

Arizona State Board of Nursing

Doug Ducey
Governor

Joey Ridenour
Executive Director



Board Meeting Minutes

The regular meeting of the Arizona State Board of Nursing convened at 7:59 a.m. Thursday, March 23, 2017, 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
- Theresa (Terri) Berrigan, LPN, C-AL, Secretary
- M. Shawn Harrell, RN, MS, Member
- Jana Machesky, LPN, Member
- Dr. Melinda Preston, DNP, APRN, PMHNP-BC, Member
- Dr. Melanie Logue, PhD, DNP, APRN, CFNP, FAANP, Member
- Cecelia Andersen BSN, RN, Member
- Elizabeth Boyer BSN, RN, Member

BOARD MEMBERS ABSENT:

- Lori Gutierrez, BS, RN-C, Member
- Brandon Dale, Member

LEGAL COUNSEL:

- Elizabeth Campbell, Assistant Attorney General
- Sunita Krishna, Assistant Attorney General

STAFF DIRECTORS:

- Joey Ridenour, RN, MN, FAAN, Executive Director
- Janeen Dahn, PhD, FNP-C, Associate Director of Investigations
- Valerie Smith, RN, MS, FRE, Associate Director
- Kathy Malloch, PhD, MBA, RN FAAN Associate Director of Education
- Judy Bontrager, RN, MN, Associate Director of Operations
- Robert Ellis, BSIT, MBA, MPM, Associate Director of Operations

STAFF:

<p>Katrina Alberty, Senior Investigator Max Barker, Senior Investigator Stephanie Chambers, RN, MN, Nurse Practice Consultant Ronda Doolen, RN, BSN, MSN, Education Program Administrator Kathleen Harrington, RN, Nurse Practice Consultant Jan Kerrigan, RN, BSN, Nurse Practice Consultant/CANDO Kristi Hunter, MSN, FNP-C, Nurse Practice Consultant/AP Frank Curatola, Senior Investigator Sue Bushong, Senior Investigator Cindy George, RN, BSN, Education Consultant Shawna Bonner, BSN, RN Nurse Practice Consultant Pam Millben, Senior Investigator</p>	<p>Ruth Kish, RN, MN, Nurse Practice Consultant Katherine Watson, MSN, Nurse Practice Consultant Jennifer Ingram, Senior Investigator Dolores Hurtado, Senior Investigator Pat Midkiff, MSN, Nurse Practice Consultant Kevin, Rapkoch, BSN, Nurse Practice Consultant Kirk Olson, Senior Investigator David Elson, Senior Investigator Cindy Mand, MSN, RN, Nurse Practice Consultant Michael Pilder, MSN, RN, APHN-BC, Nurse Practice Consultant Michelle Morton, Senior Investigator Bonnie Richter, MSW, Senior Investigator Naira Kutnerian, Legal Secretary II</p>
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I. Call to Order

The meeting was called to order at 7:59 a.m., Thursday, March 23, 2017.

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

Quinn presided.

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

II.H. 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

II.H.1. Lindsay Nicole Gwin RN173808 (Chambers)

The proceeding began at 8:00 a.m., with the following Board members present: Quinn, Boyer, Berrigan, Harrell, Preston, Machesky and Logue.

Chambers confirmed receipt of additional information. Gwin was present and addressed the Board and was not represented by legal counsel.

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

Quinn moved, Berrigan seconded, and it was unanimously carried to go into Executive Session pursuant to A.R.S. § 38-431-03 (A) (2), on Agenda Item II.H.1 for the purpose of reviewing confidential documents and review information. Executive Session convened at 8:06 a.m., and adjourned at 8:22 a.m.

Quinn moved, Logue seconded, and after discussion it was unanimously carried to table Agenda Item II.H.1.

II.H. 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

II.H.2. Michael Andrew Marzley RN147571 (Alberty)

The proceeding began at 8:30 a.m., with the following Board members present: Quinn, Boyer, Berrigan, Harrell, Preston, Machesky and Logue.

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

Harrell moved, Logue seconded, to accept the signed Consent Agreement for Stayed Revocation Suspension, not to exceed 12 months, to include the attached stipulations, followed then by 36 months

Stayed Revocation Probation with the attached stipulations. After discussion the motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

II.H. 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

II.H.4. Laura Chinyere Ebereonwu RN170503 (Alberty)

The proceeding began at 8:34 a.m., with the following Board members present: Quinn, Boyer, Berrigan, Harrell, Preston, Machesky and Logue.

Alberty confirmed receipt of additional information. Ebereonwu was present and was not represented by legal counsel.

Quinn moved, Logue seconded, and it was unanimously carried to go into Executive Session pursuant to A.R.S. § 38-431-03 (A) (2), on Agenda Item II.H.4 for the purpose of reviewing confidential documents and review information. Executive Session convened at 8:37 a.m., and adjourned at 8:51 a.m.

Quinn moved, Preston seconded, and after discussion it was unanimously carried to table Agenda Item II.H.4.

VI.R.1. Mazel Maria Celia Mandac Gapusan RN188829 (Bonner)

Attorney Rob Chelle was present and addressed the Board. Quinn moved, Machesky seconded, and it was unanimously carried, based upon information in the investigative report, issue a Letter of Concern as proposed by Board staff and as contained in the investigative report.

VI.R.2. Caren Crudo Hernandez RN137774 (Bonner) (aka: Caren Crudo)

Bonner confirmed receipt of additional information. Attorney Rob Chelle was present and addressed the Board. Logue moved, Quinn seconded, based upon the information in the investigative report, offer a Consent Agreement for a 12-month probation, and to include the attached stipulations with the addition of a Nurse Ethics Course. If not signed within 30 days, issue a Notice of Charges. After discussion the motion carried with six in favor, one opposed and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	6		X		X	X	X		X	X	X	
NO	1								X			
ABSTAIN	1			X								
ABSENT	2	X										X

VI.O.13. Jennifer Ann Pedersen RN187754; CRNA1062 (Curatola)

Attorney Rob Chelle was present and addressed the Board. Harrell moved, Berrigan seconded, and it was unanimously carried, based upon information in the investigative report, issue a Letter of Concern as proposed by Board staff and as contained in the investigative report.

VI.G.3. John Levi Strahan RN188669 (Barker)

Attorney Rob Chelle was present and addressed the Board. Harrell moved, Preston seconded, and it was unanimously carried, on a determination of reasonable cause based on the information in the investigative report (and material presented at this Board meeting), at no cost to the Board, 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 with 45 days and then return to the Board. If the Interim Order is not completed, based upon the information in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

VI.B.5. Jessica Bethany Hemmen Quinn RN169111, CNA079671641 (Olson) (aka: Morris, Hemmen)

Attorney Rob Chelle was present and addressed the Board. Quinn moved, Logue seconded, upon a determination of reasonable cause, based on information in the Investigative Report, and material presented at this Board meeting, and at no cost to the Board, issue an Interim Order for a psychological evaluation, to include a substance abuse evaluation, by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and then return to the Board. If the Interim Order is not completed, based upon the information identified in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations of statute and rule for failure to comply with the Interim Order. After discussion the motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.S.7. Andrew Edward Sharpe CNA Exam; RN Exam (Millben)

Millben addressed the Board with additional information. Attorney Rob Chelle was present and addressed the Board. Sharpe was present and addressed the Board. Quinn moved, Logue seconded, offer Applicant a Consent Agreement for a Decree of Censure. If not signed within 30 days, deny licensure and certificate. Amended to include rules: AACR.4-19-403-§ (2) and (15). Upon meeting all requirements, grant licensure. If Applicant signs the Consent Agreement for a Decree of Censure, allow Applicant to withdraw his application for certification as a nursing assistant. After discussion the motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.P.2. Annette Racheal Gannon RN163438 (Bushong)

Attorney Rob Chelle was present and addressed the Board. Quinn moved, Harrell seconded, based upon the information in the investigative report, offer a Consent Agreement for a Suspension not to exceed 12-months, followed by Stayed Revocation Suspension not to exceed 12-months, followed by a 36-month Stayed Revocation Probation to include the attached stipulations and return to the Board. If not signed within 30 days, issue a Notice of charges. After discussion the motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.M.1. Thomas Patrick McGarry RN159403 (Harrington)

Harrington confirmed receipt of additional information. Attorney Rob Chelle was present and addressed the Board. Quinn moved, Andersen seconded, based upon the information in the investigative report, offer a Consent Agreement for a 24-month probation, and to include the attached stipulations. If not signed within 30 days, issue a Notice of Charges. After discussion the motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.E.4. Adina Ioana Blackwell RN084860 (Kish)

Attorney Rob Chelle was present and addressed the Board. Harrell moved, Andersen seconded, and it was unanimously carried to dismiss complaint No.1, 2, and 3.

Quinn recused himself from the meeting at 9:38 a.m., and returned 9:41 a.m.

VI. RN/LPN/CNA Investigative Reports

**VI.A.1. Samantha Lyn Dillon RN175565 (Kerrigan)
(aka: Sapio, Samantha Lyn)**

Attorney Rob Chelle was present and addressed the Board. Kerrigan addressed the Board with additional information. Logue moved, Machesky seconded, and after discussion it was unanimously carried, based upon information in the investigative report, issue a Letter of Concern as proposed by Board staff and as contained in the investigative report.

**VI.D.3. Paige Figa Church RN172672 (Ingram)
(aka: Paige Milka Church, Paige Figa)**

Attorney Rob Chelle was present and available for questions. Machesky moved, Harrell seconded, and it was unanimously carried, upon a determination of reasonable cause, based upon the

information in the investigative report, and material presented at this Board meeting, and at no cost to the Board, issue an Interim Order for an addiction evaluation by a Board approved addictionologist (physician) evaluator, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and then return to the Board. If the Interim Order is not completed, based upon the information in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations of statute and rule for failure to comply with the Interim Order.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

VI.O.11. Adrina Lashun Morrisette LP044936 (Curatola)

An attempt was made to contact Attorney Michael Goldberg telephonically. Quinn moved, Berrigan seconded, based upon the information in the investigative report, issue a Notice of Charges. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.O.3. Karina Marie Bell CNA1000020941; RN17243 (Curatola)

Curatola addressed the Board with additional information. Attorney Flynn Carey and Bell were present and addressed the Board. Andersen moved, Berrigan seconded, upon a determination of reasonable cause, based on information in the Investigative Report, and material presented at this Board meeting, and at no cost to the Board, issue an Interim Order for a psychological evaluation, to include a substance abuse evaluation, by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and then return to the Board. If the Interim Order is not completed, based upon the information identified in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations of statute and rule for failure to comply with the Interim Order. After discussion the motion failed with four opposed, three in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	3					X			X		X	
NO	4		X		X		X			X		
ABSTAIN	1			X								
ABSENT	2	X										X

Quinn moved, Machesky seconded, based upon the information in the investigative report, offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue a Notice a Charges. After discussion the motion carried with seven in favor and one opposed.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X	X	X		X		X	X	X	
NO	1					X						
ABSTAIN	0											
ABSENT	2	X										X

The meeting recessed at 10:06 a.m., and reconvened at 10:22 a.m.

VI.T.4. Elzbieta Worwa-Stepniowski RN142085 (Rapkoch)

Attorney Ryan was present and addressed the Board. Worwa-Stepniowski was present and available for questions. Quinn moved, Logue seconded, and it was unanimously carried, based upon the information in the investigative report, offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue a Notice of Charges.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

**VI.T.6. Tania Elizabeth Hendricks RN161209 (Rapkoch)
(aka: Tania Elizabeth Ruud)**

Rapkoch addressed the Board with additional information. Attorney Jessica Miller was present and addressed the Board. Hendricks was present and available for questions. Quinn moved, Harrell seconded, and it was unanimously carried, based upon the information in the investigative report, offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue a Notice of Charges.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

VI.M.2. Chris Gurtler RN160877 (Harrington)

Harrington addressed the Board with additional information. Attorney Jessica Miller was present and addressed the Board. Gurtler was present and available for questions. Quinn moved, Preston seconded, based upon the information in the investigative report, offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue a Notice of Charges. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

**VI.Q.1. Tracy Hormell RN137855 (Watson)
(aka: Clee, Tracy Jean)**

Attorney David Williams and Hormell were present and addressed the Board. Logue moved, Boyer seconded, and it was unanimously carried to dismiss this complaint.

**V.C. Non-Compliance/Compliance with Board Orders (Discussion & Decision)
V.C.1. Randy Abad Pomay-O RN126186 (Sutter)**

Attorney Lisa Gervase was present and addressed the Board. Pomay-Olson was present and available for questions. Quinn moved, Logue seconded, based upon information in the investigative report offer an amendment to paragraph 3, pages 13-14 of the Order to require a Multiphasic Sex Inventory I or II instead of a Sexual Misconduct Relapse Evaluation with a sexual history polygraph. The treatment professional will make the determination of a Multiphasic Sex

Inventory I or II, to be completed within 30 days of the effective date of the amendment and allow Respondent to continue with the Order. The terms of the original Order remain active and enforceable unless the amendment is signed by Respondent. The motion carried seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

V.C. Non-Compliance/Compliance with Board Orders (Discussion & Decision)

V.C.2. Vanessa Leigh Cranswick RN118559 (Sutter)

Cranswick was present and addressed the Board. Quinn moved, Preston seconded, and it was unanimously carried, based upon the information in the investigative report, offer a Consent Agreement for a minimum 12-month Stayed Revocation Probation to be followed by a minimum 24-month Stayed Suspension Probation, including a provision to revoke if noncompliant during any period of Suspension, and to include the attached stipulations. If not signed within 30 days, issue a Notice of Charges.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

Preston left the meeting at 11:39 a.m. and returned 11:41 a.m.

VI.T.3. Betty R. Garibaldi LP015879 (Rapkoch)

Garibaldi was present and available for questions. Quinn moved, Logue seconded, and it was unanimously carried to dismiss the complaint.

VI.B.2. Travis EJ Callan RN Exam (Olson)

Callan was present and addressed the Board. Logue moved, Andersen seconded, to continue the investigation to allow Applicant the opportunity to obtain a psychological evaluation, to include a sexual misconduct evaluation, at no cost to the Board, by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and then return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny licensure. After discussion the motion carried with four in favor, three opposed and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	4		X	X		X					X	
NO	3				X		X			X		
ABSTAIN	1								X			
ABSENT	2	X										X

VI.B.3. Shea Lauren Foster RN Exam; CNA100029086 (Olson)

Foster was present and addressed the Board. Preston moved, Berrigan seconded, and it was unanimously carried to grant licensure upon meeting all requirements, and issue a Letter of Concern based on the information in the Investigative Report as proposed by Board Staff and as contained in the Investigative Report.

VI.C.7. Taylor Leigh Kunde LPN Endorsement (Richter)

Richter confirmed receipt of additional information. Kunde was present and addressed the Board. Quinn moved, Machesky seconded, and it was unanimously carried, based upon information in the investigative report, and upon meeting all licensing requirements, grant license, and issue a Letter of Concern as proposed by Board staff and as contained in the investigative report.

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Gateway Community College, Eastern Arizona College and Chamberlain Community College nursing students regarding Board functions, policies and procedures. Questions were asked on:

- Board process and decision making
- The consequences of DUI and importance to report within 10 days to the Board
- Investigation process explained
- Advisement to students by Board members
- Importance to keep address and current with the Board
- Importance of not posting confidential information on any social networking sites

The meeting recessed at 12:17 p.m., and reconvened at 1:02 p.m.

VI.T.3. Betty R. Garibaldi LP015879 (Rapkoch)

Berrigan moved, Quinn seconded, and it was unanimously carried to reopen Agenda Item VI.T.3. Rapkoch was addressed the Board with additional information. Garibaldi was present telephonically and addressed the Board. Quinn moved, Berrigan seconded, and it was unanimously carried to reaffirm the previous board decision to dismiss the case.

VI.D.2. Nneka Elizabeth Agbaeze CNA1000033789; LPN Exam (Ingram)

Agbaeze was present and addressed the Board. Harrell moved, Berrigan seconded, and it was unanimously carried, Based upon information in the investigative report, grant LPN licensure upon meeting all requirements and issue this Letter of Concern for your July 25, 2008 arrest for Driving While Under 21 with Alcohol in System, Minor in Possession, and False ID, dismissed in Tempe Municipal Court, Tempe, Arizona, upon completion of a diversion program; and for your January 23, 2012 misdemeanor DUI conviction in San Tan Justice Court, Arizona, and your failure to disclose the charges in a timely manner.

VI.D.4. Danielle Barbara Jean Korycki CNA Exam (Ingram)

Jean Korycki was present and available for questions. Logue moved, Preston seconded, and it was unanimously carried, based upon information in the investigative report, grant certification upon meeting all requirements and issue a Letter of Concern as proposed by Board staff and as contained in the investigative report.

VI.D.5. Michael Lloyd Sakalauskas RN131128 (Ingram)

Sakalauskas was present and addressed the Board. Quinn moved, Preston seconded, upon a determination of reasonable cause, based upon the information in the investigative report, and material presented at this Board meeting, and at no cost to the Board, issue an Interim Order for a recovery/relapse prevention evaluation to be conducted by an evaluator who is at minimum PhD prepared, 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 information in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations of statute and rule for failure to comply with the Interim Order. After discussion the motion carried with five in favor, two opposed and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	5		X			X	X		X		X	
NO	2				X					X		
ABSTAIN	1			X								
ABSENT	2	X										X

**VI.E.2. Shirley Annimav Valentine RN153550 (Kish)
(aka: Shirley Annimav Hostetlar; Shirley Annimav Hording)**

Valentine was present and addressed the Board. Berrigan moved, Preston seconded, based upon the information in the investigative report, offer a Consent Agreement for a \$250 Civil Penalty. If not signed within 30 days, issue a Notice of Charges. The motion carried with six in favor, one opposed and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	6				X	X	X		X	X	X	
NO	1		X									
ABSTAIN	1			X								
ABSENT	2	X										X

VI.E.3. Corryn Deann Skaggs RN142887 (Kish)

Kish addressed the Board with additional information. Skaggs was present and available for questions. Logue moved, Harrell seconded, and it was unanimously carried to dismiss this complaint.

VI.E.1. Amal A. Gandara RN120559 (Kish)

Kish confirmed receipt of additional information. Logue moved, Andersen seconded, based upon the information in the investigative report, offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue a Notice of Charges. After discussion the motion failed with six opposed, one in favor and abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	1		X									
NO	6				X	X	X		X	X	X	
ABSTAIN	1			X								
ABSENT	2	X										X

Preston moved, Quinn seconded, based upon the information in the investigative report, offer a Consent Agreement for 12-month probation, and to include the attached stipulations. If not signed within 30 days, issue a Notice of Charges. After discussion the motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.J.3. Rhonda L. Kennedy RN053083 (Chambers)
(aka: Rhonda Padilla; Rhonda Cluff)

Kennedy was present and addressed the Board. Quinn moved, Berrigan seconded, and it was unanimously carried, based upon information in the investigative report, issue a Letter of Concern as proposed by Board staff and as contained in the investigative report.

VI.J.2. Teri Kathryn Norris RN194767 (Chambers)
(aka: Kneller)

Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the information in the investigative report, offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue a Notice of Charge.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

VI.L.1. Ruth Eunice Dragoiu RN186783 (Mand)

Dragoiu was present and available for questions. Quinn moved, Machesky seconded, based upon the information in the investigative report, offer a Consent Agreement for a suspension not to exceed 12-months to include the attached stipulations, followed then by a 36-month probation to include the attached stipulations. If not signed within 30 days, issue a Notice of Charges. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.L.4. Maureen Pusateri RN127612 (Mand)
(aka: Maureen Meegan)

Pusateri was present and addressed the Board. Quinn moved, Berrigan seconded, and it was unanimously carried, on a determination of reasonable cause based on the information in the investigative report (and material presented at this Board meeting), at no cost to the Board, issue an Interim Order for a neuropsychological evaluation and 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 with 45 days and then return to the Board. If the Interim Order is not completed, based upon the information in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

VI.J.1. Cecilia Mora-Fernau RN1805556 (Chambers)
(aka: Cecilia Mora)

Complainant was present and addressed the Board. Quinn moved, Berrigan seconded, to dismiss the complaint. After discussion the motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President		<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.N.4. Catherine Vitale LP035408 (Elson)
(aka: Connor, Catherine Scott; Trimble, Catherine Scott)

Vitale was present and addressed the Board. Quinn moved, Machesky seconded to continue the investigation to allow applicant to obtain a 10 panel hair/nail test, at least 10 days within prior to undergoing a psychological evaluation to include a substance abuse evaluation, at no cost to the Board, by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator and return to Board. If either the hair/nail test or the psychological evaluation is not completed within 45 days, based upon findings of facts and statute and rule violations, deny licensure. After discussion the motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.O.7. David Alonzo Cresap RN172498 (Curatola)

Cresap was present and addressed the Board. Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the information in the investigative report, offer a Consent Agreement for a \$250 Civil Penalty. If not signed within 30 days, issue a Notice of Charges.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President		<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.C.6. Rhonda Hawthorne RN137668; LP040566 (Richter)
(aka: Rhonda Lynn Hayes)

Hawthorne was present and available for questions. Harrell moved, Andersen seconded, based upon the information in the investigative report, offer a Consent Agreement for a \$500 Civil Penalty. If not signed within 30 days, issue a Notice of Charges. After discussion the motion carried with six in favor, one opposed and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	6				X	X	X		X	X	X	
NO	1		X									
ABSTAIN	1			X								
ABSENT	2	X										X

VI.N.3. Jinky Sobrevilla Montiel RN142739 (Elson)

Elson addressed the Board with additional information. Montiel was present and addressed the Board. Harrell moved, Preston seconded, based upon the information in the investigative report, offer a Consent

Agreement for a Decree of Censure. If not signed within 30 days, issue a Notice of Charges. After discussion the motion carried with six in favor and two opposed.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President		<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	6			X		X	X		X	X	X	
NO	2		X		X							
ABSTAIN	0											
ABSENT	2	X										X

Harrell left the meeting at 2:53 p.m.

VI.I.5. Ruben Rendon CNA055752641 Reissuance (Alberty)

Rendon was present and addressed the Board. Quinn moved, Berrigan seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, deny re-issuance of certification. The motion carried with six in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President		<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	6		X		X	X	X		X		X	
NO	0											
ABSTAIN	1			X								
ABSENT	3	X								X		X

VI.P.3. Marija Gros RN041825 (Bushong)

Bushong addressed the Board with additional information. Gros was present and addressed the Board. Berrigan moved, Preston seconded, based upon information in the investigative report, issue a Letter of Concern as proposed by Board staff and as contained in the investigative report. After discussion the motion tied with three in favor, three opposed and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	3					X	X		X			
NO	3		X		X						X	
ABSTAIN	1			X								
ABSENT	3	X								X		X

Logue moved, Machesky seconded, to dismiss the complaint. After discussion the motion tied with three in favor, three opposed and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	3		X		X						X	
NO	3					X	X		X			
ABSTAIN	1			X								
ABSENT	3	X								X		X

Harrell returned to the meeting at 3:03 p.m.

Logue moved, Machesky seconded, to dismiss the complaint. After discussion the motion carried with four in favor, two opposed and two abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	4		X		X		X				X	
NO	2					X			X			
ABSTAIN	2			X						X		
ABSENT	2	X										X

VI.T.5. Megan Elizabeth Blong RN162365 (Rapkoch)

Blong was present and addressed the Board. Logue moved, Berrigan seconded, and after discussion it was unanimously carried, based upon information in the investigative report, issue a Letter of Concern as proposed by Board staff and as contained in the investigative report.

VI.I.3. Allison Crystal McKinley RN190340 (Alberty)

McKinley was present and available for questions. Logue moved, Machesky seconded, based upon information in the investigative report, issue a Letter of Concern as proposed by Board staff and as contained in the investigative report. After discussion the motion failed with five opposed, two in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	2		X		X							
NO	5					X	X		X	X	X	
ABSTAIN	1			X								
ABSENT	2	X										X

Quinn moved, Berrigan seconded, based upon the information in the investigative report, offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue a Notice of Charges. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

The meeting recessed at 3:21 p.m., and reconvened at 3:43 p.m.

VI.B.1. Michael Anthony Veloso Cabanes RN129150 Reissuance (Olson)

Olson addressed the Board with additional information. Harrell moved, Machesky seconded, based upon the findings of fact and statute/rule violations identified in the investigative report upon meeting all licensure requirements and signing a Consent Agreement for a 36 month Stayed Revocation Probation, grant licensure with the license initially limited to allow completion of an RN Board-approved refresher or equivalent course only. Upon successful completion of this course, the limitation shall be lifted, and the probation continued under applicable terms contained in the attached stipulation worksheet. If the refresher or equivalent course is not completed within 12 months, the stay shall be lifted and the license revoked. If not signed within 30 days, deny reissuance of licensure. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.B.4. James Earl Guy RN177281; CNA100002678 (Olson)
Harrell moved, Berrigan seconded, and it was unanimously carried, based upon the information in the investigative report, issue a Notice of Charges.

VI.B.6. Jennifer Lynn Winters RN123841 Reissuance (Olson)
(aka: Gallagher)

Olson addressed the Board with additional information. Harrell moved, Machesky seconded, and it was unanimously carried, upon meeting all licensure requirements, grant reissuance of licensure. Machesky rescinded the motion.

Quinn moved, Preston seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, upon meeting all licensure requirements and signing a Consent Agreement for a Decree of Censure, grant reissuance of licensure. If not signed within 30 days, deny reissuance of licensure. After discussion the motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President		<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.B.7. Craig Steven Jones LPN Re-Application (Olson)

Olson addressed the Board with additional information. Harrell moved, Machesky seconded, and it was unanimously carried to allow Applicant to withdraw his application.

VI.C.1. Paola Almada Gonzalez CNA1000023713 (Richter)

Quinn moved, Machesky seconded, and it was unanimously carried, based upon the information in the investigative report, issue a Notice of Charges.

VI.C.2. Jacob Robert Barnhart CNA1000044871 (Richter)

Harrell moved, Berrigan seconded, upon a determination of reasonable cause, based on the facts alleged in the investigative report, and material presented at this Board meeting, and at no cost to the Board, issue an Interim Order for a psychological evaluation to include a psychological evaluation to include a substance abuse evaluation by a Board approved licensed psychologist, with expertise in substance use disorders, 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 a Notice of Charges and include the factual allegations and alleged violations of statute and rule for failure to comply with the Interim Order. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President		<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.C.3. Lori Rae Brewer RN Endorsement (Richter)
(aka: Lori Re Scarboro)

Brewer was present telephonically and available for questions. Berrigan moved, Preston seconded, based upon findings of facts and statute/rule violations identified in the investigative report, deny licensure. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President		<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.C.4. Dianne Brenea Dansby-Draine CNA Endorsement (Richter)

Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the findings of fact and statute/rule violations identified in the investigative report, deny certification. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President		<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.C.5. Janelle Marie Ferguson RN Exam (Richter)

Harrell moved, Andersen seconded, to continue the investigation so Applicant can submit to a substance abuse evaluation, at no cost to the Board, to be completed by a Board approved licensed psychologist with expertise in substance use disorders, 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 evaluation is not completed, based upon the information in the investigative report, deny licensure. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.C.8. Kristen Renee Nelson RN Exam (Richter)
(aka: Kristen Renee Rogers)

Logue moved, Berrigan seconded, and it was unanimously carried, Based upon information in the investigative report, and upon meeting all licensing requirements, grant licensure and issue a Letter of Concern as proposed by Board staff and as contained in the investigative report.

VI.C.9. Socorro Helen Herrera RN Exam (Richter)

Richter confirmed receipt of additional information. Quinn moved, Berrigan seconded, upon meeting licensure requirements, grant temporary license for the purpose of completing a refresher

course and adopt Board staff’s recommendation as referenced in Update-Investigative Report, regarding disposition of the open investigation. Upon successful completion of the refresher course and maintaining compliance with her Stipulated Agreement, grant full licensure. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.C.10. Juliette Marie Ramirez CNA1000042330 (Richter)

Richter confirmed receipt of additional information. Quinn moved, Logue seconded, and it was unanimously carried, based upon the information in the investigative report, issue a Notice of Charges.

VI.C.11. Irene Garcia Peraza TLP050758 (Richter)

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

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.C.12. Jesus Antonio Vielma CNA Exam (Richter)

Logue moved, Andersen seconded, based upon the findings of facts and statute/rule violations identified in this investigative report, deny certification. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

**VI.C.13. Pauline Julia Thurber CNA1000039088 (Richter)
(aka: Pauline Julia Wishard)**

Quinn moved, Berrigan seconded, based upon the information in the investigative report, issue a Notice of Charges. The motion carried with six in favor, one opposed and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	6		X		X	X	X		X		X	
NO	1									X		
ABSTAIN	1			X								
ABSENT	2	X										X

VI.C.14. Martha Yvonne Salinas CNA Exam (Richter)

Quinn moved, Logue seconded, to continue the investigation to allow Applicant the opportunity to complete a psychological evaluation with an emphasis on substance abuse by a 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. After discussion the motion carried with four in favor, three opposed and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	4		X			X	X				X	
NO	3				X				X	X		
ABSTAIN	1			X								
ABSENT	2	X										X

VI.C.15. Ubah Ahmed Mindingall RN Endorsement (Richter)
(aka: Ubah Ahmed Mussa)

Quinn moved, Berrigan seconded, based upon the information in the investigative report, deny licensure. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.C.16. Sandra Ivelisse Scott CNA100013651 (Richter)
(aka: Sandra Leon; Sandra Abregu)

Quinn moved, Machesky seconded, and it was unanimously carried, on a determination of reasonable cause based on the information in the investigative report (and material presented at this Board meeting), at no cost to the Board, issue an Interim Order for a neuropsychological evaluation to be completed by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed with 45 days and then return to the Board. If the Interim Order is not completed, based upon the information in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

VI.C.17. Carolyn Marie Sheridan RN157420 (Richter)

Quinn moved, Logue seconded, on a determination of reasonable cause based on the information in the investigative report (and material presented at this Board meeting), at no cost to the Board, issue an Interim Order for a substance abuse and anger management evaluation to be completed by a Board approved licensed psychologist with expertise in substance use disorders and anger management, and to include any additional testing deemed necessary by the evaluator, to be completed with 45 days and then return to the Board. If the Interim Order is not completed, based upon the information in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order. After discussion the motion carried with six in favor, one opposed and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	6		X		X	X	X		X		X	
NO	1									X		
ABSTAIN	1			X								
ABSENT	2	X										X

VI.C.18. Beverly Michele Love RN Endorsement (Richter)
(aka: Beverly Michele Wade; Lisa Rene Wade; Lisa Rene Simon; Beverly Renee Wilson; Lisa Williams)

Love was present telephonically and addressed the Board. Quinn moved, Berrigan seconded, based upon information in the investigative report and upon meeting all licensure requirements, grant licensure, and issue a Letter of Concern as proposed by Board staff and as contained in the investigative report. After discussion the motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.D.1. Danton Frederick Adair RN145138 (Ingram)

Quinn moved, Logue seconded, upon a determination of reasonable cause, based upon the information in the investigative report, and material presented at this Board meeting, and at no cost to the Board, issue an Interim Order for a 10 panel hair or nail test to be completed within 10 days of receiving the Order, and a psychological evaluation to include a substance use evaluation 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 information in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations of statute and rule for failure to comply with the Interim Order. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.D.6. Vanessa Monique Gutierrez CNA Exam (Ingram)
(aka: Vanessa Delancey, Vanessa Shouse)

Logue moved, Quinn 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 12 month Stayed Suspension to include the attached stipulations, grant certification. If not signed within 30 days, deny certification. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.M.3. Gary Lee O'Brien RN149249 (Harrington)

O'Brien was present telephonically and available for questions. Logue moved, Berrigan seconded, and it was unanimously carried, based upon information in the investigative report, issue a Letter of Concern as proposed by Board staff.

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Gateway Community College nursing students regarding Board functions, policies and procedures. Questions were asked on:

- Information regarding Nurse Licensure Compact
- Advisement to students by Board members
- What is the percentage of case's related to substance abuse
- Importance of not posting confidential information on any social networking sites
- Importance of preventing DUI's and importance to report within 10 days to the Board
- Board process and expertise of Board members

The meeting recessed at 4:51 p.m.

Arizona State Board of Nursing

Doug Ducey
Governor

Joey Ridenour
Executive Director



Board Meeting Minutes

The regular meeting of the Arizona State Board of Nursing convened at 8:00 a.m., Friday, March 24, 2017, 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
- Theresa (Terri) Berrigan, LPN, C-AL, Secretary
- M. Shawn Harrell, RN, MS, Member
- Jana Machesky, LPN, Member
- Dr. Melinda Preston, DNP, APRN, PMHNP-BC, Member
- Dr. Melanie Logue, PhD, DNP, APRN, CFNP, FAANP, Member
- Cecelia Andersen BSN, RN, Member
- Elizabeth Boyer BSN, RN, Member

BOARD MEMBERS ABSENT:

- Lori Gutierrez, BS, RN-C, Member
- Brandon Dale, Member

LEGAL COUNSEL:

- Elizabeth Campbell, Assistant Attorney General
- Sunita Krishna, Assistant Attorney General

STAFF DIRECTORS:

- Joey Ridenour, RN, MN, FAAN, Executive Director
- Janeen Dahn, PhD, FNP-C, Associate Director of Investigations
- Valerie Smith, RN, MS, FRE, Associate Director
- Kathy Malloch, PhD, MBA, RN FAAN Associate Director of Education
- Judy Bontrager, RN, MN, Associate Director of Operations
- Robert Ellis, BSIT, MBA, MPM, Associate Director of Operations

STAFF:

<ul style="list-style-type: none"> Katrina Alberty, Senior Investigator Max Barker, Senior Investigator Stephanie Chambers, RN, MN, Nurse Practice Consultant Ronda Doolen, RN, BSN, MSN, Education Program Administrator Kathleen Harrington, RN, Nurse Practice Consultant Jan Kerrigan, RN, BSN, Nurse Practice Consultant/CANDO Kristi Hunter, MSN, FNP-C, Nurse Practice Consultant/AP Frank Curatola, Senior Investigator Sue Bushong, Senior Investigator Cindy George, RN, BSN, Education Consultant Shawna Bonner, BSN, RN Nurse Practice Consultant Pam Millben, Senior Investigator 	<ul style="list-style-type: none"> Ruth Kish, RN, MN, Nurse Practice Consultant Katherine Watson, MSN, Nurse Practice Consultant Jennifer Ingram, Senior Investigator Dolores Hurtado, Senior Investigator Pat Midkiff, MSN, Nurse Practice Consultant Kevin, Rapkoch, BSN, Nurse Practice Consultant Kirk Olson, Senior Investigator David Elson, Senior Investigator Cindy Mand, MSN, RN, Nurse Practice Consultant Michael Pilder, MSN, RN, APHN-BC, Nurse Practice Consultant Michelle Morton, Senior Investigator Bonnie Richter, MSW, Senior Investigator Naira Kutnerian, Legal Secretary II
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I. Call to Order

The meeting was called to order at 8:00 a.m., Friday, March 24, 2017.

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

Quinn presided.

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

II.E. Request to Rescind Prior Board Decision to Consider Investigative Report Alternative Action (Discussion & Decision)

II.E.1. Bonita Faye Jones RN098927; AP4231 (Campbell)

The State was represented by Elizabeth Campbell Assistant Attorney General. Anne Froedge, Assistant Attorney General, represented the Board.

Jones was present and was represented by legal counsel Teresa Sanzio who addressed the Board.

Quinn moved, Harrell seconded, and it was unanimously carried to dismiss this case.

II.E. Request to Rescind Prior Board Decision to Consider Investigative Report Alternative Action (Discussion & Decision)

II.E.2. Deonna Michelle Chapman RN138592; LP038614 (Campbell)

The State was represented by Elizabeth Campbell, Assistant Attorney General. Anne Froedge, Assistant Attorney General, represented the Board.

Chapman was not present and was represented by legal counsel Teresa Sanzio who addressed the Board.

Quinn moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for testing positive for alcohol on August 25, 2010, before completion of a CANDO stipulated agreement and while participating in the Texas Peer Assistance Program for Nurses when Respondent subsequently entered into and successfully completed an Agreed Order with the Texas Board as a result of the positive alcohol test.

II.G. Settlement Conference Cases and Proposed Consent Agreements (Discussion & Decision)

II.G.1. Julianne Johnson Pierce RN071833; AP7213 (Campbell)

The State was represented by Elizabeth Campbell, Assistant Attorney General. Anne Froedge, Assistant Attorney General, represented the Board.

Pierce was not present and was represented by legal counsel Teresa Sanzio who addressed the Board.

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

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President		<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

II.E. Request to Rescind Prior Board Decision to Consider Investigative Report Alternative Action (Discussion & Decision)

II.E.3. Patricia Ann French RN130402 (Campbell)

The State was represented by Elizabeth Campbell, Assistant Attorney General. Anne Froedge, Assistant Attorney General, represented the Board.

French was present telephonically and addressed the Board, and was represented by legal counsel Scott King who was available for questions.

Quinn moved, Berrigan seconded, and it was unanimously carried to issue a Letter of Concern for failing to communicate effectively with a patient's family on or about September 11, 2008, while employed at Southeastern Arizona Medical Center in Douglas, Arizona.

II.D. Rehearing Requests or Review of Board Decision (Discussion & Decision)

II.D.2. Elliott Fisher LP035306 (Raine)

The proceeding began at 8:13a.m., with the following Board members present: Quinn, Boyer, Berrigan, Harrell, Preston, Machesky, Logue and Andersen.

The State was represented by Michael Raine, Assistant Attorney General. Anne Froedge, Assistant Attorney General, represented the Board.

Raine addressed the Board. Quinn moved, Berrigan seconded, and it was unanimously carried to table Agenda Item II.D.2

Quinn moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item II.D.2.

Fisher was not present and was represented by legal counsel Mark Hyatt Tynan, Esq. who addressed the Board telephonically.

Quinn moved, Berrigan seconded, and it was unanimously carried to deny the request for a continuance.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President		<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

Quinn moved, Preston seconded, and it was unanimously carried to deny the request for rehearing/reconsideration.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

II.G. Settlement Conference Cases and Proposed Consent Agreements

II.G.3. Robert Kearney RN161218 (Raine)

The State was represented by Michael Raine, Assistant Attorney General. Anne Froedge, Assistant Attorney General, represented the Board.

Raine addressed the Board and recommended the Board to accept the proposed signed Consent Agreement.

Kearney was not present and was represented by legal counsel David Derickson who addressed the Board.

Quinn moved, Harrell seconded, to accept the signed Consent Agreement. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

II.A. Administrative Law Judge (ALJ) Recommendations

II.A.1. Yoon Choi RN157733 (Raine)

The proceeding began at 8:39 a.m., with the following Board members present: Quinn, Boyer, Berrigan, Harrell, Preston, 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’s recommendation.

The State was represented by Michael Raine, Assistant Attorney General. Anne Froedge, Assistant Attorney General, represented the Board.

Raine addressed the Board and requested the Board accept the Administrative Law Judge’s recommended findings of fact and conclusions of law and to revoke the license in this case.

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

Berrigan moved, Machesky seconded, and it was unanimously carried to accept as Findings of Fact the findings contained in Paragraphs 1 through 12.

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

Logue moved, Berrigan seconded, and it was unanimously carried to accept the Administrative Law Judge’s recommended Order to revoke registered nurse license No. RN157733, previously issued to Yoon Choi.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

II.A. Administrative Law Judge (ALJ) Recommendations

II.A.2. Mauda Palmer RN094532 (Campbell)

The proceeding began at 8:42 a.m., with the following Board members present: Quinn, Boyer, Berrigan, Harrell, Preston, 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’s recommendation.

The State was represented by Elizabeth Campbell Assistant Attorney General. Anne Froedge, Assistant Attorney General, represented the Board.

Campbell addressed the Board and requested the Board accept the Administrative Law Judge’s recommended findings of fact and conclusions of law and to revoke the license in this case.

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

Berrigan moved, Machesky seconded, and it was unanimously carried to accept as Findings of Fact the findings contained in Paragraphs 1 through 35.

Preston moved, Berrigan seconded, and it was unanimously carried, to accept as Conclusions of Law the violations in Paragraphs 1 through 16.

Preston moved, Machesky seconded, and it was unanimously carried to accept the Administrative Law Judge’s recommended Order to revoke registered nurse license No. RN094532, previously issued to Mauda Palmer.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

II.A. Administrative Law Judge (ALJ) Recommendations

II.A.3. Jilaine Thompson Virginia Compact RN (Raine)

The proceeding began at 8:45 a.m., with the following Board members present: Quinn, Boyer, Berrigan, Harrell, Preston, 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’s recommendation.

The State was represented by Michael Raine, Assistant Attorney General. Anne Froedge, Assistant Attorney General, represented the Board.

Raine addressed the Board and requested the Board accept the Administrative Law Judge’s recommended findings of fact and conclusions of law and to proceed to revocation in this case.

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

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

Preston moved, Berrigan seconded, and it was unanimously carried, to accept as Conclusions of Law the violations in Paragraphs 1 through 8.

Preston moved, Berrigan seconded, and it was unanimously carried to accept the Administrative Law Judge’s recommended that the Board affirm its order summarily suspending Jilaine Thompson’s privilege to practice nursing in Arizona under the Nurse Licensure Compact. It is further recommended that the Board revoke Jilaine Thompson privilege to practice nursing in Arizona under the Nurse Licensure Compact.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

II.A. Administrative Law Judge (ALJ) Recommendations

II.A.4. Brett Albert Whiteaker RN168273 (Krishna)

The proceeding began at 8:48 a.m., with the following Board members present: Quinn, Boyer, Berrigan, Harrell, Preston, 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’s recommendation.

The State was represented by Sunita Krishna, Assistant Attorney General. Anne Froedge, Assistant Attorney General, represented the Board.

Krishna addressed the Board with additional information and requested the Board accept the Administrative Law Judge’s recommended findings of fact and conclusions of law and to proceed to revocation in this case.

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

Preston moved, Berrigan seconded, and it was unanimously carried to accept as Findings of Fact the findings contained in Paragraphs 1 through 12.

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

Preston moved, Berrigan seconded, and it was unanimously carried to accept the Administrative Law Judge’s recommended Order to revoke registered nurse license No RN168273, previously issued to Brett Whiteaker.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

II.A. Administrative Law Judge (ALJ) Recommendations

II.A.1. Yoon Choi RN157733 (Raine)

Quinn moved, Berrigan seconded, and it was unanimously carried to reopen Agenda Item II.A.1. Choi was present and addressed the Board. Quinn moved, Preston seconded, and it was unanimously carried to reaffirm previous decision to revoke registered nurse license No. RN157733, previously issued to Yoon Choi.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

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

AGENA #	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.B.1.	Cheryl Cerrell Baylock	RN159603	Revoke	Raine
II.B.2.	Trina Lorraine Harvey	RN145055	Revoke	Raine
II.B.3.	Jennifer Sorenson	RN117897	Revoke	Campbell

The State was represented by Michael Raine/Elizabeth Campbell Assistant Attorney General. Anne Froedge, Assistant Attorney General, represented the Board.

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

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

Preston moved, Harrell 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.

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

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

II.C. CONSENT: Motion to Deem Allegations Admitted for Failure to Respond to Notice of Charges and Recommended Discipline

II.C.

AGENA	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.C.2.	Jazmine Nichole Gilger	RN178337	Revoke	Campbell
II.C.3.	Michelle Yvette Irvin	CNA1000030346	Revoke	Campbell
II.C.4.	James Eric Lindsey	RN158237	Revoke	Campbell
II.C.5.	Kathleen Marie Moore	LP045450	Revoke	Campbell
II.C.6.	Chris Reed Rasmussen	CNA1000036880	Revoke	Campbell
II.C.7.	Yvette Scott-Garrett	CNA1000041434	Revoke	Campbell
II.C.8.	Jobeth Kristine Sheldon	RN174917	Revoke	Campbell
II.C.9.	Erin Leigh Stevens	RN158401	Revoke	Campbell
II.C.10.	Michael Thomas Welch	CNA1000019394	Revoke	Campbell
II.C.11.	Derrica Lanea Brown	CNA1000029665	Revoke	Campbell
II.C.12.	Teressa Renee Caballero	LP046708	Revoke	Campbell
II.C.13.	Kimberley Mae Shaver	CNA1000005713	Revoke	Campbell
II.C.15.	Linda Susan Vanderwalker	RN071998	Revoke	Campbell

The State was represented by Elizabeth Campbell, Assistant Attorney General. Anne Froedge, Assistant Attorney General, represented the Board.

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

The above listed licenses/certificates holders were not present and were not represented by legal counsel.

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

Preston moved, Berrigan 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.

Preston moved, Berrigan seconded, and it was unanimously carried to accept the State’s recommended discipline for Agenda Items II.C.2 through II.C.13 and II.C.15.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

II.C. CONSENT: Motion to Deem Allegations Admitted for Failure to Respond to Notice of Charges and Recommended Discipline

II.C.1.

AGENA	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.C.1.	Dolores Nellie Garcia	CNA1000036813	Revoke	Campbell

The State was represented by Elizabeth Campbell, Assistant Attorney General. Anne Froedge, Assistant Attorney General, represented the Board.

An attempt was made to contact Garcia telephonically.

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

The above listed certificate holder was not present and was not represented by legal counsel.

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

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

Preston moved, Harrell seconded, and it was unanimously carried to accept the State’s recommended discipline for Agenda Item II.C.1.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

II.C. CONSENT: Motion to Deem Allegations Admitted for Failure to Respond to Notice of Charges and Recommended Discipline

II.C.14.

AGENA	Respondent Name	Lic/Cert #	Board Resolution	Legal Staff
II.C.14.	Clare Ann Stevens	RN112252	Revoke	Krishna

The State was represented by Sunita Krishna, Assistant Attorney General. Anne Froedge, Assistant Attorney General, represented the Board.

Krishna addressed the Board and requested the Board accept the State’s recommended discipline for the above listed.

The above listed license holder was not present and was not represented by legal counsel.

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

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

Logue moved, Berrigan seconded, and it was unanimously carried to accept the State’s recommended discipline for Agenda Item II.C.14.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

II.D. Rehearing Requests or Review of Board Decision

II.D. 1. Felix Lucien CNA1000027847; LPN Applicant (Krishna)

The proceeding began at 9:08 a.m., with the following Board members present: Quinn, Boyer, Berrigan, Harrell, Preston, Machesky, Logue and Andersen.

The State was represented by Sunita Krishna, Assistant Attorney General. Anne Froedge, Assistant Attorney General, represented the Board.

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

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

Preston moved, Berrigan seconded, and it was unanimously carried to deny the request for rehearing/reconsideration.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

II.E. Request to Rescind Prior Board Decision to Consider Investigative Report Alternative Action

II.E.4. Robert William Rybak RN161603 (Raine)

The State was represented by Michael Raine, Assistant Attorney General. Anne Froedge, Assistant Attorney General, represented the Board.

Rybak was present telephonically and available for questions and was not represented by legal counsel.

Raine addressed the Board and recommended the Board to issue a Letter of Concern.

Preston moved, Anderson seconded, and it was unanimously carried to issue a Letter of Concern for failure to accurately document the administration of medication to multiple patients, along with other charting errors, while employed at St. Luke's Medical Center in October of 2010.

II.G. Settlement Conference Cases and Proposed Consent Agreements

II.G.2. Patricia Lopez RN144863 (Krishna)

The State was represented by Sunita Krishna, Assistant Attorney General. Anne Froedge, Assistant Attorney General, represented the Board.

Lopez was present telephonically and available for questions and was not represented by legal counsel.

Quinn moved, Machesky seconded, to accept the signed Consent Agreement. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.T.1. Anne Elizabeth Enos RN094200 (Rapkoch)

Attorney Teresa Sanzio was present and addressed the Board. Enos was present and available for questions. Quinn moved, Preston seconded, and it was unanimously carried, based upon the information in the investigative report, offer a Consent Agreement for a \$250 Civil Penalty. If not signed within 30 days, issue a Notice of Charges.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

VI.G.6. Wendy J. Wesley RN044288 (Barker) (aka: Wendy Schmidt)

Barker confirmed receipt of additional information. Attorney Teresa Sanzio was present and addressed the Board. Wesley was present and available for questions. Quinn moved, Machesky seconded, and it was unanimously carried, based upon the information in the investigative report, offer a Consent Agreement for 12-month probation, and to include the attached stipulations. If not signed within 30 days, issue a Notice of Charges.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

VI.P.1. West Oak Forbes RN166394 (Bushong)
(aka: Lauren Elizabeth Forbes)

Bushong addressed the Board with additional information. Attorney Teresa Sanzio was present and addressed the Board. Quinn moved, Preston seconded, and it was unanimously carried to issue a Letter of Concern for Respondents 4/12/2013, self-reported having a psychiatric mental illness and receiving treatment from her psychiatrist and therapist. Respondent’s medical records indicate she has had a history of mental health issues which have contributed to her history of multiple mental health crises, some of which resulted in injuries to Respondent. Respondent also has a history of substance misuse/abuse and/or dependence, including alcohol and prescription medications.

VII.L.6. Monty Vaughn Herron RN111865; AP3503 (Mand)

Attorney Teresa Sanzio was present and addressed the Board. Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the information in the investigative report, offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue a Notice of Charges.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

II.H. 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

II.H.3. Amber Todd LP044168 (Hunter)

The proceeding began at 9:55 a.m., with the following Board members present: Quinn, Boyer, Berrigan, Harrell, Preston, Machesky, Logue and Andersen.

Hunter addressed the Board with additional information.

Todd was not present and was represented by legal counsel Teresa Sanzio who addressed the Board.

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

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

V.B. Non-Compliance/Compliance with Board Orders (Discussion & Decision)

V.B.2. Angela Gwyn Christian RN176583 (Harrington)

Harrington addressed the Board with additional information. Attorney David Klink was present and addressed the Board. Christian was present and available for questions. Quinn moved, Logue seconded, to issue a Letter of Concern for Respondent’s employment with Serenity Care being involuntarily terminated effective 08/22/2016, for engaging in behavior designed to create discord

and lack of harmony, indifference, rudeness toward clients and fellow employees, in violation of the Order, paragraph 10, pages 12-13, and terminate Consent Agreement Order No. 1110069. After discussion the motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.F.5. Lisa Denise Drummond RN071771; AP06912 (Hunter)

Complainant and patient A were present and addressed the Board. Drummond was present and available for questions. Quinn moved, Logue seconded, and it was unanimously carried, based upon the information in the investigative report, offer a Decree of Censure. If not signed within 30 days, issue a Notice of Charges.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

The meeting recessed at 10:32 a.m., and reconvened at 10:48 a.m.

VI.O.14. Steven Daniel Pennington CNA1000019572; RN17333 (Curatola)

Pennington was present and addressed the Board. Quinn moved, Machesky seconded, and after discussion it was unanimously carried, upon a determination of reasonable cause, based on information in the Investigative Report, and material presented at this Board meeting, and at no cost to the Board, issue an Interim Order for a psychological evaluation, to include an anger management evaluation, 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 information identified in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations of statute and rule for failure to comply with the Interim Order.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

VI.Q.5. Michelle Lynn Cordero RN178975 (Watson)

Cordero was present and addressed the Board. Quinn moved, Berrigan seconded, and it was unanimously carried, to issue a Letter of Concern for on or about 07/16/2013, while working at Banner Ironwood, Respondent failed to respond to an infant who was in distress. Respondent received extended training related to emergency procedures. Respondent provided multiple, contradictory versions of events, both to her employer and to the Board.

VI.S.9. Michelle John RN Endorsement (Millben)
(aka: Thamm, Michelle Kristin)

John was present and available for questions. Quinn moved, Preston seconded, and it was unanimously carried, upon meeting all licensing requirements, grant license and issue a Letter of Concern as proposed by Board staff and as contained in the investigative report.

VII.B. Educational Reports and Rules – Malloch/Doolen/George

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. Education Updates (Information):

- a. Grand Canyon University Administrative Change (Information)
- b. Northern Arizona University Administrative Change (Information)
- c. Pima Medical Institute Administrative Change (Information)
- d. University of Phoenix Administrative Change (Information)

VII.B.3. Arizona CNA Training- Nursing Assistant Program- Program Reinstatement

George addressed the Board with additional information. Lucinda Capozzi and Ned Optel 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, upon meeting all approval requirements and signing a Consent Agreement for a 24 month Stayed Revocation Probation, to include the attached stipulations, grant approval for a period of two years. If not signed within 30 days, deny reissuance of approval. The motion carried with seven in favor and one abstained.

	VOTE	Gutierrez Member	Logue Member	Bover Member	Machesky Member	Berrigan Secretary	Quinn President	TBD	Preston Member	Harrell Member	Andersen Member	Dale Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VII.B.4. Cochise College Douglas Campus- Nursing Assistant Program- Resolution of Deficiencies

Teresa Vernon was present telephonically and available for questions. Quinn moved, Logue seconded, and it was unanimously carried to accept evidence provided by Cochise College-Douglas Campus- NA Program as evidence of resolution of deficiency.

VII.B.5. College America Flagstaff- Nursing Assistant Program- Resolution of Deficiencies

An attempt was made to contact Marie Beamer telephonically. Quinn moved, Harrell seconded, and it was unanimously carried to accept evidence provided by College America Flagstaff- NA Program as evidence of resolution of deficiency.

VII.B.6. Eastern Arizona College- Nursing Assistant Program- Resolution of Deficiencies

McCormies was present and addressed the Board. Harrell moved, Preston seconded, and it was unanimously carried to accept evidence provided by Eastern Arizona College NA Program as evidence of resolution of deficiency.

VII.B.7. Fountain Hills High School- Nursing Assistant Program- Investigative Report and Resolution of Deficiencies

Quinn moved, Berrigan seconded, and it was unanimously carried, based upon information in the investigative report, issue a Letter of Concern as proposed by Board staff and as contained in the investigative report. Accept evidence provided by Fountain Hills High School NA Program as evidence of resolution of deficiency and renew Fountain Hills High School NA Program for a period of 2 years.

VII.B.8. Moon Valley High School- Nursing Assistant Program- Resolution of Deficiencies

Quinn moved, Berrigan seconded, and it was unanimously carried to accept evidence provided by Moon Valley High School NA Program as evidence of resolution of deficiency.

VII.B.9. Navajo Technical- Nursing Assistant Program- Resolution of Deficiencies

Harriet John was present telephonically and available for questions. Quinn moved, Anderson seconded, and after discussion it was unanimously carried to accept evidence provided by Navajo Technical Nursing Assistant Program as evidence of resolution of deficiency.

VII.B.10. Perry High School- Nursing Assistant Program- Resolution of Deficiencies

Lindsay Duran was present and addressed the Board. Logue moved, Quinn seconded, and it was unanimously carried to accept evidence provided by Perry High School Nursing Assistant Program as evidence of resolution of deficiency.

VII.B.11. Pima Community College- PN Program- Renewal (Discussion/Decision)

An attempt was made to contact Joseph Gaw telephonically. Logue moved, Andersen seconded, and it was unanimously carried to recommend 3 year approval for the Pima Community College Licensed Practical Nursing Program.

VII.B.12. Arizona College- BSN Program- Application for Full Approval

Doolen recused herself from the meeting to avoid the appearance of impropriety. Tracy Schoeiner, Marie Hallman and Nick Manson were present and available for questions. Quinn moved, Berrigan seconded, and it was unanimously carried to grant full approval for Arizona College BSN Program.

VII.B.13. Chandler Gilbert Community College- RN Program- Investigative Report

Complainants were present and addressed the Board. Karen Flanigan and William Guerriero were present and addressed the Board. Quinn moved, Logue seconded, and it was unanimously carried, based upon the information in the investigative report, offer a Consent Agreement for an 18 month probation, and to include the attached stipulations. If not signed within 30 days, issue a Notice of Charges. Amendment to include: add site visit in Consent Agreement for 9 months.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8	X	X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

Berrigan left the meeting at 12:27 p.m. and returned at 12:31 p.m.

VII.B.14. Estrella Mountain Community College- RN Program- Resolution of Deficiencies

Roni Callazo was present and addressed the Board. Logue moved, Quinn seconded, and it was unanimously carried to accept evidence provided by Estrella Community College RN Nursing Program as evidence of resolution of the deficiencies of May, 2016. Restore full approval status to the Program.

VII.B.15. Northland Pioneer College- RN Program- Investigative Report

Debra McGainty was present and available for questions. Quinn moved, Preston seconded, and it was unanimously carried, based upon information in the investigative report, issue a Notice of Deficiency to Northland Pioneer College RN program with 10 months to correct identified deficiencies.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

VII.B.16. Pima Medical Institute Mesa- RN Program- Investigative Report (Discussion/Decision)

Jeanette Jones and Debra Thibodeany were present and available for questions. Quinn moved, Preston seconded, and it was unanimously carried, based upon information in the investigative report, issue a Notice of Deficiency to Pima Medical Institute Mesa Campus RN Program with 10 months to correct identified deficiencies.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

VII.B.17. Pima Medical Institute Tucson- RN Program- Investigative Report

Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the information in the investigative report, issue a Letter of Concern as proposed by Board staff and as contained in the investigative report.

VII.B.18. University of Phoenix- LPN to BSN Program- Investigative Report

Lisa Radesi and Linda Nance were present and available for questions. Quinn moved, Andersen seconded, and it was unanimously carried, based upon information in the investigative report, issue a Letter of Concern as proposed by Board staff and as contained in the investigative report.

VII.B.19. Program Updates

Malloch provided information regarding Educational Program Updates

VII.B.20. 2016 CORE Re-Survey

Malloch provided information about 2016 CORE Re-Survey.

Harrell left the meeting at 12:40 p.m., and returned 12:43 p.m.

Machesky left the meeting at 12:40 p.m., and returned 12:42 p.m.

IX. Dialogue with Nursing Students

The Board members and staff dialogued with Gateway Community College and Eastern Arizona College nursing students regarding Board functions, policies and procedures. Questions were asked on:

- Investigation process explained
- What is the most frequent Complaint most often brought before the Board of nursing that could easily be avoided by nurses?
- Advisement to students by Board members regarding not to be afraid to ask questions and report any error that was made
- Importance of Integrity
- Definition of Decree of Censure and Letter of Concern
- The consequences of DUI and importance to report within 10 days to the Board
- Importance of not posting confidential information on any social networking sites
- How complaints are submitted to the Board
- Advisement to students to answer application questions truthfully

The meeting recessed at 1:02 p.m., and reconvened at 1:40 p.m.

VI.F.1. Victoria Tweedy RN090133; AP3850 (Hunter)

Tweedy was present and available for questions. Logue moved, Quinn seconded, and it was unanimously carried based upon information in the investigative report, issue a Letter of Concern as proposed by Board staff and as contained in the investigative report.

VI.F.2. Laura Lynne MacPhee RN139683; AP4537 (Hunter)

MacPhee was present and available for questions. Logue moved, Andersen seconded, and it was unanimously carried, based upon information in the investigative report, issue a Letter of Concern as proposed by Board staff and as contained in the investigative report.

VI.F.3. June Ann Franzen RN168061; AP4009 (Hunter)

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

VI.F.4. Jo Ellen Embry RN053123; AP7036 (Hunter)

Quinn moved, Harrell seconded, to dismiss the complaint. After discussion the motion carried with five in favor, two opposed and one abstained.

	VOTE	Gutierrez Member	Logue Member	Boyer Member	Machesky Member	Berrigan Secretary	Quinn President	TBD	Preston Member	Harrell Member	Andersen Member	Dale Member
YES	5		X		X	X	X			X		
NO	2								X		X	
ABSTAIN	1			X								
ABSENT	2	X										X

VI.U.1. Doreen Lynn Zokvic RN179820 (Midkiff)
(aka: Doreen Lynn Willis)

Complainant was present and addressed the Board. Zokvic was present and addressed the Board. Quinn moved, Berrigan seconded, and it was unanimously carried, based upon information in the investigative report, issue a Letter of Concern as proposed by Board staff and as contained in the investigative report.

III. Board Reports Regarding Executive Director/Designee Delegated Duties: Cases Dismissed, Letters of Concern, Cases Closed Through Settlement, Imposters and Court Ordered Revocations, Lapsed Licenses/Certificate Signed Agreement (Information)

III.A. Consent Agenda – 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. Consent Agenda - Board Information Regarding Letters of Concern Issued Pursuant to ARS 32-1605.01 (C) 4

Information was provided to the Board regarding Letters of Concern issued pursuant to ARS 32-1605.01 (C) 4.

III.C. Board Information Regarding Lapsed Licenses/Certificates Signed Consent Agreement (Information)

Information was provided to the Board regarding lapsed licenses/certificates signed Consent Agreement.

- III.C.1.a Katherine A. Merritt RN152130 (Wiemann)**
- III.C.1.b Matthew D. Maes RN174670 (Wiemann)**
- III.C.1.c Bonnie D. Scott-Truby CNA100005707 (Wiemann)**

III.D. Board Information Regarding Cases Closed Through Settlement

- III.D.1. Linda Weigand RN128658 (Kerrigan)**
- III.D.2. Megan Michelle Bianco RN157099 (Kerrigan)**
- III.D.3. Tyler James Lawlyes RN199340 (Kerrigan)**

Information was provided to the Board

III.E. Board Information Regarding Imposters, Cease and Desist Orders and Court Ordered Revocations

- III.E. Nestor Perez IMP (Hurtado)**

Information was provided to the Board

IV. CONSENT AGENDA: 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 (Wiemann)**

Agenda #	Name	License/Certificate #	Penalty Amount
IV.A.1.a.	Matthew D. Maes	RN174670	\$200
IV.A.2.b.	Mildred M. Massey	CNA999994167	\$75
IV.A.3.c.	Bonnie D. Scott-Truby	CNA1000005707	\$75

Quinn moved, Preston 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 30 days of the effective date of the order, issue Notice of Charges; and referral of the employer will be made to the Department of Health Services for licensee/certificate holders working on a lapsed license/certificate for three months or greater.

IV.B.2. Consent Agenda - Felony Bar Cases

IV.B.2. Board Staff Request: to Issue Notice of Charges for RN/LPN/CNA Respondents (Discussion & Decision)

Agenda #	Name	License/Certificate #	Staff
IV.B.2.a.	Neville Mcculloch	CNA999947128	Olson
IV.B.2.b.	Tiffany Lee Merrill	RN143903	Olson
IV.B.2.c.	Dana Yazzie	CNA285097803	Ingram

Quinn moved, Preston seconded, and unanimously carried to adopt the attached Notices of Charges for Agenda Items IV.B.2.a. to IV.B.2.c.

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

Preston moved, Berrigan 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. Non-Compliance/Compliance with Board Orders (Discussion & Decision)

V.B.1. Dana Marsh LP035962 (Harrington)

Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the information in the investigative report, issue a Notice of Charges.

VI.H.1. Jose Raymond Gamboa CNA1000035383 (Morton/Hurtado)

Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the information in the investigative report, 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	Gutierrez Member	Logue Member	Bover Member	Machesky Member	Berrigan Secretary	Quinn President	TBD	Preston Member	Harrell Member	Andersen Member	Dale Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

VI.H.2. Michelle M. Trimmier CNA948680103 (Morton/Hurtado)

Preston moved, Berrigan seconded, and it was unanimously carried, based upon the information in the investigative report, issue a Notice of Charges.

**VI.G.1. Lisa Marie Dierksen CNA1000007618 (Barker)
(aka: Lisa Marina Austin)**

Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the information in the investigative report, issue a Notice of Charges.

VI.G.2. Kyndy Yudith Fierros-Valdez CNA1000046111 (Barker)

Berrigan moved, Logue seconded, and it was unanimously carried, based upon the information in the investigative report, issue a Notice of Charges.

VI.G.4. Diana Lan Vy TRN200781 (Barker)

Barker addressed the Board with additional information. Quinn moved, Berrigan seconded, carried to continue the investigation to allow Applicant the opportunity to obtain a psychological evaluation to include a substance abuse evaluation, at no cost to the Board, to be completed by a Board approved licensed psychologist with expertise in substance use disorders 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 timely completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny licensure. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.G.5. Kathleen Ann Witt RN058254 (Barker)

Berrigan moved, Logue seconded, on a determination of reasonable cause based on the information in the investigative report (and material presented at this Board meeting), at no cost to the Board, 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 with 45 days and then return to the Board. If the Interim Order is not completed, based upon the information in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.G.7. Celeste P. Wooten CNA9999950504 (Barker)

Berrigan moved, Harrell seconded, and it was unanimously carried, based upon the information in the investigative report, issue a Notice of Charges.

VI.G.8. Sara Marie Benson RN Endorsement (Barker)
(aka: Sara Marie Bissell, Sara Marie Ortiz)

Andersen moved, Berrigan seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, deny licensure. After discussion the motion carried with six in favor, one opposed and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President		<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	6				X	X	X		X	X	X	
NO	1		X									
ABSTAIN	1			X								
ABSENT	2	X										X

VI.G.9. Nancy Uhl Curtis RN090019 (Barker)

Barker addressed the Board with additional information. Curtis was present telephonically and available for questions. Quinn moved, Berrigan seconded, making a finding of reasonable cause, based upon the information in the investigative report and at no cost to the Board, issue an Interim Order for a psychological evaluation, to include a substance abuse evaluation, to be completed by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and then return to the Board. If the evaluation is not completed, based upon the information in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order. The motion carried with six in favor, one opposed and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President		<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	6		X		X	X	X		X		X	
NO	1									X		
ABSTAIN	1			X								
ABSENT	2	X										X

VI.G.10. Kaitlin Nicole Fickert CNA1000043940 (Barker)

Quinn moved, Berrigan seconded, on a determination of reasonable cause based on the information in the investigative report (and material presented at this Board meeting), at no cost to the Board, issue an Interim Order for a substance abuse evaluation to be completed by a Board approved licensed psychologist with expertise in substance use disorders, and to include any additional testing deemed necessary by the evaluator, to be completed with 45 days and then return to the Board. Respondent will also present for drug testing, specifically the testing of her nails and/or hair follicles within 10 days of this order. If the Interim Order is not completed, based upon the information in the investigative report, issue Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.G.11. Amanda Lee Doyle CNA1000022985 (Barker)

Berrigan moved, Machesky seconded, and it was unanimously carried, based upon the information in the investigative report, issue a Notice of Charges.

VI.G.12. LisaMarie Dallio RN165305 (Barker)
(aka: Gleason)

Harrell moved, Andersen seconded, on a determination of reasonable cause based on the information in the investigative report (and material presented at this Board meeting), at no cost to the Board, 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 with 45 days and then return to the Board. If the Interim Order is not completed, based upon the information in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President		<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.G.13. Monica Tranise Mason LP047085 (Barker)
(aka: Monica Tranise Robinson)

Barker addressed the Board with additional information. Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the information in the investigative report, amended to include: and information presented in this Board meeting, issue Notice of Charges.

VI.I.1. Janet Rodriguez CNA1000050332 (Alberty)

Quinn moved, Preston seconded, based upon the information in the investigative report, offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue a Notice of Charges. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President		<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.I.2. Kathryn Ellen Feuerbach RN183748 (Alberty)

Quinn moved, Preston seconded, and it was unanimously carried, based upon the information in the investigative report, offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue a Notice of Charges. The motion carried with seven in favor and one abstained

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President		<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.I.4. Maria Guadalupe Aguiniga Cervantes CNA999989241 (Alberty)

Quinn moved, Berrigan seconded, and it was unanimously carried, based upon the information in the investigative report, offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue a Notice of Charges. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President		<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

II.H. 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

II.H.4. Laura Chinyere Eberonwu RN170503 (Alberty)

Berrigan moved, Quinn seconded, and it was unanimously carried to reopen Agenda Item II.H.4. Quinn moved, Machesky seconded, and it was unanimously carried to accept the signed Consent Agreement.

II.H. 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

II.H.1. Lindsay Nicole Gwin RN173808 (Chambers)

Berrigan moved, Quinn seconded, and it was unanimously carried to reopen Agenda Item II.H.1. Chambers addressed the Board with additional information.

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

Preston moved, Berrigan seconded, 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. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

Board members discussed whether 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).

Logue moved, Berrigan seconded, 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 license of Lindsay Nicole Gwin RN173808 pending further hearing. The hearing shall be promptly instituted and determined. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

It was therefore ordered that the license of Lindsay Nicole Gwin RN173808 be suspended effective with the service of the written Order, and that Lindsay Nicole Gwin RN173808 will immediately cease practice as a nurse/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.J.4. Charlotte Elaine Hom RN159537 (Chambers)
(aka: Harrington; Baysinger; Sedig)

Hom was present telephonically and available for questions. Quinn moved, Preston seconded, based upon the information in the investigative report, offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue a Notice of Charges. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.J.5. Debra Katharina Schaller RN141896 (Chambers)
(aka: Debra Katharina Merle)

Berrigan moved, Logue seconded, and it was unanimously carried, based upon the information in the investigative report, issue a Notice of Charges.

VI.K.1. Karen Felts LP044234 (Pilder)
(aka: Karen Joy Piper Karen Joy German)

Felts was present telephonically and addressed the Board. Berrigan moved, Machesky seconded, based upon the information in the investigative report, offer a Consent Agreement for a 24-month probation, and to include the attached stipulations. If not signed within 30 days, issue a Notice of Charges. After discussion the motion carried with six in favor, one opposed and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	6				X	X	X		X	X	X	
NO	1		X									
ABSTAIN	1			X								
ABSENT	2	X										X

VI.K.2. Kelly Hannigan RN088072 (Pilder)
(aka: Kelly Lewis; Kelly Hannigan Lewis)

Pilder addressed the Board with additional information. Hannigan was present telephonically and available for questions. Harrell moved, Logue seconded, to dismiss the complaint. After discussion the motion carried with six in favor, one opposed and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	6		X		X	X	X			X	X	
NO	1								X			
ABSTAIN	1			X								
ABSENT	2	X										X

VI.K.3. Richard Cummings Desouto RN108257 (Pilder)

Quinn moved, Harrell seconded, and it was unanimously carried, based upon information in the investigative report, issue a Letter of Concern as proposed by Board staff and as contained in the investigative report.

Harrell left the meeting at 3:15 p.m. and returned at 3:19 p.m.

VI.K.4. Mark Phillip Moore LP040849 (Pilder)

Moore was present telephonically and addressed the Board. Quinn moved, Berrigan seconded, based upon the information in the investigative report, offer a Consent Agreement for a 24-month probation, and to include the attached stipulations. If not signed within 30 days, issue a Notice of Charges. The motion carried with six in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	6		X		X	X	X		X		X	
NO	0											
ABSTAIN	1			X								
ABSENT	3	X								X		X

VI.K.5. Judith Levin RN040257; AP6751 (Pilder)

Pilder addressed the Board with additional information. Quinn moved, Berrigan seconded, and it was unanimously carried, based upon information in the investigative report, issue a Letter of Concern as proposed by Board staff and as contained in the investigative report.

**VI.L.2. Joan Ellen Hanson-Bain RN058516 (Mand)
(aka: Joan Ellen Hanson)**

Quinn moved, Berrigan seconded, and it was unanimously carried, based upon information in the investigative report, offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue a Notice of Charges.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

**VI.L.3. Kendra Marie Miller RN165479 (Mand)
(aka: Kendra Marie Bauer)**

Logue moved, Quinn seconded, based upon information in the investigative report, issue a Letter of Concern as proposed by Board staff and as contained in the investigative report. After discussion the motion carried with six in favor, one opposed and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	6		X		X	X	X			X	X	
NO	1								X			
ABSTAIN	1			X								
ABSENT	2	X										X

VI.L.5. Lisa Wehrhahn Reid RN039283 (Mand)
(aka: Lisa Gay Wehrhahn; Lisa Gay Reid)

Quinn moved, Logue seconded, on a determination of reasonable cause based on the information in the investigative report (and material presented at this Board meeting), at no cost to the Board, 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 with 45 days and then return to the Board. If the Interim Order is not completed, based upon the information in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.N.1. Benjamin Fred Lego RN176760 (Elson)

Quinn moved, Machesky seconded, and it was unanimously carried, based upon the information in the investigative report, issue a Notice of Charges.

VI.N.2. Ilene Apolonia Rosales LP047002 (Elson)

Elson addressed the Board with additional information. Logue moved, Andersen seconded, and it was unanimously carried, based upon the information in the investigative report, issue a Notice of Charges.

VI.O.12. Patricia Ann Murel CNA1000032787 (Curatola)

Quinn moved, Berrigan seconded, and it was unanimously carried, based upon information in the investigative report, issue a Letter of Concern as proposed by Board staff and as contained in the investigative report.

VI.N.5. Michelle Smith RN; AP Endorsement (Elson)
(aka: Kunkie, Michelle Lynne; Bierschenk, Michelle Lynne; Kunkle, Michelle Lynne; Biersch, Michelle Lynne; Enk,

Michelle Lynne)

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

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.O.1. Raquel Marie Alfred CNA1000008962 (Curatola)

Harrell moved, Machesky seconded, upon a determination of reasonable cause, based on information in the Investigative Report, and material presented at this Board meeting, and at no cost to the Board, issue an Interim Order for a psychological evaluation, to include a substance

abuse evaluation, by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and then return to the Board. If the Interim Order is not completed, based upon the information identified in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations of statute and rule for failure to comply with the Interim Order. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President		<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.O.2. Galen Robert Anderson LP028629 (Curatola)

Machesky moved, Berrigan seconded, and after discussion it was unanimously carried, upon a determination of reasonable cause, based on information in the Investigative Report, and material presented at this Board meeting, and at no cost to the Board, issue an Interim Order for a psychological evaluation, to include a substance abuse evaluation, by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and then return to the Board. If the Interim Order is not completed, based upon the information identified in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations of statute and rule for failure to comply with the Interim Order.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

VI.O.4. Rodolfo Ernesto Benitez CNA201450441; LP032280 (Curatola)

Quinn moved, Berrigan seconded, based upon information in the investigative report offer a Consent Agreement for a 24 month Probation to include a psychological evaluation by a Board approved licensed psychologist with expertise in anger management, direct supervision, no night shifts, and quarterly reports with other standard work restrictions. If not signed within 30 days, issue a Notice of Charges. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.O.5. Miltes Sales Mpasi CNA1000047804 (Curatola)

Machesky moved, Quinn seconded, based upon the information in the investigative report, offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue a Notice of Charges. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.O.6. Crystal Campista Calderon RN173372 (Curatola)

Quinn moved, Berrigan seconded, and it was unanimously carried, based upon information in the investigative report, issue a Letter of Concern as proposed by Board staff and as contained in the investigative report.

VI.O.8. Latosha Lynette Ester RN Endorsement (Curatola)

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

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

**VI.O.9. Emily Ann Jonell TRN203369; RN Endorsement (Curatola)
(aka: Emily Hertog)**

Berrigan moved, Harrell seconded, and it was unanimously carried, allow Applicant to withdraw her application for licensure as a RN.

VI.O.10. Dove Elizabeth Lavender CNA1000015232 (Curatola)

Berrigan moved, Machesky seconded, and it was unanimously carried, based upon the information in the investigative report, issue a Notice of Charges.

**VI.O.15. Teresa Wren Sessions TRN193559; RN Endorsement (Curatola)
(aka: Terrie W. Sessions)**

Quinn moved, Andersen seconded, to continue the investigation to allow Applicant the opportunity to obtain a psychological evaluation, to include a substance abuse evaluation, at no cost to the Board, by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be scheduled and completed within 45 days and then return to the Board. If the evaluation is not completed, based upon the findings of fact and statute/rule violations identified in the investigative report, deny licensure. After discussion the motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President		<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

**VI.O.16. Jennifer Joy Shively RN114705 (Curatola)
(aka: Jennifer Zimmer)**

Preston moved, Quinn seconded, based upon the information in the investigative report, offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue a Notice of Charges. After discussion the motion failed with four opposed, three in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President		<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	3						X		X	X		
NO	4		X		X	X					X	
ABSTAIN	1			X								
ABSENT	2	X										X

Logue moved, Machesky seconded, upon a determination of reasonable cause, based on information in the Investigative Report, and material presented at this Board meeting, and at no cost to the Board, issue an Interim Order for a psychological evaluation, to include a substance abuse evaluation, by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed within 45 days and then return to the Board. If the Interim Order is not completed, based upon the information identified in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations of statute and rule for failure to comply with the Interim Order. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President		<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.P.1. West Oak Forbes RN166394 (Bushong)
(aka: Lauren Elizabeth Forbes)

Quinn moved, Preston seconded, and it was unanimously carried to reopen Agenda Item VI.P.1. Quinn moved, Berrigan seconded, and it was unanimously carried, based upon information in the investigative report, issue a Letter of Concern as proposed by Board staff and as contained in the investigative report.

VI.P.4. Erika Tiffani Helms RN178708 (Bushong)

Quinn moved, Machesky seconded, and it was unanimously carried, based upon the information in the investigative report, issue a Notice of Charges.

VI.Q.2. Katheryn A Lorimor RN090380 (Watson)

Logue moved, Quinn seconded, based upon information in the investigative report, issue a Letter of Concern as proposed by Board staff and as contained in the investigative report. After discussion Quinn rescinded the motion.

Berigan moved, Harrell seconded, to dismiss the case. After discussion the motion carried with seven in favor and one abstained

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.Q.3. Sharon Ann Olbetter LP048327 (Watson)
(aka: Misra, Engelbrec)

Olbetter was present telephonically and available for questions. Quinn moved, Berrigan seconded, based upon the information in the investigative report, offer a Consent Agreement for a 12 month

probation, and to include the attached stipulations. If not signed within 30 days, issue a Notice of Charges. After discussion the motion failed with four opposed, three in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	3		X			X	X					
NO	4				X				X	X	X	
ABSTAIN	1			X								
ABSENT	2	X										X

Quinn moved, Preston seconded, to issue a Letter of Concern for June, 2013, Respondent admitted and demonstrated poor nursing skills and a lack of nursing judgement while employed as a LPN at Cigna HealthCare in Phoenix, Arizona. The motion carried with six in favor, one opposed and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President		<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	6		X		X		X		X	X	X	
NO	1					X						
ABSTAIN	1			X								
ABSENT	2	X										X

VI.Q.4. John Kevin Ekman RN103097; AP5457; AP1902 (Watson)

Quinn moved, Logue seconded, and it was unanimously carried, based upon the information in the investigative report offer a Decree of Censure. If not signed within 30 days, issue a Notice of Charges.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President		<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	8		X	X	X	X	X		X	X	X	
NO	0											
ABSTAIN	0											
ABSENT	2	X										X

VI.Q.6. Gina Elaine Barile LP037280 (Watson) (aka: Medley, Lipair)

Logue moved, Harrell seconded, and it was unanimously carried to dismiss the complaint.

VI.Q.7. Rebecca Ann Sherer RN126721 (Watson) (aka: McCormick)

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

VI.S.1. Brian Michael Garon CNA Endorsement (Millben)

An attempt was made to contact Garon telephonically. Quinn moved, Anderson seconded, and it was unanimously carried to deny CNA application. After discussion the motion carried seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.S.2. Kathleen Ellen Germano CNA Exam (Millben)
(aka: Kathleen Cooper)

Logue moved, Quinn seconded, upon meeting all certificate requirements, grant certification and issue a Letter of Concern as proposed by Board staff and as contained in the investigative report. After discussion the motion carried with five in favor and three opposed.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	5		X	X	X		X		X			
NO	3					X				X	X	
ABSTAIN	0											
ABSENT	2	X										X

VI.S.3. Sarah Elizabeth Gonzalez CNA1000013583 (Millben)
(Webster, Sarah; Jurcau, Sarah Elizabeth)

Quinn moved, Andersen seconded, on a determination of reasonable cause based on the information in the investigative report (and material presented at this Board meeting), at no cost to the Board, issue an Interim Order for a psychological evaluation to include a substance abuse evaluation to be completed by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed with 45 days and then return to the Board. If the Interim Order is not completed, based upon the information in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.S.4. Shannon Irene Lee CNA1000030716 (Millben)
(aka: Bufford, Shannon Chase, Shannon)

Lee was present telephonically and addressed the Board. Quinn moved, Berrigan seconded, based upon the information in the investigative report, offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue a Notice of Charges. After discussion the motion failed with four opposed, three in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	3					X	X			X		
NO	4		X		X				X		X	
ABSTAIN	1			X								
ABSENT	2	X										X

Machesky moved, Preston seconded, based upon information in the investigative report, issue a Letter of Concern as proposed by Board staff and as contained in the investigative report. The motion carried with four in favor, three opposed and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Boyer</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	4		X		X				X		X	
NO	3					X	X			X		
ABSTAIN	1			X								
ABSENT	2	X										X

VI.S.5. Miranda Rose Plueard CNA Exam (Millben)
(aka: Borton, Miranda)

Plueard was present telephonically and available for questions. Quinn moved, Andersen seconded, carried to continue the investigation to allow Applicant the opportunity to obtain a psychological evaluation, at no cost to the Board to include an anger management evaluation by a Board approved licensed psychologist with expertise in anger management, 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 evaluation is not completed based upon the findings of fact and statute/rule and deny certification. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.S.6. Kristie Dawn Webber TRN201832 Endorsement (Millben)
(aka: Gomez, Kristie Dawn)

Quinn moved, Harrell seconded, based upon the findings of fact and statute/rule violations identified in the investigative report, deny licensure. The motion carried seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.S.8. Clara Beth Barley CNA999992814 (Millben)
(aka: Barley, Clara)

Quinn moved, Preston seconded, on a determination of reasonable cause based on the information in the investigative report (and material presented at this Board meeting), at no cost to the Board, issue an Interim Order for a psychological evaluation to include a Substance Abuse Evaluation to be completed by a Board approved licensed psychologist, and to include any additional testing deemed necessary by the evaluator, to be completed with 45 days and then return to the Board. If the Interim Order is not completed, based upon the information in the investigative report, issue a Notice of Charges and include the factual allegations and alleged violations for failure to comply with the Interim Order. The motion carried with seven in favor and one abstained.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.T.2. Daniel Stephen Ellefson RN Exam (Rapkoch)

Logue moved, Quinn seconded, and it was unanimously carried, upon meeting all licensure requirements, grant licensure, and issue a Letter of Concern as proposed by Board staff and as contained in the investigative report.

VI.T.7. Theresa Celest Ellison RN132036 (Rapkoch)
(aka: Zwagerman; Vantassell; Brown)

Rapkoch addressed the Board with information. Quinn moved, Logue seconded, and it was unanimously carried to dismiss the complaint.

VI.U.2. Debra L. Anderson RN041529 (Midkiff)

Midkiff addressed the Board with additional information that Anderson surrendered the license.

The meeting recessed at 4:31 p.m., and reconvened at 4:44 p.m.

V.B. Non-Compliance/Compliance with Board Orders (Discussion & Decision)

V.B.1. Dana Marsh LP035962 (Harrington)

Berrigan moved, Quinn seconded, and it was unanimously carried to reopen Agenda Item V.B.1. Marsh was present telephonically and addressed the Board and it was unanimously carried to reaffirm the previous board decision on this case.

VI.V.1. Muriel Rosenfield RN051184; AP7295 (Dahn)
(aka: Muriel Solomon)

Logue moved, Anderson seconded, and it was unanimously carried, based upon information in the investigative report offer a Consent Agreement for a Decree of Censure. If not signed within 30 days, issue a Notice of Charges.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

VI.W.1. Nanci Jill Dixon LP048004 (Smith)
(aka: Johnson, Nanci Jill; Miles, Nanci Jill; Marchin, Nanci Jill)

Quinn moved, Logue seconded, and it was unanimously carried, based upon the information in the investigative report, offer a Consent Agreement for minimum 6-month Probation, and to include the attached stipulations. If not signed within 30 days, issue a Notice of Charges.

	VOTE	<u>Gutierrez</u> Member	<u>Logue</u> Member	<u>Bover</u> Member	<u>Machesky</u> Member	<u>Berrigan</u> Secretary	<u>Quinn</u> President	TBD	<u>Preston</u> Member	<u>Harrell</u> Member	<u>Andersen</u> Member	<u>Dale</u> Member
YES	7		X		X	X	X		X	X	X	
NO	0											
ABSTAIN	1			X								
ABSENT	2	X										X

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

VII.A. Executive Directors Report – Ridenour

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

VII.A.1.a. January 26-27 2017, Regular Board Meeting Minutes

Quinn moved, Preston seconded, and it was unanimously carried to approve minutes of January 26-27, 2017, regular Board meeting.

**VII.A.2. Arizona State Board of Nursing Web Analytics: Tracking Website Traffic-
Tran/Chien/Ellis (Information)**

Tran Tran discussed web analytics is information pulled from the Board’s website.

In 2016, there were 1.4 million visits, and 63% were repeat visitors. 98% of the hits were from the US, and 4 of the top 5 cities from which the visits originated were in Arizona. The most popular page, and most frequent page an initial visit lands upon is the license/verification page. The most referrals come from Facebook. The most frequent search is for address change information.

President Quinn discussed the inability to search the NPA.

VII.A.3. Proposed Policy: Nursing Assistant Regulation-Criteria/Guidelines Regarding Investigations of Allegations of Nurse Practice Violations Dahn/Ridenour/Mamaluy

Joey reported that about 4,000 CNAs have opted to get the LNA credential so far. Quinn moved, Berrigan seconded, and it was unanimously carried to approve proposed policy on Nursing Assistant Regulation.

VII.A.4. 2017 Legislative Session- Bills Impacting Nursing Regulation: Senate Bill 1336/CRNA's; Senate Bill 1133.Certified Nurse Midwives; Senate Bill 1452/Health Profession Regulatory Boards; House Bill 2307 Controlled Substance Prescription Monitoring Program & Other Bills Impacting Health Regulatory Boards- Quinn/Ridenour

President Quinn reported on 2 bills for the 2017 legislative session. At last report, the APRN bill that would clarify NP and Nurse Midwife roles and collaborative rules, and the CRNA bill restoring prescriptive authority, both passed the senate and are projected to be enacted.

Executive Director Ridenour reported on Senate Bill 1452, which revives some of the parts of a bill previously vetoed, including a term limit for Board Members, which this Board already has, a requirement to post a video or audio of Board Meetings within 5 days of the meeting, and also an increase in the confidential monitoring program to include psychiatric cases. The legislation would disallow information about pending cases on the Boards' websites, and also add a time frame for histories that can be investigated.

Another bill that is concerning is HB 2372, which would waive application fees for first time licensees who claim to be 200% below the federal poverty level. If it passes, Robert Ellis projected that it will cause the Board to lose 1.3 million dollars per year. This, in turn, would cause the Board to be required to raise renewal fees for license holders by hundreds of dollars.

VII.A.5. Board Member Educational Session I – Key Facts to Know About Drug Testing – J. Kerrigan (Handout at Meeting – Information)

Kerrigan present Educational Session I-Key Facts to Know about Drug Testing.

VII.A.6. Board Member Educational Session II – Active Shooter Training by Department Public Safety Trooper- Ellis

Deferred to a later meeting.

VII.A.7. Report on Subjects Presented at NCSBN Midyear Meeting, Salt Lake City, Utah – Board of Director Member/V. Smith; C. Mand/Ridenour

Cindy Mand reported it was great meeting, and new categories of membership were discussed. The leadership succession committee was discussed, and so was the next generation of the NCLEX which may be better able to measure different levels of clinical judgment and experience. Substance abuse and legislative affairs, including the Enhanced NLC was also discussed. NPs may also be able to now prescribe Suboxone. Some new analogs of fentanyl are much stronger. Val Smith discussed topics for the next Delegate Meeting.

VII.A.8. Introduction & Dialogue with Observer- Gloria Damgaard, Executive Director, South Dakota Board of Nursing

Deferred to a later meeting.

VII.A.9. Proposed Revisions to Summary Letter of Concern Criteria & Language – Dahn

Dahn discussed an addition to the list of Letter of Concern. Preston moved, Quinn seconded, and it was unanimously carried, to accept proposed revisions to summary Letter of Concern Criteria.

VII.A.10. Update on Personnel Changes; Dahn/Ellis/Malloch/ Ridenour

Rhonda Doolen resigned and Jan Kerrigan retired.

VII.D. A.A.G. Report –Beth Campbell/Sunita Krishna/Michael Raine

VII.D.1. Updates Court Actions – Campbell/Krishna/Raine

Update Arizona Court of Appeals (Special Action) David Ryer v. Arizona State Board of Nursing – Raine (Information & Discussion)

- a. Updated Arizona Court of Appeals CA-CV 17-105 (JRA) David Ryer v. Arizona State Board of Nursing
- b. Update Maricopa County Superior Court LC2016000031 (JRA) Karen King v. Arizona State Board of Nursing

Campbell addressed the Board stating the Superior Court affirmed the Boards decision on the King case and on David Ryer decided to hold off on filing our opening brief due to pending legislation SB1452.

Logue left the meeting at 6:08 p.m., and returned at 6:10 p.m.

VII.E. Committee Reports

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

VII.E.1.a. Scope of Practice Committee Minutes February 28, 2017.

Scope of Practice Committee meeting draft minutes of February 28, 2017, were provided to the Board.

VII.E.1.b. Draft Advisory Opinion External Jugular Cannulation for Peripheral IV and/or Peripherally Inserted Central Catheter

Quinn moved, Berrigan seconded, and it was unanimously carried to approve the Advisory Opinion on External Jugular Cannulation for Peripheral IV (EJ PIV) and Peripherally Inserted Central Catheter (EJ PICC).

VII.E.1.c. Draft Advisory Opinion Determination of Death: The Role of the RN/LPN
Quinn moved, Machesky seconded, and it was unanimously carried to approve the Advisory Opinion on Advisory Opinion on Determination of Death: Role of RNLPN.

VII.E.1.d. Draft Advisory Opinion Lumbar Puncture
Quinn moved, Harrell seconded, and it was unanimously carried to approve the Advisory Opinion on Advisory Opinion on Lumbar Puncture.

VII.E.2. Education – Dalton/Harrell/Malloch/Doolen

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

Education Advisory Committee meeting draft minutes of February 17, 2017, were provided to the Board.

VII.E.3. Advanced Practice – Quinn/Preston/Dahn/Hunter

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

a. **Draft of February 2017 AP Committee Minutes (Discussion & Decision)**

b. **Advisory Opinion the Use of Controlled Substances for the Treatment of Chronic Pain**

Logue moved, Andersen seconded, and it was unanimously carried to approve Advisory Opinion the use of Controlled Substances for the Treatment of Chronic Pain.

c. **Draft Advisory Opinion: Prescribing Buprenorphine and/or Providing Treatment for Opioid Use Disorders**

Logue moved, Quinn seconded, and it was unanimously carried to approve draft advisory opinion on Prescribing Buprenorphine and/or Providing Treatment for Opioid Use Disorders.

VII.C. President’s Report – Quinn

VII.C.1. Welcome & Introduction Board Member: Elizabeth Boyer, RN BSN

Quinn welcomed Boyer to the Board.

VII.C.2. Nomination & Election of Board of Nursing Vice President – Quinn/All

Harrell moved, Machesky seconded, and it was unanimously carried to elect of Board of Nursing Theresa Berigan as a Vice President.

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

None

VIII. Call to the Public

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

No members of the public requested to speak

X. Adjournment

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

The meeting adjourned at 6:33p.m. Friday, March 24, 2017.

Randy C. Quinn, CRNA, President