

Arizona State Board of Nursing

Doug Ducey
Governor

Joey Ridenour
Executive Director



Special Board Meeting Minutes

The regular meeting of the Arizona State Board of Nursing convened at 3:00 p.m., Monday, January 4, 2016, 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

BOARD MEMBERS PRESENT TELEPHONICALLY:

Lori Gutierrez, BS, RN-C, Member

M. Shawn Harrell, RN, MS, Member

Jana Machesky, LPN, Member

Dr. Melanie Logue, PhD, DNP, APRN, CFNP, FAANP, Member

Cecelia Andersen BSN, RN

BOARD MEMBERS ABSENT:

Carolyn Jo McCormies, RN, MS, FNP-BC, Vice President

Kathryn L. Busby, JD, Member

Dr. Melinda Preston, DNP, APRN, PMHNP-BC, Member

Brandon Dale, Member

Theresa (Terri) Berrigan, LPN, C-AL, Secretary

LEGAL COUNSEL:

Elizabeth Campbell, Assistant Attorney General

Sunita Krishna, Assistant Attorney General

STAFF DIRECTORS:

Janeen Dahn, PhD, FNP-C, Associate Director of Investigations

STAFF DIRECTORS TELEPHONICALLY:

Valerie Smith, RN, MS, FRE, Associate Director, Hearing Department

STAFF:

Naira Kutnerian, Administrative Assistant II

I. Call to Order

The meeting was called to order at 3:01 p.m., Monday, January 4, 2016.

The following Board members were present: Quinn, Berrigan, Harrell, Gutierrez, Machesky, Logue, and Andersen.

Quinn presided.

II.B. Rehearing Requests or Review of Board Decision

II.B.1. Karen Merle King RN106795; AP2526 (Campbell)

The proceeding began at 3:02p.m., with the following Board members present: Quinn, Harrell, Gutierrez, Machesky, Logue, and Andersen.

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

King was not present and was represented by legal counsel, Kimberly Kent.

Kent addressed the Board.

Campbell addressed the Board and recommended the Board to deny request for review or rehearing.

After discussion, Quinn moved, Andersen seconded, carried to deny request for review or rehearing. The motion carried with five in favor and one opposed.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Dale</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Busby</u> Member
YES	5	X			X		X			X	X	
NO	1		X									
ABSTAIN	0											
ABSENT	5			X		X		X	X			X

II.B. Rehearing Requests or Review of Board Decision

II.B.2. Samuel Louis Coleman RN135736 (Krishna)

The proceeding began at 3:23 p.m., with the following Board members present: Quinn, Harrell, Gutierrez, Machesky, Logue, and Andersen.

The Board was represented by Christopher Munns, Assistant Attorney General, and Division of Solicitor General. Sunita Krishna, Assistant Attorney General, represented the State.

Coleman was not present and was represented by legal counsel, David Williams, who addressed the Board on behalf of Mr. Coleman.

Krishna addressed the Board and recommended the Board to deny request for review or rehearing.

After discussion, Quinn moved, Logue seconded, and it was unanimously carried to deny request for review or rehearing.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Dale</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Busby</u> Member
YES	6	X	X		X		X			X	X	
NO	0											
ABSTAIN	0											
ABSENT	5			X		X		X	X			X

II.A. Administrative Law Judge (ALJ) Recommendations

II.A.1. Mathew Joseph Reynolds RN156969 (Krishna)

The proceeding began at 3:29 p.m., with the following Board members present: Quinn, Harrell, Gutierrez, Machesky, Logue, and Andersen.

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

The Board was represented by Christopher Munns, Assistant Attorney General, and Division of Solicitor General. Sunita Krishna Assistant Attorney General, represented the State.

Krishna addressed the Board and requested the Board accept the Administrative Law Judge’s recommended findings of fact and conclusions of law and to requested that the Board adopt the ALJ’s Decision to revoke Respondent’s license with the changes to Conclusions of Law 5 and 10 as set forth in the State’s Motion that was filed with the Board.

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

Quinn moved, Gutierrez seconded, and it was unanimously carried to accept as Findings of Fact the findings contained in Paragraphs 1 through 16.

Quinn moved, Gutierrez seconded, and it was unanimously carried, to accept as Conclusions of Law the violations in Paragraphs 1 through 12, including the recommended changes/amendments set forth in the State’s Motion.

Gutierrez moved, Andersen seconded, and it was unanimously carried to accept the Administrative Law Judge’s recommended Order to revoke professional nurse license No. RN156969 practical nurse previously issued to Mathew Joseph Reynolds.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Dale</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Busby</u> Member
YES	6	X	X		X		X			X	X	
NO	0											
ABSTAIN	0											
ABSENT	5			X		X		X	X			X

II.C. Hearing Department Investigative Reports and/or Issue Notice of Charges and/or Issue Complaint and Notice of Hearing

II.C.1. John Alden Hendrickson RN181600 (Campbell)

Quinn moved, Gutierrez seconded, and it was unanimously carried to approve the 1st Amended Complaint and Notice of Hearing, which was previously filed.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Dale</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	<u>McCormies</u> V. Pres	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Busby</u> Member
YES	6	X	X		X		X			X	X	
NO	0											
ABSTAIN	0											
ABSENT	5			X		X		X	X			X

III. Call to the Public

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

No members of the public requested to speak

IV. Adjournment

Gutierrez moved, Logue seconded, and it was unanimously carried to adjourn the meeting.

The meeting adjourned at 3:35p.m., Monday, January 4, 2016.

Randy C. Quinn, CRNA, President