

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 8:04 a.m., Wednesday, September 19, 2012, in the Board of Nursing Board Room, Suite 200, 4747 N. 7th Street, Phoenix, Arizona, with Randy C. Quinn, CRNA, President, presiding.

BOARD MEMBERS PRESENT:

Randy C. Quinn, CRNA, President
Patricia Johnson, LPN, Vice President
Theresa (Terri) Berrigan, LPN, C-AL, Secretary
Kathryn L. Busby, JD, Member
Leslie Dalton, MSN, RN, Member
Lori Gutierrez, BS, RN-C, Member
M. Shawn Harrell, RN, MS, Member
Carolyn Jo McCormies, RN, MS, FNP-BC, Member
Kim Post, RN, BSN, MBA/HCM, NEA-BC, Member
Charleen L. Snider, BSN, RN, Member

BOARD MEMBERS ABSENT:

Joel S. Feldman, JD, Member

LEGAL COUNSEL:

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

STAFF DIRECTORS:

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

STAFF:

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

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

I. Call to Order

The meeting was called to order at 8:04 a.m., Wednesday, September 19, 2012.

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

Quinn presided.

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

VI. RN/LPN/CNA Investigative Reports

VI.B.1. Robin Renee Poland RN169479; LP046871 (Greabell) (aka: Thoele; Rentfrow)

Greabell addressed the Board with additional information. Poland was present and available for questions. Attorney John D'Arco was present and addressed the Board. Gutierrez moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for lack of documentation on patient D.A. on or about January 22, 2012, while working at Crisis Response Network in Tucson, Arizona.

VI.R.3. Amanda Ann Acuna RN159144 (Torrez)

Acuna was present and available for questions. Attorney Donna McDaniel was present and addressed the Board. Johnson moved, Gutierrez seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 24 months stayed suspension/probation with the attached stipulations. If not signed in 30 days, issue Notice of Charges.

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

VI.C.1. Marilyn Elizabeth Villaluna RN132814 (Guffey)

Villaluna and attorney Terry Hall were present and addressed the Board. Quinn moved, Berrigan seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent agreement for a suspension not to exceed 12 months pending the successful completion of all terms and conditions identified in the attached stipulation sheet, to be followed by a 24 month stayed suspension/probation to include the attached stipulations. If not signed within 30 days, issue Notice of Charges. After discussion Busby moved, Berrigan seconded, and it was unanimously carried to table Agenda Item VI.C.1.

VI.L.1. Zita Margaret Bridges RN165029 (Parlin)

Bridges was present and available for questions. Attorney Jeffrey Ross was present and addressed the Board. Gutierrez moved, Snider seconded, to issue a Letter of Concern for the July 2, 2012 conviction for misdemeanor Aggravated Driving or Actual Physical Control While Under the Influence of Intoxicating Liquor or Drugs in Phoenix, Arizona. The motion carried with eight in favor and two opposed.

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

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

Attorney Michael Hughes was present and addressed the Board. Johnson moved, Post seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the monitoring update report, to deny request to terminate Consent Agreement and Order No. 9903021, and issue Notice of Charges.

VI. RN/LPN/CNA Investigative Reports

VI.E.2. Karin Aldridge RN077130 (Hunter)

Aldridge was present and available for questions. Attorney Anne Fulton-Cavett was present and addressed the Board. Johnson moved, Gutierrez seconded, and it was unanimously carried to issue a Letter of Concern for failing to complete a follow up assessment on patient H.G. on or about March 19, 2010, or notify patient H.G.'s physician about changes in the physical status of patient H.G. on or about August 20, 2010 and August 28, 2010, while working at Sunlife Home Health in Tucson, Arizona.

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

VI.D.4. Connie McLeod RN079900 (Hemann) (aka: Anderman)

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

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

The Board directed staff to refer the matter to Department of Health Services.

VI.I.3. Pamela G. Gebhardt RN030942 (Midkiff)

Midkiff addressed the Board with additional information. Attorney Teresa Sanzio was present telephonically and available for questions. Quinn moved, McCormies seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a 24-month 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 12-month probation to include the attached stipulations. If not signed within 30 days, issue Notice of Charges.

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

VI.I.11. Elliott Edward Fisher LP035306; CNA280101339 (Midkiff)

Midkiff addressed the Board with additional information. Quinn moved, Gutierrez seconded, and it was unanimously carried to continue to the November, 2012, Board meeting.

VI.I.10. James Paul Zbell RN094362 (Midkiff)

Dr. Vincent Berkley was present and addressed the Board on behalf of complainant. Gutierrez moved, Dalton seconded, and it was unanimously carried to continue the investigation.

VI.E.1. Joanne Baron RN030894; AP0062 (Hunter)

Hunter addressed the Board with additional information. Barton and attorney Ryan Lorenz were present and addressed the Board. Gutierrez moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for providing psychiatric care and prescribing psychotropic medications to a patient with substance abuse issues, for which she was not educationally prepared, on or about March 29, 2011, through August 13, 2011, while working at Jewish Family Children Services in Phoenix, Arizona.

VI.B.2. Kelly Lynn Johnson RN166541 (Greabell) (aka: Wilson)

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

The meeting recessed at 9:45 a.m. and reconvened at 10:03 a.m.

VI.D.3. Teresa Engels RN095688 (Hemann)

Engels was present and addressed the Board. Johnson moved, Berrigan seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for probation to include the attached stipulations. If found to have a substance use disorder, the length of probation shall be at minimum, 36 months. If not found to have a substance use disorder, the length of probation shall be 24 months. If not signed within 30 days, issue Notice of Charges. The motion carried with eight in favor and one opposed.

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

VI.D.5. Maria Rubi RN113765 (Hemann)

Rubi was present and addressed the Board. McCormies moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 36 months probation to include the attached stipulations. If not signed within 30 days, issue Notice of Charges. After discussion, Quinn moved, Harrell seconded to table Agenda Item VI.D.5.

VI.E.3. Vickie Jo Clous RN119342; AP2228 (Hunter)

Hunter addressed the Board and confirmed the receipt of additional information. Complainants Mario Robles and Sean Cummings were present and addressed the Board. Quinn moved, Berrigan seconded, to issue a Letter of Concern for failing to ensure that oral or written informed consent information was provided to complainant prior to HIV testing on or about May 29, 2012, while working at MHC, in Tucson, Arizona. The motion carried with eight in favor and one opposed.

VI.F.3. Sherri Flores CNA621743809 (Kish)

Dalton moved, Post seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all requirements and signing a Consent Agreement for a 24-month stayed revocation including attached stipulations, to grant re-issuance of certification. If not signed within 30 days, deny re-issuance of certification. The motion carried with eight in favor and one opposed.

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

VI.F.4. Julie Harden RN146186 (Kish)

Harden was present and addressed the Board. Gutierrez moved, Post seconded, and it was unanimously carried to issue a Letter of Concern for administering a unit of blood to patient R.C. without an order and for administering insulin by subcutaneous route when intravenous was ordered to an un-named patient on May 4, 2012, in the emergency department, Casa Grande Regional Medical Center, Casa Grande, Arizona.

VI.G.9. Jesus A. Guanajuato CNA Applicant (Lester)

Lester addressed the Board with additional information. Guanajuato was present and available for questions. Johnson moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all requirements and signing a Consent Agreement for an 18-month stayed revocation to include the attached stipulations, to grant certification. If not signed within 30 days, deny certification.

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

VI.H.2. Joane Johnson RN138847 (McWilliams) (aka: Blake)

McWilliams addressed the Board and confirmed the receipt of additional information. Johnson was present and addressed the Board. Quinn moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 12-month 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>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X	
NO	0											
ABSTAIN	0											
ABSENT	2									X		X

VI.H.3. Tatiana Elie Pappas CNA Exam (McWilliams)

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

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

Post moved, Berrigan seconded, to continue the investigation to allow applicant the opportunity to obtain a psychological evaluation, to include a substance abuse evaluation, with a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 60 days and then return to the Board. If the evaluation is not

completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification. The motion carried with seven in favor and two opposed.

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

VI.I.12. Kylee Renae Lowden RN144745 (Midkiff)

Midkiff addressed the Board with additional information. Lowden was present and addressed the Board. Dalton moved, Johnson seconded, and it was unanimously carried to dismiss the complaint.

VI.C.1. Marilyn Elizabeth Villaluna RN132814 (Guffey)

Quinn moved, Gutierrez seconded, and it was unanimously carried to reopen Agenda Item VI.C.1. Villaluna and attorney Terry Hall were present. Johnson moved, McCormies seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent agreement for 36 months stayed suspension/probation with terms and conditions to include Respondent’s agreement that she will cease the practice of nursing upon the effective date of the Order except in connection with completion of a Board approved Nurse Refresher Course and until she successfully passes a repeat Nurse Practice Evaluation. Following successful completion of the Refresher Course and Nurse Practice Evaluation as identified in the terms and conditions, Respondent may resume the practice of nursing for the remainder of her stayed suspension/probation pursuant to the attached terms and conditions. If not signed within 30 days, issue Notice of Charges.

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

VI.D.5. Maria Rubi RN113765 (Hemann)

Dalton moved, McCormies seconded, and it was unanimously carried to reopen Agenda Item VI.D.5. McCormies moved, Dalton seconded, and it was unanimously carried, to amend the stipulations of the prior Board decision, and accept the updated attached stipulations to include, Respondent may work registry for one registry employer provided that Respondent accepts only 8-13 week block assignments or in lieu of block assignments, Respondent may work registry shifts in the Medical Intensive Care Unit of Surgical Intensive Care Unit at Maricopa Integrated Health System in Phoenix, Arizona. If not signed within 30 days, issue Notice of Charges

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

VI.J.2. Geneveo Hernandez Campos CNA Exam (Monas)

Campos was present and addressed the Board. Gutierrez moved, Snider seconded, to continue the investigation to allow Campos the opportunity to voluntarily obtain a psychological evaluation, to include a substance abuse evaluation, with a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 60 days and then return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification. After discussion, the motion failed with five opposed and four in favor.

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

Post moved, Quinn seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to deny certification. After further discussion, the motion carried with five in favor and four opposed.

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

VI.J.7. Jeremy Cameron Leonard RN Exam (Monas)

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

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

VI.J.12. Elva Georvany Lafforthun RN Exam (Monas)

Monas addressed the Board with additional information. Lafforthun was present and available for questions. Quinn moved, Harrell seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report upon meeting all licensure requirements and signing a Consent Agreement for a 12-month probation to include 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>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X	X		X	
NO	0											
ABSTAIN	0											
ABSENT	2									X		X

VI.J.14. Alexander Etu LP Exam; CNA1000018969 (Monas)

Quinn moved, Gutierrez seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all requirements and signing a Consent Agreement for a 24-month probation to include the attached stipulations, amended to include drug testing one time per month for the duration of the Order, to grant licensure. If not signed within 30 days, deny LP licensure, and issue Notice of Charges for CNA1000018969.

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

VI.J.15. Naomi Miller CNA Endorsement (Monas)
(aka: Crader)

Miller was present and addressed the Board. Johnson moved, Gutierrez seconded, and it was unanimously carried, upon meeting all requirements, to grant certification and issue a Letter of Concern for the December 20, 2001, conviction in the Superior Court of Washington in Cowlitz, Washington, for Forgery, a felony, which was dismissed.

Harrell left the meeting at 11:39 a.m.

VI.L.3. Chad Lawrence Grucky RN157513 (Parlin)

Grucky was present and addressed the Board. Johnson moved, Gutierrez seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a 36 month probation, to include the attached stipulations and terms, amended to allow night shift. If not signed within 30 days, issue a Notice of Charges.

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

Harrell returned to the meeting at 11:44 a.m.

IX. Dialogue with Nursing Students

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

- Definition of the term “stipulations”
- If documents are confidential
- The role of the investigator
- How decisions are developed
- If this Board meeting was typical of all meetings
- Tips to avoid coming before the Board
- Explanation of “drinking to excess”
- Definition of “Block Assignments”
- Respondent’s holding marijuana cards
- Incomplete medical records

The meeting recessed at 12:15 p.m. and reconvened at 1:02 p.m.

Busby returned to the meeting at 1:02 p.m.

VI. RN/LPN/CNA Investigative Reports

VI.P.1. Jessica Lee Arndt RN Exam (Richter)

Snider moved, Dalton seconded, and it was unanimously carried, upon meeting all requirements, to grant licensure and issue a Letter of Concern for the misdemeanor convictions in Tucson City Court on

September 1, 2000, for DUI, and on April 2, 2002, for DUI in Tucson, Arizona.

VI.P.3. Shari Angelena Camp RN Endorsement (Richter)

Richter addressed the Board and confirmed the receipt of additional information. Camp was present and addressed the Board. Quinn moved, Post seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to deny licensure.

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

VI.P.4. Mich’ael Lee Carter CNA Exam (Richter)

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

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

VI.P.5. Joanne Monica Czapski RN Exam (Richter)

Czapski was present and addressed the Board. Berrigan moved, Gutierrez seconded, and it was unanimously carried, upon meeting all requirements, to grant licensure and issue a Letter of Concern for a misdemeanor conviction for Driving Under the Influence (DUI) on or about July 21, 2008, in the Circuit Court of Cook County, Illinois.

**VI.P.6. Jamie Ruth Dargush RN Exam (Richter)
(aka: McMillan)**

Dargush was present and addressed the Board. Gutierrez moved, Dalton seconded, and it was unanimously carried, upon meeting all requirements, to grant licensure and issue a Letter of Concern for the January 15, 2005, conviction in the Chandler Municipal Court for Driving Under the Influence with Blood Alcohol Concentration (BAC) of .08 or more, a class 1 misdemeanor and for the October 14, 2009 conviction in the Tempe Municipal Court for Driving Under the Influence with BAC of .08 or above, a class 1 misdemeanor.

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

DeLaCruz was present and available for questions. McCormies moved, Berrigan seconded, and it was unanimously carried, upon meeting all requirements, to grant licensure and issue a Letter of Concern for the misdemeanor arrests in Indiana between January, 2006, and May, 2008, and for the May 16, 2009, conviction in the La Porte Superior Court (Indiana) for Operating While Intoxicated, a Class C Misdemeanor.

**VI.P.8. Nanci Jill Dixon LP Endorsement (Richter)
(aka: Johnson)**

Dixon was present and addressed the Board. Busby moved, Gutierrez seconded, and it was unanimously

carried, upon meeting all requirements, to grant licensure, and issue a Letter of Concern for the misdemeanor conviction for Driving Under the Influence on August 02, 2002, in the Polk County, Arkansas, District Court.

VI.P.9. Melissa Lee Everest CNA Exam (Richter)
(aka: Crow)

Everest was present and addressed the Board. Quinn moved, Johnson seconded, and after discussion it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all requirements and signing a Consent Agreement for a minimum 36-month stayed revocation including the attached stipulations, to grant certification. If not signed within 30 days, deny certification.

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

VI.P.10. Lisa Marie Ferris RN Endorsement (Richter)
(aka: McGinty)

Ferris was present and available for questions. Busby moved, Snider seconded, upon meeting all requirements, to grant licensure and issue a Letter of Concern for the May 12, 2012, misdemeanor conviction in the District Court of the State of Washington for an amended charge of Negligent Driving and for providing conflicting explanations to Board Staff regarding the January 12, 2011 incident at Sharon Care Center in Vidalia, Washington, where she tested positive on that day for opiates. After discussion the motion was carried with nine in favor and one opposed.

VI.P.11. Anthony Allen Marion CNA Exam (Richter)

Marion was present and available for questions. Johnson moved, Berrigan seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to deny certification. The motion carried with nine in favor and one opposed.

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

VI.P.16. Craig Alan Smith CNA Exam (Richter)

Smith was present and available for questions. Johnson moved, Quinn seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all certification 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	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	10	X	X	X	X	X	X	X	X		X	X
NO	0											
ABSTAIN	0											
ABSENT	1									X		

VI.P.17. Cyndy Joy Cowan LP Endorsement (Richter)

Richter addressed the Board and confirmed the receipt of additional information. Cowan was present and addressed the Board. Quinn moved, Dalton seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to grant licensure upon meeting all requirements and signing

a Consent Agreement for a minimum 18- month probation, to include the attached stipulations, amended to include: night shift allowed. If not signed within 30 days, deny licensure. The motion carried with nine in favor and one opposed.

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

VI.P.19. Maria Christina Villanueva CNA Exam (Richter)

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

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

Harrell left the meeting at 2:03 p.m.

VI.S.1. Shantelle Antoinette Sloan CNA1000024173 (VandenBerg)

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

VI.S.4. Jessica Agraccana Arroyo CNA999995403 (VandenBerg)

Arroyo was present and addressed the Board. Johnson moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a \$100 Civil Penalty. If not signed within 30 days and payment not received within 60 days, issue a Notice of Charges.

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

Harrell returned to the meeting at 2:10 p.m.

**VI.S.9. Amanda Lee Mayo RN Exam (VandenBerg)
(aka: Black)**

Mayo was present and addressed the Board. Quinn moved, Berrigan seconded, and it was unanimously carried to grant licensure and issue a Letter of Concern for the on or about January 09, 2001, arrest by the Tempe Police Department, Tempe, Arizona for Forgery of a Credit Card and conviction by the Maricopa County Superior Court, Phoenix, Arizona, on or about December 10, 2002, for Theft, a Class 6 Undesignated Felony, which was later reduced to a class 1 Misdemeanor, on or about November 30, 2004, and for the arrest for Possession of Dangerous Drugs and Possession of Drug Paraphernalia, on or about January 19, 2001, by the Tempe Police Department and conviction for Possession of Drug Paraphernalia, a Class 6 Undesignated Felony, on or about December 10, 2002, by the Maricopa Count

Superior Court, Phoenix, Arizona, which was later reduced to a class 1 Misdemeanor on or about November 30, 2004.

VI.F.2. Esther Enoch RN149926 (Kish)

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

VI.J.5. Leela Harrison CNA Exam (Monas)

Monas addressed the Board with additional information. Harrison was present and available for questions. Berrigan moved, Post seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to deny certification. After discussion, the motion carried with nine in favor and one opposed.

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

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

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

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

IV.B.2. Felony Bar Cases

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

IV.B.2.b. Jason Michael Froio RN159677 (Parlin)

Froio was present and addressed the Board. Quinn moved, Dalton seconded, and unanimously carried to adopt the attached Notice of Charges.

VI. RN/LPN/CNA Investigative Reports

VI.F.5. Nilsa Martinez RN152035 (Kish)

Martinez was present and available for questions. Busby moved, Post seconded, and it was unanimously carried to issue a Letter of Concern for failing to correctly identify patient and administering the incorrect total parenteral nutrition and lipid solutions to two infants on or about April 18, 2012, while employed by St. Joseph’s Hospital and Medical Center in Phoenix, Arizona.

VI.O.1. Preston Masayumtewa RN129290; LP036197 (Richards)

Masayumtewa was present and addressed the Board. Quinn moved, McCormies seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue Notice of Charges. After discussion, the motion failed with eight opposed and two in favor.

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

Busby moved, Quinn seconded, and it was unanimously carried to issue a Letter of Concern for the misdemeanor Criminal Damage conviction on May 1, 2012, in Phoenix, Arizona.

VI.Q.6. Isaac Ezeume CNA1000032893 (Sage)

Ezeume was present and available for questions. Johnson moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for allegedly being rough with a resident during care on May 20, 2012, while employed as a CNA at Scottsdale Nursing and Rehabilitation in Scottsdale, Arizona.

VI.Q.26. Yvonne Carol Yazzie CNA1000023689 (Sage)

Yazzie was present and available for questions. Busby moved, Snider seconded, to dismiss the complaint. The motion carried with six in favor and four opposed.

VI.R.4. Elizabeth Denise White RN138724 (Torrez)

White was present and addressed the Board. Quinn moved, Johnson seconded, based upon the findings of fact and statute/rule violations presented in the investigative report, to offer a Consent Agreement for a Decree of Censure. If not signed in 30 days issue Notice of Charges. The motion carried with seven in favor and three opposed.

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

VI.R.6. Christa Noel Flores RN146525; LP041319; CNA100001774 (Torrez)

Flores was present and addressed the Board. Quinn moved, Snider seconded, and it was unanimously carried, to issue a Letter of Concern for failing to document the administration and wastage of narcotics according to the Medication Administration policy from on or about August 29, 2011, to September 26, 2011, while employed at Banner Del Webb Medical Center in Sun City, Arizona.

VI.R.8. Sadie Curry RN022128 (Torrez)

Curry was present and addressed the Board. McCormies moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a \$250 Civil Penalty. If not signed within 30 days, issue Notice of Charges.

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

The meeting recessed at 3:03 p.m. and reconvened at 3:19 p.m.

VI.D.1. Caroline Butler RN154305 (Hemann) (aka: Logan)

Hemann addressed the Board and confirmed the receipt of additional information. Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a probation to include the attached stipulations. If found to have a substance abuse disorder, the length of probation shall be at minimum, 36 months. If not found to have a substance use disorder, the length of probation shall be 24 months. If not signed within 30 days, issue Notice of Charges.

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

Snider left the meeting at 3:21 p.m.

VI.D.2. Barbara Contreras CNA1000022361 (Hemann)

Hemann addressed the Board and confirmed the receipt of additional information. Gutierrez moved, McCormies seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a stayed revocation during which time the certificate is suspended, not to exceed 12 months, pending the completion of a substance abuse evaluation by a Board approved, PhD prepared evaluator, and the successful completion of all acute treatment recommendations resulting from the evaluation and/or confirmation is received from either the evaluator or treatment providers that Respondent is safe to return to practice, to be followed by a 24-month stayed revocation 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>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X		X	X	X	X		X	X
NO	0											
ABSTAIN	0											
ABSENT	2				X					X		

Snider returned to the meeting at 3:22 p.m.

VI.F.1. Noemi Chacon LP045254 (Kish)

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

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

VI.F.6. Sharon Pearson RN059262 (Kish)

Kish addressed the Board and confirmed the receipt of additional information. Johnson moved, McCormies 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 amended to include finding A.R.S. § 32-1601 (18)(d),(j) and R4-19-403(3). If not signed within 30 days, issue Notice of Charges.

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

VI.F.7. Cindy Scarborough RN169593 (Kish)

Scarborough was present, telephonically, and addressed the Board. Post moved, McCormies seconded, and it was unanimously carried to issue a Letter of Concern for signing off on an inaccurate narcotic

count on April 23, 2012, for patient A.M. while working at Kindred Northwest Hospital in Tucson, Arizona.

VI.G.1. Jesus A. Acosta CNA Applicant (Lester)

Busby moved, Berrigan seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all requirements and signing a Consent Agreement for a Decree of Censure, to grant certification. If not signed within 30 days, deny certification. The motion carried with eight in favor and two opposed.

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

VI.G.2. Emily R. Cowan CNA100004128 (Lester)

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 36-month stayed revocation 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>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X	X	X	X		X	X
NO	0											
ABSTAIN	0											
ABSENT	1									X		

VI.G.3. Branon Obrrian Fritz CNA Applicant (Lester)

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

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

Dalton left the meeting at 3:36 p.m.

VI.G.4. Douglas B. Hicks CNA Applicant (Lester)

Hicks was present, telephonically, and available for questions. Quinn moved, Johnson seconded, and it was unanimously carried, upon meeting all requirements, to grant certification and issue a Letter of Concern for a misdemeanor conviction for the December 18, 1988 alcohol related Reckless Driving incident in Lake Havasu, Arizona, and for the June 30, 2006, misdemeanor conviction for an amended charge of Possession of Drug Paraphernalia in Lake Havasu City Court, Lake Havasu, Arizona.

Dalton returned to the meeting at 3:38 p.m.

VI.G.5. Alison N. Lennander CNA999997156 (Lester)

Quinn moved, Harrell seconded, and it was unanimously carried to continue the investigation to allow Respondent the opportunity to voluntarily obtain a psychological evaluation with an emphasis on substance abuse, with a Board approved PhD prepared evaluator who has an expertise in substance abuse 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>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X	X	X	X		X	X
NO	0											
ABSTAIN	0											
ABSENT	1									X		

VI.G.6. Jennifer A. McCollum CNA Applicant (Lester)
(aka: Nichols)

Quinn moved, McCormies seconded, and it was unanimously carried to continue the investigation to allow applicant the opportunity to voluntarily obtain a psychological evaluation with an emphasis on substance abuse, with a Board approved PhD prepared evaluator with expertise in substance abuse, to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 60 days and then return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification.

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

VI.G.7. Sandra Orantes CNA Endorsement (Lester)

Johnson moved, Berrigan seconded, and it was unanimously carried to continue the investigation to allow applicant the opportunity to voluntarily obtain a psychological evaluation with an emphasis on substance abuse, with a Board approved evaluator PhD prepared evaluator who has an expertise in substance abuse, to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 60 days and then return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification.

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

VI.G.8. Brittany E. Tayon CNA Applicant (Lester)

Gutierrez moved, Post seconded, and it was unanimously carried to continue the investigation to allow applicant the opportunity to voluntarily obtain a psychological evaluation with an emphasis on theft and substance abuse, with a Board approved evaluator PhD prepared evaluator, 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>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X	X	X	X		X	X
NO	0											
ABSTAIN	0											
ABSENT	1									X		

VI.H.1. Suzette Marie Hatcher CNA Exam (McWilliams)
(aka: Joens)

Busby moved, Berrigan 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, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and then return to the Board.

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

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

VI.H.4. Savannah Christine Sommer CNA1000025797 (McWilliams)

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

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

VI.H.5. Casey Renee Whitney CNA Exam (McWilliams)

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

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

VI.H.6. Daniel Lee Wood RN136401 (McWilliams)

Post 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	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	10	X	X	X	X	X	X	X	X		X	X
NO	0											
ABSTAIN	0											
ABSENT	1									X		

VI.I.1. Teresa Lynn Casteel RN169175 (Midkiff)

Busby moved, Snider seconded, and it was unanimously carried to issue a Letter of Concern for failing to correctly enter verbal orders for patient B.S.O. on January 5, 2012, while employed at Chandler Valley Hope, Chandler, Arizona, and for leaving Chandler Valley Hope on January 6, 2012, without informing her supervisor.

VI.I.2. Michelle Dione Diana RN092808; LP029827; CNA655173299 (Midkiff)

Busby moved, Quinn seconded, and it was unanimously carried to issue a Letter of Concern for Driving While Intoxicated (DUI) in Prescott, Arizona on December 21, 2011, the same date she was charged, for failing to notify the Board within 10 days of being charged with the DUI, and for pleading guilty and being convicted of a Class 1 Misdemeanor DUI by the Hassayampa Justice Court in Prescott, Arizona on or about May 31, 2012.

VI.I.4. Tanya Ann Giacomelli LP031451 (Midkiff)

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

VI.I.5. Susan Lynn Hacker-Carmenaty RN137355 (Midkiff)

Midkiff addressed the Board with additional information. 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	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	10	X	X	X	X	X	X	X	X		X	X
NO	0											
ABSTAIN	0											
ABSENT	1									X		

VI.I.6. Victoria Jons King RN021805 (Midkiff)

King was present, telephonically, and available for questions. McCormies 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 24-month stayed revocation/probation followed by a 12 month probation, to include a relapse evaluation and psychological evaluation with a Board approved PhD prepared psychologist, to be completed within 30 days, and to include the attached stipulations. If not signed within 30 days, issue Notice of Charges.

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

VI.I.7. Shelley A. McMahon LP047757; CNA1000019070 (Midkiff)

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

VI.I.8. Heather Marie Rose RN162639 (Midkiff)

Gutierrez moved, McCormies seconded, and it was unanimously carried, on a determination of reasonable cause, based on the facts alleged in the investigative report, and material presented at this Board meeting, to issue an Interim Order for a substance abuse evaluation to be completed by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and then return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order

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

VI.I.9. Maria Christine Valencia RN111361 (Midkiff)

Midkiff addressed the Board with additional information. Quinn moved, Johnson seconded, and it was unanimously carried, making a finding of reasonable cause, based upon the allegations in the investigative report, to issue an Interim Order for a neuropsychological evaluation with a Board

approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and then return to the Board. If the Interim Order is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

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

**VI.J.1. Vanessa Elaine Bernhart CNA Endorsement (Monas)
(aka: Vantol)**

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

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

VI.J.3. Jacqueline Ann Coriz LP Endorsement (Monas)

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

**VI.J.4. Lori Lynn Dukes CNA1000012665 (Monas)
(aka: White)**

Monas addressed the Board with additional information. Busby moved, Gutierrez seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a 24 month stayed revocation, with attached stipulations, amended to include: Alcoholics Anonymous with sponsor, direct supervision for full 24 months, and registry allowed with Banner only. If not signed within 30 days, issue Notice of Charges.

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

VI.J.8. Edward DeWayne McClure CNA1000026743 (Monas)

Monas addressed the Board with additional information. 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 issue Notice of Charges.

VI.J.9. Fabian Moreno Pena CNA Exam (Monas)

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

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

VI.J.10. Susan Lee Phillips CNA Exam (Monas)

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

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

VI.J.11. Mark Christopher Mueller CNA Exam (Monas)

Quinn moved, Johnson seconded, to continue the investigation to allow Mueller the opportunity to voluntarily obtain a psychological evaluation, to include a substance abuse evaluation, with a Board approved PhD prepared licensed psychologist, with an 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. 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 nine in favor and one opposed.

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

**VI.J.13. Nancy Diane Parham CNA Exam (Monas)
(aka: Byrd; Carr; Loader; Turvin)**

Monas addressed the Board with additional information. Busby moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to grant certification upon meeting all requirements and signing a Consent Agreement a 24-month stayed revocation, with attached stipulations, amended to include: direct supervision for full 24 months. If not signed within 30 days, deny certification.

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

VI.K.1. Alfredo Bustos, Jr. RN147266; LP042228 (Olson)

Olson addressed the Board and confirmed the receipt of additional information. Busby moved, Dalton seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a 18-month probation to include the attached stipulations, amended to delete: “night shift prohibited”, and “work with vulnerable patients prohibited”. If not signed within 30 days, issue Notice of Charges. After discussion, the motion failed with seven opposed, two in favor and one abstained.

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

After further discussion, Post moved, McCormies seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a 18-month probation to include the attached stipulations. If not signed within 30 days, issue Notice of Charges. The motion carried with eight in favor and two opposed.

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

VI.L.4. Janet Lee Joselane LP043768 (Parlin)

Parlin addressed the Board with additional information and requested continuance. Busby moved, Berrigan seconded, and it was unanimously carried to continue the investigation to the November, 2012, Board meeting.

VI.L.5. Jennifer Lynne Magnuson RN118140 (Parlin)

Parlin addressed the Board with additional information. Busby 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, 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, issue Notice of Charges.

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

VI.L.6. Juanita Lozano CNA Exam (Parlin)

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

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

VI.L.7. Louie Morales LP041530 (Parlin)

Johnson moved, Quinn 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, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and then return to the Board. If evaluation is not completed, issue Notice of Charges.

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

VI.L.8. Peary Allen Brown RN105646 (Parlin)

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 18 month probation, to include the attached stipulations and terms. If not signed within 30 days, issue a Notice of Charges.

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

VI.L.9. Heather Nicole Vagedes RN140400 (Parlin)

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

VI.N.1. Susan Reavis RN103923; AP0235 (Rappoport)

Busby moved, Johnson seconded, and it was unanimously carried to issue a Letter of Concern for failing to have written protocols with her collaborating physician, from in or about May, 2008, to March, 2010, and allegedly asking two facility employees to remove medication (pitocin) for her to use in a separate, outside of nursing matter, while employed with Renown Health Care in Reno, Nevada.

**VI.N.2. Rose Maree Aubert RN088171 (Rappoport)
(aka: Rose O. Aubert; Rose Maree McGrath)**

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

VI.P.2. Clarence Francine Bailey LP Endorsement (Richter)

Bailey was present, telephonically, and addressed the Board. Gutierrez moved, Busby seconded, and it was unanimously carried, upon meeting all requirements, to grant licensure and issue a Letter of Concern for the May 6, 1992, conviction of a felony offense in the Superior Court of California, County of Los Angeles, for Possession of Controlled Substances.

VI.P.12. Catherine Ann McDowell CNA1000015772 (Richter)

McCormies moved, Dalton seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all certification requirements and signing a Consent Agreement for a minimum 18-month stayed revocation including the attached stipulations, to grant certification. If not signed within 30 days, deny certification. After discussion, the motion carried with nine in favor and one opposed.

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

VI.P.13. Ovona Eva Mozdyniewicz CNA Exam (Richter)

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

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

VI.P.14. Lisa Lanette Nelson CNA Endorsement (Richter)

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

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

VI.P.15. Holly Nicole Nlembe CNA Exam (Richter)

Nlembe was present, telephonically, and available for questions. Quinn moved, Berrigan seconded, and it was unanimously carried to continue the investigation to allow applicant the opportunity to obtain a psychiatric evaluation with an emphasis on relapse/recovery issues with a Board approved MD prepared evaluator prepared in the field of psychiatry, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and then return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification.

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

VI.P.18. Vanessa Lin Sollars CNA Exam (Richter)

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

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

VI.P.20. Everlene Yazzie CNA Exam (Richter)

An attempt was made to contact Yazzie telephonically and a message was left that the Board would move forward with the case. Busby moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all requirements and signing a Consent Agreement for a 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>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X	X	X	X		X	X
NO	0											
ABSTAIN	0											
ABSENT	1									X		

VI.P.21. Jade Christine Gardner CNA Exam (Richter)

Gardner was present, telephonically, and available for questions. Busby moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all requirements and signing a Consent Agreement for a minimum of 24-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>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X	X	X	X		X	X
NO	0											
ABSTAIN	0											
ABSENT	1									X		

VI.P.22. Jacquelyn Rose Bordonaro CNA Exam (Richter)

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

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

VI.P.23. Stacey Lee Frederick CNA Exam (Richter)

Frederick was present, telephonically, and available for questions. Harrell moved, Quinn 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 certification.

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

IX. Dialogue with Nursing Students

The Board members and staff dialogued with a Carrington College Nursing Students regarding Board functions, policies and procedures.

The meeting recessed at 4:45 p.m., Wednesday, September 19, 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 8:02 a.m., Thursday, September 20, 2012, in the Board of Nursing Board Room, Suite 200, 4747 N. 7th Street, Phoenix, Arizona, with Randy C. Quinn, CRNA, President, presiding.

BOARD MEMBERS PRESENT:

Randy C. Quinn, CRNA, President
Patricia Johnson, LPN, Vice President
Theresa (Terri) Berrigan, LPN, C-AL, Secretary
Kathryn L. Busby, JD, Member
Leslie Dalton, MSN, RN, Member
Lori Gutierrez, BS, RN-C, Member
M. Shawn Harrell, RN, MS, Member
Carolyn Jo McCormies, RN, MS, FNP-BC, Member
Kim Post, RN, BSN, MBA/HCM, NEA-BC, Member
Charleen L. Snider, BSN, RN, Member

BOARD MEMBERS ABSENT:

Joel S. Feldman, JD, Member

LEGAL COUNSEL:

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

STAFF DIRECTORS:

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

STAFF:

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

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

I. Call to Order

The meeting was called to order at 8:02 a.m., Thursday, September 20, 2012.

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

Quinn presided.

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

II.A. Administrative Law Judge (ALJ) Recommendations

II.A.1. Mikeila Isabell Geary CNA Applicant Campbell

The proceeding began at 8:07 a.m. with the following Board members present: Quinn, Johnson, Berrigan, Dalton, McCormies, Harrell, Snider, Gutierrez, Post and Busby.

All Board members, with the exception of Harrell, answered affirmatively that they had received and read the transcript of the hearing and the Administrative Law Judge recommendation. Harrell recused herself from the proceeding.

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

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

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

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

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

Busby moved, McCormies seconded, to deny the applicant's appeal and that prior denial of Geary's application for nursing assistant certification be upheld and affirmed. The motion carried with nine in favor and one abstained.

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

II.A.2. Sara Nash Jeffers RN064730 Campbell

The proceeding began at 8:13 a.m., with the following Board members present: Quinn, Johnson, Berrigan, Dalton, McCormies, Harrell, Snider, Gutierrez, Post and Busby.

All Board members, with the exception of Harrell, answered affirmatively that they had received and read the transcript of the hearing and the Administrative Law Judge recommendation. Harrell recused herself from the proceeding.

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

Campbell addressed the Board and requested the Board accept the Administrative Law Judge’s recommended findings of fact and conclusions of law with the changes as stated in the State’s position on the ALJ’s recommended decision

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

Busby moved, Berrigan seconded, and it was unanimously carried to accept as Findings of Fact the findings contained in Paragraphs 1 through 17.

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

Busby moved, Dalton seconded, to accept the Administrative Law Judge’s recommended Order with changes suggested in the State’s position on the ALJ’s recommended decision. The motion carried with nine in favor and one abstained.

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

II.A.3. Benson Chege Kiarie RN135877 Campbell

The proceeding began at 8:17 a.m., with the following Board members present: Quinn, Johnson, Berrigan, Dalton, McCormies, Harrell, Snider, Gutierrez, Post and Busby.

All Board members, with the exception of Harrell, answered affirmatively that they had received and read the transcript of the hearing and the Administrative Law Judge recommendation. Harrell recused herself from the proceeding.

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

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

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

Busby moved, Johnson seconded, and it was unanimously carried to accept as Findings of Fact the findings contained in Paragraphs 1 through 76.

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

Busby moved, Johnson seconded, to adopt the Administrative Law Judge’s recommended Order. The motion carried with nine in favor and one abstained.

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

II.A.4. Natalie Nicole Taylor CNA Exam Campbell

The proceeding began at 8:20 a.m., with the following Board members present: Quinn, Johnson, Berrigan, Dalton, McCormies, Harrell, Snider, Gutierrez, Post and Busby.

All Board members, with the exception of Harrell, answered affirmatively that they had received and read the transcript of the hearing and the Administrative Law Judge recommendation. Harrell recused herself from the proceeding.

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

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

Taylor was present and addressed the Board.

Busby moved, Post seconded, and it was unanimously carried to accept as Findings of Fact the findings contained in Paragraphs 1 through 33.

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

Johnson moved, Berrigan seconded, adopt the Administrative Law Judge’s Order to deny the applicant’s appeal and that prior denial of Taylor’s application for nursing assistant certification be upheld and affirmed. After discussion, Berrigan withdrew her second. No motion on table.

Busby moved, Berrigan seconded, and it was unanimously carried to table Agenda Item II.A.4.

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

AGENA #	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.B.1.	Elizabeth Ann Eller	RN165490	Revocation	Campbell
II.B.2.	Brandon Ray Rader	RN128305; CNA044351763	Revocation	Campbell

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

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

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.

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

II.C. Settlement Conference Cases and Proposed Consent Agreements

II.C.1. Heidi Lynn Welch LP040399 Campbell

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

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

Busby moved, Berrigan seconded, and it was unanimously carried to accept the signed Consent Agreement for 12 months stayed revocation/probation followed by 12 months standard probation including terms.

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

II.C.2. Rebecca Olson RN098724 Campbell

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

Campbell addressed the Board in support of the State’s recommendation.

Attorney Teresa Sanzio was present and addressed the Board in support of the State’s recommendation.

Busby moved, McCormies seconded, and it was unanimously carried to accept the signed Consent Agreement/offer a Consent Agreement for 12 months stayed revocation/suspension followed by standard probation including terms.

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

II.C.3. Nahid Alvandi-Tehrani RN053329 Campbell

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

Attorney Teresa Sanzio was present and addressed the Board. Alvandi-Tehrani was present and available for questions.

Campbell addressed the Board in support of the State’s recommendation.

Busby moved, Gutierrez seconded, to issue a Letter of Concern for allegedly failing to accompany patient A.E. to the operating room on or about June 14, 2009, while working at Scottsdale Healthcare Hospital Shea, in Scottsdale, Arizona. The motion carried with eight in favor, one opposed and one abstained.

II.C.4. Anne C. Vucetic RN155243 Campbell

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

Campbell addressed the Board and noted that paragraph two of the Order had been completed.

Vucetic and attorney Ben Green were present and available for questions. Sandra Arthur was present and addressed the Board on behalf of Vucetic.

Busby moved, Johnson seconded, and it was unanimously carried to accept the signed Consent Agreement for 18 months stayed revocation/probation followed by 18 months standard probation including terms and conditions including the completion of paragraph two as noted.

	VOTE	Dalton Member	McCormics Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post 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.	Raven Nichole Anderson	CNA1000026182	Revocation	Campbell
II.D.2.	Charles Leopold Brammer	CNA1000011024	Revocation	Campbell
II.D.3.	Megan Lynn Frazier	RN136093	Revocation	Campbell
II.D.4.	Denna Ann Lewis Garcia	RN056678	Revocation	Campbell
II.D.5.	Victoria Christina Griddine	RN150156; LP042621	Revocation	Campbell
II.D.6.	Efren Eduardo Grijalva	CNA1000021903	Revocation	Campbell
II.D.7.	Sandra Ramirez Gutierrez	CNA1000021903	Revocation	Campbell
II.D.8.	Michelle Lynn Hardy	RN130015	Revocation	Campbell
II.D.9.	Erica Cathleen Hill	LP036846	Revocation	Campbell
II.D.10.	Denisy Maria Johnson	CNA1000011882	Revocation	Campbell
II.D.11.	Susan M. Johnson (aka: Susan Artz Loring)	LP020721	Revocation	Campbell

II.D.12.	Peggy Jo Lynch (aka: Lynch Kesserling)	RN031564	Revocation	Campbell
II.D.13.	Jason Scott McClure	RN153524; LP043315; CNA1000008158	Revocation	Campbell
II.D.14.	Alexis Baes Miranda	RN102584	Revocation	Campbell
II.D.15.	Carolyn Marie Mitchell	CNA999989370	Revocation	Campbell
II.D.16.	Saram Mok	CNA1000011483	Revocation	Campbell
II.D.17.	Andrea Annette Natal (aka: Novato)	LP040435	Revocation	Campbell
II.D.18.	Veronica Percy	CNA1000025082	Revocation	Campbell
II.D.19.	Nancy Ann Powell (aka: Grossman; Herbert)	RN142546	Revocation	Campbell
II.D.20.	Kathleen Elizabeth Roarick	RN118916; LP032101; CNA049332803	Revocation	Campbell
II.D.21.	Briann Monyque Robinson	CNA1000025640	Revocation	Campbell
II.D.22.	Vickie Murrell Rogers (aka: Murrell)	RN148479	Revocation	Campbell
II.D.23.	Hector Martinez Tapia	CNA1000027793	Revocation	Campbell
II.D.24.	Rebecca Anne Thompson	CNA1000005725	Revocation	Campbell
II.D.25.	Michael Scott Toosley	LP045056	Revocation	Campbell
II.D.29.	Shirley Pauline Perry	CNA1000007592	Decree of Censure	Campbell

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

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

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

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

Busby moved, Snider seconded, and it was unanimously carried to accept the State's recommended discipline for Agenda Items II.D.1-25, and 29.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	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.27.	Dean Robins Wentworth	RN162375	Revocation	Campbell

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

Campbell addressed the Board and stated the Respondent failed to respond to the Notice of Charges in a timely manner.

Wentworth was present, telephonically, and addressed the Board with explanations why he did not receive, and was unable to respond to correspondence from the Board.

Johnson moved, Quinn seconded, to grant the State’s Motion to Deem Allegations Admitted. After discussion, Quinn withdrew the motion.

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

II.G. Hearing Department Investigative Reports

II.G.1. Kathleen Erin Comas LP038743 Campbell/Barber

Quinn moved, Busby seconded, and it was unanimously carried to issue a Letter of Concern for failing to respond to notices and requests to contact Board staff for interview from the Arizona State Board of Nursing, sent on or about August 16, 2010, September 22, 2010, and September 27, 2010.

II.H. Request to Rescind Prior Board Decision to Consider Alternative Action and Consider Investigative Report Proposal for Dismissal

II.H.1. Madalene Nieblas RN119362; LP036960 Barber

Gutierrez moved, Dalton seconded, and it was unanimously carried to dismiss complaints #2 and #3, received on December 30, 2008, and March 3, 2009; and for complaint #1, to rescind prior Board decision of May 14, 2008, to offer a Consent Agreement for a Decree of Censure and, based upon the potential violations of statutes and rules in the attached investigative report dated May, 2008, to accept the signed Consent Agreement for a \$50 Civil Penalty as settlement in this case.

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

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

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

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

Agenda #	Name	License/Certificate #	Penalty Amount
IV.A.1.a.	Clement Agboola	CNA1000024160	\$25
IV.A.1.b.	Mark Doty	CNA999995301	\$25
IV.A.1.c.	Edna Guy	CNA1000011101	\$25
IV.A.1.d.	Mayani Maraver	CNA1000014822	\$25
IV.A.1.e.	Inavosha Ruelas	CNA1000018283	\$25
IV.A.1.f.	Janice Adams	CNA999989299	\$25
IV.A.1.g.	Maria Harrah	CNA999987219	\$25
IV.A.1.h.	Kelly Dix	CNA1000025248	\$50

Johnson moved, Berrigan seconded, and it was unanimously carried, based on the Finding of Fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for an Administrative Penalty for the amount stated for working on an expired license/certificate. If the

Administrative Penalty is not paid within 6 months of the effective date of the order, issue Notice of Charges; and referral of the employer will be made to the Department of Health Services for licensee/certificate holders working on a lapsed license/certificate for three months or greater.

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

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

Agenda #	Name	License/Certificate #	Penalty Amount
IV.A.2.a.	Rosemarie Duarte	CNA99999724	\$25
IV.A.2.b.	Estela Figueroa	CNA999991588	\$25
IV.A.2.c.	Maria Sanchez	CNA99996277	\$25

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

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

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

Agenda #	Name	License/Certificate #	Penalty Amount
IV.A.3.a.	Cythrie Anne Cezar	LP048631	\$500
IV.A.3.b.	Terry Ann Goergen	RN175640	\$200
IV.A.3.c.	Kathy Jane Stolz	RN175136	\$100

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

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

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.	Sharon P. Arnold	RN063483; LP01568	Monas

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

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	10	X	X	X	X	X	X	X	X		X	X
NO	0											
ABSTAIN	0											
ABSENT	1									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.	Joshua Anthony Sandbank	CNA1000027556	Olson
IV.B.2.c.	Christina Rodriguez Garcia	LP045178; CNA1000006240	Parlin

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

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.	Raven Nichole Anderson	CNA1000026182	Revocation	Campbell

Dalton moved, McCormies seconded, and it was unanimously carried to reopen Agenda Item II.D.1. for the purpose of allowing Respondent to address the Board.

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

After discussion, Busby moved, Snider seconded, and it was unanimously carried to deny the State’s Motion to Deem Allegations Admitted.

Busby moved, McCormies seconded, and it was unanimously carried to accept the signed Consent Agreement.

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

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.

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

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

V.B. Applicants for Reissuance & Investigative Reports

V.B.1. Kelly Jean Payne LP035029 Rappoport
(aka: Kelly J Jean Payne; Anderson)

Busby moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, meeting all requirements and signing a Consent Agreement for 18 months probation including the attached stipulations, to grant temporary licensure for LP Refresher Course only. Upon successful completion of LP Refresher Course, grant licensure under applicable terms. If not signed within 30 days, based upon the findings of fact and statute/rule violations identified in the investigative report, deny licensure.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	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.1. Diane Gail Blake RN146156 Rappoport

Johnson moved, Berrigan seconded, and it was unanimously carried, on a determination of reasonable cause based upon 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 Board approved skills evaluation center (Scottsdale Community College or Arizona State University skills lab), to be completed within 60 days and then return to the Board.

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

V.C.2. Kevin Lawrence Mineweaser RN164538 Rappoport

Busby moved, Gutierrez seconded, and it was unanimously carried to approve request to amend Consent Agreement and Order No. 1119023 entered into on July 13, 2012.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	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.U. APRN/RN/LPN/CNA Investigative Report/Potential Summary Suspension Pursuant to A.R.S. § 41-1092.11(B) and/or Acceptance of a Consent Agreement and/or Adoption of Complaint & Notice of Hearing

VI.U.1. Jennifer Lopshire RN098560 Greabell

Attorney Lisa Gervase was present telephonically and addressed the Board. Greabell addressed the Board and confirmed the receipt of 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 an indefinite suspension pending resolution of Respondent's criminal case, including discharge of all sentences. If Respondent's criminal case, related to the allegations in this document, has not concluded in (2) years after the effective date of this Order, then this case shall return to the Board for review and possibly disciplinary action. The suspension shall remain in effect until the Board orders otherwise, or unless Respondent voluntarily surrenders her license or has her license revoked due to felony conviction(s) or failure to comply with the Order.

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

VI.U.3. Tonja Marie Beisch CNA999992689 Monas

The proceeding began at 9:35 a.m., with the following Board members present: Quinn, Malloch, Berrigan, Dalton, McCormies, Harrell, Johnson, Gutierrez, Snider and Busby.

An attempt was made to contact Beisch telephonically and a message was left that the Board would move forward with the case.

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

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

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

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

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

It was therefore ordered that the certificate of Tonja Beisch be suspended effective with the service of the written Order, and that Beisch will immediately cease practice as a certified nursing assistant. This suspension shall remain in effect pending a public hearing and final decision by the Arizona State Board of Nursing pursuant to A.R.S. § 32-1664.

VI.U.4. Bennie C. Farmer LP Endorsement (Austin)

The proceeding began at 9:41 a.m., with the following Board members present: Quinn, Malloch, Berrigan, Dalton, McCormies, Harrell, Johnson, Gutierrez, Snider and Busby.

Austin addressed the Board with additional information.

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

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

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

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

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

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

It was therefore ordered that the privilege to practice of Bennie Farmer be suspended effective with the service of the written Order, and that Farmer will immediately cease practice as a nurse. This suspension shall remain in effect pending a public hearing and final decision by the Arizona State Board of Nursing pursuant to A.R.S. § 32-1664.

The meeting recessed at 9:46 a.m. and reconvened at 10:03 a.m.

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

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

VII.D.1. Peter White RN090487; AP1114

Emma Mamaluy, Assistant Attorney General, was present telephonically and available for legal advice. Attorney Kimberly Kent and White were present and addressed the Board.

Busby moved, Gutierrez seconded, and it was unanimously carried to go into Executive Session on Agenda Item VII.D.1. for the purpose of obtaining legal advice and discussing pending litigation and settlement discussions, pursuant to A.R.S. §38-431.03 (A) (3) & (4). Executive Session convened at 10:16 a.m. and adjourned at 10:31 a.m.

Busby moved, Quinn seconded, and it was unanimously carried, upon counsel’s agreement that Respondent release the Board and the State from all claims, litigation and lawsuits related to this matter, including contemplated future litigation, and upon the condition that Respondent sign a Consent Agreement for a \$500 Civil Penalty and payment of the Civil Penalty, the Board reverses its prior decision to revoke Respondent’s license and reinstates the license.

	VOTE	Dalton Member	McCormies Member	Harrell Member	Snider Member	Berrigan Secretary	Quinn President	Johnson V. Pres.	Gutierrez Member	Feldman Member	Post Member	Busby Member
YES	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.6. Heidi Anne Jones LP045366 (Greabell)

Jones was present and addressed the Board. Attorney Kimberly Kent was present and available for questions. Snider moved, Dalton seconded, and it was unanimously carried to dismiss the complaint.

VII.L.2. Joshua David Munoz RN165050 (Parlin)

Munoz was present and available for questions. Attorney Jess Lorna was present and addressed the Board. Busby moved, Snider seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 12 months probation, to include the attached stipulations and terms, amended to include: night shift allowed at current place of employment only. If not signed within 30 days, issue a Notice of Charges. After discussion, the motion failed with eight opposed and two in favor.

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

Johnson moved, Dalton seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 24 months probation, to include the attached stipulations and terms. If not signed within 30 days, issue a Notice of Charges. The motion carried with eight in favor and two opposed.

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

II.A. Administrative Law Judge (ALJ) Recommendations

II.A.4. Natalie Nicole Taylor CNA Exam Campbell

Gutierrez moved, Johnson seconded, and it was unanimously carried to reopen Agenda Item II.A.4.

Smith addressed the Board with additional information.

Busby moved, Snider seconded, to issue an Order for 12 months stayed revocation/suspension, followed by 24 months stayed revocation including the attached stipulations. The motion carried with nine in favor and one opposed.

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

VI.J.6. Philecia Nicole Jackson LP Exam (Monas)

Monas addressed the Board with additional information. Jackson was present and addressed the Board. Busby moved, Snider seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all requirements and signing a Consent Agreement for a \$250 Civil Penalty and payment of the Civil Penalty, and payment of all fines due in the State of Texas, to grant licensure. If not signed within 30 days or payment not received within 60 days, deny licensure.

	VOTE	<u>Dalton</u> Member	<u>McCormies</u> Member	<u>Harrell</u> Member	<u>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	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. Elizabeth Drew RN117517 Galan

Busby moved, Snider seconded, and it was unanimously carried, upon signing a Consent Agreement for a \$250 Civil Penalty, to grant request to terminate Consent Agreement and Order No 0812013. If not signed within 30 days and payment not received within 60 days, deny request and issue Notice of Charges.

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

V.C.4. Scott Gilman RN111097 Galan

Galan addressed the Board with additional information. Busby moved, Berrigan seconded, and it was unanimously carried to grant request to terminate Consent Agreement and Order No. 080256 and issue a Letter of Concern for failing to submit a self-report in April 2001 and for failing to follow the narcotic policy/procedure at Kindred Hospital in or around November 2011, resulting in termination from Kindred Hospital.

V.C.6. Mark Blocker RN130134 Galan

Busby 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.C.5. Jennifer Delay RN115347 Galan

Busby moved, Dalton seconded, and it was unanimously carried to grant request to terminate Consent Agreement and Order No. 0809104, and restore license to “active/good standing” status.

Gutierrez left the meeting at 11:20 a.m.

V.C.7. Gwen Renee Reese LP031894 Galan

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.C.8. Cheryl Lynn Adams RN128378 Galan

Galan addressed the Board with additional information. Busby 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 offer a Consent Agreement for suspension, pending completion of a psychiatric evaluation with a Board approved evaluator with expertise in substance abuse disorders, not to exceed 12 months, with terms and conditions, to be followed by 24 months stayed revocation/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>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	9	X	X	X	X	X	X	X			X	X
NO	0											
ABSTAIN	0											
ABSENT	2								X	X		

V.C.9. Jana Richey-Smith CNA1000013610 Galan

Busby moved, Quinn seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the monitoring investigative report, and upon signing the Consent Agreement for a 24 month stayed revocation/probation with terms and conditions, to grant LPN license. If not signed within 30 days, deny licensure.

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

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

V.D.1. Karissa Baltz RN132162; CNA999951361 (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.

Gutierrez returned to the meeting at 11:23 a.m.

V.D.3. Raymonde LePage RN031550 (Garcia)

McCormies 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.4. Allene Rene Nelson RN029619 (Garcia)

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

V.D.5. Stephen Hal Olson RN057097 (Garcia)

Busby 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. Deborah Marie Pierce RN136819 (Garcia)

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

V.D.7. Michelle Polikoff RN126809 (Garcia)

Post moved, Busby seconded, and it was unanimously carried to deny request to work without direct supervision but grant request to amend Consent Agreement and Order No. 0808063, to allow Polikoff to work under direct supervision of a physician if employed in a physician's office, and allow Polikoff to work 10-13 week block assignments, with one nursing registry (MGA Staffing, in Phoenix, Arizona).

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

V.D.8. Kathleen Jahns Popp RN067894 (Garcia)

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

V.D.9. Marilyn Steadman Rasmussen RN040283 (Garcia)

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

V.D.10. Katherine Craig Scroggins RN081946 (Garcia)

Johnson 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. Marie Theresa Shaikh RN088227 (Garcia)

Gutierrez moved, Post 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. Lela Ellard Skinner RN062452 (Garcia)
Post 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.13. Regina Patricia Smith RN053312 (Garcia)
Post moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the monitoring update report, to issue Notice of Charges.

V.D.14. Denise Janae Songer RN107519 (Garcia)
Post 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.15. Thomas J. Stallings RN092604 (Garcia)
Post 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. Joseph W. Tauman RN081778; LP026281 (Garcia)
Harrell moved, McCormies seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the monitoring non-compliance report, to issue Notice of Charges.

V.D.17. Deborah J. Thomas-Rucker RN056718 (Garcia)
Post 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.18. Keri Vastine RN096000 (Garcia)
Gutierrez moved, McCormies seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the monitoring update report, to issue Notice of Charges.

V.D.19. John Edward Wells RN075373 (Garcia)
Post 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.

Berrigan left the meeting at 11:30 a.m. and returned to the meeting at 11:34 a.m.

Busby left the meeting at 11:48 a.m. and returned to the meeting at 11:51 a.m.

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Glendale Community, Gateway Community, Eastern Arizona, Central Arizona and Fortis Colleges, and Northern Arizona University nursing students regarding Board functions, policies and procedures. Questions were asked on:

- Knowing the limits of scope of practice
- Difference between terms “suspension” and “revocation”
- Definition of the term “deem”
- Number of people with a complaint logged against them will come before the Board
- The role of the investigator
- If Office of Administrative Hearing cases are open to the public
- How to acquire a position on the Board
- Preventing CANDO participants from spiraling back into substance abuse

- Definition of the Compact Agreement
- Reason for Advanced Practice nurses not being involved in the Compact Agreement
- Doctorate program

The meeting recessed at 11:56 a.m. and reconvened at 1:03 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

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

VII.B.2. Nursing Program/Education Community Updates: Southwest Skills Center, Mohave Community College, Brookline College

Information was provided to the Board regarding personnel changes at Southwest Skills Center, Mohave Community College and Brookline College.

VII.B.3. Coconino Community College – Page CNA Training Program Investigative Report and Notice of Deficiencies

Don Johnson was present and available for questions. Busby moved, Quinn seconded, and it was unanimously carried, based upon the findings of fact and the statute/rule violations contained in the investigative report, issue a Notice of Deficiencies

VII.B.4. Fortis College LPN Program Notice of Deficiency Follow-Up

Busby moved, Berrigan seconded, and it was unanimously carried to accept the Fortis College Practical Nursing Program plan as evidence of resolution of deficiency and continue provisional approval.

VII.B.5. Mohave Community College Practical Nursing Program Investigative Report

Linda Reisdorph and Janet Byrd were present, telephonically, and available for questions. Busby moved, McCormies seconded, and it was unanimously carried to dismiss the complaint against the Mohave Community College Practical Nursing Program and proceed with Self-Study and Site Visit for full approval.

VII.B.6. University of Phoenix LPN to BSN Investigative Report

Pam Fuller was present and available for questions. Busby moved, Dalton seconded, and it was unanimously carried to dismiss the complaint against the University of Phoenix LPN to BSN Program.

VII.B.7. MedStar Academy RN Refresher Program Application

Busby moved, Johnson seconded, and it was unanimously carried to continue to the November, 2012 Board meeting.

VII.B.8. Fortis College Practical Nursing Program – Program Change

Busby moved, Berrigan seconded, and it was unanimously carried to approve the Fortis College Practical Nursing Program change for length of program.

VII.B.9. Breckinridge School of Nursing @ ITT Technical Institute Investigative Report

Emma Mamaluy, Assistant Attorney General, was present telephonically and available to provide legal advice. McGinty addressed the Board with additional information. Complainants Courtney McLaughlin and Crystal Steed were present and addressed the Board. Gene McWhorter was present and available for questions. Attorneys Roxann Gallagher and Bryan Gottfredson were present and addressed the Board on

behalf of Breckinridge School of Nursing @ ITT Technical Institute. Debra Colbert, Kelly Smith were also present. Mamaluy addressed the Board with additional information. Busby moved, Quinn seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to issue Notice of Charges, and proceed to hearing. The Board directed Assistant Attorney General staff to provide legal advice regarding notices on the website.

VII.B.10. Annual Reports from Arizona Pre-licensure Nursing Education Programs

The Annual Reports from Arizona Pre-licensure Nursing Education Programs was provided to the Board.

VII.B.11. Central Arizona College RN Program Potential Deficiency Report

McCormies moved, Dalton seconded, and it was unanimously carried to continue full approval according to accreditation cycle with copy of Follow-Up Report to National League for Nursing Accrediting Commission in two (2) years and copies of all NLNAC reports to the program.

VII.B.12. Final Report of Newly Licensed RNs

The Final Report of Newly Licensed RN's was provided to the Board.

V.F. CANDO Eligibility/Noncompliance & Investigative Reports

V.F.1. John James Charles Berg, Jr. RN Exam (Pendergast)

Pendergast addressed the Board with additional information. Berg was present, telephonically, and available for questions. Busby moved, Berrigan seconded, and it was unanimously carried, upon meeting all requirements, to grant licensure and accept the signed CANDO Stipulated Agreement.

V.F.2. Margaret Beth Delcamp RN141388 (Pendergast)

An attempt was made to contact Delcamp telephonically and a message was left that the Board would move forward with the case. Busby moved, Berrigan seconded, and it was unanimously carried to continue the investigation, not to exceed six (6) months, to allow Respondent the opportunity to obtain misdemeanor designations for her undesignated felony convictions. If Respondent's convictions are designated as misdemeanors within six (6) months and Respondent remains compliant with the CANDO program, dismiss the allegations contained within the investigative report. If Respondent's convictions are not designated as misdemeanors within six (6) months, based upon the findings of fact and statute/rule violations identified in the investigative report, issue Notice of Charges.

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

V.F.3. Jessica Lynn Moran RN127124 (Pendergast)

Pendergast addressed the Board with additional information. Moran was present, telephonically, and addressed the Board. Busby moved, McCormies seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to issue Notice of Charges. The motion carried with nine in favor and one abstained.

V.F.4. Lynette Lange RN096593 (Pendergast)

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

V.F.6. Starr Lindberg RN165434 (Pendergast)
(aka: Opsal; McTighe)

Pendergast addressed the Board and confirmed the receipt of additional information. An attempt was made to contact Lindberg telephonically and a message was left that the Board would move forward with the case. Quinn moved, Busby seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a 48-month stayed revocation to include the attached stipulations. For the first 12 months the license will be placed on suspension and for the duration of the stayed revocation, the license will be placed on probation. If not signed within 30 days, issue Notice of Charges. The motion carried with eight in favor, one opposed and one abstained.

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

V.F.7. Misty Thompson RN153496 (Pendergast)

Thompson was present, telephonically, and addressed the Board. Busby moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to issue Notice of Charges, and to notify the Arizona Department of Health Services that Respondent may have obtained a medical marijuana card fraudulently.

V.F.8. Christine Renee Williams RN115397; LP035845; CNA999953279 (Pendergast)
(aka: Barnard)

Pendergast addressed the Board with additional information. An attempt was made to contact Williams telephonically and a message was left that the Board would move forward with the case. Busby moved, Snider seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a 48-month stayed revocation to include the attached stipulations. For the first 12 months the license will be placed on suspension and for the duration of the stayed revocation, the license will be placed on probation. If not signed within 30 days, issue Notice of Charges. After discussion, the motion carried with eight in favor and two opposed.

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

VI. RN/LPN/CNA Investigative Reports

VI.B.3. Karen Sue Johnson RN101524 (Greabell)

Johnson moved, Busby seconded, and after discussion it was unanimously carried to issue a Letter of Concern for keeping blank physician orders sheets signed by a physician in her desk in or around June 2011, while working at Maricopa Integrated Health Systems in Phoenix, Arizona. The Board directed staff to refer the matter to the Medical Board.

VI.B.4. Linda Marie Martinez RN054132 (Greabell)

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.B.5. Cynthia Eileen Rognerud LP032184 (Greabell)

Post moved, Harrell seconded, and it was unanimously carried to issue a Letter of Concern for failing to follow facility alert charting policy after patient L.N. fell and hit her head lacerating her eyebrow, and failing to follow delegated instructions from a RN on or about October 01, 2011, while working as a LPN at The Caring House in Sacaton, Arizona.

VI.B.8. Ardelle Hartwig RN109169 (Greabell)

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

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

VI.B.7. Dollie Marie Allan RN098566 (Greabell)

McCormies moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for stayed suspension/probation with stipulations. 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 stayed suspension/probation will be at minimum 36 months with the attached stipulations. If the findings from the evaluation do not find Respondent to have a substance use disorder or in need of treatment, the length of the stayed suspension/probation will be at minimum 18 months with the attached stipulations. If not signed within 30 days, issue Notice of Charges.

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

**VI.B.10. Mara Lynne Hall RN102731 (Greabell)
(Sand; Groth)**

Greabell addressed the Board with additional information. Busby moved, Quinn seconded, and after discussion it was unanimously carried to issue Complaint and Notice of Hearing.

**VI.Q.1. Maria Clarita Chu Alsup CNA1000028768 (Sage)
(aka: Chu)**

Snider moved, Busby seconded, and it was unanimously carried to issue a Letter of Concern for carelessly removing a resident's bedpan, causing her clothing and recliner to be wet with urine on January 30, 2012 while employed as a CNA at La Canada in Tucson, Arizona.

**VI.Q.2. Delinda Starr Booze LP043096 (Sage)
(aka: Stebing; Hingson)**

Busby moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for taking allergy medication before going on duty and reportedly falling asleep on two different occasions while employed as an LPN at Los Ninos Innovative Home Health in Phoenix, Arizona.

**VI.Q.4. Christina Carmona CNA999946942 (Sage)
(aka: Sedillo)**

Gutierrez moved, Post seconded, and it was unanimously carried to issue a Letter of Concern for asking an Alzheimer's patient if she would like a cigarette or a joint while attempting to calm her down on May 5, 2012, while employed as a CNA at St. Joseph Hospital's Huger's Mercy Living Center.

VI.Q.5. Roxanne Nanette Curtis CNA1000001269 (Sage)

Busby moved, Gutierrez seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for an 18 month stayed revocation with stipulations to include a \$100 Civil Penalty, to be signed within 30 days, or issue Notice of Charges.

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

VI.Q.7. Denise A. Farley CNA245857654 (Sage)

Post moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for admittedly being rude and abrasive with a co-worker in the presence of a resident on June 1, 2012, while employed as a CNA at Good Shepherd Care Center in Peoria, Arizona.

VI.Q.8. Elena Medina Galvez CNA1000016129 (Sage)

Johnson moved, Snider seconded, and it was unanimously carried, based upon the findings of facts, statute/rule violations identified in the Investigative report, to offer a Consent Agreement for a \$100 Civil Penalty to be signed within 30 days or issue a Notice of Charges.

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

**VI.Q.9. Heidi Kay Holsonback CNA1000008355 (Sage)
(aka: Sanders)**

Busby moved, Post seconded, and it was unanimously carried to issue a Letter of Concern for taking an unknown medication from a friend believing it to be Tylenol and going to work under the influence of an opiate on May 20, 2012, while employed as a CNA at Sierra Vista Regional Health Center, Sierra Vista, Arizona.

VI.Q.10. James Hoyt McClain RN000099086 (Sage)

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

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

VI.Q.11. Brandi Nicole McCormick CNA1000019209 (Sage)

McCormick was present, telephonically, and available for questions.

Dalton left the meeting at 2:27 p.m.

Busby moved, Berrigan seconded, and it was unanimously carried, based upon the findings of facts, statute/rule violations identified in the Investigative Report, offer a Consent Agreement for a 36-month stayed revocation with terms to be signed within 30 days or issue a Notice of Charges.

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

VI.Q.12. Sonya Gail Moore CNA999999248 (Sage)
(aka: Braden)

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

VI.Q.13. David R. Moras CNA999948857 (Sage)

Busby moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for using profanity directed at a resident while employed at Life Care Center of Paradise Valley on February 21, 2012.

VI.Q.14. Ikenna Henry Oguadimma CNA1000030764 (Sage)

Sage addressed the Board with additional information. Johnson moved, McCormies seconded, and it was unanimously carried, based on the findings of facts, statute/rule violations identified in the Investigative report, to offer a Consent Agreement for a 12-month stayed revocation with terms to be signed within 30 days or issue a Notice of Charges.

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

Dalton returned to the meeting at 2:31 p.m.

VI.Q.15. Esther Leann OMalley CNA1000020286 (Sage)
(aka: Daniel)

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 to be signed within 30 days of issue a Notice of Charges.

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

VI.Q.16. Gloria C. Peralta CNA824624241 (Sage)

Gutierrez moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a 24-month stayed revocation with terms to be signed within 30 days or issue a Notice of Charges.

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

VI.Q.17. Kila Delphine Randell CNA1000003768 (Sage)

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

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

VI.Q.18. Aliya Felice Rangell CNA1000000045 (Sage)

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.Q.20. Sonia Marie Sandoval CNA999998065 (Sage)
(aka: Enriquez)**

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 24 month stayed revocation with stipulations to include a substance abuse evaluation by a Board approved PhD prepared evaluator to be completed within 45 days or issue a Notice of Charges

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

VI.Q.21. Marilyn M. Smith CNA595251803 (Sage)

Busby moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for accidentally shutting a resident’s door that was calling out for help to go to bed, and failing to tell him she would find someone else to help him on March 29, 2012, while employed as a CNA at La Rosa Health Care Center in Tucson, Arizona.

VI.Q.22. Terri Lynn Snyder CNA1000015595 (Sage)

McCormies moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for being perceived by a resident to have made derogatory remarks to her on October 11, 2011, while employed as a CNA at Mountain Park Care Center in Prescott, Arizona.

**VI.Q.23. Quintina S. Sutton CNA1000010976 (Sage)
(aka: Edmonds; Sutton)**

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

VI.Q.24. Bernita Tsosie CNA 801278353 (Sage)

Busby moved, Dalton seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a \$100 Civil Penalty to be signed within 30 days or issue a Notice of Charges.

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

VI.Q.25. Juanita Salazar Valenzuela CNA1000011007 (Sage)

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.Q.27. Cynthia Matthews Yazzie RN167467 (Sage)

Johnson moved, Dalton seconded, and it was unanimously carried to issue a Letter of Concern for failing to intervene when she returned from lunch on March 16, 2012, and found Resident A.B. restrained in her wheelchair with a gait belt, resulting in the termination of her contract with Chinle Nursing Home, Chinle, Arizona.

VI.Q.28. Velma J. Bahe CNA999997091 (Sage)

Busby moved, Snider seconded, and it was unanimously carried, based on the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a 12-month stayed revocation with stipulations to include a substance abuse evaluation by a Board approved PhD prepared evaluator to be signed within 30 days or issue a Notice of Charges.

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

VI.Q.29. Marie A. Dohi CNA018705353 (Sage)

Johnson moved, Gutierrez seconded, and it was unanimously carried to issue a Letter of Concern for incurring a Driving Under the Influence in 2008 and for following an LPN's directive and assisting to restrain a resident in her wheelchair with a gait belt on March 16, 2012, while employed as a CNA at Chinle Nursing Home in Chinle, Arizona.

**VI.Q.30. Erica Martina Zamparripa CNA1000027527 (Sage)
(aka: Salazar)**

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 a \$50 Civil Penalty to be signed within 30 days or issue a Notice of Charges

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

VI.Q.31. Sarah M. Corella CNA809089803 (Sage)

Corella was present, telephonically, and addressed the Board. Johnson moved, Busby seconded, and it was unanimously carried to rescind prior Board action of July, 2012, for a 12-month stayed revocation with stipulations to include a substance abuse evaluation, and offer a Consent Agreement for a Decree of Censure to be signed within 30 days or issue a Notice of Charges.

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

VI.Q.32. Dalia Isabel Castillo CNA1000012879 (Sage)

Busby moved, Gutierrez seconded, and it was unanimously carried to amend prior Board motion and to allow Castillo to work the night shift.

VI.R.5. Sharidan Kay Overland RN090086 (Torrez)

Overland was present, telephonically, and available for questions. Busby moved, Dalton seconded, and it was unanimously carried to dismiss the complaint.

VI.R.7. Shamika Jewell Lockhart LP039529 (Torrez)

Torrez addressed the Board with an amendment to the stipulations. Lockhart was present, telephonically, and addressed the Board. Busby moved, McCormies seconded, and it was unanimously carried, based upon the findings of facts and statute/rule violations identified in the investigative report, to offer a Consent Agreement for 24 months probation with the attached stipulations, amended to include: evaluations for the duration of the Order". If not signed within 30 days issue Notice of Charges.

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

VI.S.2. Ruby Rose Hazen CNA1000023764 (VandenBerg)

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 36-month stayed revocation/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>Snider</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>Johnson</u> V. Pres.	<u>Gutierrez</u> Member	<u>Feldman</u> Member	<u>Post</u> Member	<u>Busby</u> Member
YES	10	X	X	X	X	X	X	X	X		X	X
NO	0											
ABSTAIN	0											
ABSENT	1									X		

VI.S.3. Theresa L. Kovacich CNA246815163 (VandenBerg)

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

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

VI.S.5. Lisa Renee Salaz RN Endorsement (VandenBerg) (aka: Noe)

VandenBerg addressed the Board with additional information. 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 Consent Agreement for a Decree of Censure, to grant licensure. If not signed within 30 days, deny licensure. The motion carried with six in favor and four opposed.

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

VI.S.6. Cynthia Irene Goseyun CNA100009160 (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 issue Notice of Charges.

VI.S.7. Alexander Albao Perez CNA1000015821 (VandenBerg)

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

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

VI.S.8. Jerrett Warren Cody CNA1000015543 (VandenBerg)

VandenBerg addressed the Board with additional information. Busby moved, Gutierrez seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, to offer a Consent Agreement for a 36-month stayed revocation/probation and to include the attached stipulations. If not signed within 30 days, issue Notice of Charges.

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

The meeting recessed at 2:59 p.m. and reconvened at 3:15 p.m.

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

VII.A. Executive Directors Report – Ridenour

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

VII.A.1.a. July 18-19, 2012 Regular Board Meeting Minutes

VII.A.1.b. July 18, 2012 Executive Session Minutes

Quinn moved, Snider seconded, and it was unanimously carried to approve minutes of July 18-19, 2012, regular Board meeting, and the minutes of July 18, 2012, Executive Session.

VII.A.2. Final Report Fiscal Year 2012 Budget Expenditures & Approval of Proposed 2014 Budget Request – Orchard/Bontrager/Ridenour

Orchard offered a brief summary of the Final Report for Fiscal Year 2012. Quinn moved, Dalton seconded, and it was unanimously carried to approve the fiscal year 2014 proposed budget.

Discuss Proposed Staff Attorney Position to Compliment Assistant AG Role at AzBN – Ridenour

Quinn moved, Gutierrez seconded, and it was unanimously carried that the Executive Director work with the necessary external agencies/departments to establish a Board Staff Attorney position.

VII.A.3. FY 2012 Program Summary Report – Orchard/Bontrager/Austin/Ridenour

Ridenour noted the CORE Report would be brought to the November 2012 Board meeting.

VII.A.4. FY 2012 License Time Frame Report - Bontrager

Ridenour gave a brief review of the FY 2012 License Time Frame Report.

VII.A.5. Board Member Education: Guidelines Related to Criminal History Investigations - Smith

Smith gave a presentation on Guidelines Related to Criminal History Investigation.

VII.A.7. Recognition & Appreciation of Retired Director of DHS Licensing Division – Mary Wiley

Information was provided to the Board regarding the recognition & appreciation of retired Director of Department of Health Services Licensing Division.

VII.A.8. Appointment of Cindy Helmich as Nurse Executive Regulatory Internship - Ridenour

Busby moved, Johnson seconded, and it was unanimously carried to approve the appointment of Cindy Helmich as Nurse Executive Regulatory Internship.

VII.A.9. Announcement of staff retirements: Sister Rachel Torrez & Pat Midkiff and new hires – Austin/Ridenour

Ridenour and Austin provided information to the Board regarding the retirement of Sister Rachel Torrez and Pat Midkiff, and the resignation of Lynda Hemann.

VII.A.10. Proposed Changes to Criteria for Summary Letters of Concern and Case Dispositions – Austin

Busby moved, McCormies seconded, and it was unanimously carried to approve the proposed change to Criteria for Summary Letters of Concern and Case Dispositions.

VII.A.11. Determine Date for Four Hour Session to Finalize Five Year Strategic Plan – Ridenour

The date for a four hour session to finalize Five Year Strategic Plan was set for November 7, 2012, at 1:00 p.m.

VII.E. Committee Reports

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

VII.E.1.a. Draft of August 28, 2012 Scope of Practice Committee Minutes

Scope of Practice Committee meeting draft minutes of August 28, 2012, were provided to the Board.

VII.E.1.b. Draft of Advisory Opinion Supervision of Unlicensed Nurse Externs by Registered Nurse

VII.E.1.c. Draft of Advisory Opinion Subcutaneous Infusion

VII.E.1.d. Draft of Advisory Opinion Bone Marrow Aspiration & Biopsy

VII.E.1.e. Draft of Advisory Opinion Orders: Accepting, Transcribing, Reviewing Orders

VII.E.1.f. Draft of Advisory Opinion Debridement, Conservative Sharp Wound

VII.E.1.g. Draft of Advisory Opinion Intra-Aortic Balloon Removal

VII.E.1.h. Draft of Advisory Opinion Pulmonary Artery (PA) Catheter Removal

VII.E.1.i. Draft of Advisory Opinion Abandonment of Patients

Busby moved, Johnson seconded, and it was unanimously carried to approve Advisory Opinions VII.E.1.b-i.

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

VII.E.2.a. Draft Minutes of Education Committee Meeting – August 3, 2012

Education Advisory Committee meeting draft minutes of August 3, 2012 were provided to the Board.

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

VII.E.3.a. Recommendation to the Board Appointment of James G. Soler, CRNA, MS, CCRN to the Advanced Practice Committee

Busby moved, Johnson seconded, and it was unanimously carried to approve the appointment of James G. Soler, CRNA, MS, CCRN to the Advanced Practice Committee.

VII.C. President’s Report – Quinn

VII.C.1. Debriefing on Board Processes and Suggested Changes - All

Board and staff discussed the flow of the meeting.

VIII. Call to the Public

No members of the public requested to speak

X. Adjournment

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

The meeting adjourned at 4:35 p.m., Thursday, September 20, 2012.



Randy C. Quinn, CRNA, President