



AGENDA ITEM: ILL.H.7.

Janet Napolitano
Governor

Joey Ridenour
Executive Director

Arizona State Board of Nursing

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January 12, 2009

Mr. Chuck Kerstell
2340 East University Drive
Tempe AZ 85281

RE: CEASE AND DESIST LETTER

Dear Mr. Kerstell:

The Board of Nursing has received information that you have been representing yourself as a Certified Nursing Assistant ("CNA") when you were identified on your employer's website as a CNA, used the title CNA including signing documents using the title CNA, while working for Horizon Human Services, although a CNA certificate was not required for your position and you did not practice as a CNA. *The Arizona Board of Nursing has found no evidence that you have received a valid certificate to practice as a Certified Nursing Assistant in Arizona.*

Pursuant to A.R.S. § 32-1666(A) (3): (A) It is unlawful for a person not licensed or certified under this chapter to: (3) Represent or use any title, abbreviation, letters, sign, card or device to indicate that he or any other person is a licensed practical nurse or a certified nursing assistant.

Pursuant to A.R.S. § 32-1649: Only a person who is currently certified by the board to practice as a nursing assistant shall use the title "certified nursing assistant" and the abbreviation "CNA".

Pursuant to A.R.S. § 32-1667(2): A person is guilty of a class 6 felony who: (2) Engages in any conduct prohibited in section 32-1666.

The Arizona Board of Nursing demands that you immediately cease and desist implying to the public of Arizona that you are a Certified Nursing Assistant.

Mr. Chuck Kerstell
January 13, 2009
Page 2

Be advised that if you continue to use the CNA title without holding a valid Arizona CNA certificate the Board may forward your case to the Office of the Attorney General for review for potential criminal charges.

If you have any questions regarding our investigation of the complaint, please contact Karen Grady , at 602-889-5182.

Sincerely,

Handwritten signature of Joey Ridenour in cursive script.

Joey Ridenour, R.N., M.N., F.A.A.N.
Executive Director

cc:

Horizon Human Services
210 E. Cottonwood Lane
Casa Grande, AZ 85222