

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., Monday, May 21, 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
Kathy Malloch, PhD, MBA, RN, FAAN, Vice President
Theresa (Terri) Berrigan, LPN, C-AL, Secretary
Kathryn L. Busby, JD, Member
Leslie Dalton, MSN, RN, Member
Joel S. Feldman, JD, Member
Lori Gutierrez, BS, RN-C, Member
M. Shawn Harrell, RN, MSN, Member
Patricia Johnson, LPN, Member (telephonic)
Carolyn Jo McCormies, RN, MS, FNP-BC, Member
Charleen L. Snider, BSN, RN, 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, Senior Investigator Esther Garcia, Legal Assistant/Monitoring Karen Grady, RN, MS, FNP, Nurse Practice Consultant/AP Teddylen Guffey, MHSA, RN, LNCC, Nurse Practice Consultant Lynda Hemann, PhD, MPH, LISAC, Senior Investigator Dolores Hurtado, Senior Investigator Ron Lester, Senior Investigator Debra McGinty RN, PhD, Administrator/Nursing Programs Patricia Midkiff, RN, MN, Nurse Practice Consultant	Linda Monas, Senior Investigator Doug Parlin, Senior Investigator Susan Perkins RN, MSN, Nurse Practice Consultant 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 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 8:02 a.m., Monday, May 21, 2012.

The following Board members were present: Quinn, Malloch, Berrigan, Dalton, McCormies, Harrell, Johnson, Feldman, Gutierrez, Snider 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.D.2. **Deborah A. Kinne** **RN143949** **(Guffey)**

Kinne was present and available for questions. Susan Robinson and Attorney Ann Fulton-Cavett, were present and addressed the Board. Busby moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for assessment and documentation errors on or about April 10, 2011, April 15, 2011, May 3, 2011 and May 29, 2011, while employed with Interim Healthcare in Tucson, Arizona.

VI.N.2. **Megan Michelle Bartels** **RN093720** **(Richter)**

Attorney Ann Fulton-Cavett was present and addressed the Board. Malloch 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 36-month probation to include a relapse/recovery evaluation by a Board approved evaluator who is at minimum Ph.D. prepared to be completed within 60 days and to include the attached amended 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>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</u> Member	<u>Busby</u> Member
YES	10	X	X	X		X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	1				X							

VI.D.3. **Kamaldeep Kaur** **RN167496** **(Guffey)**

Gutierrez recused herself to avoid the appearance of impropriety and left the meeting at 8:22 a.m.

Kaur was present and available for questions. Attorney Robert Chelle was present and addressed the Board. Busby moved, Dalton seconded, and it was unanimously carried, for complaint #1, to issue a Letter of Concern for failing to ensure patient M.B. was properly monitored by a nurse during the first 15 minutes of her blood transfusion on or about July 11, 2011, while employed at Del E. Webb Hospital in Sun City West, Arizona, and for complaint #2, to dismiss the complaint.

Gutierrez returned to the meeting at 8:29 a.m.

VI.D.4. **Marilyn Villaluna** **RN132814** **(Guffey)**

Guffey addressed the Board with additional information. Villaluna was present and available for questions. Attorney Kelly McDonald was present and addressed the Board. Busby moved, Malloch seconded, and it was unanimously carried to table Agenda Item VI.D.4.

VI.D.1. **Bobbie Neely-Scott** **RN046532** **(Guffey)**

Neely-Scott was present and available for questions. Attorney Kissandra Tysman was present and addressed the Board.

Malloch moved, Snider seconded, to issue a Letter of Concern for failing to restrain patient V.R. in a less aggressive manner, on October 27, 2010, while employed at Thunderbird Medical Center in

Glendale, Arizona; send a letter to the Arizona Medical Board requesting an investigation of the role of Sarita Pal, M.D., Psychiatrist, in this matter; and send a letter to the Arizona Department of Health Services requesting an investigation of the psychiatric services available to inpatients at Thunderbird Medical Center. After discussion the motion carried with eight in favor and two opposed. The Board further directed staff to open a complaint on RN Deb Kaplan.

VI.M.4. Diane Conaway RN075134; LP01701 (Rappoport)
(aka: Edmonds)

Rappoport addressed the Board with additional information. Conaway was present, telephonically, and available for questions. Malloch moved, Harrell seconded, and it was unanimously carried to dismiss the complaint.

VI.M.3. Betty L. Klebanoff RN054816 (Rappoport)
(aka: Gumeringer)

An attempt was made to contact Klebanoff telephonically and a message was left that the Board would move forward with the case. Gutierrez moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for failing to self-report her July 8, 2009, Driving Under the Influence (DUI) arrest by the Mesa Police Department and her December 21, 2009, misdemeanor DUI conviction in the Mesa Municipal Court in Mesa, Arizona.

VI.L.1. Lauren Janis Weisheit RN073740 (Perkins)

Attorney Rob Chelle was present and addressed the Board. Busby moved, Malloch seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 12 months probation including the attached stipulations, amended to include urine drug screens one time per month for the first 6 months only. If not signed within 30 days, issue Notice of Charges.

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

VI.L.2. Kristin Mary Golden RN164181 (Perkins)

Golden was present and available for questions. Attorney Mandi Karvis was present and addressed the Board. 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 probation, and to include the attached terms. If the findings of the evaluation required by the Consent Agreement identify that Respondent has a substance use disorder or is in need of treatment, the length of the probation will be at a minimum 36 months with the standard requirements for substance use disorders. If the findings from the evaluation required by this Consent Agreement do not find respondent to have a substance use disorder or in need of treatment, the length of the probation will be at a minimum 18 months. If not signed within 30 days, issue Notice of Charges. The motion carried with nine in favor and one opposed.

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

Harrell left the meeting at 9:24 a.m.

VI.L.3. Jennifer Lynn Leroy RN152561 (Perkins)
(aka: Nielsen)

Perkins addressed the Board with additional information. Leroy was present and available for questions. Attorney Scott King was present and addressed the Board.

Harrell returned to the meeting at 9:32 a.m.

Gutierrez moved, Berrigan seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue Notice of Charges. After discussion, the motion carried with five in favor, four opposed, and one abstained.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Johnson Member	Berrigan Secretary	Quinn President	Malloch V. Pres.	Feldman Member	Gutierrez Member	Snider Member	Busby Member
YES	5		X			X	X	X		X		
NO	4	X							X		X	X
ABSTAIN	1			X								
ABSENT	1				X							

VI.O.12. David Brian Mitchell LP042298 (Sage)

Mitchell was present and available for questions. Attorney Kelly McDonald was present and addressed the Board. Malloch moved, Gutierrez seconded, to issue a Letter of Concern for reportedly violating a resident’s rights, causing co-workers to perceive him as a threat, and for failing to initial on the Medication Administration Record and Treatment record all the medications and treatments he gave while employed as a certified care giver at 7th Heaven Assisted Living in Phoenix, Arizona in July and August of 2011; and refer 7th Heaven Assisted Living owner to Department of Health Services. After discussion the motion carried with seven in favor and three opposed.

VI.P.1. Mikra Stacian Parchment LP044366 (Torrez)

Parchment was present and available for questions. Attorney Amanda Damianakos was present and addressed the Board. Malloch moved, Quinn seconded, and it was unanimously carried to table Agenda Item VI.P.1.

VI.P.2. Melissa Leann Ferrell RN142120 (Torrez)

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

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

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

V.C.3. Julie Ann Boyett RN090697; LP029478 (Midkiff)

Attorney Rob Chelle was present and addressed the Board. Quinn moved, Gutierrez seconded, and it was unanimously carried to grant Respondent’s request to complete the terms of Consent Agreement and Order No. 1111048 in Washington D.C. and then in the foreign country where her spouse is deployed as a Foreign Service Officer.

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

VI. RN/LPN/CNA Investigative Reports

VI.D.4. Marilyn Villaluna RN132814 (Guffey)

Malloch moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item VI.D.4. Guffey addressed the Board with additional information. Attorney Kelly McDonald and Villaluna were present and available for questions. Busby moved, Berrigan seconded, on determination of reasonable cause based on the facts alleged in the investigative report (and material presented at this Board meeting), at cost to the Board, issue an Interim Order for a skills evaluation to be completed by a Board approved nursing skills and competency evaluator, 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. After discussion, Busby amended the motion to allow 60 days for completion of the evaluation. Berrigan concurred. The motion carried unanimously.

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

The meeting recessed at 10:13 a.m. and reconvened at 10:34 a.m.

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

V.C.5. Ezekeil Tolutope Opuroku RN162082; LP036460 (revoked) (Midkiff)

Midkiff addressed the Board with additional information. Attorney Lisa Gervase was present and addressed the Board. Busby moved, Malloch seconded, to continue the investigation to the July 2012 Board meeting to allow council and Respondent the opportunity to obtain further information regarding a positive urine drug screen, and to continue with the current Consent Agreement with the additional stipulation: urine drug screens one time per week, until returned to the Board. After discussion, Busby amended the motion to include: Consent Agreement to be signed by Respondent by May 22, 2012. If not signed, re-open case at the May 22, 2012 Board meeting for further determination. Malloch concurred. The motion carried unanimously.

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

V.C.10. Randy Abad Pomay-O RN126186 (Midkiff)

Austin addressed the Board with additional information. Pomay-O was present and available for questions. Attorney Lisa Gervase was present and addressed the Board. 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 accept the signed Consent Agreement for 24 months stayed revocation/probation including the attached stipulations, followed by a minimum 12 month stayed suspension/probation including the attached stipulations.

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

VI. RN/LPN/CNA Investigative Reports

VI.B.1. Robert Allen Lewis RN038861; CRNA0051 (Dahn)

Dahn addressed the Board with additional information. Lewis was present and available for questions. Attorney Kirk McCarville was present and addressed the Board. Busby moved, Berrigan seconded, and it was unanimously carried to dismiss the complaint.

VI.B.2. Elizabeth Kay Brooks RN058707; AP0239 (Dahn)

Dahn addressed the Board and confirmed the receipt of additional information. Brooks was present and available for questions. Attorney Kevin Nicholas was present and addressed the Board. Malloch moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to accept the signed Consent Agreement for a minimum 18 months probation to include the attached stipulations.

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

VI.A.1. Danny N. Harris RN137186 (Austin)

Austin addressed the Board with additional information. Harris was present and available for questions. Attorney Rob Chelle was present and addressed the Board.

Feldman moved, Busby seconded, and it was unanimously carried to go into Executive Session on Agenda Item VI.A.1. for the purpose of reviewing confidential information pursuant to A.R.S. §38-431.03 (A)(2) and 32-1664 (L) and (M). Executive Session convened at 11:10 a.m. and adjourned at 11:26 a.m. Respondent and counsel were included in the Executive Session.

Busby moved, Feldman 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 psychosexual misconduct/boundary violation evaluation by Dr. Steven Gray, and to include any additional testing deemed necessary by Dr. Gray, 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 factual allegations and alleged violations for failure to comply with the Interim Order.

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

VI.E.8. David Wayne Rhodes RN152362 (Hemann)

Attorney Kelly McDonald and Rhodes were present and addressed the Board.

Gutierrez left the meeting at 11:37 a.m., and returned at 11:40 a.m.

Malloch moved, McCormies seconded, to continue the investigation to allow Respondent the opportunity to voluntarily obtain a psychosexual evaluation to be completed by a Board approved PhD prepared evaluator with expertise in boundary violations and professional sexual misconduct 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 within 45 days, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges. The motion carried with seven in favor, two opposed and one abstained.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Johnson Member	Berrigan Secretary	Quinn President	Malloch V. Pres.	Feldman Member	Gutierrez Member	Snider Member	Busby Member
YES	7	X	X	X		X	X	X	X			
NO	2										X	X
ABSTAIN	1									X		
ABSENT	1				X							

Malloch left the meeting at 11:46 a.m.

VI.J.2. Bethany Lynne Fuqua CNA100002351 (Parlin)

Fuqua was present and available for questions. Attorney David Dirckson was present and addressed the Board. Busby moved, Gutierrez seconded, to issue a Letter of Concern for the December 19, 2010 Domestic Violence charge in Glendale, Arizona, and for failing to report the charges to the Board within ten days as required by the Statutes and Rules. The motion carried with eight in favor and two opposed.

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Mesa Banner Boswell, Chamberlain and Scottsdale Community College Nursing Students regarding Board functions, policies and procedures. Questions were asked on the difference between a Letter of Concern and a Decree of Censure, and how social media might violate the Nurse Practice Act.

Malloch returned to the meeting at 12:06 p.m.

VI. RN/LPN/CNA Investigative Reports

VI.P.1. Mikra Stacian Parchment LP044366 (Torrez)

Gutierrez moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item VI.P.1. Torrez addressed the Board and confirmed the receipt of additional information. Snider moved, Malloch seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the updated 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	Johnson Member	Berrigan Secretary	Quinn President	Malloch V. Pres.	Feldman Member	Gutierrez Member	Snider Member	Busby Member
YES	10	X	X	X		X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	1				X							

The meeting recessed at 12:07 p.m. and reconvened at 1:02 p.m.

II.G. Hearing Department Investigative Reports

II.G.1. Michele M. Peters RN090110; AP1836 Zack/Barber

Peters was present and available for questions. Attorney Kelly McDonald was present and addressed the Board. Malloch moved, McCormies seconded, and it was unanimously carried to dismiss complaints A and B.

Busby returned to the meeting at 1:10 p.m.

II.G.2. Robert Lewis Maley LP042750 Zack/Barber

Barber addressed the Board with additional information. Maley was present and addressed the Board. Malloch moved, Quinn seconded, to affirm the Board decision of March 26, 2009, to offer a Consent Agreement for 24 months practice probation with the attached stipulations, amended to include that night shift is allowed, registry is allowed with block assignments of not less than one month periods; modify the Findings of Fact and Conclusions of Law based on the updated information in the investigative report, to be signed within 30 days, or issue the Complaint and Notice of Hearing. The motion carried with nine in favor and one abstained.

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

II.A. Administrative Law Judge (ALJ) Recommendations

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

The proceeding began at 1:17 p.m., with the following Board members present: Quinn, Malloch, Berrigan, Dalton, McCormies, Harrell, Feldman, Gutierrez, Snider 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.

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

Campbell addressed the Board and requested the Board accept the Administrative Law Judge's recommended decision affirming denial of licensure.

Snider moved, Berrigan seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 40.

Snider moved, Gutierrez seconded, and it was unanimously carried, to accept as Conclusions of Law the alleged violations in Paragraphs 1 through 13.

Malloch moved, Dalton seconded, and it was unanimously carried to deny the applicant's appeal and that prior denial of Eades's application for professional nursing license be upheld and affirmed.

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

II.A.2. Nicole Lee Engelbretson RN Applicant Campbell

The proceeding began at 1:21 p.m., with the following Board members present: Quinn, Malloch, Berrigan, Dalton, McCormies, Harrell, Feldman, Gutierrez, Snider 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.

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

Campbell addressed the Board and requested the Board accept the Administrative Law Judge's recommended decision affirming denial of licensure.

Snider moved, McCormies seconded, and it was unanimously carried to accept as Findings of Fact the allegations contained in Paragraphs 1 through 25.

Snider moved, Malloch seconded, and it was unanimously carried, to accept as Conclusions of Law the alleged violations in Paragraphs 1 through 11.

Malloch moved, Feldman seconded, and it was unanimously carried to dismiss the applicant’s appeal, and that prior denial of Engelbretson’s application for professional nursing license be upheld and affirmed.

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

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

II.B.1. Sarah McLain RN113175 Campbell

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

McLain was present and addressed the Board with claims she failed to receive Complaint and Notice of Hearing.

Campbell addressed the Board stating that Notice of Charges and Complaint and Notice of Hearing were sent to the same address, which McLain admits to receiving the Notice of Charges, but not the Complaint and Notice of Hearing.

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

Malloch moved, Berrigan 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.

Campbell requested the Board accept the Administrative Law Judge’s recommended decision for revocation of RN license.

McLain stated that revocation was harsh and claims she responded to all correspondence she received.

Berrigan moved, Malloch seconded, and it was unanimously carried to table Agenda Item II.B.1.

II.B.2. Pamela A. Weinstein RN147720 Campbell

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

Campbell addressed the Board and stated that a Complaint and Notice of Hearing was mailed to Weinstein with no response.

Weinstein was present, telephonically, and addressed the Board. She stated that she did not agree with the Complaint and Notice of Hearing and therefore did sign it and wasn’t able to reach Board staff regarding the matter.

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

Busby moved, Berrigan 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.

Campbell suggested the Board adopt the decision they find appropriate.

Weinstein stated that no harm was caused to a patient and she didn't do anything wrong.

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

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

AGENA #	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.B.3.	Kimberly Rae Mulhare	RN119228	Revocation	Campbell
II.B.4.	Brenda J. Dowdy	LP037329	Revocation	Zack
II.B.5.	Kirk David Murrin	CNA100022446	Revocation	Zack
II.B.6.	Rita Moore	RN063898	Revocation	Campbell

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

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

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

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

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

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

II.D.2. Dorothy Ann Blackgoat CNA999998551 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, stated there was no response to correspondence sent to Blackgoat, and recommended the Board accept the State's recommended discipline for revocation.

Blackgoat was present and addressed the Board. She stated she didn't respond to correspondence from the Board because she didn't understand the legal documents.

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

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

Malloch moved, Busby seconded, and it was unanimously carried to impose an Order for 24 months stayed revocation including standard stipulations amended to include, night shift allowed at Plaza Healthcare only.

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

Feldman left the meeting at 2:11 p.m.

II.D.3. Stacy Janette Burke RN101708 Campbell

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

Feldman returned to the meeting at 2:14 p.m.

Campbell addressed the Board, stating that Burke failed to respond to correspondence mailed to her, and recommended the Board accept the State's recommended discipline.

Burke was present and addressed the Board. She stated that she responded to correspondence she received from the Board, but not in a timely manner. She further stated she feels the complaints against her were false.

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

McCormies 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 Notice of Charges.

Malloch moved, Berrigan seconded, to accept the State's recommended discipline for revocation. The motion carried with nine in favor and one abstained.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</u> Member	<u>Busby</u> Member
YES	9	X	X	X		X	X	X		X	X	X
NO	0											
ABSTAIN	1								X			
ABSENT	1				X							

II.D.37. Jessica Marie Soto CNA1000006869 Zack

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

Zack addressed the Board and stated that all documents mailed to Soto were sent to the same address, with the first class mail not returned but the certified mail was returned. Zack further stated that Soto has a long criminal history and no cooperation with the Board, and recommended the Board adopt the State's recommended discipline for revocation.

Soto was present and addressed the Board. She stated that she received correspondence from the Board but failed to return it. She further stated that she is trying to do better and needs another opportunity.

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

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

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

	VOTE	Dalton Member	McCormies Member	Harrell Member	Johnson Member	Berrigan Secretary	Quinn President	Malloch V. Pres.	Feldman Member	Gutierrez Member	Snider Member	Busby Member
YES	10	X	X	X		X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	1				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.	Deborah Alice Berg (aka: Vidinha)	LP041858	Decree of Censure	Campbell
II.D.4.	Conrad Solarez Castro	CNA1000022142	Revocation	Campbell
II.D.5.	Cynthia Ann Cherry	RN147125	Revocation	Campbell
II.D.6.	Vanessa Lynn Christensen	RN128064; LP037896	Revocation	Campbell
II.D.7.	Vicki Lynn Clarke	RN128844	Revocation	Campbell
II.D.8.	Marylee Delate (aka: Kennedy; Shutt)	RN152204	Revocation	Campbell
II.D.9.	Kathryn Lorraine Do Carmo	LP037548	Revocation	Campbell
II.D.10.	Michael P. Espinosa	CNA999950102	Revocation	Campbell
II.D.11.	Jennifer Lee Etzel-Elaqad	RN154226	Revocation	Campbell
II.D.12.	Esperanza Felix (aka: Garcia; Amaral)	CNA128361103	Revocation	Campbell
II.D.13.	Jason Peter Furr	CNA1000014283	Revocation	Campbell
II.D.14.	Linda E. Gabbard (aka: Gabbard)	RN078051	Revocation	Campbell
II.D.15.	Phil J. Gentile	RN097452	Revocation	Campbell
II.D.16.	Robin Rae Haney	RN110519	Revocation	Campbell
II.D.17.	Chyi Jen Hua (aka: Wang)	RN114042; LP033131; CNA573348499	Revocation	Campbell
II.D.18.	Jacqueline Renae Koch	CNA1000000669	Revocation	Campbell
II.D.19.	Stephanie Lei Landa (aka: Page)	RN090090	Revocation	Campbell
II.D.20.	Nancy Skehan Leonardo	RN056074; LP018360	Revocation	Campbell
II.D.21.	Heather Marie Marciniak	CNA1000017156	Revocation	Campbell
II.D.22.	Sherry Marie McConnell	RN139247	Revocation	Campbell

II.D.23.	Alba Diane McElroy	CNA999989078	Revocation	Campbell
II.D.24.	Barbara Ann Mills	RN106182	Revocation	Campbell
II.D.25.	Margo Faye Myrick	LP016807	Revocation	Campbell
II.D.26.	Cindy C. Noble	RN090524	Revocation	Campbell
II.D.27.	Tajudeen O. Oladiran	LP000032877	Revocation	Campbell
II.D.28.	Diana Michelle Oller	CNA1000022440	Revocation	Campbell
II.D.29.	Cynthia Korpi Olstein	RN030305	Revocation	Campbell
II.D.30.	Gina Marie Mahar (aka: Smith; Acuna)	LP040356	Revocation	Zack
II.D.31.	Linda Ann Piper	CNA999989635	Revocation	Zack
II.D.32.	Tina Marie Pizano	CNA1000005305	Revocation	Zack
II.D.33.	Bozena Anna Prawdzic-Witoslawski	RN111477	Revocation	Zack
II.D.34.	Jennifer Denise Rider	LP037135	Revocation	Zack
II.D.35.	Richard Leroy Sampson	CNA1000008560	Revocation	Zack
II.D.36.	Linda Diane Smith (aka: Acker)	RN079924	Revocation	Zack
II.D.38.	Heather Jayne Taylor	CNA1000023673	Revocation	Zack
II.D.39.	Caroline Turquoise (aka: Tunney)	CNA1000013078	Revocation	Zack
II.D.40.	Sheema T. Vincent	RN160863	Revocation	Zack

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

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

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

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

McCormies moved, Harrell seconded, and it was unanimously carried to accept the State’s recommended discipline for Agenda Items II.D.1., 4-36, and 38-40.

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

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

II.F.1. Theresa Kelso RN095337; AP2247 Zack

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

Zack addressed the Board and recommended the Board accept the signed Consent Agreement for 6 months probation.

Kelso was present, telephonically, and addressed the Board.

Busby moved, Malloch seconded, and it was unanimously carried to accept the attached signed revised Consent Agreement for probation. One exception to the terms was noted that Kelso may work unsupervised for one (1) week during the summer.

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

II.F.2. Karen Jean Lynn RN128327 Zack

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

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

Zack addressed the Board and recommended the Board accept the signed Consent Agreement for a \$300 Civil Penalty.

Malloch moved, Dalton seconded, and it was unanimously carried to accept the attached revised Consent Agreement for a \$300 Civil Penalty.

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

II.F.3. Susan Angela Friend RN150060 Barber

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

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

Barber addressed the Board and noted Friend’s request for 12 months probation in lieu of 24 months, random monthly drug screens, and permission to complete the terms of probation in the State of West Virginia and/or Pennsylvania.

Busby moved, Quinn seconded, and it was unanimously carried to accept the signed Consent Agreement for 12 months probation with the stipulations attached, to include: minimum monthly drug screens, and permission to complete the terms of probation in the State of West Virginia and/or Pennsylvania.

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

II.F.4. Benson Chege Kiarie RN135877 Campbell

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

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

Campbell addressed the Board and recommended the Board issue Complaint and Notice of Hearing including the additional allegations.

Busby moved, Gutierrez seconded, and it was unanimously carried to issue the attached Complaint and Notice of Hearing including the additional allegations.

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

II.F.5. Jasmine Jackson CNA1000017859 Richards
The Board was represented by Christopher Munns, Assistant Attorney General, Division of Solicitor General.

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

Richards addressed the Board and stated Jackson will be applying for social security disability.

Malloch moved, Dalton seconded, and it was unanimously carried to accept the attached, signed Consent Agreement for a Decree of Censure in settlement of complaint No. 1102005.

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

II.B.1. Sarah McLain RN113175 Campbell
Malloch moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item II.B.1.

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

McLain was present and available for questions.

Campbell addressed the Board with additional information.

Malloch moved, Quinn seconded, and it was unanimously carried to issue an Order to suspend Respondent’s license; however the suspension shall be stayed for not more than 30 days pending receipt of a PhD level Board approved substance use evaluation to be received by the Board or its designee within 30 days. If the evaluation is not received by the Board or its designee within 30 days, Respondent’s license shall be automatically revoked after an opportunity to be heard by the Board. If the evaluation shows that Respondent is safe to practice but has a substance use disorder and/or is found to be in need of treatment, Respondent’s license shall be placed on stayed suspension probation for a minimum of 36 months to include the attached terms and conditions. If Respondent is found safe to practice and is not found to have a substance use disorder, the length of Respondent’s stayed suspension probation shall be a minimum of 18 months to include the attached terms and conditions.

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

The meeting recessed at 2:58 p.m. and reconvened at 3:16 p.m.

Busby returned to the meeting at 3:18 p.m.

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

V.C.4. Brian Keith Estavillo RN079722; CRNA0411 (Midkiff)

Estavillo was present and addressed the Board. Busby moved, Berrigan seconded, and it was unanimously carried to table Agenda Item V.C.4.

V.C.7. Elizabeth Marie Bartram RN057874 (Midkiff)

Midkiff addressed the Board with additional information. Debra Nolan and Bartram were present and addressed the Board. Quinn moved, Snider seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer Consent Agreement to extend probation to stayed revocation/probation for 18 months including the attached stipulations. If not signed within 30 days, issue Notice of Charges. The motion carried with nine in favor and one opposed.

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

V.C.12. Bruce Jesse Gibson RN165803 (Midkiff)

Gibson was present and addressed the Board. Berrigan moved, McCormies seconded, and it was unanimously carried to table Agenda Item V.C.12.

McCormies left the meeting at 3:57 p.m.

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

V.D.4. Jenny M. Griffin CNA714246441 (Garcia)

Garcia addressed the Board with additional information. Griffin was present and addressed the Board. Quinn moved, Berrigan seconded, based upon the findings of fact and statute/rule violations identified in the monitoring non-compliance report, to issue Notice of Charges. After discussion the motion carried unanimously.

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

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

V.C.12. Bruce Jesse Gibson RN165803 (Midkiff)

Malloch moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item V.C.12. Malloch moved, Berrigan seconded, to amend terms of Respondent’s Consent Agreement and Order No. 0910078 extending Respondent’s standard probation until November 14, 2012, with terms and conditions, and allow Respondent to enter into the step-down phase for the remainder of probation, provided that Respondent satisfactorily completes all monitoring and evaluator recommendations. After discussion, Malloch moved, Berrigan seconded, and it was unanimously carried to go into Executive Session on Agenda Item V.C.12 for the purpose of obtaining legal advice pursuant to A.R.S. §38-431.03 (A)(3). Executive Session convened at 4:15 p.m. and adjourned at 4:30 p.m.

Malloch withdrew the motion.

Busby moved, Dalton seconded, and it was unanimously carried, based upon the information identified in the investigative report, terminate Respondent’s probation effective May 22, 2012.

Busby left the meeting at 4:31 p.m.

VII. Board Reports for Discussion, Information, Staff Direction and/or Decision
VII.B. Educational Reports and Rules – Randolph/McGinty/Wagner
VII.B.1. Nurse Assistant Programs Approved by the Executive Director (List available in the Board office)

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

VII.B.2. Nursing Program/Education Community Updates: Brookline College, Brown Mackie - Tucson

Information was provided to the Board regarding personnel changes at Brookline College and Brown Mackie-Tucson.

VII.B.3. Brookline 12-Month Provisional Report

Quinn moved, Snider seconded, and it was unanimously carried to continue provisional approval of the Brookline College BSN program.

VII.B.4. Eastern Arizona College and Arizona State University Concurrent Program

Malloch and McCormies recused themselves. McCormies left the meeting at 4:33 p.m.

Dalton moved, Quinn seconded, to approve request for program change for Eastern Arizona College (EAC) and Arizona State University (ASU) for a change in length at EAC and a new site for ASU. The motion carried with seven in favor and one abstained.

McCormies returned to the meeting at 4:34 p.m.

VII.B.5. University of Arizona Family Psychiatric Mental Health Nurse Practitioner Doctor of Nursing Practice Application

McCormies moved, Gutierrez seconded, and it was unanimously carried to approve the University of Arizona Family Psychiatric Mental Health Nurse Practitioner Doctor of Nursing Program.

VII.B.6. Arizona College of Allied Health Proposal Application

Dalton moved, Gutierrez seconded, and it was unanimously carried to grant proposal approval to the Arizona College of Allied Health Baccalaureate Nursing Program.

VII.B.7. Pima Community College Nursing Program Investigative Report

Malloch moved, Feldman seconded, and it was unanimously carried to dismiss the complaint against the Pima Community College Associate Degree Nursing Program.

VII.B.8. Pima Community College Center for Training and Development Investigative Report

Feldman moved, Gutierrez seconded, and it was unanimously carried to dismiss the complaint against the Pima Community College CTD Practical Nursing Program.

VII.B.9. Medication Assistant Training Program Approval Report for Cactus Wren Training Program

Quinn moved, Berrigan seconded, and it was unanimously carried to grant approval for Medication Assistant Training Program for Cactus Wren Training Program.

VII.B.10. Medication Assistant Training Program Approval for Eastern Arizona College

McCormies recused herself. Quinn moved, Berrigan seconded, to grant approval for Medication Assistant Training Program for Eastern Arizona College. The motion carried with eight in favor and one abstained.

VII.B.11. Fortis College Nursing Program 12-Month Provisional Report Update

Malloch moved, Dalton seconded, and it was unanimously carried, based upon the facts and rule violation in the 12 month Provisional Report Update, issue a Notice of Deficiency to the Fortis College Practical Nursing Program for violation of R4-19-204 (G) (2).

VII.B.12. Notice of Docket Opening and Proposed Rulemaking Article 3 and Arizona Administrative Code Rule R4-19-101

Feldman moved, Berrigan seconded, and it was unanimously carried to move this rulemaking along.

VII.A. Executive Directors Report – Ridenour

VII.A.2. Update on 2012 Legislative Session/Bills Impacting Nursing Regulation Effective August 2, 2012 – Harris/Ridenour

The Board’s legislative liaison, Greg Harris, offered an update on the success of the 2012 legislature and Bills signed by the Governor. Topics discussed were:

- SB1002 – Ten year continuation of the Board
- SB 1188 – Medical Board Bill regarding anonymous complaints, burden of proof, and statute of limitations
- SB 1010 – Executive Director authority for Interim Orders
- SB 1362 – Certified Registered Nurse Anesthetists

Harris was commended for his efforts getting Bills passed. President Quinn presented Harris with a gift of appreciation.

VI. RN/LPN/CNA Investigative Reports

VI.N.18. Jason Robert Jacobson RN Exam (Richter)

Jacobson was present and addressed the Board. Feldman moved, Quinn seconded, and it was unanimously carried to grant licensure upon meeting all requirements and issue a Letter of Concern for the September 1996 conviction in Dakota County, Minnesota, for Assault, 3rd Degree, designated a misdemeanor in November 2001; for the December 1998 conviction in Hennepin County, Minnesota for Driving While Intoxicated (DWI), a misdemeanor, and for the November 2001 conviction in Ramsey County, Minnesota, for DWI, a gross misdemeanor.

VI.L.4. Devin James Welker RN159646 (Perkins)

Perkins addressed the Board with additional information. Welker was present and available for questions. McCormies moved, Dalton seconded, and it was unanimously carried, to accept the signed Consent Agreement for a Suspension not to exceed 12 months, pending completion of a substance abuse evaluation by a Board approved neuropsychologist with a specialty in substance abuse, the successful completion of all treatment recommendations resulting from the evaluation and confirmation received by the Board from either the evaluator or treatment providers indicating that Respondent is safe return to nursing practice, to be followed by a 36-month stayed suspension/probation to include the attached stipulations.

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

VI.L.9. Raymond Michael Kropczynski RN169604 (Perkins)

Perkins addressed the Board with additional information. Kropczynski was present and addressed the Board. Malloch moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a Suspension not to exceed 12 months pending the completion of a substance abuse evaluation by a Board

approved psychologist with expertise in substance use disorders and the successful completion of acute treatment recommendations resulting from the evaluation and/or confirmation is received from either the evaluator or treatment providers for respondent is safe to return to practice , to be followed by a 36-month stayed suspension during which time the license is placed on probation. Stipulations 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	Johnson Member	Berrigan Secretary	Quinn President	Malloch V. Pres.	Feldman Member	Gutierrez Member	Snider Member	Busby Member
YES	9	X	X	X		X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2				X							X

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. March 19-20, 2012 Regular Board Meeting Minutes

VII.A.1.b. March 20, 2012 Special Board Meeting

VII.A.1.c. April 11, 2012 Executive Session Minutes

VII.A.1.d. May 10, 2012 Special Board Meeting

Quinn moved, Malloch seconded, and it was unanimously carried to approve minutes of March 19-20 , 2012 Regular Board meeting; the minutes of March 20, 2012 Special Board meeting; the minutes of April 11, 2012 Special Board meeting; and the minutes of May 10, 2012 Special Board meeting.

VII.A.3. 2012 NCSBN Annual Meeting – Summary of Recommendations for Delegate Assembly Consideration:

- a. Adopt the proposed revisions to the NCSBN Model Practice Act & Rules (Randolph – Model Practice Act/Rules Committee Member)
- b. Adopt New Associate Members of NCSBN: Saskatchewan Registered Nurses’ Association; College of LPN’s of Nova Scotia; Nursing Council of New Zealand
- c. Adopt the proposed 2013 NCLEX RN Test Plan
- d. Adopt the Slate of Candidates - Ridenour

Summary of Recommendations for Delegate Assembly items for consideration for the 2012 NCSBN Annual Meeting were provided to the Board. Ridenour noted that questions and advice from the Board were encouraged.

Feldman left the meeting at 5:18 p.m.

VII.A.5. Board Meeting Dates 2013 – Ridenour

Quinn moved, Snider seconded, and it was unanimously carried to approve the 2013 Board meeting dates.

VII.A.6. Update on Personnel Changes; New Lead Senior Investigator – Kirk Olson – Austin/Bontrager

Austin welcomed Kirk Olson as Senior Lead Investigator. The following personnel changes were noted by Austin and Olson:

- New staff Diva Galan, Senior Investigator and attorney, assigned to the Monitoring Department
- Karen Grady will retire the end of June 2012
- Debra Richards and Jennifer McWilliams have moved to investigations
- Employment offers have been made for Nurse Practice Consultant positions

VII.A.7. Update on Monitoring Department – Trends/Data – Austin

Austin reported she would be doing additional analysis on the Monitoring Department and bring it back to the July 2012 Board meeting.

VII.A.8. Investigative Data & Cycle Times - Austin

Austin reported that Investigative Data & Cycle Times will be brought to the July 2012 Board meeting.

VII.C. President’s Report – Quinn

Pat Johnson was present, telephonically, for Agenda Item VII.C. only.

VII.C.1. Kathy Malloch Term Expires June 2012 – Election of New Vice President – Quinn/All

Johnson expressed interest in the role of Vice President due to Vice President Malloch’s term of service ending June 2012. Quinn moved, Feldman seconded, and it was unanimously carried to nominate Pat Johnson for Vice President.

VII.C.2. Board Member Appointments to Committees – All

Newly appointed Board members were selected to serve on the following Committees:

- Feldman – Scope of Practice Committee
- Harrell – Education Committee

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

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

Board members and staff discussed the Board processes and suggested changes.

Suggestions:

- Group attorney’s together for timed appearances in an effort to improve the flow of the meeting.

Gutierrez left the meeting at 5:36 p.m. and returned at 5:39 p.m.

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

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 Howard		Hurtado

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

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

VII.B.7. Pima Community College Nursing Program Investigative Report

Malloch moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item VII.B.7. for the purpose of allowing complainant, Trang Nguyen to address the Board.

Quinn moved, Malloch seconded, and it was unanimously carried to reaffirm prior Board decision to dismiss the complaint against the Pima Community College Associate Degree Nursing Program.

VIII. Call to the Public

No members of the public requested to speak

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Pima College Nursing Student regarding Board functions, policies and procedures. Questions:

- Whether a nurse is allowed to work while taking pain medication or mental health drugs
- How one discloses if they take mental health drugs
- If attorneys representing Respondents are provided with the same information as the Board
- If it's necessary to notify employer if on probation

Snider left the meeting at 6:04 p.m. and returned at 6:05 p.m.

The meeting recessed at 6:06 p.m., Monday, May 21, 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 8:03 a.m., Tuesday, May 22, 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
Kathy Malloch, PhD, MBA, RN, FAAN, Vice President
Theresa (Terri) Berrigan, LPN, C-AL, Secretary
Kathryn L. Busby, JD, Member
Leslie Dalton, MSN, RN, Member
Joel S. Feldman, JD, Member
Lori Gutierrez, BS, RN-C, Member
Charleen L. Snider, BSN, RN, Member

BOARD MEMBERS ABSENT:

M. Shawn Harrell, RN, MSN, Member
Patricia Johnson, LPN, Member
Carolyn Jo McCormies, RN, MS, FNP-BC, 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, Senior Investigator Esther Garcia, Legal Assistant/Monitoring Karen Grady, RN, MS, FNP, Nurse Practice Consultant/AP Teddylen Guffey, MHSA, RN, LNCC, Nurse Practice Consultant Lynda Hemann, PhD, MPH, LISAC, Senior Investigator Dolores Hurtado, Senior Investigator Ron Lester, Senior Investigator Debra McGinty RN, PhD, Administrator/Nursing Programs Patricia Midkiff, RN, MN, Nurse Practice Consultant	Linda Monas, Senior Investigator Doug Parlin, Senior Investigator Susan Perkins RN, MSN, Nurse Practice Consultant 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 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 8:02 a.m., Tuesday, May 22, 2012.

The following Board members were present Quinn, Malloch, Berrigan, Dalton, Feldman, Gutierrez, Snider 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.B.3. Beverly Jean Rockwell RN057501; AP0087 (Dahn)

Malloch moved, Berrigan seconded, and it was unanimously carried to table Agenda Item VI.B.3.

VI.E.4. Susan Sorsen Koepf RN037706 (Hemann)

Hemann addressed the Board and confirmed the receipt of additional information. Attorney Teresa Sanzio was present and addressed the Board. Dalton 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 36 months stayed revocation including the attached stipulations. During the stay of revocation, the license will be placed on probation. If not signed within 30 days, issue Complaint and Notice of Hearing.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.B.3. Beverly Jean Rockwell RN057501; AP0087 (Dahn)

Berrigan moved, Malloch seconded, and it was unanimously carried to reopen Agenda Item VI.B.3. Attorney Teresa Sanzio was present and addressed the Board. Malloch moved, Gutierrez seconded, for complaint #1, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue Notice of Charges, and for complaint #2, to dismiss the complaint. The motion carried with seven in favor and one opposed.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.B.4. Wendy Longchamps RN146859; AP2787 (Dahn)

Attorney Teresa Sanzio was present and addressed the Board. Malloch moved, Berrigan seconded, and it was unanimously carried, for complaint #1, to dismiss the complaint; for complaint #2, to issue a Letter of Concern for failing to collect medical records in a timely manner while caring for patients R.D. and T.D. on or about 2010-2012 while working at Arizona Pain Resources in Chandler, Arizona; and for complaint #3, to dismiss the complaint.

VI.C.4. Rekha Matken RN137992; AP2375 (Grady)

Busby recused herself and left the meeting at 8:28 Grady addressed the Board with additional information. Matken was present and available for questions. Attorney Fredrick Cummings was present and addressed the Board. Malloch moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, accept the signed Consent Agreement for a \$1,000 Civil Penalty.

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

Busby returned to the meeting at 8:32 a.m.

VI.D.5. Ruth Pleasant LP023658 (Guffey)

Berrigan recused herself and left the meeting at 8:33 a.m. Pleasant was present and addressed the Board. Malloch moved, Dalton seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, issue a Cease and Desist related to Respondent advertising herself as a “nurse” and offer a Consent Agreement for a \$500 Civil Penalty. If the Consent Agreement is not signed within 30 days, issue Notice of Charges. After discussion, Busby moved, Dalton seconded and it was unanimously carried to table Agenda Item VI.D.5.

Berrigan returned to the meeting at 8:43 a.m.

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

Peterson was present and addressed the Board. Snider moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 12 months probation including the attached stipulations. If not signed within 30 days, issue Notice of Charges.

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

VI.D.7. Luzestrella Figueroa LP038403 (Guffey)

Figueroa was present and addressed the Board. Busby moved, Berrigan seconded, and it was unanimously carried to dismiss the complaint; and direct staff:

Send a letter to Arizona Department of Health Services, Long Term Care Division, for issues related to inadequate staffing.

Open a complaint to review the role of Bola Shiwoniku, RN, in this matter.

VI.C.2. Nancy Kleinschmidt Bucci RN048380 (Grady)

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

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

VI.C.1. Ashley Nicole McQuinn RN155036 (Grady)

McQuinn was present and available for questions. Malloch moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 6 months probation 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>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.C.3. Misty McSperritt Richarson LP046211; CNA999993307 (Grady)

Grady addressed the Board and confirmed the receipt of additional information. Malloch moved, Busby seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to accept a signed Consent Agreement for a Decree of Censure.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.F.1. Bernadine Chischilly CNA999995479 (Lester)

Chischilly was present and addressed the Board. Busby moved, Feldman seconded, and it was unanimously carried to issue a Letter of Concern for the July 15, 2009, misdemeanor conviction of Driving Under the Influence (DUI) to the Slightest Degree with Flagstaff Municipal Court in Flagstaff, Arizona and for failing to report the charges to the Board within ten days as required by the Statutes and Rules.

VI.F.2. Audrey I. Dear CNA100022536 (Lester)

Dear was present and available for questions. Quinn moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 12 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>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.F.6. Tammy J. Tsosie CNA100022948 (Lester)

Lester addressed the Board with additional information. Tsosie was present and addressed the Board. Dalton moved, Berrigan seconded, and it was unanimously carried to continue the investigation to allow Respondent the opportunity to obtain a psychological evaluation with an emphasis on substance abuse to be completed by a Board approved evaluator who at minimum is PhD prepared with an expertise in substance abuse and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 60 days and then return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.F.3. Kristal T. Green CNA100005829 (Lester)

Malloch moved, Busby seconded, and it was unanimously carried to issue a Letter of Concern for the June 3, 2010, arrest for Assault with Tucson Police Department in Tucson, Arizona, where the Assault charge was later dismissed by the Tucson City Court after the diversion program was completed, and for failing to report the charges to the Board within ten days as required by the Statutes and Rules.

VI.F.4. Timothy J. Hartzell RN129233 (Lester)

Busby moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for the July 3, 2010, arrest for charges of Threatening and Intimidation per Domestic Violence and Disorderly Conduct by the Yuma County Sheriff’s Office, that were later dismissed on October 6, 2010, with Yuma Justice Court in Yuma, Arizona.

VI.F.5. Gail Moore CNA Exam (Lester)

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

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

VI.E.12. Adrian Soto LP046950 (Hemann)

Soto was present and addressed the Board. Busby moved, Dalton seconded, and after discussion it was unanimously carried to re-offer the Consent Agreement of March 2012 for 18 months probation including the attached amended stipulations. If not signed within 30 days, issue a Complaint and Notice of Hearing.

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

VI.G.3. Emily Veronica Roberts RN151488 (Midkiff)

Midkiff addressed the Board and confirmed the receipt of additional information. Roberts was present and addressed the Board. Gutierrez moved, Snider seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for probation, including the attached terms. If the findings of the evaluation required by the Consent Agreement identify that Respondent has a substance use disorder or is in need of treatment, the length of the probation will be at minimum 36 months with the standard requirements for substance use disorders. If the findings from the evaluation required by this 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 24 months. If not signed within 30 days, issue Notice of Charges.

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

VI.G.1. Margaret Ellen Jensen RN121160 (Midkiff)

Malloch moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 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>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.2. Claudia Gwyn Ortiz RN074121 (Midkiff)

Snider moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for making entries into patients’ medical records on or about March 28, 2010, without personally assessing or interacting with these patients.

VI.H.2. Krysal Dalilah Damiano CNA Exam (Monas)

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

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.H.16. Traci Jane Sonney TRN171393 (Monas) (aka: Lehman)

Monas addressed the Board and noted a technical correction to the investigative report. Sonney was present and addressed the Board. Berrigan moved, Malloch seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, and additional information, to deny licensure. After discussion the motion carried with seven in favor and one opposed.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.H.7. Naomi Miller CNA Endorsement (Monas) (aka: Crader)

Miller was present and available for questions. Quinn moved, Dalton seconded, and it was unanimously carried to continue the investigation to allow Miller the opportunity to voluntarily obtain a psychological evaluation, to include a substance abuse evaluation, by a Board approved licensed psychologist, who is at a minimum, Ph.D. prepared, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and then return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.I.6. Stephanie Hyde LP Endorsement (Olson)

Olson addressed the Board and confirmed the receipt of additional information. Hyde was present and addressed the Board. Busby moved, Gutierrez seconded, and it was unanimously carried to grant licensure upon meeting all requirements and issue a Letter of Concern for the May 10, 1984, guilty plea to the charge of possession a controlled substance, a felony, in the U.S. District Court, Northern District of Illinois, which resulted in a deferral of the proceedings, and one year of probation, after which the charge was dismissed.

VI.J.5. Jeana Kay Rude RN134341 (Parlin)

Parlin addressed the Board with additional information. Rude was present and available for questions. Malloch moved, Dalton seconded, and it was unanimously carried, to continue the investigation to allow Respondent the opportunity to voluntarily obtain a psychological evaluation to include a substance abuse evaluation with a Board approved licensed psychologist, to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and return to the Board. If the evaluation is not completed, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.J.6. Jonathan Thomas Olsen RN125460 (Parlin)

Olsen was present and addressed the Board. Busby moved, Dalton seconded, to issue a Letter of Concern for the May 22, 2011, citation for Theft in Flagstaff, Arizona. After discussion, Busby withdrew the motion.

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

The meeting recessed at 9:57 a.m. and reconvened at 10:17 a.m.

**VI.L.10. Jennifer Leigh George RN153283 (Perkins)
(aka: Cornelius)**

Perkins addressed the Board with additional information. George was present and addressed the Board. Malloch 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 12 months probation 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>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.O.2. Abraham Akech Cheluel CNA999996118 (Sage)

Sage addressed the Board with additional information. Cheluel and Attorney Tom Rogers were present and available for questions. Busby moved, Berrigan seconded, and it was unanimously carried to dismiss the complaint.

Feldman left the meeting at 10:25 a.m. and returned at 10:26 a.m.

VI.O.3. Abibatu Conteh CNA100001335 (Sage)
(aka: Abby Conteh)

Conteh was present and available for questions. Malloch moved, Gutierrez seconded, and it was unanimously carried to issue a Letter of Concern for reportedly being rough and verbally abusive with resident M.G. on November 25, 2011, while employed as a CNA at The Terraces in Phoenix, Arizona.

I.O.16. Sandra Lee Wright RN056130 (Sage)

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

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

VI.O.17. Diana Marie Woodrum LP046578 (Sage)

Sage addressed the Board with additional information. Busby moved, Gutierrez seconded, and after discussion it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a \$250 Civil Penalty. If not signed within 30 days, issue Notice of Charges.

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

The Board directed staff to open a case on registered nurse Amber Devlin.

VI.O.18. Nikki Jo Sipes CNA999952775 (Sage)

Busby moved, Snider seconded, and it was unanimously carried to issue a Letter of Concern for a likely careless transfer of resident J.G. on November 13, 2011, resulting in J.G. sustaining a spiral fracture of her leg, while employed as a CNA at Westchester Care Center in Tempe, Arizona.

VI.O.19. Chekki Glynn Stansberry LP041024 (Sage)

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

VI.O.20. Rebecca Ora Stephens CNA1000020041 (Sage)
(aka: Haggerty; Smith)

Sage 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, to offer a Consent Agreement for 18 months stayed revocation with the attached stipulations, amended to include night shift allowed, and to include a \$50 Civil Penalty. If not signed within 30 days, issue Notice of Charges.

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

VI.D.5. Ruth Pleasant LP023658 (Guffey)

Busby moved, Malloch seconded, and it was unanimously carried to reopen Agenda Item VI.D.5. Berrigan recused herself and left the meeting at 10:41 a.m.

Pleasant was present and available for questions. Guffey addressed the Board and confirmed the receipt of additional information. Malloch moved, Dalton seconded, and it was unanimously carried, to affirm prior Board motion: based upon the findings of fact and statute/rule violations identified in the investigative report, issue a Cease and Desist related to Respondent advertising herself as a “nurse” and offer a Consent Agreement for a \$500 Civil Penalty. If the Consent Agreement is not signed within 30 days, issue Notice of Charges.

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

**VI.P.3. Kimberly Ann Aragon RN087245 (Torrez)
(aka: Utley; Harkema)**

Torrez addressed the Board and confirmed the receipt of additional information. Complainant Ralph Aragon was present and addressed the Board. Aragon was present and available for questions. Busby moved, Snider seconded, and it was unanimously carried to issue a Letter of Concern for accessing the medical record of R.A. without authorization on November 4 and 12, and December 5 and 18, 2010, while employed at West Valley Hospital in Goodyear, Arizona.

VI.P.6. Irene Peralta Siminski RN062451; LP020645 (Torrez)

Torrez addressed the Board with additional information. Siminski was present and available for questions. Busby moved, Malloch seconded, and it was unanimously carried, to accept the signed Consent Agreement for 24 months stayed revocation including the attached stipulations. During the stay of revocation, the license will be placed on probation. Upon the completion of the stayed revocation, the license will be placed on 12 months probation including the attached stipulations.

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

VI.P.10. Shirley Joyce Lentine RN019979 (Torrez)

Malloch moved, Berrigan seconded, and it was unanimously carried, based upon findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 24 months stayed revocation to include the attached stipulations. During the stay of revocation, the license will be placed on probation. Upon the completion of the stayed revocation, the license will be placed on 12 month probation to include the attached stipulations. If not signed in 30 days, issue Notice of Charges.

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

VI.Q.4. Sarah Ashley Brown CNA1000020415 (VandenBerg)

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

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.1. Ellen M. Vierra CNA453815083 (VandenBerg)

VandenBerg addressed the Board with additional information. Busby moved, Gutierrez seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue Notice of Charges. After discussion, the motion carried with seven in favor and one opposed.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.Q.2. Luis Fernando Kortright CNA Exam (VandenBerg)

VandenBerg addressed the Board with additional information. Busby moved, Snider seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to deny certification.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.3. Jordan Nicholle Fleurquin CNA1000024032 (VandenBerg)

VandenBerg 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 \$50 Civil Penalty. If not signed within 30 days issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.5. Heather Catherine Lunkin CNA1000025276 (VandenBerg)

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

VI.Q.6. Theresa L. Kovacich CNA246815163 (VandenBerg)

Kovacich was present, telephonically, and addressed the Board. Quinn moved, Malloch seconded, and it was unanimously carried to continue the investigation to allow Respondent the opportunity to obtain a psychological evaluation to include a substance abuse evaluation with a Board approved licensed psychologist, to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.I.8. Stephanie Lynn Stevens RN Exam (Olson)

Olson addressed the Board with additional information. Stevens was present and addressed the Board. Malloch moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all requirements and signing a Consent Agreement for 24 months probation including the attached stipulations, amended to include AA with sponsor 2 times per week, to grant licensure. If not signed within 30 days, deny licensure.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.I.1. Gabriela Ramirez CNA Exam (Olson)

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

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.I.2. Alfredo Bustos Jr. Rn147266; LP042228 (Olson) (aka: Alfredo Bustos)

Gutierrez 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 \$250 Civil Penalty. If not signed within 30 days, issue Notice of Charges. After discussion the motion failed with seven opposed and one in favor.

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

Quinn moved, Dalton seconded, to continue the investigation to allow Respondent to obtain a psychological evaluation to include an anger management evaluation with a licensed psychologist, to be completed within 45 days and return to the Board. If the evaluation is not completed, issue Notice of Charges. The motion carried with seven in favor and one opposed.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.I.3. Gina Suzette Cloum RN Endorsement (Olson)

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 deny licensure.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.I.4. Kimberly Gormley RN Exam; CNA1000013220 (Olson)
(aka: Karren; Vigil)

Olson addressed the Board with additional information. Busby moved, Berrigan seconded, to accept the signed Consent Agreement for a Decree of Censure, which is based upon the findings of fact and statute/rule violations identified in the investigative report, and upon meeting all requirements, grant licensure. After discussion the motion carried with five in favor and three opposed.

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

VI.I.5. Ricardo Alberto Guevara CNA Exam (Olson)

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

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.I.7. Tiffany Lynn McGowan RN Exam (Olson)

Malloch moved, Quinn seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all requirements and signing a Consent Agreement for 18 months probation including the attached stipulations, to grant licensure. If not signed within 30 days, deny licensure.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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							

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.	Janette Barreras	CNA878171641	\$25
IV.A.1.b.	Dacia Stone	LP038692	\$200

Malloch moved, Dalton 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 or Charges; and referral of the employer will be made to the Department of Health Services for licensee/certificate holders working on a lapsed license/certificate for three months or greater.

IV.A.3. Accept Signed Consent Agreement/Grant Licensure (Bontrager)

Agenda #	Name	License/Certificate #
IV.A.3.a.	Margaret M. Songin	TRN173662

Busby moved, Berrigan seconded, and it was unanimously carried to accept signed Consent Agreement for \$500 Administrative Penalty, extend temporary license for 60 days to allow for payment of Administrative Penalty. If Administrative Penalty is not paid within 60 days, based upon findings of fact and statutes and rules violations identified in the investigative report, 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.	Margo Davis (aka: Ray)	CNA Renewal	Olson

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

	VOTE	Dalton Member	McCormies Member	Harrell Member	Johnson Member	Berrigan Secretary	Quinn President	Malloch V. Pres.	Feldman Member	Gutierrez Member	Snider Member	Busby Member
YES	8	X				X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	3		X	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.	Michelle Lynn Hardy	RN130015	Olson
IV.B.2.b.	Saram Mok	CNA1000011483	Olson
IV.B.2.c.	Veronica Percy	CNA1000025082	Olson
IV.B.2.d.	Sandra Ramirez Gutierrez	CNA1000021903	Olson
IV.B.2.e.	Victoria Christina Griddine	RN150156; LP042621	Parlin

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

IV.C. Board Staff Recommendation: Notice of Charges

Agenda #	Name	License/Certificate #	Staff
IV.C.1	Megan Lynn Frazier	RN136093	Grady
IV.C.2.	Nancy Ann Powell (aka: Grossman)	RN142546	Grady
IV.C.3.	Andrea Annette Natal (aka: Lovato)	LP040435	Grady
IV.C.4.	Dean Robins Wentworth	RN162375; AP3608	Grady
IV.C.5.	Carrie Ann Withey	RN164112	Grady
IV.C.6.	Audrey Lynn Turner	RN143271	Grady

Busby moved, Berrigan seconded, and unanimously carried to adopt the attached Notice of Charges for Agenda Items IV.C.1.-6.

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

V.C.1. Aaron James Hayes RN165398 (Rappoport)

Berrigan moved, Quinn seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer Respondent an Amended Consent Agreement for a minimum of 33 months probation 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>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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							

V.C.2. David J. Stompro RN086669 (Midkiff)

Busby moved, Berrigan seconded, and it was unanimously carried to grant Respondent's request to complete the terms of Consent Agreement and Order No. 1108003 in the state of Washington.

V.C.4. Brian Keith Estavillo RN079722; CRNA0411 (Midkiff)

Malloch moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item V.C.4. Midkiff addressed the Board noting the amendment to the Consent Agreement, page 19, paragraph 5: allow RN supervision regarding sobriety. Busby moved, Berrigan seconded, to amend Consent Agreement and Order No. 0906047 to allow respondent to be employed in two work settings that, together, do not exceed 84 hours in a 14 day period, and to allow RN supervision regarding sobriety. After discussion the motion carried with seven in favor and one opposed.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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							

V.C.6. Samantha J. Ramers RN133834 (Midkiff)

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 to include the attached stipulations. During the stay of revocation, the license will be placed on probation. Upon completion of the stayed revocation, the license will be placed on 24 months probation to include 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>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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							

V.C.8. Delores Michelle Lavender LP038126 (Midkiff)

Malloch moved, Berrigan seconded, and it was unanimously carried to allow Respondent to work the night shift and one shift at the Yavapai County Jail may be without RN supervision. If Respondent no longer works at Yavapai County Jail, future jobs must include RN on-site supervision.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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							

V.C.9. Michelle Marie Burns RN078233 (Midkiff)

Busby moved, Berrigan seconded, and it was unanimously carried to amend Consent Agreement No. 1005135, paragraph B, page 4, and paragraph 1, page 6, of Order to allow Respondent to schedule and complete the neuropsychological evaluation no later than October 1, 2012.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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							

V.C.11. Heather Marie Walker RN123582 (Rappoport)
 Busby moved, Malloch seconded, and it was unanimously carried, based upon the information contained in the investigative report, to grant early termination.

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

V.D.1. Carolyn Dennis Abbuhl RN024917 (Garcia)
 Malloch moved, Busby seconded, and it was unanimously carried to approve request to terminate Consent Agreement and Order No. 0908089 entered into on November 29, 2010.

V.D.2. Rhodora Bondoc Cruz TRN106055 (Garcia)
 Busby moved, Snider seconded, and it was unanimously carried to approve request to allow time extension to complete RN Refresher Course, refresher course to be completed by November 30, 2012, in order to comply with Consent Agreement and Order No. 1010118.

V.D.3. Elizabeth Ann Forsley-Plata RN151823 (Garcia)
 Forsley-Plata was present, telephonically, and addressed the Board. Berrigan moved, Dalton 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.D.5. Victoria Lynn Plants LP029332; CNA087201120 (Garcia)
 Snider moved, Berrigan 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.D.6. Janet Delaine Pressley-Hemnes LP025006 (Garcia)
 Malloch moved, Dalton 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.D.7. Diana M. Richey LP020094 (Garcia)
 Malloch moved, Berrigan 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.

Feldman left the meeting at 11:36 a.m.

V.D.8. Lajuane Edward Rutherford RN162498 (Garcia)
 Rutherford was present, telephonically, and addressed the Board.
 Feldman returned to the meeting at 11:40 a.m.

Malloch moved, Berrigan seconded, based upon the findings of fact and statute/rule violations identified in the monitoring non-compliance report, to issue Notice of Charges. After discussion, the motion failed with six opposed, one in favor and one abstained.

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 a minimum of 24 months stayed revocation/probation including the attached stipulations. During the stay of revocation, the license will be placed on probation. If not signed within 30 days, issue Notice of Charges. After discussion, the motion carried with six in favor, one opposed and one abstained.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Johnson Member	Berrigan Secretary	Quinn President	Malloch V. Pres.	Feldman Member	Gutierrez Member	Snider Member	Busby Member
YES	6	X				X	X			X	X	X
NO	1							X				
ABSTAIN	1							X				
ABSENT	3		X	X	X							

VI. RN/LPN/CNA Investigative Reports

VI.H.15. Brandon Lee King RN Exam (Monas)

Monas addressed the Board with additional information. King was present and addressed the Board. Berrigan moved, Quinn seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to deny licensure. After discussion, the motion failed with five opposed and three in favor.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Johnson Member	Berrigan Secretary	Quinn President	Malloch V. Pres.	Feldman Member	Gutierrez Member	Snider Member	Busby Member
YES	3					X	X		X			
NO	5	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, upon meeting all licensure requirements and signing a Consent Agreement for a suspension not to exceed 6 months, pending completion of Board approved Intensive Outpatient Substance Abuse Treatment Program and confirmation received from the treatment provider(s) that Applicant is safe to return to practice, to be followed by a minimum 36 months stayed revocation probation to include the attached stipulations. If not signed within 30 days, deny licensure. The motion carried with six in favor and two opposed.

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

Busby left the meeting at 11:56 a.m.

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Grand Canyon University and Phoenix College Nursing Students regarding Board functions, policies and procedures. Questions were asked on:

- Length of time discipline stays on a persons record
- Where to locate final minutes for Board meetings that include outcomes

The meeting recessed at 12:03 p.m. and reconvened at 12:46 p.m.

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

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

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

V.D.9. Madelynn Kirkland Thomas LP023539 (Garcia)

Snider moved, Dalton 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.D.10. Anita Yennie Tierney LP014186 (Garcia)

Dalton moved, Berrigan 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.D.11. Cheryl Tucker-Villa CNA109030103 (Garcia)

Malloch moved, Gutierrez 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.D.12. Melanie April Walker CNA999952940 (Garcia)
 Berrigan moved, Dalton 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.D.13. Peter Hiarm Watts RN104884 (Garcia)
 Malloch moved, Berrigan 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.D.14. Lillian M. Webb LP017948 (Garcia)
(aka: Limbrick)
 Gutierrez moved, Dalton 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.D.15. Ellen Wolf CNA795005429 (Garcia)
 Malloch moved, Berrigan 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.D.16. Michelle Ann Zack LP043948 (Garcia)
 Gutierrez moved, Dalton 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.F. CANDO Eligibility/Noncompliance & Investigative Reports

V.F.1. Mark Allen Hansen RN122665; AP1758 (Pendergast)
 Pendergast addressed the Board with additional information. Hansen was present, telephonically, and addressed the Board. Malloch moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to accept the signed Consent Agreement for 48 months stayed revocation including the attached stipulations. For the first 12 month the license will be placed on suspension and for the duration of the stayed revocation, the license will be placed on probation.

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

V.F.2. Susan M. Johnston LP020721 (Pendergast)
 Snider moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in this investigative report and the investigative report addressed by the Board on May 25, 2011, to issue Notice of Charges.

V.F.3. Jason Scott McClure RN153524; LP043315; CNA1000008158 (Pendergast)
 Pendergast addressed the Board with additional information. Berrigan moved, Gutierrez seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report and updated information, to issue Notice of Charges.

V.F.4. Andrea Michelle Parpart RN133307 (Pendergast)
 Pendergast addressed the Board with additional information. Gutierrez moved, Snider seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in this investigative report and the investigative report submitted to the Board in January 2012, to accept the signed Consent Agreement for 48 months stayed revocation including the attached stipulations. For the

first 12 months the license will be placed on suspension and for the duration of the stayed revocation, the license will be placed on probation.

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

VI. RN/LPN/CNA Investigative Reports

VI.A.2. Keith A. Sterrenberg LP046299; RN Exam (Austin)

Malloch moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all RN licensure requirements, to accept the signed Consent Agreement for a Decree of Censure and grant RN licensure.

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

VI.A.3. Brandon A. Voll RN119288; LP037083 (Austin)

Austin addressed the Board with additional information. Malloch 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 offer a Consent Agreement for probation to include a substance abuse evaluation by a Board approved PhD prepared evaluator, to be completed within 45 days and to include the attached stipulations. If found to have a substance abuse disorder in the evaluation, offer 36 months probation to include the attached stipulations. If not found to have a substance use disorder in the evaluation, offer 18 months probation to include 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>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</u> Member	<u>Busby</u> Member
YES	7	X				X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	4		X	X	X							X

VI.E.1. John William Anastasoff RN082392 (Hemann)

Malloch moved, Berrigan seconded, to dismiss the complaint. After discussion, the motion carried with five in favor and two opposed.

VI.E.2. Kelly Sue Hunziker LP029763 (Hemann)

Malloch moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a \$500 Civil Penalty. If not signed within 30 days, issue Notice of Charges.

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

VI.E.3. Ivan Quintan Jones RN167319 (Hemann)

Gutierrez moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 36 months probation 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>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</u> Member	<u>Busby</u> Member
YES	7	X				X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	4		X	X	X							X

VI.E.5. Cecily Theno Malvini RN079859 (Hemann)
(aka: Cecily Ann Malvini; Cecily Ann Theno)

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

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

VI.E.6. Theresa Joan Marson RN151909 (Hemann)

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

VI.E.7. Rachael Ashley Porter RN16001 (Hemann)

Quinn moved, Malloch seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 24 months probation 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>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</u> Member	<u>Busby</u> Member
YES	7	X				X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	4		X	X	X							X

VI.E.9. Briann Monyque Robinson CNA1000025640 (Hemann)

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

VI.E.10. Tracy A. Tolentino LP036193 (Hemann)
(aka: Freels; Abid)

Malloch moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 18 months probation 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>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</u> Member	<u>Busby</u> Member
YES	7	X				X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	4		X	X	X							X

VI.E.11. Robert William Branum RN137052 (Hemann)

Berrigan moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 36 months probation 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>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</u> Member	<u>Busby</u> Member
YES	7	X				X	X	X	X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	4		X	X	X							X

VI. RN/LPN/CNA Investigative Reports

VI.E.12. Adrian Soto LP046950 (Hemann)

Malloch moved, Dalton seconded, and it was unanimously carried to reopen Agenda Item VI.E.12. Austin addressed the Board with additional information.

Busby returned to the meeting at 1:08 p.m.

Berrigan moved, Quinn seconded, to amend prior Board motion to allow on site supervision by a physician, paramedic, RN or LPN while Respondent is employed as a Medical Services Associate at CSL Plasma in Tucson, Arizona and allow Respondent to work as a LPN or if not employed as a LPN, as a Medical Services Associate at CSL Plasma in Tucson, Arizona, to fulfill the practice requirement of his probation. The motion carried with seven in favor and one abstained.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.I.8. Stephanie Lynn Stevens RN Exam (Olson)

Malloch moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item VI.I.8. for the purpose of allowing Stevens to address the Board telephonically. No further action was taken.

VI. RN/LPN/CNA Investigative Reports

**VI.H.1. Juny Bostic RN Endorsement (Monas)
(aka: Lane Nicola)**

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

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.H.3. Felicia Ann Hereford CNA Endorsement (Monas)

Malloch moved, Dalton seconded, to continue the investigation to allow Hereford the opportunity to obtain a psychological evaluation, to include an anger management evaluation, by a Board approved PhD prepared licensed psychologist, and to include any additional testing deemed necessary by the

evaluator, to be scheduled and completed within 45 days and then return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification. The motion carried with seven in favor and one opposed.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.H.4. Angela Marie Herman CNA Exam (Monas)
(aka: Cooper; Stewart; Turner; Plude; Haycock)

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

VI.H.5. Tyler Cade Keeling CNA Exam (Monas)

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

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.H.6. Janet Marie McGee CNA Endorsement (Monas)

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

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.H.8. Nancy Diane Parham CNA Exam (Monas)
(aka: Byrd; Carr; Loader; Turvin)

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

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.H.9. Benjamin Calvin Richardson CNA Exam (Monas)

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

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.H.10. Ronald David Ricks, Jr. CNA Endorsement (Monas)

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

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

VI.H.11. Katie Marie Ticknor CNA Endorsement (Monas)

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

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

VI.H.12. Leslie Nicole Thomas-Femia CNA Exam (Monas)

Monas addressed the Board with additional information. Berrigan moved, Gutierrez seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification.

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

VI.H.13. Sharonda Nicole Walker CNA Endorsement (Monas)

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

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

**VI.H.14. Christina Denise West CNA Exam (Monas)
(aka: Stewart)**

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

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

VI.J.1. Amy Jean Farlee RN150661; CNA1000007529 (Parlin)

Malloch moved, Snider seconded, to issue a Letter of Concern for the April 20, 2011, charges of Domestic Violence/Criminal Damage and Domestic Violence Disorderly Conduct in Pima County, Arizona. After discussion the motion carried with six in favor and two opposed.

VI.J.3. Heather Nicole Vagedes RN140400 (Parlin)

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

VI.J.4. Jasmine Elyse Gorsuch LP045724; CNA1000011542 (Parlin)

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

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.J.7. Marc Bradley Braveman RN151443 (Parlin)

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

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

**VI.J.8. Patricia Lopez RN144863; LP040460 (Parlin)
(aka: Garcia)**

Quinn moved, Berrigan seconded, and it was unanimously carried, continue the investigation to allow Respondent the opportunity to voluntarily obtain a psychological evaluation to include a substance abuse evaluation and an evaluation to determine Respondent’s ability to practice safely, 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 return to the Board. If the evaluation is not completed, issue Notice of Charges.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.J.9. Sarah Nanjovu RN151702 (Parlin)

Gutierrez moved, Snider seconded, and it was unanimously carried to issue a Letter of Concern for the November 13, 2008, misdemeanor Reckless Driving conviction in Chandler, Arizona, and for failing to report criminal charges to the Board within ten days as required by the Statutes and Rules.

VII.L.5. Marlise Ann Mackey LP025149; CNA718121803 (Perkins)

Quinn moved, Malloch seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 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>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.L.6. Lisa Izumi Elwood LP047405; CNA999994681 (Perkins)

Gutierrez moved, Snider seconded, and it was unanimously carried to continue the investigation to allow Respondent the opportunity to voluntarily obtain a neuropsychological evaluation to be completed by a Board approved neuropsychologist with expertise in 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.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.L.7. Kevin Lawrence Mineweaser RN164538 (Perkins)

Dalton moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 12 months probation 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>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.L.8. Kenneth Dale Phillips RN166032 (Perkins)

Phillips was present, telephonically, and addressed the Board. Berrigan moved, Quinn seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, including the updated finding of fact: “failed to maintain medical record for co-worker”, to issue Notice of Charges.

**VI.L.11. Maria Lu Perez RN129188; LP038660; CNA999988647 (Perkins)
(aka: Maria Lourdes Perez)**

Perkins addressed the Board with additional information. Perez was present, telephonically, and addressed the Board. Perez requested a continuance to obtain an attorney. Austin read the Board policy that specifically excludes this reason as a basis for a continuance. Feldman moved, Malloch seconded, and after discussion 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.12. Peggy J. Lynch RN031564 (Perkins)
(aka: Peggy Lynch Kesselring)**

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

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

VI.M.1. Carol Lee Umbarila EN Endorsement (Rappoport)
(aka: Diack)

Snider moved, Berrigan seconded, and it was unanimously carried, upon meeting all requirements, grant licensure and issue a Letter of Concern for the November 2009, disciplinary action, by The New York State Department of Education, Division of Professional Licensing Services that resulted in a two-year probationary monitoring program, which she completed on or about January 2, 2010.

VI.M.2. Alexis Baes Miranda RN102584 (Rappoport)

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

VI.M.5. Margot V. Wilson RN0001135942VA (Compact); RN Endorsement; AP & P&D Authority Applicant (Rappoport)
(aka: Margot Veronica Wilson; Margot Williams Wilson; Margot Veronica Spencer)

Malloch moved, Busby seconded, and it was unanimously carried, for complaint #1, based upon the findings of fact and statute/rule violations identified in the investigative report, to accept the signed Consent Agreement for a Decree of Censure, and upon meeting all requirements, grant RN licensure, issue AP certificate and P&D Authority; and for complaint #2, issue a Letter of Concern for failing to write a medication variance report, in or about April 2011, while working as the Director of Nursing Services at Cornerstone Hospital of Southeast Arizona in Tucson, Arizona.

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

VI.M.6. Misti Ann Elliston RN156956; LP044566; CNA999949676 (Rappoport)
(aka: Wiese)

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

VI.M.7. Janet Thurston RN135369; AP2281 (Rappoport)
(aka: Friestad)

Malloch moved, Berrigan seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for suspension not to exceed 12 months 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	Johnson Member	Berrigan Secretary	Quinn President	Malloch V. Pres.	Feldman Member	Gutierrez Member	Snider Member	Busby Member
YES	5	X				X		X		X	X	
NO	2						X					X
ABSTAIN	0											
ABSENT	4		X	X	X				X			

VI.M.8. Brandi L. Schneider RN146151 (Rappoport)

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

VI.M.9. Vickie Marshall Rogers RN148479 (Rappoport)
(aka: Murrell)

Malloch moved, Busby seconded, and it was unanimously carried to adopt the attached Notice of Charges.

VI.M.10. Nicole Marie Dilello RN148624 (Rappoport)

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

VI.M.11. Erica Cathleen Hill LP036846 (Rappoport)

Busby moved, Malloch seconded, and it was unanimously carried to adopt the attached Notice of Charges.

Feldman returned to the meeting at 1:59 p.m.

VI.N.1. Sarah Marie Barreras CNA Exam (Richter)

Barreras was present, telephonically, and available for questions. Busby 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 \$50 Civil Penalty, to grant certification. If not signed within 30 days and payment not received within 60 days, deny certification. After discussion the motion carried with four in favor, three opposed and one abstained.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Johnson Member	Berrigan Secretary	Quinn President	Malloch V. Pres.	Feldman Member	Gutierrez Member	Snider Member	Busby Member
YES	4	X								X	X	X
NO	3					X	X	X				
ABSTAIN	1								X			
ABSENT	3		X	X	X							

**VI.N.3. Jamie Summer Carter CNA326413441 (revoked) (Richter)
(aka: Samantha Jean Blair)**

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

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

VI.N.4. Susan Graham Chaney RN139954 (Richter)

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

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

VI.N.5. Steven Alfred Doten CNA Exam (Richter)

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

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.N.6. Charlene Faye Galloway CNA Exam (Richter)

Galloway was present, telephonically, and available for questions. Malloch moved, Berrigan seconded, to grant certification upon meeting all requirements and issue a Letter of Concern for the August 09, 1994, conviction in the Circuit Court of Jackson County, Missouri, for Driving Under the Influence (DUI), a misdemeanor; the October 12, 1995 conviction in Lee’s Summit Municipal Court, Missouri, for DUI, a misdemeanor, and for the November 15, 1999, conviction in the Circuit Court of Johnson County, Missouri, for Driving While Intoxicated (DWI) Alcohol Persistent Offender, a Class D Felony. The motion carried with seven in favor and one opposed.

VI.N.7. Daniel Ryan Kelleher RN Endorsement (Richter)

Busby moved, Snider seconded, and it was unanimously carried to grant licensure upon meeting all requirements and issue a Letter of Concern for the May 08, 2002 conviction for Driving Under the Influence (DUI), a misdemeanor in the State of Rhode Island District Court and for the March 08, 2005, conviction for DUI/Liquor, a misdemeanor in the Taunton Massachusetts District Court.

VI.N.8. Michelle Jarmila Kryl CNA Exam (Richter)

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

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.N.9. Craig Thomas Lorden CNA999998316 (Richter)

Snider moved, Busby seconded, and it was unanimously carried to grant renewal certification upon meeting all requirements and issue a Letter of Concern for the October 11, 2010, conviction in Gilbert Municipal Court, Gilbert, Arizona, for Driving Under the Influence (DUI), a misdemeanor.

VI.N.10. John William McGown CNA Exam (Richter)

Busby moved, Gutierrez seconded, and it was unanimously carried, 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>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.N.11. Erica Nicole Moreno CNA Exam (Richter)

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

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.N.12. Ileana Esperanza Oporta CNA Exam (Richter)

Richter addressed the Board with a technical correction to the investigative report. Busby moved, Feldman 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>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.N.13. Mary Theresa Purtill RN Exam (Richter)
(aka: Boskovski)**

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 deny licensure.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.N.14. Kiley Marie Rexius CNA Exam (Richter)

Richter addressed the Board with additional information. Gutierrez moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to deny certification.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.N.15. Natalie Nicole Taylor CNA Endorsement (Richter)

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

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.N.16. John Scott Wooley II CNA Exam (Richter)

Wooley was present, telephonically, and available for questions. Berrigan moved, Busby seconded, and after discussion it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to grant certification upon signing a Consent Agreement for 18 months stayed revocation including the attached stipulations. If not signed within 30 days, deny certification.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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							

Gutierrez left the meeting at 2:30 p.m.

VI.N.17. David Bruce Wynkoop LP Exam (Richter)

Malloch moved, Dalton seconded, and it was unanimously carried, 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>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</u> Member	<u>Busby</u> Member
YES	7	X				X	X	X	X		X	X
NO	0											
ABSTAIN	0											
ABSENT	4		X	X	X					X		

**VI.N.19. Kristin Lee Ann Berg CNA Endorsement (Richter)
(aka: Nguyen)**

Dalton moved, Feldman 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 minimum 18 month 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>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</u> Member	<u>Busby</u> Member
YES	7	X				X	X	X	X		X	X
NO	0											
ABSTAIN	0											
ABSENT	4		X	X	X					X		

VI.O.1. Tammy Lynn Bassett CNA1000017681 (Sage)

Busby moved, Feldman seconded, and it was unanimously carried to issue a Letter of Concern for being perceived by residents as brusque and rude and for allegedly taking away a resident's call light on February 02, 2012, and telling her if she didn't stop screaming her door would be closed, while employed 2008-2012 at Kindred Transitional Rehab and Care Center (Kachina Point) in Sedona, Arizona.

Gutierrez returned to the meeting at 2:32 p.m.

**VI.O.4. Valerie Ann Cook CNA1000020882 (Sage)
(aka: Gjesvold)**

Malloch moved, Feldman seconded, and it was unanimously carried to issue a Letter of Concern for removing a resident's floor mat to place an overbed table and for not staying with the resident to assist her to eat while employed as a CNA on November 20, 2011, at Park Avenue Health and Rehab in Tucson, Arizona.

VI.O.5. Itria Yuidid Dealmas CNA1000029308 (Sage)

Quinn moved, Snider seconded, and it was unanimously carried to issue a Letter of Concern for reportedly attempting alone to clean a resident who required two people, resulting in the resident rolling against a make-shift bed bar and falling on the floor and sustaining injuries while employed as a CNA on November 23, 2011, at Villa Maria Care Center in Tucson, Arizona.

VI.O.6. Natalie R. DelValle CNA100000964 (Sage)

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

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

**VI.O.7. Efren Eduardo Grijalva CNA1000026793 (Sage)
(aka: Duron)**

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

VI.O.8. Margaret Suzanne Herber CNA1000010693 (Sage)

Snider moved, Gutierrez seconded, and it was unanimously carried to issue a Letter of Concern for walking off her shift on December 29, 2001, thereby abandoning her residents and co-workers while employed as a CNA at The River Gardens in Bullhead City, Arizona.

VI.O.9. Lenora L. Hill CNA166497103 (Sage)

Busby moved, Snider seconded, and it was unanimously carried to issue a Letter of Concern for perceived roughness of residents and reports of not being a team player during 2011, while employed as a CNA at The Terraces in Phoenix, Arizona.

**VI.O.10. Ginnette Rita Jackson CNA999992847 (Sage)
(aka: O’Mealia; Ginnette Shari Rita)**

Busby moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for reportedly neglecting the care of resident M.S. in October 2011, while employed as a CNA at Plaza Healthcare in Scottsdale, Arizona.

**VI.O.11. Jacqueline Michelle Lomonaco RN999993868 (Sage)
(aka: Rustemier; Walker)**

Sage addressed the Board with additional information. Busby moved, Malloch seconded, and it was unanimously carried to continue the investigation to issue a Letter of Concern for not preventing a resident from falling from the edge of the bed and sustaining facial injuries on December 12, 2011, while employed as a CNA at Havasu Nursing Center in Lake Havasu City, Arizona and for Driving Under the Influence’s (DUI) incurred in 2004 and 2007.

VI.O.13. Shirley Pauline Perry CNA1000007592 (Sage)

Busby moved, Snider seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to 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	Johnson Member	Berrigan Secretary	Quinn President	Malloch V. Pres.	Feldman Member	Gutierrez Member	Snider Member	Busby Member
YES	8	X				X	X	X	X	X	X	X
NO	0											
ABSTAIN	0											
ABSENT	3		X	X	X							

VI.O.15. Heather Nicole Shaw LP044568 (Sage)

Snider moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for delegating the reading of a TB skin test to an unlicensed caregiver and for allowing the borrowing of medication from one resident to another one time two years ago while employed as an LPN at Mountain View Retirement Village in Tucson, Arizona.

VI.O.21. Haiden Wearne CNA1000025034 (Sage)

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 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>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.O.22. Randi Renee Windler CNA1000030580 (Sage)
(aka: Wright)**

Malloch moved, Dalton seconded, to continue the investigation to allow Windler to have a psychological evaluation with emphasis on substance abuse by a Board approved PhD evaluator to be completed within 60 days or issue a Notice of Charges. After discussion the motion carried with six in favor and two opposed.

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

VI.O.23. Luis David Quiroz CNA1000016488 (Sage)

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

**VI.O.24. Ashley R. Wood CNA1000015358 (Sage)
(aka: Cunningham)**

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

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.4. Jerilynn Hernandez LP040769; CNA10000001146 (Torrez)
(aka: Overcash)**

Torrez addressed the Board with additional information. Hernandez was present, telephonically, and addressed the Board. Malloch 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>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.5. Celine Gerardine Osebold RN113017 (Torrez)
(aka: Rogg)

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

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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.7. Douglas Robert Thompson LP047253; CNA1000022494 (Torrez)

Quinn moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for failing to intervene and provide immediate assistance to patient J.M. who fell out of his wheelchair injuring himself on January 5, 2012 while employed by Danville Services of Arizona and assigned to Catalina House in Tucson, Arizona.

VI.P.8. Tawnia L. Malone LP032164 (Torrez)

An attempt was made to contact Malone telephonically and a message was left that the Board would move forward with the case. Busby moved, Snider seconded, to issue a Letter of Concern for documenting that Flagyl 500 mg. had been administered to patient E. C. by M. E. RN, when the medication had not been administered as documented on September 20, 2011, while employed at Payson Care Center in Payson, Arizona. After discussion the motion carried with five in favor and three opposed.

VI.P.9. Andrea Marie Feeney TRN168214 (Torrez)

Busby moved, Gutierrez seconded, and it was unanimously carried to accept the signed Consent Agreement for a Voluntary Surrender.

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

II.D.16.	Robin Rae Haney	RN110519	Revocation	Campbell
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Malloch moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item II.D.16. Austin addressed the Board with updated information, specifically a letter from Respondent. Busby moved, Berrigan seconded, and it was unanimously carried, after considering the new information provided by Respondent, to reaffirm prior Board decision for revocation.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Johnson</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Malloch</u> V. Pres.	<u>Feldman</u> Member	<u>Gutierrez</u> Member	<u>Snider</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 Chamberlain and Carrington College Nursing Students regarding Board functions, policies and procedures. Questions were asked on:

- The meaning of a Voluntary Surrender and ability to regain license after Voluntary Surrender

The meeting recessed at 3:09 p.m. and reconvened at 3:16 p.m.

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

VII.E. Committee Reports

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

VII.E.2.a. Draft Minutes of Education Committee Meeting – April 13, 2012

Education Advisory Committee meeting draft minutes of April 13, 2012, were provided to the Board.

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

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

Mamaluy reported that Keely Verstegen has resigned to go into private practice.

VIII. Call to the Public

No members of the public were present who requested to speak

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

VII.A. Executive Directors Report – Ridenour

VII.A.4. Executive Session to Discuss or Consider the Performance of an Employee A.R.S.

38-431.03 (A) (1): Executive Director Evaluation – Quinn/All

Busby moved, Quinn seconded, and it was unanimously carried to go into Executive Session on Agenda Item VII.A.4. for the purpose of discussing or considering the performance of an Employee pursuant to A.R.S. 38-431.03 (A) (1): Executive Director Evaluation. Executive Session convened at 3:22 p.m. and adjourned at 3:52 p.m.

Busby moved, Berrigan seconded, and it was unanimously carried to move Executive Director's salary to highest level on the scale.

X. Adjournment

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

The meeting adjourned at 3:55 p.m., Tuesday, May 22, 2012.



Randy C. Quinn, CRNA, President