, MN, Associate Director of Operations
Pamela Randolph, RN, MSN, Associate Director of Education and Evidence Based Regulation
Kirk Olson, Lead Senior Investigator

STAFF:

Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings
Janeen Dahn, MSN, FNP, Nurse Practice Consultant/AP
Diva Galan, JD, Senior Investigator
Esther Garcia, Legal Assistant/Monitoring
Tamara Greabell, MA, BSN, RN, Nurse Practice Consultant
Teddylen Guffey, MHSA, RN, LNCC, Nurse Practice Consultant
Lynda Hemann, PhD, MPH, LISAC, Senior Investigator
Kristi Hunter, MSN, FNP-C, Nurse Practice Consultant
Dolores Hurtado, Senior Investigator
Ruth Kish, RN, MN, Nurse Practice Consultant
Ron Lester, Senior Investigator
Debra McGinty RN, PhD, Administrator/Nursing Programs

Jennifer McWilliams, Legal Assistant
Patricia Midkiff, RN, MN, Nurse Practice Consultant
Linda Monas, Senior Investigator
Doug Parlin, Senior Investigator
Judy Pendergast, RN, Nurse Practice Consultant/CANDO
Mary Rappoport, RN, MN, Nurse Practice Consultant
Deborah Richards, Senior Investigator
Bonnie Richter, MSW, Senior Investigator
Jeanine Sage, RN, MSN, Nursing Assistant Consultant
Valerie Smith, RN, MS, FRE, Nurse Practice Consultant
Sister Rachel Torrez, RN, MS, Nurse Practice Consultant
Dirk VandenBerg, Sr., Senior Investigator
Barbara Melberg, Legal Secretary

I. Call to Order

The meeting was called to order at 8:02 a.m., Wednesday, July 18, 2012.

The following Board members were present: Quinn, Johnson, Dalton, McCormies, Harrell, Snider, and Feldman.

Quinn presided.

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

VI. RN/LPN/CNA Investigative Reports

VI.A.2. Coleen McCarter RN034579; AP0910 (Dahn)

Complainant, Tara Nagy was present and addressed the Board. McCarter and her attorney were present and addressed the Board. Snider moved, Harrell seconded, and it was unanimously carried to dismiss the complaint.

**VI.P.1. Lisa Marie Andersen RN Exam (Richter)
(aka: Stauber)**

Andersen was present and available for questions. Attorney Robert Chelle was present and addressed the Board. Snider moved, Harrell seconded, to issue a Letter of Concern. After discussion Snider withdrew the motion.

Quinn moved, Snider 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 \$250 Civil Penalty, to grant licensure. If not signed within 30 days or payment not received within 60 days, deny licensure. After further discussion, the motion carried with four in favor and three opposed.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	4		X		X		X			X		
NO	3	X		X				X				
ABSTAIN	0											
ABSENT	4					X			X		X	X

V.C. Non-Compliance/Compliance with Board Orders – Galan/Midkiff/Rappoport

V.C.7. Exekiel Tolutope Opuroku RN162082; LP036460 (Midkiff)

An attempt was made to contact Opuroku telephonically and a message was left that the Board would move forward with the case. Opuroku’s attorney, Lisa Gervase, was present and addressed the Board. Quinn moved, John seconded, based on findings of fact and statute/rule violations contained in the investigative report, offer a Consent Agreement for 18 months stayed revocation/probation with the attached stipulations. If not signed within 30 days, issue Notice of Charges. The motion carried with six in favor and one opposed.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	6	X	X	X	X		X	X				
NO	1									X		
ABSTAIN	0											
ABSENT	4					X			X		X	X

Feldman left the meeting at 8:59 a.m. and returned at 9:00 a.m.

V.F. CANDO Eligibility/Noncompliance & Investigative Reports

V.F.2. Brandy Anne Compton RN117677 (Pendergast)

Attorney Teresa Sanzio was present telephonically 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 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 15 days, issue Notice of Charges.

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

V.C. Non-Compliance/Compliance with Board Orders – Galan/Midkiff/Rappoport

V.C.8. Mark Harrison Powell RN077937 (Midkiff)

Attorney Teresa Sanzio was present telephonically and addressed the Board. Quinn moved, Feldman seconded, and it was unanimously carried to go into Executive Session on Agenda Item V.C.8. for the purpose of obtaining legal advice pursuant to A.R.S. §38-431.03 (A)(3). Executive Session convened at 9:08 a.m. and adjourned at 9:28 a.m. Busby arrived at the meeting at 9:25 a.m. Attorney Teresa Sanzio again addressed the Board. Feldman moved, Johnson seconded, to continue to the September Board meeting to allow attorney Sanzio to meet with Respondent. After discussion, the motion failed with four opposed, three in favor and one abstained. Snider moved, Dalton seconded, and it was unanimously carried to table Agenda Item V.C.8.

VI. RN/LPN/CNA Investigative Reports

VII.L.12. Sheryl Lynn Braat RN143215 (Parlin)

Attorney Teresa Sanzio was present telephonically and addressed the Board. Quinn moved, Feldman seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 24 months probation including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	8	X	X	X	X		X	X		X		X
NO	0											
ABSTAIN	0											
ABSENT	3					X			X		X	

VI.A.1. Shawn Smith RN134537; AP4002 (Dahn)

Dahn addressed the Board with additional information. Busby moved, McCormies seconded, and it was unanimously carried, for complaints #1 and #2, 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 Jacquelyn St. Germaine, a Board approved licensed PhD level psychologist with expertise in substance abuse and professional sexual misconduct, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and then return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	8	X	X	X	X		X	X		X		X
NO	0											
ABSTAIN	0											
ABSENT	3					X			X		X	

VI.A.3. Luciana Anthony RN102130; AP1384 (Dahn)

Anthony was present and available for questions. Snider moved, Busby seconded, and it was unanimously carried to dismiss the complaint.

VI.N.3. Angela Gwen Christian RN Endorsement (Rappoport)

Elizabeth Sacks was present and available for questions. Christian was present and addressed the Board. Busby moved, McCormies seconded, contingent upon the Mississippi Board of Nursing meeting on or about July 25-26, 2012, voting to resolve the 2007 Mississippi Order and allowing Arizona to assume continued monitoring of Respondent's license, 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 24 months stayed revocation probation, followed by 24 months standard probation, to include the attached stipulations, issue a temporary conditional license for RN Refresher Course only to be completed within 12 months. Upon successful completion of RN Refresher Course within 12 months, grant RN license under applicable terms pursuant to Consent Agreement. If not signed within 30 days, deny licensure.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	8	X	X	X	X		X	X		X		X
NO	0											
ABSTAIN	0											
ABSENT	3					X			X		X	

After discussion, Busby rescinded the motion.

Busby moved, McCormies seconded, and it was unanimously carried contingent upon the Mississippi Board of Nursing meeting on or about July 25-26, 2012, voting to resolve the 2007 Mississippi Order and allowing Arizona to assume continued monitoring of Respondent's license, 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 24 months stayed revocation probation, followed by 24 months standard probation, to include the attached stipulations, grant RN license under applicable terms pursuant to Consent Agreement. If not signed within 30 days, deny licensure.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	8	X	X	X	X		X	X		X		X
NO	0											
ABSTAIN	0											
ABSENT	3					X			X		X	

The meeting recessed at 10:07 a.m. and reconvened at 10:24 a.m.

VI.P.2. Theresa Marie Berger CNA Exam (Richter)

Berger was present and available for questions. Busby moved, Johnson seconded, based upon the findings of fact and statute/rule violations identified in the investigative report 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. The motion carried with seven in favor and one opposed.

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

VI.P.7. Jonathon Michael DeLaCruz RN Exam (Richter)

DeLaCruz was present and addressed the Board. Busby moved, Feldman 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 with a Board approved PhD prepared evaluator and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and then return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny licensure.

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

VI.P.8. Melissa Lee Everest CNA Exam (Richter) (aka: Crow)

Everest was present and addressed the Board. Busby moved, Feldman seconded, to continue the investigation to allow applicant the opportunity to voluntarily obtain a psychological evaluation with an emphasis on substance abuse/chemical dependency issues with a Board approved PhD prepared evaluator and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and then return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification. After discussion, the motion failed with four opposed and four in favor.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	4	X			X					X		X
NO	4		X	X			X	X				
ABSTAIN	0											
ABSENT	3					X			X		X	

After further discussion, Busby moved, Quinn seconded, to continue the investigation to allow applicant the opportunity to voluntarily obtain a psychological evaluation with an emphasis on substance abuse/chemical dependency issues with a Board approved PhD prepared evaluator and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and then return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification. The motion carried with five in favor and two opposed.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	5	X			X		X			X		X
NO	2		X	X				X				
ABSTAIN	0											
ABSENT	3					X			X		X	

VI.P.9. Stacey Lee Frederick CNA Exam (Richter)

Frederick was present and addressed the Board. Busby 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 and anger management issues with a Board approved PhD prepared evaluator and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and then return to the Board. If the

evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	8	X	X	X	X		X	X		X		X
NO	0											
ABSTAIN	0											
ABSENT	3					X			X		X	

Feldman left the meeting at 10:46 a.m.

VI.P.11. Jade Christine Gardner CNA Exam (Richter)

Gardner was present and available for questions. Johnson moved, Busby 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 and/or chemical dependency with a Board approved PhD prepared evaluator and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and then return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification.

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

Feldman returned to the meeting at 10:47 a.m.

VI.P.20. Craig Alan Smith CNA Exam (Richter)

Smith was present and available for questions. Feldman moved, Snider seconded, to continue the investigation to allow Applicant the opportunity to voluntarily obtain a psychological evaluation to with an emphasis on abuse evaluation and anger management issues, with a Board approved PhD prepared evaluator to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification. After discussion, the motion carried with five in favor and three opposed.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	5	X	X		X					X		X
NO	3			X			X	X				
ABSTAIN	0											
ABSENT	3					X			X		X	

VI.R.4. Lamis Singhatch LP045705 (Torrez)

Singhatch was present and available for questions. Busby moved, Feldman seconded, and after discussion, it was unanimously carried, for complaint #1, to issue a Letter of Concern for using a pre-signed prescription form signed by a doctor to order a Fentanyl patch 25 mcg. for a patient on February 19, 2012, while employed at Life Care of Scottsdale in Scottsdale, Arizona; and for complaint #2, to issue a Letter of Concern for documenting that she had changed a dressing on the heel of resident V. J. on March 31, 2012, and again on April 1, 2012, when the dressing had not been changed while employed at Life Care of Scottsdale in Scottsdale, Arizona.

VI.R.3. Kimberly Ann Fawley RN159187 (Torrez)

Torrez addressed the Board with additional information. Fawley 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 a \$250 Civil Penalty. If not signed within 30 days, issue Notice of Charges.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	8	X	X	X	X		X	X		X		X
NO	0											
ABSTAIN	0											
ABSENT	3					X			X		X	

VI.R.1. Raymond Jay Okou RN170317 (Torrez)

Oklu was present and addressed the Board. Busby moved, Feldman seconded, to issue a Letter of Concern for failing to read the instructions on how to mix Aleplase for the purpose of declotting a PICC line, and failing to mix it correctly on December 5, 2011, while employed at Banner Good Samaritan Hospital in Phoenix, Arizona.

VI.C.3. Souhail Chebbi RN157575 (Guffey)

Guffey addressed the Board with additional information. Chebbi 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 minimum 36 month stayed suspension/probation to include the attached stipulations. If not signed in 30 days, issue Notice of Charges. After discussion, the motion carried with seven in favor and one opposed.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	7	X	X		X		X	X		X		X
NO	1			X								
ABSTAIN	0											
ABSENT	3					X			X		X	

V.C. Non-Compliance/Compliance with Board Orders – Galan/Midkiff/Rappoport

V.C.8. Mark Harrison Powell RN077937 (Midkiff)

Snider moved, Quinn seconded, and it was unanimously carried to reopen Agenda Item V.C.8. Midkiff addressed the Board and confirmed the receipt of additional information. Attorney Teresa Sanzio was present telephonically and addressed the Board. Quinn moved, Johnson seconded, based upon the findings of fact and the statute/rule violations identified in the investigative report, to lift the stayed revocation/probation in Consent Agreement and Order No. 09A-0903001 and revoke Respondent’s license No. RN077937. The motion carried with five in favor, two opposed and one abstained.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	5		X		X		X	X		X		
NO	3	X		X								
ABSTAIN	1											X
ABSENT	3					X			X		X	

VI. RN/LPN/CNA Investigative Reports

VI.C.4. Catherine Swazey RN151709 (Guffey)

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

VI.C.5. Jane Farnsworth RN057706 (Guffey)

Farnsworth was present and addressed the Board. Snider moved, Feldman seconded, and it was unanimously carried, for complaints #1 and #2, issue a Letter of Concern for medication error made on patients R.T. and P.L. on July 21, 2011, while working at University Medical Center in Tucson, Arizona.

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

IV.B.2. Felony Bar Cases

IV.B.2.b.	Ubaldo Anthony Barron	CNA1000013725	VandenBerg
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Barron was present and addressed the Board. Quinn moved, Johnson seconded, and unanimously carried to adopt the attached Notice of Charges.

IV.D. Board Staff Recommendation: Applicants for Licensure

IV.D.1. Guopin Zhao Thompson RN Endorsement Bontrager

Thompson was present and available for questions. Busby moved, Dalton seconded, and it was unanimously carried to grant RN licensure that is “Valid in AZ only”, upon meeting all requirements except Credential Evaluation Report.

V.C. Non-Compliance/Compliance with Board Orders – Galan/Midkiff/Rappoport

V.C.1. Mary Francis Lopez RN119733 (Rappoport) (aka: Profeta)

Lopez was present and available for questions. Busby moved, McCormies seconded, and it was unanimously carried to approve request to amend Consent Agreement and Order No. 0908010 entered into on March 23, 2010.

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

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Mesa Boswell, Mesa Community, and Fortis College Nursing Students regarding Board functions, policies and procedures. The following questions were asked:

- Clarification of the terms “amended” and to “lift stay”
- Procedure for updating the Nurse Practice Act

The meeting recessed at 11:59 a.m. and reconvened at 12:59 p.m.

VI. RN/LPN/CNA Investigative Reports

VI.F.1. Joseph Arnold Cobb LP025970 (revoked); CNA201657589 (Kish)

Kish addressed the Board and confirmed the receipt of additional information. Cobb was present and available for questions. Snider moved, Quinn seconded, and it was unanimously carried, upon meeting all licensure requirements, to grant issuance of a temporary LPN license for LPN Refresher Course Only, and upon successful completion of LPN Refresher Course, grant licensure and offer a Consent Agreement for a 24 month standard probation to include the attached stipulations. If not signed within 30 days, deny license and issue Notice of Charges.

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

VI.G.3. Kimberli J. Galloway RN Endorsement (Lester) (aka: Del Buono; Deichman)

Lester addressed the Board and noted a technical correction to the investigative report. Galloway was present and available for questions. Busby moved, Feldman seconded, and it was unanimously carried, upon meeting all requirements, to grant license and issue a Letter of Concern for the June 1, 1993

misdemeanor conviction for Simple Possession of Marijuana in Beaufort County, South Carolina, Indiana, and for the March 6, 1995, misdemeanor Driving While impaired in Bloomington, Indiana and for the April 16, 2004, misdemeanor Driving Under the Influence in Hancock County, Greenfield, Indiana.

VI.G.4. Jesus A. Guanajuato CNA Exam (Lester)

Guanajuato was present and addressed the Board. Johnson moved, Quinn 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 and anger management to be completed by a Board approved PhD prepared evaluator who has an expertise in substance abuse and anger management. The evaluation is to be completed by a Board approved licensed psychologist 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	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	8	X	X	X	X		X	X		X		X
NO	0											
ABSTAIN	0											
ABSENT	3					X			X		X	

VI.G.5. Harrison L. Hall CNA Exam (Lester)

Hall was present and addressed the Board. Feld moved, John seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all requirements and signing a Consent Agreement for a Decree of Censure, to grant certification. If not signed within 30 days, deny certification. After discussion, the motion carried with seven in favor and one opposed.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	7	X	X	X	X		X	X		X		
NO	1											X
ABSTAIN	0											
ABSENT	3					X			X		X	

Feldman left the meeting at 1:18 p.m.

VI.G.7. Katrina Sue Marie Olmstead CNA Exam (Lester)

Lester addressed the Board with additional information.

Feldman returned to the meeting at 1:19 p.m.

Olmstead was present and addressed the Board. McCormies moved, Snider seconded, to continue the investigation to allow applicant the opportunity to voluntarily obtain a psychological evaluation with an emphasis on substance abuse to be completed by a Board approved PhD prepared evaluator who has expertise in substance abuse. The evaluation to be completed by a Board approved licensed psychologist to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 60 days and then return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification. The motion carried with seven in favor and one abstained.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	7	X	X	X	X		X	X				X
NO	0											
ABSTAIN	1									X		
ABSENT	3					X			X		X	

VI.G.11. Crystal D. McGoodwin CNA999999422 (Lester)

Lester addressed the Board and confirmed the receipt of additional information. McGoodwin was present and addressed the Board. Quinn 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 24 months stayed revocation to include the attached stipulations. If not signed within 30 days, issue Notice of Charges. After discussion, Quinn amended the motion to allow Respondent to work night shift at her present place of employment only. Johnson concurred. The motion carried unanimously.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	8	X	X	X	X		X	X		X		X
NO	0											
ABSTAIN	0											
ABSENT	3					X			X		X	

VI.I.1. Elaina Sue Thorp RN162091 (Midkiff)

Thorp was present and addressed the Board. Feldman 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 12 months stayed suspension/probation to be followed by 12 months standard probation to include the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	8	X	X	X	X		X	X		X		X
NO	0											
ABSTAIN	0											
ABSENT	3					X			X		X	

**VI.J.1. Jeanette Sidonia Davila LP Endorsement (Monas)
(aka: Davila; Lee)**

Davila was present and available for questions. Busby moved, Feldman seconded to grant licensure and issue a Letter of Concern for the 1996 conviction in Santa Clarita, California. The motion failed with four in favor and four opposed.

Quinn moved, McCormies 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. The motion carried with five in favor and three opposed.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	5	X	X	X			X	X				
NO	3				X					X		X
ABSTAIN	0											
ABSENT	3					X			X		X	

VI.J.2. Alexander Etu LP Exam; CNA1000018969 (Monas)

Monas addressed the Board with additional information. Etu was present and addressed the Board. Johnson moved, Harrell seconded, and it was unanimously carried to continue the investigation to allow Applicant/Respondent the opportunity to voluntarily obtain a psychological evaluation, to include a substance abuse and anger management evaluation, with a Board approved PhD prepared evaluator, with an expertise in anger management and substance abuse, 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 LP licensure and issue Notice of Charges for CNA1000018969.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	8	X	X	X	X		X	X		X		X
NO	0											
ABSTAIN	0											
ABSENT	3					X			X		X	

VI.J.3. William Hodge Foster CNA Exam (Monas)

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

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

Feldman left the meeting at 1:54 p.m.

VI.J.4. Elva Georvany Lafforthun LP Exam (Monas)

Monas addressed the Board with additional information. Lafforthun was present and addressed the Board. Quinn moved, Johnson seconded, to continue the investigation to allow Lafforthun the opportunity to voluntarily obtain a psychological evaluation, to include an anger management and substance abuse evaluation with a Board PhD prepared evaluator, with 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 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.

Feldman returned to the meeting at 1:58 p.m.

After discussion the motion carried with seven in favor and one abstained.

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

VI.J.10. Malick Njai CNA Exam (Monas)

Monas addressed the Board with additional information. Mjai was present and addressed the Board. Busby moved, Quinn seconded, upon meeting all requirements and signing a Consent Agreement for \$50 Civil Penalty, to grant certification. If not signed within 30 days and payment not received within 60 days, deny certification. The motion carried with seven in favor and one abstained.

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

VI.A.5. Kathleen Karaszewski RN059186; AP3583 (Dahn)

Dahn addressed the Board and confirmed the receipt of additional information. Attorney Michele Thompson and Karaszewski were present, telephonically, and Thompson addressed the Board.

Busby moved, McCormies seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a 6 month suspension to include the attached stipulations, followed then by a minimum of 12 months probation to include the attached stipulations. If not signed within 30 days, issue Notice of Charges. After discussion, Busby amended the motion to include that Consent Agreement must be signed within 5 business days. McCormies concurred. The motion carried unanimously.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	8	X	X	X	X		X	X		X		X
NO	0											
ABSTAIN	0											
ABSENT	3					X			X		X	

After discussion, Busby rescinded the motion.

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 6 months suspension to include the attached stipulations, followed then by a minimum of 12 months probation to include the attached stipulations, for a total of 18 months probation. Stipulations to include: chart reviews for months 7-18. If not signed within 5 business days, issue Notice of Charges.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	8	X	X	X	X		X	X		X		X
NO	0											
ABSTAIN	0											
ABSENT	3					X			X		X	

VI.U. 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.U.1. Elizabeth Capotosti RN113576; AP3576 (Dahn)

Capotosti and her attorney, Michele Thompson were present telephonically and available for questions. Busby moved, Dalton seconded, and after discussion, 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 the voluntary surrender of advanced practice certificate and the stayed revocation of the RN license to include the attached stipulations. During the stay of revocation, the license will be suspended for a period of time not to exceed 12 months contingent upon compliance with terms and conditions. Thereafter, and for the duration of the stayed revocation, the license will be placed on probation contingent upon compliance with all terms and conditions.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	8	X	X	X	X		X	X		X		X
NO	0											
ABSTAIN	0											
ABSENT	3					X			X		X	

VI. RN/LPN/CNA Investigative Reports

VI.C.1. Jill Bossler RN065435 (Guffey)

Guffey addressed the Board and noted a technical correction to the investigative report. Bossler was present and available for questions. Attorney Ann Fulton-Cavett was present and addressed the Board. Quinn moved, Johnson seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for probation, as follows: If the findings of the substance abuse evaluation (by a Board Approved, PhD prepared Psychologist) required by the Consent Agreement identifies 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 attached stipulations. If the findings from the 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 12 months with the attached stipulations. If not signed within 30 days, issue Notice of Charges. The motion failed with six opposed and two in favor.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	2						X	X				
NO	6	X	X	X	X					X		X
ABSTAIN	0											
ABSENT	3					X			X		X	

Busby moved, Snider 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, and to include the attached stipulations, amended to include: night shift and registry allowed; access to drugs prohibited. If not signed within 30 days, issue Notice of Charges. The motion carried with five in favor, two opposed and one abstained.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	5	X	X		X					X		X
NO	2						X	X				
ABSTAIN	1			X								
ABSENT	3					X			X		X	

VI.L.3. Christina Marie Newman RN163999; LP045894; CNA1000016828 (Parlin)

Newman was present and addressed the Board. Snider moved, Feldman seconded, and it was unanimously carried to issue a Letter of Concern for the October 21, 2011, misdemeanor Domestic Violence Aggravated Assault conviction in Show Low, Arizona.

VI.L.8. Adella Marie Deharo RN133674 (Parlin)

Deharo was present and available for questions. Johnson moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for the October 18, 2010, misdemeanor Extreme DUI conviction in Surprise, Arizona and for failing to report the charges to the Board within ten days as required by the statutes and rules.

Busby left the meeting at 3:06 p.m.

The meeting recessed at 3:06 p.m. and reconvened at 3:26 p.m.

VI.L.9. Jasmine Elyse Gorsuch LP045725; CNA1000011542 (Parlin)

Parlin addressed the Board with additional information. Gorsuch was present and addressed the Board. Feldman 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	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	7	X	X	X	X		X	X		X		
NO	0											
ABSTAIN	0											
ABSENT	4					X			X		X	X

VI.L.10. Jeana Kay Rude RN134341 (Parlin)

Parlin addressed the Board with additional information. Rude was present and addressed the Board. Quinn moved, Feldman 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 at current place of employment only. If not signed within 30 days, issue Notice of Charges.

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

VI.L.13. Kelly Lynn Bunton RN121091 (Parlin)

Parlin addressed the Board and confirmed the receipt of additional information. Bunton was present and addressed the Board. Johnson moved, Dalton seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 18 months probation including the attached stipulations. If not signed within 30 days, issue Notice of Charges. After discussion the motion carried with five in favor and two opposed.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	5	X	X		X		X	X				
NO	2			X						X		
ABSTAIN	0											
ABSENT	4					X			X		X	X

**VI.N.4. Melissa Marie Goley RN Endorsement (Rappoport)
(aka: Koen; Fowler)**

Rappoport addressed the Board with additional information. Goley was present and addressed the Board. Quinn moved, Snider seconded, and it was unanimously carried, based upon the findings of fact and statute and rule violations identified in the investigative report, upon meeting all licensure requirements, and signing a Consent Agreement for 24 months stayed revocation/probation, followed by 12-month standard probation to include attached stipulations, amended to include; two (2) pharmacies allowed, 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 this investigative report.

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

VI.N.1. Herbert Matthew Neff RN Compact 171693 (NC) (Rappoport)

An attempt was made to contact Neff telephonically. Snider moved, Quinn seconded, and it was unanimously carried to table Agenda Item VI.N.1.

VI.S.1. William Roger Parrott CNA352955083 (VandenBerg)

VandenBerg addressed the Board with additional information. Parrott was present and addressed the Board. Johnson 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 36 months stayed revocation including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

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

VI.S.2. Erin Jay O'Neill CNA100005314 (VandenBerg)

VandenBerg addressed the Board with additional information. O'Neill was present and addressed the Board. Quinn moved, McCormies seconded, and it was unanimously carried to table Agenda Item VI.S.2.

VI.T.2. Raymond Micheal Kropczynski RN169604 (Smith)

Smith addressed the Board with additional information. Kropczynski was present and addressed the Board. Quinn moved, Dalton seconded, and it was unanimously carried to rescind the Board decision May 2012 and, based upon the findings of fact and statute/rule violations identified in the investigative

reports, accept the signed Consent Agreement for 36 month stayed suspension during which time the license will be placed on probation and to include the attached stipulations.

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

VI.T.1. Heidi Lynn Antila RN Exam (Smith)

Quinn moved, Feldman seconded, and it was unanimously carried to reauthorize Antila to take the NCLEX-RN exam.

VI.N.1. Herbert Matthew Neff RN Compact 171693 (NC) (Rappoport)

Johnson moved, McCormies seconded, and it was unanimously carried to reopen Agenda Item VI.N.1. An attempt was made to contact Neff telephonically and a message was left that the Board would move forward with the case. Johnson moved, Snider seconded, and it was unanimously carried to issue a Letter of Concern for failing to use an IV pump or regulatory device on for an intravenous fluid challenge of 500cc on a geriatric patient and closely monitor that patient on March 25, 2012, while employed by Advantage RN and assigned as a travel nurse at Banner Boswell Medical Center, in Sun City, Arizona.

VI.N.2. Julie Kay Nelson TRN166710 (Rappoport)

Harrell moved, Snider seconded, and it was unanimously carried, upon meeting all requirements, grant licensure with a Letter of Concern for failing to follow the proper process for wastage of a controlled substance and requesting that a co-worker falsify a controlled substances wastage documentation form, on February 11, 2011, while assigned as a travel nurse to the Medical/Surgical Unit at Mercy Gilbert Medical Center, Gilbert, AZ and employed by Aureus Medical Group.

V.A. Board Staff Recommendation: Terminate Previously Issued Board Orders after Full Compliance, RN/LP/CNA – (Midkiff/Garcia) (List available in Board office)

Bethany Downing was present and addressed the Board. Quinn moved, Johnson 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.

VI. RN/LPN/CNA Investigative Reports

VI.C.2. Sheila Simbajon RN155787 (Guffey)

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

VI.C.6. Astra Peterson LP045242 (Guffey)

Guffey addressed the Board with additional information. McCormies moved, Dalton seconded, and it was unanimously carried, based upon the information in the updated investigative report, to amend Respondent’s Consent Agreement and Order No. 1201025 to allow:

1. Direct supervision by Respondent’s current LPN supervisor, at Intensive Treatment Systems for as long as Respondent is employed at Intensive Treatment Systems; and
2. Require physician chart audits, 5 charts per month, for the duration of Respondent’s probation, to be included in her scheduled performance evaluations.

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

V.C. Non-Compliance/Compliance with Board Orders – Galan/Midkiff/Rappoport

V.C.2. Giacomo Yockman RN115486 (Rappoport)

Rappoport addressed the Board with additional information. Quinn moved, Snider seconded, and it was unanimously carried to accept the signed, amended Consent Agreement and Order No. 1005054 to extend Respondent’s probation to allow Respondent to complete Dr. Desch’s recommendation that Respondent participate in a relapse prevention program by continuing individual recovery-oriented therapy with Dr. Steven Eickelbert a minimum of 2x/month for not less than one year. Prior to termination of Respondent’s probation, Respondent will direct Dr. Eickelberg to submit an assessment to the Board regarding Respondent’s progress and include recommendations for continuing or discontinuing therapy.

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

**V.C.3. Angela Lee Pietraszewski RN146638 (Rappoport)
(aka: Toland; Suttmiller)**

An attempt was made to contact Pietraszewski telephonically and a message was left that the Board would move forward with the case. McCormies moved, Dalton seconded, and it was unanimously carried to deny Respondent’s request to terminate Consent Agreement and Order No. 0810010 and based upon findings of fact and statute rule violations identified in the investigative report, issue Notice of Charges.

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

V.C.12. Christopher Scott Resinger RN109727; LP034489 (Midkiff)

Snider moved, Johnson seconded, and it was unanimously carried to issue a Letter of Concern to Respondent for failing to cause his immediate supervisor to inform the Board, in writing and on employer letterhead, acknowledgement of the supervisor's receipt of a copy of Respondent's entire Consent Agreement and Order, and the employer's ability to comply with the terms of probation as required by Respondent's Consent Agreement and Order No. 1006050, and terminate Respondent's probation.

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

V.D.1. Michael Janson Bass LP040451 (Garcia)

Johnson moved, Feldman seconded, and it was unanimously carried to approve request to terminate probation of Consent Agreement and Order No. 1004072 entered into on June 27, 2011.

V.D.3. Lisa Jean Montgomery RN078391 (Garcia)

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

VI. RN/LPN/CNA Investigative Reports

VI.A.4. Cristina Zimmerman RN134223; AP3432 (Dahn)

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

VI.F.2. Nancy Diane May RN Endorsement (Kish)
(aka: Jordan; Combs; Farr)

Kish 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 accept a signed Consent Agreement for \$100 Administrative Penalty and upon meeting all requirements, grant license.

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

VI.F.3. David Hinman Foust RN Endorsement (Kish)

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

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

VI.S.2. Erin Jay O'Neill CNA100005314 (VandenBerg)

McCormies moved, Quinn seconded, and it was unanimously carried to reopen Agenda Item VI.S.2. O'Neill was present and available for questions. Quinn moved, Snider seconded, and it was unanimously carried based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 24 months stayed suspension/probation to include the attached stipulations, amended to include: AA 2 times per week. If not signed within 30 days, issue Notice of Charges.

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

VI.G.1. Kathy J. Carmical CNA Exam (Lester)

Lester addressed the Board and confirmed the receipt of additional information. McCormies 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	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	7	X	X	X	X		X	X		X		
NO	0											
ABSTAIN	0											
ABSENT	4					X			X		X	X

VI.G.2. Ashley M. Cole CNA Exam (Lester)

Lester addressed the Board with additional information. Johnson moved, Dalton seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all requirements and signing a Consent Agreement for a Decree of Censure, to grant certification. If not

signed within 30 days, deny certification. After discussion, the motion failed with four opposed and three in favor.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	3	X						X		X		
NO	4		X	X	X		X					
ABSTAIN	0											
ABSENT	4					X			X		X	X

McCormies moved, Snider seconded, upon meeting all certification requirements, grant certificate and issue a Letter of Concern for the misdemeanor conviction for Embezzlement, on October 14, 2008, that was later set-aside on or about March 10, 2009, in the State of Michigan 78th District Court of Oceana County, Michigan. The motion carried with seven in favor and one opposed.

Feldman left the meeting at 4:47 p.m.

VI.G.6. Shelly A. Horton CNA Exam (Lester)

Snider moved, McCormies 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 to be completed by a Board approved evaluator who is at minimum PhD prepared who has expertise in Substance Abuse. The evaluation is to be completed by a Board approved licensed psychologist 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	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	6	X	X	X	X		X	X				
NO	0											
ABSTAIN	0											
ABSENT	5					X			X	X	X	X

VI.G.8. Jenna G. Stoddard CNA Exam (Lester)

Quinn 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 to be completed by a Board approved evaluator who is at minimum PhD prepared who has expertise in Substance Abuse. The evaluation to be completed by a Board approved licensed psychologist 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	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	6	X	X	X	X		X	X				
NO	0											
ABSTAIN	0											
ABSENT	5					X			X	X	X	X

VI.G.9. Linda L. Farris CNA Exam (Lester)

Feldman returned to the meeting at 4:50 p.m.

Quinn moved, McCormies seconded, continue the investigation to allow applicant the opportunity to voluntarily obtain a psychological evaluation with an emphasis Substance Abuse to be completed by a Board approved evaluator who is at minimum PhD prepared who has expertise in Substance Abuse. The evaluation to be completed by a Board approved licensed psychologist 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 six in favor and one abstained.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	6	X	X	X	X		X	X				
NO	0											
ABSTAIN	1									X		
ABSENT	4					X			X		X	X

VI.G.10. Shawn M. Staggs CNA Exam (Lester)

Lester addressed the Board with additional information. Snider 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 to include the attached stipulations, to grant certification. If not signed within 30 days, deny certification.

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

V.F. CANDO Eligibility/Noncompliance & Investigative Reports

V.F.1. Case No. 1201003 RN (Pendergast)

Respondent for Case No. 1201003 was present, telephonically and available for questions.

Quinn moved, Dalton seconded, and it was unanimously carried to go into Executive Session on Agenda Item V.F.1. for the purpose of discussing confidential information and obtaining legal advice pursuant to A.R.S. §38-431.03 (A)(2)(3). Executive Session convened at 4:59 p.m. and adjourned at 5:02 p.m.

McCormies moved, Dalton seconded, and it was unanimously carried to approve request for nurse listed as case number 1201003 to complete the terms of the CANDO Stipulated Agreement, signed on or about February 24, 2012, in Colorado contingent upon Colorado Board of Nursing approval and full compliance with the CANDO Stipulated Agreement.

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

VIII. Call to the Public

No members of the public requested to speak.

The meeting recessed at 5:05 p.m., Wednesday, July 18, 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 8:00 a.m., Wednesday, July 19, 2012, in the Board of Nursing Board Room, Suite 200, 4747 N. 7th Street, Phoenix, Arizona, with Randy C. Quinn, CRNA, President, presiding.

BOARD MEMBERS PRESENT:

Randy C. Quinn, CRNA, President
Patricia Johnson, LPN, Vice President
Kathryn L. Busby, JD, Member
Leslie Dalton, MSN, RN, Member
Joel S. Feldman, JD, Member
M. Shawn Harrell, RN, MS, Member
Carolyn Jo McCormies, RN, MS, FNP-BC, Member
Kim Post, RN, BSN, MBA/HCM, NEA-BC, Member
Charleen L. Snider, BSN, RN, Member

BOARD MEMBERS ABSENT:

Theresa (Terri) Berrigan, LPN, C-AL, Secretary
Lori Gutierrez, BS, RN-C, Member

LEGAL COUNSEL:

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

STAFF DIRECTORS:

Joey Ridenour, RN, MN, FAAN, Executive Director
Nikki Austin, JD, RN, Associate Director of Investigations/Compliance
Judy Bontrager, RN, MN, Associate Director of Operations
Pamela Randolph, RN, MSN, Associate Director of Education and Evidence Based Regulation
Kirk Olson, Lead Senior Investigator

STAFF:

Susan Barber, RN, MSN, Nurse Practice Consultant/Hearings Janeen Dahn, MSN, FNP, Nurse Practice Consultant/AP Diva Galan, JD, Senior Investigator Esther Garcia, Legal Assistant/Monitoring Tamara Greabell, MA, BSN, RN, Nurse Practice Consultant Teddylen Guffey, MHSA, RN, LNCC, Nurse Practice Consultant Lynda Hemann, PhD, MPH, LISAC, Senior Investigator Kristi Hunter, MSN, FNP-C, Nurse Practice Consultant Dolores Hurtado, Senior Investigator Ruth Kish, RN, MN, Nurse Practice Consultant Ron Lester, Senior Investigator Debra McGinty RN, PhD, Administrator/Nursing Programs	Jennifer McWilliams, Legal Assistant Patricia Midkiff, RN, MN, Nurse Practice Consultant Linda Monas, Senior Investigator Doug Parlin, Senior Investigator Judy Pendergast, RN, Nurse Practice Consultant/CANDO Mary Rappoport, RN, MN, Nurse Practice Consultant Deborah Richards, Senior Investigator Bonnie Richter, MSW, Senior Investigator Jeanine Sage, RN, MSN, Nursing Assistant Consultant Valerie Smith, RN, MS, FRE, Nurse Practice Consultant Sister Rachel Torrez, RN, MS, Nurse Practice Consultant Dirk VandenBerg, Sr., Senior Investigator Barbara Melberg, Legal Secretary
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I. Call to Order

The meeting was called to order at 8:00 a.m., Thursday, July 19, 2012.

The following Board members were present Quinn, Johnson, Dalton, McCormies, Harrell, Snider, Feldman, Post and Busby.

Quinn presided.

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

VI. RN/LPN/CNA Investigative Reports

VI.P.1. Lisa Marie Andersen RN Exam (Richter) (aka: Stauber)

Busby moved, Snider seconded, and it was unanimously carried to reopen Agenda Item VI.P.1. Richter addressed the Board with additional information. Attorney Rob Chelle was present and addressed the Board. Quinn moved, Johnson seconded to reaffirm prior Board motion.

II.A. Administrative Law Judge (ALJ) Recommendations

II.A.1. Victoria Anne Coursey RN112915 Campbell

The proceeding began at 8:06 a.m., with the following Board members present: Quinn, Johnson, Dalton, McCormies, Harrell, Snider, Feldman, Post and Busby.

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

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

Campbell addressed the Board and requested the Board accept the Administrative Law Judge's recommended findings of fact and conclusions of law and to adopt the ALJ's recommended Order.

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

Johnson moved, Quinn seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 24.

Busby moved, Johnson seconded, and it was unanimously carried, to accept as Conclusions of Law the alleged violations in Paragraphs 1 through 10.

Busby moved, Dalton seconded, to accept the Administrative Law Judge's recommended Order for 36 months probation with terms. After discussion, Busby amended the motion to include education requirements: nurse ethics, and pharmacology consistent with standard of staff requirements. Dalton concurred.

Feldman left the meeting at 8:14 a.m.

The motion carried unanimously.

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

Feldman returned to the meeting at 8:15 a.m.

II.A.2. Beverly Jean Gomes CNA Applicant Campbell

The proceeding began at 8:15 a.m., with the following Board members present: Quinn, Johnson, Dalton, McCormies, Harrell, Snider, Feldman, Post and Busby.

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

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

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

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

Busby moved, McCormies seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 20.

Busby moved, Dalton seconded, and it was unanimously carried, to accept as Conclusions of Law the alleged violations in Paragraphs 1 through 12.

Busby moved, Dalton seconded, and it was unanimously carried to deny the applicant’s appeal and that prior denial of Gomes’s application for nursing assistant certification be upheld and affirmed.

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

II.B.1. Vichitra Pitman CNA473111619 Campbell

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

Pitman was present, telephonically, and addressed the Board.

Campbell addressed the Board and recommended a Decree of Censure.

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

Busby moved, Johnson 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.

Pitman was given the opportunity to respond to the proposed discipline.

Busby moved, Johnson seconded, and it was unanimously carried to accept the State’s recommended discipline for a Decree of Censure.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	9	X	X	X	X		X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	2					X			X			

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

AGENA #	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.B.2.	Debora Lynn Tuck	RN086567	Revocation	Campbell
II.B.3.	Anne Marie Welch	CNA1000001150	Revocation	Campbell

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

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

Campbell addressed the Board.

Busby moved, Johnson 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	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	9	X	X	X	X		X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	2					X			X			

II.C. Settlement Conference Cases and Proposed Consent Agreements

II.C.1. Charles Alan Bennett RN109600 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 with an amendment to finding of fact #7.

Bennett was present and addressed the Board.

Busby moved, Snider seconded, and it was unanimously carried to accept the signed Consent Agreement (for 12 months stayed revocation/probation followed by 12 months standard probation), to include the recommended amendment to finding of fact #7.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	9	X	X	X	X		X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	2					X			X			

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

AGENA	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.D.1.	Jorge Luis Banuelos	CNA1000008931	Revocation	Campbell
II.D.2.	Shawn E. Butcher	CNA913727103	Revocation	Campbell
II.D.3.	Tommy Lyle Carlton	RN127562	Revocation	Campbell
II.D.6.	Emma Ann Eldredge	CNA999950782	Revocation	Campbell
II.D.7.	Courtney Chris Hamilton	RN154763	Revocation	Campbell
II.D.8.	Debra Joanne Harms (aka: Wilson; Jones; Mounger, Cecil)	LP040621	Revocation	Campbell
II.D.11.	Juan B. Lawrence	CNA987615103	Revocation	Campbell
II.D.13.	Cynthia Heim Moeser	RN0703202; LP022965	Revocation	Campbell
II.D.14.	Carole Brady Morrill	RN043092	Revocation	Campbell
II.D.16.	Pamela Parkersmith	CNA401631103	Revocation	Campbell
II.D.17.	Leslyann Kay Phillips (aka: Leslyann Phillips)	RN142246	Revocation	Campbell
II.D.18.	Heather M. Scholz	CNA1000009400	Revocation	Campbell
II.D.19.	Alice K. Van Dyke	CNA999947768	Revocation	Campbell
II.D.20.	Sheila A. Woods	CNA108741669	Revocation	Campbell
II.D.21.	Cathy E. Sanabria	RN094273	Revocation	Campbell/ Mamaluy
II.D.22.	John A. Shestko	CNA625785803	Revocation	Campbell/ Mamaluy
II.D.24.	Lisa Annette Smith	LP020978	Revocation	Campbell/ Mamaluy
II.D.25.	Rhonda Cheral Smith	LP010557	Revocation	Campbell/ Mamaluy
II.D.26.	Dena Lavern Sohl	CNA999993487	Decree of Censure	Campbell/ Mamaluy
II.D.27.	Keri Ruth Willison	RN125492	Revocation	Campbell/ Mamaluy

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

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

Busby moved, Johnson seconded, and it was unanimously carried to accept the State's recommended discipline for Agenda Items II.D.1-3, 6-8, 11, 13-14, 16-22, and 24-27.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	9	X	X	X	X		X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	2					X			X			

AGENA	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.D.10.	Judith Anne Laskowski	RN128606	Revocation	Campbell

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

Laskowski was present and addressed the Board.

Campbell addressed the Board and stated the Motion to Deem was filed.

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

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

Campbell addressed the Board and recommended the Board accept the recommended discipline.

Laskowski was given the opportunity to respond to the recommended discipline.

Busby moved, Dalton seconded, and it was unanimously carried to table Agenda Item II.D.10.

AGENA	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.D.12.	Jessica Lu Luna	CNA100003999	Revocation	Campbell

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

Campbell addressed the Board and stated that Respondent failed to update her address and mail was returned to the Board.

Luna was present and addressed the Board.

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

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

Campbell addressed the Board and recommended the Board accept the discipline most appropriate.

Luna was given the opportunity to respond to the recommended discipline.

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

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	9	X	X	X	X		X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	2					X			X			

AGENA	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.D.15.	Natasha Lavearn Nash	CNA1000018447	Revocation	Campbell

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

Campbell addressed the Board and requested the Board accept the State's recommended discipline for the above listed.

Nash was present and addressed the Board.

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

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

Campbell addressed the Board and recommended the Board accept the discipline most appropriate.

Nash was given the opportunity to respond to the recommended discipline.

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

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	9	X	X	X	X		X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	2					X			X			

II.E. Rehearing Requests or Review of Board Decision

II.E.1. Robert Allen Eades RN Applicant Campbell

The proceeding began at 9:02 a.m., with the following Board members present: Quinn, Johnson, Dalton, McCormies, Harrell, Snider, Feldman, Post and Busby.

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

Eades was present and addressed the Board with request for reconsideration.

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

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

II.E.2. Dorothy Ann Blackgoat CNA999998551 Campbell

The proceeding began at 9:10 a.m., with the following Board members present: Quinn, Johnson, Dalton, McCormies, Harrell, Snider, Feldman, Post and Busby.

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

Blackgoat was present and addressed the Board.

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

Busby moved, McCormies seconded, to deny request for rehearing/reconsideration. The motion carried with eight in favor and one opposed.

II.E.3. Pamela A. Weinstein RN147720 Campbell

An attempt was made to contact Weinstein telephonically. Busby moved, Snider seconded, and it was unanimously carried to table Agenda Item II.E.3.

II.G. Hearing Department Investigative Reports

II.G.1. William Nobles Compact License TN Richards

Nobles was present, telephonically, and addressed the Board. Busby moved, Snider seconded, and it was unanimously carried to table Agenda Item II.G.1.

II.E. Rehearing Requests or Review of Board Decision

II.E.3. Pamela A. Weinstein RN147720 Campbell

Busby moved, McCormies seconded, and it was unanimously carried to reopen Agenda Item II.E.3. The proceeding began at 9:25 a.m., with the following Board members present: Quinn, Johnson, Dalton, McCormies, Harrell, Snider, Feldman, Post and Busby.

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

Weinstein was present, telephonically, and addressed the Board.

Harrell left the meeting at 9:27 a.m.

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

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

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

AGENA	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.D.10.	Judith Anne Laskowski	RN128606	Revocation	Campbell

Busby moved, Quinn seconded, and it was unanimously carried to reopen Agenda Item II.D.10. Campbell informed the Board that Laskowski had signed a Consent Agreement for Voluntary Surrender.

The meeting recessed at 9:31 a.m. and reconvened at 9:49 a.m.

Harrell returned to the meeting at 9:49 a.m.

II.G. Hearing Department Investigative Reports

II.G.1. William Nobles Compact License TN Richards

Johnson moved, Quinn seconded, and it was unanimously carried to reopen Agenda Item II.G.1.

Richards asked the Board to take no action at this time.

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.

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

Agenda #	Name	License/Certificate #	Staff
III.D.1.	Julie Ariana Sparavic		Hurtado

Information was provided to the Board regarding Cease and Desist letters sent to the names listed above.

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.	Kim Kindred	CNA434541789	\$25
IV.A.1.b.	Alfredo Arias	CNA999950607	\$25
IV.A.1.c.	Kellie Sunderland	CNA038605343	\$25
IV.A.1.d.	Dolores Vasquez	CNA522771353	\$25
IV.A.1.e.	Judith Hukill	CNA767711803	\$25
IV.A.1.f.	Noreida Uribe	CNA999992498	\$25
IV.A.1.g.	Barbara Schaffner	LP025201	\$300
IV.A.1.h.	Isabel Reyes	LP025283	\$300

Busby moved, Snider 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.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	9	X	X	X	X		X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	2					X			X			

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

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/Education Community Updates

Randolph noted there were no updates for the Nursing Program/Education Community.

VII.B.3. East Valley Institute of Technology Probationary Status Follow-Up

Robin McEnany was present and available for questions. Snider moved, McCormies seconded, and it was unanimously carried to remove the East Valley Institute of Technology from probationary status and continue provisional approval.

VII.B.4. Maricopa Skills Center Notice of Deficiency Follow-Up

Johnson moved, Dalton seconded, and it was unanimously carried to continue approval of the Maricopa Skills Center Practical Nursing Program for a period of three years or until the program voluntarily terminates the program as planned in or about December 2012.

VII.B.5. Mesa Community College – Boswell Location Closure

Dalton moved, Harrell seconded, and it was unanimously carried to approve the Mesa Community College Nursing Program change to delete a geographical location.

VII.B.6. South Dakota State University LPN Refresher Application

Feldman moved, Johnson seconded, and it was unanimously carried to approve the South Dakota State University LPN Refresher Program.

VII.B.7. CNA Arizona Consent Agreement for Voluntary Surrender

Ned Opfel was present and available for questions. The Board was informed that a signed Consent Agreement for Voluntary Surrender has been received.

VII.B.8. Accord Healthcare Institute Notice of Deficiencies

Snider moved, Johnson seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to issue a Notice of Deficiencies.

VII.B.9. University of Phoenix Investigative Report

Erich Widemark and Pam Fuller were present and available for questions. Busby moved, Post seconded, and it was unanimously carried to dismiss the complaint against the University of Phoenix LPN to BSN program.

VII.B.10. Breckinridge School of Nursing @ ITT Technical Institute Investigative Report

Busby moved, Johnson seconded, and it was unanimously carried to table Agenda Item VII.B.10.

VII.B.11. Gila Community College/Eastern Arizona College, Gila Pueblo Campus CNA Program – Notice of Deficiencies

McCormies recused herself and left the meeting at 10:02 a.m. Linda McLennan was present and available for questions. Busby moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and the statute/rule violations contained in the investigative report, to issue a Notice of Deficiencies.

McCormies returned to the meeting at 10:05 a.m.

VII.B.10. Breckinridge School of Nursing @ ITT Technical Institute Investigative Report

Dalton moved, Quinn seconded, and it was unanimously carried to reopen Agenda Item VII.B.10. Complainant Courtney McLaughlin was present and available for questions. Complainant Crystal Steed was present and addressed the Board. Debra Colbert and attorney Roxann Gallagher were present and addressed the Board. Quinn moved, Johnson seconded, to continue the investigation. After discussion, the motion carried with six in favor and three opposed.

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

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

Agenda #	Name	License/Certificate #
IV.A.3.a.	Wayne Henley Gillis	RN Endorsement \$500
IV.A.3.b.	Yvonne Patricia Shamplain	RN Endorsement \$200

Busby moved, Johnson 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 a signed Consent Agreement for an Administrative Penalty in the amount stated, and grant licensure. If not signed and payment not received within 60 days, deny 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.	Serena Lawrence Smith	CNA Exam	Richter
IV.B.1.b.	Pamela Jeanean Hooper	CNA Exam	Monas

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

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	9	X	X	X	X		X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	2					X			X			

IV.B.2. Felony Bar Cases

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

Agenda #	Name	License/Certificate #	Staff
IV.B.2.a.	Melinda Wauneka	CNA999953447	VandenBerg
IV.B.2.c.	Benjamin Thomas Oneal	LP031779	Garcia

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

IV.D. Board Staff Recommendation: Applicants for Licensure

IV.D.2. Sarita Nepal RN Endorsement Bontrager

McCormies moved, Snider seconded, and it was unanimously carried to grant RN licensure that is “Valid in AZ only”, upon meeting all requirements except Credential Evaluation Report.

V.C. Non-Compliance/Compliance with Board Orders – Galan/Midkiff/Rappoport

V.C.5. Connie McQueen Thompson RN080799 (Rappoport)

An attempt was made to contact Thompson telephonically. McCormies moved, Dalton seconded, and it was unanimously carried to deny Respondent’s request to terminate probation and based upon the findings of fact and statute/rule violations identified in the Monitoring investigative report, issue Notice of Charges.

V.C.6. Angelica Marie Miranda RN171572 (Rappoport)
(aka: Garcia)

Devine was present, telephonically, and available for questions. Angelica Miranda was present and available for questions. Quinn moved, Johnson seconded, and it was unanimously carried to deny Respondent’s request to terminate Consent Agreement and Order No. 1104074 and amend Consent Agreement and Order No. 1104074 to allow Respondent to fulfill her 24 month practice probation requirement as either a RN, Health Unit Coordinator (HUC) or Patient Care Technician (PCT) and credit Respondent for time employed (8 months) as a HUC at Banner Heart Hospital in Mesa, Arizona.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	9	X	X	X	X		X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	2					X			X			

V.C.9. Michelle Sherie Jackson RN161996; LP045318 (Midkiff)

Midkiff addressed the Board and confirmed the receipt of additional information. Jackson was present and addressed the Board. Busby moved, Dalton seconded, and it was unanimously carried, based upon the facts and statute/rule violations contained in the investigative report, to offer an amended Consent Agreement and Order No.1003116 that removes the skills competency evaluation requirement and extends the length of Respondent's probation until Respondent successfully completes a Physical Assessment course, and delete: “on site supervision”. If not signed within 30 days, issue Notice of Charges.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	9	X	X	X	X		X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	2					X			X			

V.C.10. Denise Koslowski Norris RN049315 (Midkiff)

McCormies moved, Dalton seconded, and it was unanimously carried to table Agenda Item V.C.10.

V.C.11. Shawn Swayn Erdman RN143958 (Midkiff)

Midkiff 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 minimum 12 month stayed revocation/probation, to include attached terms, amended to include: “relapse recovery evaluation to be completed within two months prior to the end of suspension”. If not signed within 30 days, issue Notice of Charges.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	9	X	X	X	X		X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	2					X			X			

V.C.13. Kayode Jumoku Wemimo LP045219; CNA999998360 (Midkiff)

Wemimo was present and addressed the Board. Busby moved, Johnson seconded, and it was unanimously carried to terminate probation and issue a Letter of Concern for failing to provide a copy of the entire Consent Agreement and Order to the Program Director at the University of Phoenix on or about November 2010, and for failing to cause the Program Director to inform the Board, in writing and on school letterhead, acknowledgment of the program's receipt of a copy of the Consent Agreement and Order and the program's ability to comply with the conditions of probation during clinical experiences on or about November 2010.

V.C.10. Denise Koslowski Norris RN049315 (Midkiff)

Johnson moved, McCormies seconded, and it was unanimously carried to reopen Agenda Item V.C.10. Midkiff addressed the Board with additional information. Norris was present and available for questions.

McCormies moved, Dalton seconded, and it was unanimously carried, based on the information contained in the investigative report, to amend Consent Agreement and Order No. 0807003 to allow Respondent to work as a home health RN and conduct supervisory field visits and/or occasional home visits provided that Respondent (1) works for only one home health agency for the duration of her probation; (2) has contact with her supervisor both before and after any shift in which Respondent has made a home health visit to allow Respondent's supervisor to assess Respondent for sobriety, (3) causes her supervisor to conduct at least 2 weekly random phone calls with, or visits to, Respondent's patients and/or field nurses to assess Respondent's performance; and (4) causes her supervisor to submit 3 monthly medical record or chart audits on Respondent's patients to the Board's designee for the duration of Respondent's probation.

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

Feldman left the meeting at 11:02 a.m.

V.C.14. Barbara Jean Nielson RN144498 (Midkiff)

Midkiff addressed the Board with additional information. Nielson was present, telephonically, 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 substance use disorder evaluation to be completed by a Board approved addictionologist (physician) evaluator, to include hair sample analysis and any additional testing deemed necessary by the evaluator, to be completed within 45 days and then return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

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

Feldman returned to the meeting at 11:03 a.m.

V.C.15. Judith Diane Bowman RN105835 (Midkiff)

Midkiff addressed the Board with additional information. Bowman 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 offer a Consent Agreement for 24 months stayed revocation/probation including the attached stipulations, amended to include: "counseling two times per month". If not signed within 30 days, issue Notice of Charges.

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

V.C.16. Raheem Willie Mangum RN124389 (Midkiff)

Midkiff 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 monitoring non-compliance report, to issue Notice of Charges.

V.C.17. Michelle Sarah Lind RN092631; AP0214 (Midkiff)

Lind was present, telephonically, and addressed the Board. Johnson moved, Harrell seconded, and it was unanimously carried, based on the information contained in the monitoring report, to issue an amendment to Consent Agreement and Order No. 0808059 allowing Respondent to work without direct or on-site supervision in a home health care or hospice setting as long as (1) Respondent completes two months of precepted home health or hospice practice prior to assuming independent direct patient care duties in home health or hospice; (2) Respondent has direct contact with a supervisor both before and after her shift ends; (3) Respondent will cause her supervisor to conduct random interviews either in person or telephonically with at least two of Respondent’s patients at a minimum of twice per month to monitor Respondent’s nursing performance; and (4) Respondent will cause her supervisor to conduct a minimum of four chart audits per month on Respondent’s patients.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	9	X	X	X	X		X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	2					X			X			

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

V.D.2. Norene Marie Hyman RN105937 (Garcia)

Attorney Michael Hughes was present and addressed the Board. Quinn moved, Johnson seconded, and it was unanimously carried to offer a Consent Agreement to terminate current Consent Agreement upon receipt of a Voluntary Surrender.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	9	X	X	X	X		X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	2					X			X			

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

V.C.6. Angelica Marie Miranda RN171572 (Rappoport)
(aka: Garcia)

Johnson moved, McCormies seconded, and it was unanimously carried to reopen Agenda Item V.C.6. Rappoport addressed the Board with additional information. Quinn moved, Feldman seconded, and it was unanimously carried to amend prior Board decision to include: “night shift allowed at Banner Heart Hospital with direct supervision”.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	8	X	X	X	X		X	X		X	X	
NO	0											
ABSTAIN	0											
ABSENT	3					X			X			X

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

V.D.3. Lisa Jean Montgomery RN078391 (Garcia)

Snider moved, Quinn seconded, and it was unanimously carried to reopen Agenda Item V.D.3. for the purpose of allowing Respondent to address the Board. Montgomery was present, telephonically, and addressed the Board. Feldman moved, Quinn seconded, and it was unanimously carried to reaffirm prior Board decision.

V.F. CANDO Eligibility/Noncompliance & Investigative Reports

V.F.3. Lori Ann Jenkins RN159369 (Pendergast)

Jenkins was present and addressed the Board. Feldman 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 36 months probation including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	8	X	X	X	X		X	X		X	X	
NO	0											
ABSTAIN	0											
ABSENT	3					X			X			X

VI. RN/LPN/CNA Investigative Reports

VI.J.6. John Ellis Ritchey CNA Exam (Monas)

Monas addressed the Board with additional information. Ritchey was present and addressed the Board. Snider moved, Dalton seconded, to continue the investigation to allow applicant the opportunity to obtain a psychological evaluation, to include an anger management and substance abuse evaluation, with a Board approved PhD prepared evaluator with expertise in substance abuse and anger management 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. After discussion, the motion failed with five opposed and three in favor.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	3	X			X					X		
NO	5		X	X			X	X			X	
ABSTAIN	0											
ABSENT	3					X			X			X

Quinn moved, Johnson seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to deny certification. The motion carried with five in favor and three opposed.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	5		X	X			X	X			X	
NO	3	X			X					X		
ABSTAIN	0											
ABSENT	3					X			X			X

IX. Dialogue with Nursing Students

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

- How Board members are selected
- If the Board makes a distinction between nurse’s education (LPN, RN, BSN)

VI. RN/LPN/CNA Investigative Reports

VI.Q.8. Ned Joseph Opfel RN152503 (Sage)

Opfel was present and available for questions. 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 \$500 Civil Penalty. If not signed within 30 days, issue Notice of Charges.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	8	X	X	X	X		X	X		X	X	
NO	0											
ABSTAIN	0											
ABSENT	3					X			X			X

The meeting recessed at 12:07 p.m. and reconvened at 1:01 p.m.

VI.Q.1. Vivian R. Britt CNA1000019119 (Sage)
(aka: James)

Quinn moved, Feldman seconded, and it was unanimously carried to issue a Letter of Concern for reportedly being overheard during the week of December 19, 2011, to have been making derogatory remarks and cursing when leaving the building, while employed at Bella Vita Health and Rehabilitation in Glendale, Arizona, and for a 2001 conviction in California for shoplifting that was dismissed on February 3, 2003, after all conditions were completed.

VI.Q.2. Sarah M. Corella CNA809089803 (Sage)
(aka: Almazan)

Sage addressed the Board with additional information. Snider moved, McCormies seconded, based upon the findings of fact and statute/rule violations contained in the investigative report, to offer a Consent Agreement for 12 months stayed revocation with stipulations to include a substance abuse evaluation by a Board approved PhD prepared evaluator with expertise in substance abuse. If not signed within 30 days, issue Notice of Charges. The motion carried with seven in favor and one abstained.

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

VI.Q.3. Kayren Lynne Davis RN125761 (Sage)

McCormies 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>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	8	X	X	X	X		X	X		X	X	
NO	0											
ABSTAIN	0											
ABSENT	3					X			X			X

VI.Q.4. Elizabeth Maria Rodriguez Fugger CNA1000019884 (Sage)
(aka: Rosemiller)

Snider 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>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	8	X	X	X	X		X	X		X	X	
NO	0											
ABSTAIN	0											
ABSENT	3					X			X			X

Busby returned to the meeting at 1:05 p.m.

VI.Q.5. Noemi Garcia CNA1000017917 (Sage)

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

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	8	X	X	X	X		X	X		X	X	
NO	0											
ABSTAIN	1											X
ABSENT	2					X			X			

VI.Q.6. Hector Tapia Martinez CNA1000027793 (Sage)

Harrell 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.Q.7. Kimberly Ann Moody RN152288 (Sage)

Moody was present, telephonically, and available for questions. Quinn 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 two opposed.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	7	X	X	X	X		X	X			X	
NO	2									X		X
ABSTAIN	0											
ABSENT	2					X			X			

VI.Q.9. Regina Perez CNA135056441 (Sage)

Feldman moved, Busby 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 one abstained.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	8	X	X		X		X	X		X	X	X
NO	0											
ABSTAIN	1			X								
ABSENT	2					X			X			

VI.Q.10. Shanna Lee Stuart CNA1000030764 (Sage)

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 a \$150 Civil Penalty. If not signed within 30 days, issue Notice of Charges. The motion carried with six in favor, two opposed and one abstained.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	6	X	X		X		X	X			X	
NO	2									X		X
ABSTAIN	1			X								
ABSENT	2					X			X			

VI.Q.11. Rebecca Anne Thompson CNA1000005725 (Sage)

McCormies 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.Q.12. Lynn Diana Wils CNA1000011636 (Sage)

Quinn moved, Feldman 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>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X		X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	2					X			X			

VI.Q.13. Patricia Lynn Wright CNA999990118 (Sage)

Sage addressed the Board and noted a technical correction to the investigative report. Snider moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for being insubordinate to a charge nurse and using foul language when speaking with her and for hitting a co-worker on the head with your hand while employed as a CNA at Sun City Health and Rehab in 2009 and for abandoning the care of a private MS client, giving only a few hours notice on 12/26/11.

VI.J.5. Maria Adelina Ortega CNA Exam (Monas)

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

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	8	X	X	X	X		X	X		X	X	
NO	0											
ABSTAIN	1											X
ABSENT	2					X			X			

VI.J.7. Breana Lacey Secory CNA Exam (Monas)

An attempt was made to contact Secory telephonically. Johnson 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>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X		X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	2					X			X			

VI.J.8. Shann Michael Zamboni CNA Exam (Monas)

Johnson moved, Post 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>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X		X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	2					X			X			

VI.J.9. William Francis Quinn CNA Exam (Monas)

Monas addressed the Board and confirmed the receipt of additional information. Feldman 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>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X		X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	2					X			X			

VI.K.1. Ashley Rae Martino CNA Exam (Olson)

Olson addressed the Board and confirmed the receipt of additional information. Feldman 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>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X		X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	2					X			X			

VI.K.2. Inyanga Robertson RN Endorsement (Olson)

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

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	8	X	X		X		X	X		X	X	X
NO	0											
ABSTAIN	1			X								
ABSENT	2					X			X			

VI.K.3. Kelly Jean Snively RN156163 (Olson)

Olson addressed the Board with additional information. McCormies 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.K.4. Julie Ann Wilkins CNA Exam (Olson)
(aka: Hull; Greenhaw)**

Olson addressed the Board and confirmed the receipt of 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, upon meeting all requirements and signing a Consent Agreement for a \$50 Civil Penalty, to grant certification. If not signed within 30 days or payment not received within 60 days, deny certification.

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

VI.L.1. Marlon L. Ritchie CNA999992905 (Parlin)

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

**VI.L.2. Cristin L. Sutton CNA Exam (Parlin)
(aka: Scott)**

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

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

VI.L.4. Jennifer Ann Bailey RN131842 (Parlin)

Parlin addressed the Board with additional information. Feldman moved, Busby seconded, and it was unanimously carried to issue a Letter of Concern for the November 18, 2011, misdemeanor conviction for Driving to Endanger and being under the influence of medication while on duty as an RN in Caribou, Maine.

VI.L.5. Joshua David Munoz RN165050 (Parlin)

Parlin addressed the Board with additional information. Feldman moved, McCormies seconded, to continue the investigation to allow Respondent the opportunity to voluntarily obtain a psychological evaluation, to include a substance abuse evaluation to be completed by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and then return to the Board. If evaluation is not completed, issue Notice of Charges. The motion carried with eight in favor and one abstained.

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

VI.L.6. Kimberly Marie Houlahan RN140063 (Parlin)

Feldman moved, Dalton seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to issue Notice of Charges. The motion carried with seven in favor and two abstained.

VI.L.7. Paul A. Schroeder RN081745; LP026675 (Parlin)

Feldman moved, Dalton seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to issue Notice of Charges. The motion carried with five in favor and four abstained.

VI.L.11. Jennifer Marie Ives LP35815 (Parlin)

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

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	9	X	X	X	X		X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	2					X			X			

VI.M.1. Charlotte Denise Shores RN151076 (Pendergast)

Pendergast addressed the Board with additional information. Shores was present, telephonically, and addressed the Board. Busby moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the updated investigative report and the investigative report from the March 2012 Board meeting, to offer Respondent a Consent Agreement for a stayed revocation/suspension not to exceed 48 months to include the attached stipulations. Upon successful completion of all terms and conditions under Respondent's Nursing Monitoring Agreement with the Tennessee Professional Assistance Program, Respondent may be eligible for termination of the stayed revocation/suspension. If during the stayed revocation/suspension the Tennessee Professional Assistance Program determines that Respondent is non-compliant with any of the terms or conditions of Respondent's Tennessee Nursing Monitoring Agreement and/or fails to successfully complete and be discharged from the Tennessee Professional Assistance Program within 48 months from the effective

date of the Consent Agreement and Order, the Board or the Board's designee may lift the stay and revoke Respondent's Arizona license. If not signed within 30 days, issue Notice of Charges.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	9	X	X	X	X		X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	2					X			X			

Feldman left the meeting at 1:43 p.m.

VI.P.3. Cyndy Joy Cowan LP Endorsement (Richter)

Cowan was present, telephonically, and addressed the Board.

Feldman returned to the meeting at 1:46 p.m.

Busby moved, Quinn seconded, to continue the investigation to allow applicant the opportunity to voluntarily obtain a psychological evaluation with an emphasis on substance abuse and/or chemical dependency with a Board approved PhD prepared evaluator, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and then return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny licensure; and extend temporary LP license to the September 2012 Board meeting. The motion carried with eight in favor and one abstained.

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

VI.P.4. Mary Ann Culley CNA Exam (Richter)

An attempt was made to contact Culley telephonically. Richter addressed the Board with additional information. Busby moved, Feldman seconded, and it was unanimously carried, upon meeting all requirements, to grant certification and issue a Letter of Concern for the February 13, 1998 conviction in the Elko (Nevada) Justice Court for misdemeanor charge of Open Container and for the May 25, 2006 conviction in the Elko (Nevada) Justice Court for the misdemeanor charge of Driving Under the Influence.

VI.P.5. Kristin Sara Davis CNA Endorsement (Richter)

Snider 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	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	9	X	X	X	X		X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	2					X			X			

**VI.P.6. Janet Sue Day RN Endorsement (Richter)
(aka: Wittig; Baldwin)**

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

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	9	X	X	X	X		X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	2					X			X			

VI.P.10. Maria Cruz Garcia CNA Exam (Richter)

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

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

**VI.P.12. Kelli Karen Isaacs CNA Endorsement (Richter)
(aka: Wayne)**

Feldman moved, Busby seconded, to continue the investigation to allow Respondent the opportunity to voluntarily obtain a psychological evaluation with emphasis on substance abuse with a Board approved PhD prepared evaluator/licensed psychologist, to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification. The motion carried with eight in favor and one abstained.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	8	X	X	X	X		X	X		X		X
NO	0											
ABSTAIN	1										X	
ABSENT	2					X			X			

VI.P.13. Danielle Renee Johnson CNA Endorsement (Richter)

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

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	8	X	X	X	X		X	X		X	X	
NO	0											
ABSTAIN	1											X
ABSENT	2					X			X			

**VI.P.14. Teresa DeJesus Juarez CNA Endorsement (Richter)
(aka: Lozoyo)**

McCormies 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, to grant certification. If not signed within 30 days or payment not received within 60 days, deny certification. The motion carried with eight in favor and one abstained.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	8	X	X		X		X	X		X	X	X
NO	0											
ABSTAIN	1			X								
ABSENT	2					X			X			

**VI.P.15. Maria Delfina Mata CNA Endorsement (Richter)
(aka: Salazar)**

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

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

VI.P.16. Catherine Ann McDowell CNA100015772 (Richter)

Feldman moved, Johnson seconded, and it was unanimously carried to continue the investigation to allow Respondent the opportunity to voluntarily obtain a psychological evaluation with an emphasis on relapse prevention for substance abuse and/or chemical dependency with a Board approved PhD prepared evaluator and to include any additional testing deemed necessary by the evaluator, to be scheduled within 15 days and completed within 45 days. If not completed, issue Notice of Charges.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	9	X	X	X	X		X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	2					X			X			

VI.P.17. Kathleen Ruth Paul CNA Exam (Richter)

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

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

VI.P.18. Russell Wayne Pitt CNA Endorsement (Richter)

Feldman moved, McCormies seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to deny certification. The motion carried with six in favor and three abstained.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	6	X	X		X		X	X		X		
NO	0											
ABSTAIN	3			X							X	X
ABSENT	2					X			X			

VI.P.19. Terrie Ann Robison CNA Exam (Richter)

Robison was present, telephonically, and addressed the Board. Busby 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 a \$50 Civil Penalty, to grant certification. If not signed within 30 days or payment not received within 60 days, deny certification.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	9	X	X	X	X		X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	2					X			X			

**VI.P.21. Jeanne Jo Smith CNA Exam (Richter)
(aka: Huehne)**

Busby moved, Harrell seconded, and it was unanimously carried to table Agenda Item VI.P.21.

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).

Shirley Brenner was present and addressed the Board.

The meeting recessed at 2:14 p.m. and reconvened at 2:26 p.m.

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

VII.A. Executive Directors Report – Ridenour

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

VII.A.1.a. May 21-22, 2012 Regular Board Meeting Minutes

VII.A.1.b. May 21-22, 2012 Executive Session Minutes

Dalton moved, Quinn seconded, to approve minutes of May 21-22, 2012 Regular Board meeting, and the May 21-22, 2012 Executive Session. The motion carried with eight in favor and one abstained.

VII.A.2. Update on 2012 Legislative Session/Bills Impacting Nursing Regulation: Senate Bill 1010 – Proposed Draft Policy to Delegate to Executive Director Evaluation for Substance Use Disorders & Skills Evaluations - Ridenour

Busby moved, Snider seconded, and it was unanimously carried to approve the draft policy to delegate Executive Director for Substance Use Disorders & Skills Evaluations.

VII.A.3. Customer Service Survey – Bontrager/Ridenour

Bontrager gave a brief report on the Customer Service Survey, noting that RN/LPN's rating had improved from last year.

VII.A.4. Education Session: NCSBN Grant – Nurse Performance Evaluation Research Results & Draft Policy Board Ordered Nursing Performance Evaluation – Randolph/Austin

Randolph offered a PowerPoint presentation on Nurse Performance Evaluation Research Results. Busby moved, Dalton seconded, and it was unanimously carried to approve the draft policy Board Ordered Nursing Performance Evaluation.

VII.A.5. Draft Policy: Investigative Guidelines Education Programs – Randolph/McGinty/Wagner

Quinn moved, Johnson seconded, and it was unanimously carried to approve the draft policy: Investigative Guidelines Education Programs.

VII.A.7. Update & Introduction of New Staff & Personnel Changes – Austin/Olson/Bontrager/Randolph

Austin introduced and welcomed new staff member/Nurse Practice Consultants: Ruth Kish, Tamera Greabell, and Kristi Hunter. Staff member Jennifer McWilliams has upgraded to Legal Assistant in the investigations department. All offered a brief summary of their professional career.

Harrell left the meeting at 3:04 p.m. and returned at 3:05 p.m.

VII.A.6. NCSBN 2012 Annual Meeting / Delegate Assembly Proposed Model Act & Rules to be adopted or amended – Randolph/Model Act & Rules Committee Member

Randolph offered an overview of the proposed Model Act & Rules to be adopted or amended at the NCSBN 2012 Annual Meeting/Delegate Assembly.

VII.A.8. Draft Substantive Policy Administration Violation; Administrative Penalty Practicing Without a License/Certificate – Bontrager/Ridenour

Busby moved, Johnson seconded, and it was unanimously carried to approve the draft substantive policy Administration Violation; Administrative Penalty Practicing without a License/Certificate.

VII.A.9. Draft Records Retention Schedule – Bontrager/Ridenour

Snider moved, Johnson seconded, and it was unanimously carried to approve the draft policy Records Retention Schedule.

VI. RN/LPN/CNA Investigative Reports

VI.R.2. Elizabeth Ann Lamis RN095229 (Torrez)

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

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	9	X	X	X	X		X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	2					X			X			

VI.R.5. Lilian Jolanta Herba LP026616 (Torrez)

Herba was present, telephonically, and available for questions. Busby moved, Snider seconded, and it was unanimously carried to issue a Letter of Concern for using a pre-signed prescription form signed by a physician to order Ativan and Norco for a patient on February 18, 2012, while employed at Life Care of Scottsdale in Scottsdale, Arizona.

VI.R.6. Cami Warren RN153052 (Torrez)

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

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	9	X	X	X	X		X	X		X	X	X
NO	0											
ABSTAIN	0											
ABSENT	2					X			X			

VI.R.7. Katrina E. Suttles RN000099503 (Torrez)

An attempt was made to contact Suttles telephonically and a message was left that the Board would move forward with the case. Busby moved, Post seconded, and it was unanimously carried to issue a Letter of Concern for failing to have a copy of the current TPN orders for patient K. D. in Respondent’s possession in order to cross check the orders and TPN bag to assure accuracy of the TPN components, prior to initiating the infusion on January 25, 2012, while employed at Intrepid USA Healthcare Services in Tucson, Arizona

VI.P.21. Jeanne Jo Smith CNA Exam (Richter)
(aka: Huehne)

Busby moved, McCormies seconded, and it was unanimously carried to reopen Agenda Item VI.P.21. 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 Decree of

Censure, to grant certification. If not signed within 30 days, deny certification. The motion carried with eight in favor and one opposed.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	8	X		X	X		X	X		X	X	X
NO	1		X									
ABSTAIN	0											
ABSENT	2					X			X			

Feldman left the meeting at 3:19 p.m.

VI.P.22. Norma Elizabeth Thomas CNA Exam (Richter)

Busby moved, Johnson seconded, and it was unanimously carried, upon meeting all certification requirements, grant certification and issue a Letter of Concern for her admission to an August 23, 1974 conviction for DUI in Tucson, Arizona; her admission to a December 08, 1993 conviction for Assault/DV in Tucson, Arizona, and for the July 19, 2000 conviction in the Tucson City Court for Driving Under the Influence, a class 1 misdemeanor.

VI.P.23. Everlene Yazzie CNA Exam (Richter)

An attempt was made to contact Yazzie telephonically and a message was left that the Board would move forward with the case. Johnson moved, Harrell seconded, and it was unanimously carried to continue the investigation to allow applicant the opportunity to voluntarily obtain a psychological evaluation with emphasis on relapse prevention with a Board approved PhD prepared evaluator/licensed psychologist, to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification.

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

VI.P.25. Michelle Jarmilia Kryl CNA Exam (Richter)

Kryl was present, telephonically, and available for questions. Busby 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 24 months stayed revocation including the attached stipulations, to grant certification. If not signed within 30 days, deny certification.

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

Feldman returned to the meeting at 3:32 p.m.

**VI.P.26. Sharon Lutman LP Endorsement (Richter)
(aka: Czerwinski)**

Richter addressed the Board with additional information. Busby moved, McCormies seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all requirements, to accept the signed Consent Agreement for a \$500 Administrative Penalty, and grant licensure. The motion carried with eight in favor and one abstained.

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

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

VII.D. A.A.G. Report – Mamaluy/Campbell

VII.D.1. Updates, New Processes, Accomplishments - Mamaluy

Mamaluy offered an update on the Hearing Department and challenges being faced with less than a full A.A.G. staff.

VII.E. Committee Reports

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

VII.E.1.a. Draft of June 4, 2012 Scope of Practice Committee Minutes

Scope of Practice Committee meeting draft minutes of June 4, 2012, were provided to the Board.

VII.E.1.b. Draft Advisory Opinion Statutory Authority, Use & Process

VII.E.1.c. Draft Advisory Opinion Contrast Media Injection into Coronary Arteries

VII.E.1.d. Draft Advisory Opinion Foot Care

VII.E.1.e. Draft Advisory Opinion Informed Consent

Busby moved, Dalton seconded, and it was unanimously carried to approve the above listed Advisory Opinions.

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 June 8, 2012, were provided to the Board.

VII.E.2.b. 2012-2014 Education Advisory Committee Goals

Quinn moved, Busby seconded, and it was unanimously carried to approve 2012-2014 Education Advisory Committee Goals, as amended.

VII.E.2.c. 2012-2014 Education Committee Members

Busby moved, McCormies seconded, and it was unanimously carried to adopt the recommendations of Board Staff for appointment to the Education Committee for 2012-2014.

VII.E.2.d. Education Advisory Committee Evaluation

Information was provided to the Board regarding the Education Advisory Committee Evaluation.

VII.E.3. Advanced Practice – Quinn/Busby/Dahn

VII.E.3.a. Draft Minutes of Advanced Practice Committee Meeting -

Advanced Practice meeting draft minutes of June 14, 2012, were provided to the Board.

VII.E.3.b. Advisory Opinion on “The Use of Controlled Substances for the Treatment of Chronic Pain”

Busby moved, Dalton seconded, and it was unanimously carried to approve the Advisory Opinion on Treatment of Chronic Pain.

VII.C. President’s Report – Quinn

VII.C.1. Update on Board Appointments – Quinn/Ridenour

Quinn welcomed new appointed Board member, Kim Post.

VII.C.2. Debriefing on Board Processes and Suggested Changes – All

The Board discussed the Board meeting. Challenges discussed included microphones and Diligent.

X. Adjournment

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

The meeting adjourned at 3:58 p.m., Thursday, July 19, 2012.

A handwritten signature in black ink that reads "Randy C. Quinn" followed by "MSN CRNA" in smaller letters to the right.

Randy C. Quinn, CRNA, President