



**BOARD OF EXAMINERS OF NURSING CARE INSTITUTION ADMINISTRATORS AND
ASSISTED LIVING FACILITY MANAGERS**

Douglas A. Ducey
Governor

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Jack Confer
Interim Executive Director

Board Members

Pauline (Wally) Campbell, President
Dr. Charles Villafranca, Vice
President
Ken Kidder, Member
Fred Randolph, Member
Melanie Seamans, Member
Susan Archer, Member

Minutes
REGULAR MEETING

September 13, 2021

1. CALL TO ORDER

President Wally Campbell called the meeting to order at 1:06PM

2. ROLL CALL

President Campbell, Vice President Villafranca, Board Member Seamans, and Board Member Archer were present in-person. Board Member Kidder and Board Member Randolph were present by telephone.

3. DECLARATION OF CONFLICTS OF INTEREST – A.R.S. § 38-503

Board Member Kidder recused himself from Item# 21. 21-38 Kinney, Patrick
Administrator 05/07/21

Board Member Archer recused herself from Case# 21-33, Manager Ana Istrate and for the
Pfundamental Consulting, LLC ALCTP0089, an Assisted Living Facility Caregiver Training
Program Renewal

Board Member Seamans recused herself from Item #32; Board Review, Consideration and
Action on Whether to Open a Complaint 32. Gabrielle A. LaVia – Manager APP# 009290822
Administrator License #02006 Heritage Village Assisted Living

4. CALL TO THE PUBLIC

No person had a comment during “call to the public.”

5. APPROVAL OF MINUTES

A. Board Review, Consideration and Action on Approval of Minutes

1. June 14, 2021 Regular Board Meeting Minutes
2. July 21, 2021 Teleconference Board Meeting Minutes
3. July 21, 2021 Teleconference Executive Session Minutes
4. August 12, 2021 Executive Director Hiring Committee Minutes
5. August 12, 2021 Hiring Committee Executive Session Minutes
6. August 30, 2021 Special Board Meeting Board Meeting Minutes
7. August 30, 2021 Special Board Meeting Executive Session Minutes

MOTION: President Campbell to approve item #'s A2, A3, A6 and A7. Item #'s A1, A4 and A5 postponed to next meeting. Seconded by Board Member Seamans.

ROLL CALL VOTE: Motion Passed 5-0. Dr. Villafranca abstained.

6. COMPLAINT CASE

B. Consent Agenda to not open a complaint investigation on the facility manager that is related to an ADHS enforcement action.

Facility Name

1. A Tender Touch Assisted Living
2. Because We Care 2 LLC
3. Caring Hands Comfort Assisted Living Home LLC
4. Eldercare at Western Sunrise Adult Care
5. Fairmount Assisted Living, LLC
6. Golden Years Care Home, LLC
7. Hawthorn Court at Ahwatukee
8. Loving Heart Assisted Living Service
9. Maria's Garden Care Home, LLC
10. Montecito Assisted Living
11. Mountain Care of Snowflake, LLC
12. Paradise Living Centers Montecito, LLC
13. Pleasant Valley Care Home
14. Raintree Assisted Living, LLC
15. Sunrise of Chandler
16. The Groves Assisted Living Place LLC-Plum
17. Valencia Home at 47th
18. Villa Tampico

MOTION: President Campbell to approve the Consent Agenda to not open complaint investigations on Item #'s B1 through B18. Seconded by Dr. Villafranca.

ROLL CALL VOTE: Motion Passed 6-0.

The Board took a brief recess to attend to the technical issues surrounding the virtual meeting. The Board reconvened open session at 1:34PM.

C. Board Review, Consideration and Action regarding new complaints:

	Complaint #	Licensee	Title	Open Date
19.	21-12	Rasmussen, Larry	Administrator	02/11/21
20.	21-40	Belisle, Daniel	Administrator	05/17/21
21.	21-38	Kinney, Patrick	Administrator	05/07/21
22.	21-49	Opara, Kenneth	Administrator	06/07/21
23.	21-44	Madrid, Margarita	Manager	05/21/21
24.	21-36	Leibfried, Melinda	Manager	06/10/21
25.	21-29	Heilmeier, Max	Manager	04/16/21
26.	21-30	Carillo, Cecilia	Manager	04/15/21
27.	21-39	Davis, Robert	Manager	05/14/21
28.	21-42	Reyes, Jean	Manager	05/21/21
29.	21-46	Adams, Elizabeth	Manager	05/28/21
30.	21-47	Encinas, Michelle	Managre	05/28/21

ITEM: #19 – Larry Rasmussen; Complaint no. 21-12 – Administrator

MOTION: President Campbell moved at 1:51 p.m. and the Board voted to go into executive session for the purpose of receiving legal advice pursuant to A.R.S. § 38-431.03(A)(3). Seconded by Member Kidder. The Board resumed open session at 1:57 p.m.

VOTE: Motion passed 6-0.

MOTION: Member Kidder moved to continue the matter to the Board’s November 15, 2021, meeting and to issue subpoenas to the establishment director of nursing and employee numbers 17, 7, 3, and 15 as they were identified in the Board’s materials. Seconded by Dr. Villafranca.

ROLL CALL VOTE: Motion passed 6-0.

ITEM: #20 – Daniel Belisle; Complaint no. 21-40 – Administrator

MOTION: Board Member Kidder moved to dismiss the complaint finding insufficient evidence to support a violation. Seconded by Board Member Archer.

ROLL CALL VOTE: Motion passed 6-0.

ITEM: #21 – Patrick Kinney; Complaint no. 21-38 – Administrator

MOTION: Dr. Viallafranca moved to dismiss the complaint finding insufficient evidence to support a violation. The Board noted that no one was charged with a crime and no other state agency followed up on the complaint’s allegations. Seconded by Board Member Kidder.

ROLL CALL VOTE: Motion passed 5-0. Member Kidder recused.

ITEM: #22 – Kenneth Opara; Complaint no. 21-49 – Administrator

MOTION: Vice-Chair Dr. Villafranca moved to offer a consent agreement with the following provisions: stayed suspension, probation, reimbursement of investigative costs and 6 total hours of continuing education in drug diversion and conducting investigations based on the testimony

provided by the Respondent at the meeting. While the Board did not feel the conduct in this matter rose to the level of discipline it did find that the Respondent would benefit from continuing education in the areas mentioned above. Seconded by Member Kidder.

ROLL CALL VOTE: Motion passed 6-0.

Board Review, Consideration and Action on Whether to Open a Complaint:

- 32. Gabrielle A. LaVia – Manager APP# 009290822 Administrator License #02006 Heritage Village Assisted Living

MOTION: Board Member Kidder moved for the Board to not open a complaint finding insufficient evidence of a violation of Board statute or rule. The motion also included forwarding the complaint to Department of Health Services for review and possible adjudication. Seconded by Board Member Archer.

ROLL CALL VOTE: Motion passed 5-0. Member Seamans Recused.

Rescind Prior Board Action – Revisit Consent Agreement

- 33. 21-33--Istrate, Ana; Manager 04/26/21

MOTION: Vice-Chair Dr. Villafranca moved for the Board to not reconsider its prior action to move the matter to formal hearing based on the fact that the Board had already heard and decided the matter with no irregularities in the process. Seconded by Member Kidder.

ROLL CALL VOTE: Motion passed 5-0. Member Archer recused.

6. ADMINISTRATOR LICENSURE AND MANAGER CERTIFICATION

- A. Consent Agenda to approve temporary administrator licenses, permanent administrator licenses, temporary manager certificates, permanent manager certificates, pending passing all required examinations within the substantive timeframe or the license or certificate will be denied.

Temporary Administrator Licenses

None			
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Permanent Administrator Licenses

Caldwell, Samantha	Tate, Angela	Wilson, Stuart	
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Permanent and Temporary Manager Certificates

Ambrocio, Irineo	Bibutsuhoze, Andereya	Quattlebaum, Melissa	Rubio-Busby, Rocio
Velciu, Andrea			

Permanent Manager Certificates

Abdalle, Najla	Briehl, Paul	Buhatin, Yvonne	Burrows, Trevor
Conte, Isabella	Davis, Jodi	Flores, Maria	Garrard, Travis
Ghiurau, Denisa	Kathee, Winfred	Nicholson, Kristal	Nour, Mohamed
Rinson, Lorenzo	Savroup, Udaya	Stayner, Crystal	Anderson, Deborah

MOTION: President Campbell to approve the Consent Agenda listed in agenda item 6A.

Seconded by Board Member Kidder.

ROLL CALL VOTE: Motion Passed 6-0.

The Board took a brief recess to attend to the technical issues surrounding the virtual meeting. The Board reconvened open session at 1:34PM.

- a. Individual Board Review, Consideration and Action on Applicants Temporary and/or Permanent Administrator License or Manager Certificate. If approved, pending passing all required examinations within the substantive timeframe or the license or certificate will be denied.

35. Lovio, Valerie permanent manager certificate

7. ASSISTED LIVING FACILITY TRAINING PROGRAMS

- A. Consent Agenda to Approve Assisted Living Facility Caregiver and Manager Training Programs and Renewals of Assisted Living Facility Caregiver and Manager Training Programs.

Assisted Living Facility Caregiver Training Program

Boulder Gardens Assisted Living Center	
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Assisted Living Facility Manager Training Program

None	
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Assisted Living Facility Caregiver Training Program Renewal

Angel's Caregiver Training School – ALCTP0036	Prestige Senior Living Caregiver Training Program – ALCTP0050
Academy for Caregiving Excellence – ALCTP0054	Yavapai College ALCTP0055
Caregiver Certification Program ALCTP0069	Endeavor Training Institute ALCTP0079
	Carriage House on West Garden Ln ALCTP0098

Assisted Living Facility Manager Training Program Renewal

None	
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MOTION: President Campbell to approve the Consent Agenda listed in agenda item 7A, removing Pfundamental Consulting, LLC, ALCTP0089 from the vote due to a Board Member recusal. Seconded by Board Member Seamans.

ROLL CALL VOTE: Motion Passed 6-0.

MOTION: President Campbell to approve the Pfundamental Consulting, LLC, ALCTP0089 Program Renewal. Seconded by Board Member Seamans.

ROLL CALL VOTE: Motion Passed 5-0. Board Member Archer recused.

8. PERSONNEL MATTER(S) FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION

The Board may vote to go into Executive Session pursuant to A.R.S. § 38-431.03(A)(1) (to discuss personnel matters).

A. Board to Interview and Consider Candidates for the Board's Executive Director Position:

1. Conduct Interviews for Executive Director Position with the following:

a. John Confer

The Board may move to go into Executive Session pursuant to A.R.S. §§ 38-431.03(A)(1) to conduct the interview.

MOTION: President Campbell moved to go into executive session at 3:02 p.m. for the purpose of interviewing John Confer for the position of executive director pursuant to A.R.S. 38-431.03(A)(1). Seconded by Member Seamans. The Board resumed open session at 3:42 p.m.

ROLL CALL VOTE: Motion passed 6-0.

2. Executive Director Position Review, discussion, and possible action regarding consideration of candidates for Executive Director position and possible selection of same.

The Board may move to go into Executive Session pursuant to A.R.S. §§ 38-431.03(A)(1) to discuss personnel issues.

MOTION: President Campbell moved the Board to offer an employment contract to John Confer at the salary determined in executive session. Vice-Chair Dr. Villafranca seconded.

ROLL CALL VOTE: Motion passed 6-0.

3. Review, discussion and possible action on continuing search for an Executive Director.

NO ACTION WAS TAKEN ON THIS MATTER

9. FUTURE ITEMS AND MEETING DATES

10. ADJOURNMENT