



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

1740 W. Adams, Suite 2490, Phoenix, Arizona 85007
(602) 364-2273 phone • (602) 542-8316 fax
Email: information@aznciboard.us
Web Site: www.aznciboard.us

Douglas A. Ducey
Governor

Jack Confer
Executive Director

Board Members

Ken Kidder, President
Susan Archer, Vice President
Pauline (Wally) Campbell, Member
Fred Randolph, Member
Melanie Seamans, Member
James Steven, Member
Rebecca Hill, Member
Becky Brimhall, Member

DRAFT MINUTES REGULAR MEETING

August 8, 2022

I. ROLL CALL

President Kidder called the meeting to order at 9:03 a.m.

President Kidder, Vice President Archer, Member Seamans, Member Campbell, and Member Hill were present in person and Member Brimhall was present by telephone.

Attendance: Executive Director Jack Confer, Chief Investigator Brandon Eaden, Licensing Administrator Mona Leonard, Project Specialist Elizabeth Bronold and Assistant Attorney General Seamus Monaghan

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

Executive Director Confer stated that Member Brimhall will be recused from agenda item V (A)(2), VI (A)(6), and VI (C)(21).

III. CALL TO THE PUBLIC

No one wishes to speak.

IV. REVIEW, DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF MINUTES

The Board may vote to go into Executive Session pursuant to A.R.S. § 38-431.03(A)(2) (to discuss confidential information), A.R.S. § 38-431.03(A)(3) (to receive legal advice). Board Review, Consideration and Action on Approval of Minutes

- A. Draft Regular Meeting Minutes, May 23, 2022
- B. Draft Regular Meeting Minutes, July 18, 2022

Member Hill stated that one of her votes in the May 23, 2022 Board meeting minutes was recorded incorrectly, and she would like the vote to be changed in the minutes.

MOTION: Member Campbell made a motion seconded by Vice President Archer to approve the May 23, 2022 Board meeting minutes as amended.

VOTE: Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Seamans	Member Randolph	Member Hill	Member Brimhall	Member Steven
Yes	x	x	x	x		x	x	x
No								
Abstain								
Absent					x			

MOTION: President Kidder made a motion seconded by Member Campbell to approve the July 18, 2022 Board meeting minutes.

VOTE: Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Seamans	Member Randolph	Member Hill	Member Brimhall	Member Steven
Yes	x	x	x	x		x	x	x
No								
Abstain								
Absent					x			

V. REVIEW, DISCUSSION AND POSSIBLE ACTION ON ADMINISTRATOR LICENSURE AND MANAGER CERTIFICATION

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.

1. Kiilu, Mary Manager Application

Licensing Administrator Leonard presented the case for the Board. Mary Kiilu was present at the board meeting and answered the questions from the Board. Ms. Kiilu stated that she went through treatment to help herself so that she did not get deported. She stated that she went back to school and received her bachelor's degree in nursing and went on to get her master's degree. Ms. Kiilu stated that she has been a nurse since 1995. She stated that she would like to run a facility that is currently in the process of being licensed.

MOTION President Kidder made a motion seconded by Vice President Archer to approve Mary Kiilu's application.

VOTE: Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Seamans	Member Randolph	Member Hill	Member Brimhall	Member Steven
Yes	x	x	x	x		x	x	x
No								
Abstain								
Absent					x			

Licensing Administrator Leonard summarized the case for the Board. Sheri King was present at the meeting and answered the questions from the Board. Ms. King stated that she does have a valid fingerprint clearance card with driving restrictions. She will be an interim Director at the facility she is currently at when she receives her certificate.

MOTION: President Kidder made a motion seconded by Member Seamans to approve Sheri King’s application.

VOTE: Passed (6-0) Member Brimhall recused.

Vote	President Kidder	Vice President Archer	Member Campbell	Member Seamans	Member Randolph	Member Hill	Member Brimhall	Member Steven
Yes	x	x	x	x		x		x
No								
Abstain								
Absent					x			

VI. REVIEW, DISCUSSION AND POSSIBLE ACTION ON COMPLAINT CASE REVIEWS

A. Staff Recommendation for Disciplinary Consent Agreement(s):

1. 21-175 Cheryl Wartenberg

Cheryl Wartenberg was not present at the meeting. Chief Investigator Eaden stated that he was not able to get in contact with Ms. Wartenberg since the last meeting.

MOTION: President Kidder made a motion seconded by Member Seamans that based upon the information contained in the investigation report, the Board finds sufficient evidence of a violation of A.R.S. § 36-446.07(B)(3) as defined by A.R.S. § 36-446 (10)(a) for unprofessional conduct and AAC R4-33-407(A)(B)(1), in complaint number 21-175 involving manager Cheryl Wartenberg and to offer a consent agreement to be signed within 10 days or the matter will proceed to formal hearing. The terms shall include the following to be completed within 3 months:

- a) Reimbursement of investigative costs in the amount of \$334.00
- b) 3 hours of Board approved continuing education in medication management
- c) 3 hours of Board approved continuing education in quality assurance

VOTE: Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Seamans	Member Randolph	Member Hill	Member Brimhall	Member Steven
Yes	x	x	x	x		x	x	x
No								
Abstain								
Absent					x			

2. 2022-NCI-0029 Betty J Lester

Executive Director Confer summarized the case for the Board. Betty Lester was present at the meeting and answered the questions from the Board. Ms. Lester stated that there was a TB test in the employee file, but the date was incorrect. She no longer works at the facility. Ms. Lester stated that she now checks the date on all the documents going in the employee file. She has a checklist for employee files to ensure everything is up to date.

MOTION: President Kidder made a motion seconded by Member Campbell to issue a non-disciplinary letter of concern. The Board’s concern is that the manager failed to ensure adequate personnel records.

VOTE: Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Seamans	Member Randolph	Member Hill	Member Brimhall	Member Steven
Yes	x	x	x	x		x	x	x
No								
Abstain								
Absent					x			

3. 2022-NCI-0115 Anthony Diaz

Chief Investigator Eaden summarized the case for the Board. Anthony Diaz was present at the meeting and answered the questions from the Board. Mr. Diaz stated that he has been a manager for 20+ years at the facility he currently works at. He stated that residents were never chemically or physically restrained down to anything. He stated that he has since taken a three-hour resident rights course. Mr. Diaz stated that he now works at night and has two caregivers at all times. He stated that he did not know before that a Dutch door was not allowed to be used at the facility. Mr. Diaz stated that now that there is an extra caregiver at night the staff is able to keep their eyes on the residents without restraining them. He stated that he took a training course two weeks after the survey took place.

MOTION: President Kidder made a motion seconded by Member Seamans that based upon the information contained in the investigation report, the Board finds sufficient evidence of a violation of A.R.S. § 36-446.07(B)(3) as defined by A.R.S. § 36-446 (10)(a) for unprofessional conduct and AAC R4-33-407(A)(B)(1), in complaint number 2022-NCI-0115 involving manager Anthony Diaz and to offer a consent agreement to be signed within 10 days or the matter will proceed to formal hearing. The terms shall include the following to be completed within 3 months:

- a) Reimbursement of investigative costs in the amount of \$529.00
- b) 3 hours of Board approved continuing education in resident rights

President Kidder amended his motion to also include, second concurred with amendment:

- c) 3 hours of Board approved continuing education in ethics
- d) 3 hours of Board approved continuing education quality assurance
- e) 3 hours of Board approved continuing education in service plans
- f) 3 hours of Board approved continuing education in environmental standards

VOTE: Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Seamans	Member Randolph	Member Hill	Member Brimhall	Member Steven
Yes	x	x	x	x		x	x	x
No								
Abstain								
Absent					x			

4. 2022-NCI-0119 Andereya Bibutsuhoze

5. 2022-NCI-0120 Andereya Bibutsuhoze

Chief Investigator Eaden stated that Andereya Bibutsuhoze has not responded to the notice of complaint for either complaint.

MOTION: President Kidder made a motion seconded by Member Campbell to move complaints 2022-NCI-0119 and 2022-NCI-0120 to a formal hearing.

VOTE: Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Seamans	Member Randolph	Member Hill	Member Brimhall	Member Steven
Yes	x	x	x	x		x	x	x
No								
Abstain								
Absent					x			

6. 2022-NCI-0132 Shella Michel

Chief Investigator Eaden summarized the case for the Board. Shella Michel was not present at the meeting. Chief Investigator Eaden stated that Ms. Michel is still employed at this facility.

MOTION: President Kidder made a motion seconded by Member Seamans that based upon the information contained in the investigation report, the Board finds sufficient evidence of a violation of A.R.S. § 36-446.07(B)(3) as defined by A.R.S. § 36-446 (10)(a) for unprofessional conduct and AAC R4-33-407(A)(B)(1), in complaint number 2022-NCI-0132 involving manager Shella Michel and to offer a consent agreement to be signed within 10 days or the matter will proceed to formal hearing. The terms shall include the following to be completed within 3 months:

- a) Reimbursement of investigative costs in the amount of \$549.00
- b) Successfully complete the 40-hour manager training course
- c) Pass the Arizona Manager Examination

VOTE: Passed (5-1) Vice President Archer voted nay. Member Brimhall was recused.

Vote	President Kidder	Vice President Archer	Member Campbell	Member Seamans	Member Randolph	Member Hill	Member Brimhall	Member Steven
Yes	x		x	x		x		x
No		x						
Abstain								
Absent					x			

7. 2022-NCI-0134 Chandler J Call

Chief Investigator Eaden summarized the case for the Board. Chandler Call was present at the meeting and answered the questions from the Board. Mr. Call stated that he was not the manager of the facility he was there providing corporate support for the manager. Mr. Call did not hang his certificate at the facility. He stated that the manager is Sharon Powell.

MOTION: President Kidder made a motion seconded by Member Campbell to dismiss complaint 2022-NCI-0134 against Chandler Call.

President Kidder withdrew his motion to allow for further discussion. Mr. Call stated that the home was opened in 2018 and Ms. Powell has been the manager since the facility opened.

President Kidder instructed Board staff to investigate the case further.

MOTION: President Kidder made a motion seconded by Vice President Archer to table complaint 2022-NCI-0134 to further investigate.

VOTE: Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Seamans	Member Randolph	Member Hill	Member Brimhall	Member Steven
Yes	x	x	x	x		x	x	x
No								
Abstain								
Absent					x			

10-minute break.

B. Staff Recommendation for Non-Disciplinary Letter of Concern(s):

1. 2022-NCI-0070 Stela Gruia
2. 2022-NCI-0188 Juliet Iyog
3. 2022-NCI-0190 Melissa Miloz
4. 2022-NCI-0195 Laura Remcheck

MOTION: President Kidder made a motion seconded by Member Campbell to issue a non-disciplinary letter of concern as stipulated in the staff recommendation(s).

VOTE: Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Seamans	Member Randolph	Member Hill	Member Brimhall	Member Steven
Yes	x	x	x	x		x	x	x
No								
Abstain								
Absent					x			

C. Staff Recommendation for Dismissal(s)

1. 2022-NCI-0084 No Manager
2. 2022-NCI-0090 Aida Emilia B Scow
3. 2022-NCI-0098 No Manager
4. **2022-NCI-0101 Regan Stone**
5. 2022-NCI-0140 Norma Chacon
6. 2022-NCI-0142 Adam Griffiths
7. 2022-NCI-0152 Lupita Aguirre
8. 2022-NCI-0153 Tita Kent
9. 2022-NCI-0154 Stephanie Laemmel
10. 2022-NCI-0155 Norma Chacon
11. 2022-NCI-0159 Shaista Hamed
12. 2022-NCI-0163 William Roseler
13. 2022-NCI-0179 Tiger Pavelka
14. 2022-NCI-0164 Mary Alka
15. **2022-NCI-0167 Lani James**
16. **2022-NCI-0177 Scott Wade**

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- 17. 2022-NCI-0184 Julia Colangelo
- 18. 2022-NCI-0185 Lupita Aguirre**
- 19. 2022-NCI-0189 Raymond Mensing
- 20. 2022-NCI-0193 Andrei Popescu
- 21. 2022-NCI-0194 Daniela Devoka
- 22. 2022-NCI-0197 Hazel James
- 23. 2022-NCI-0201 Cristina LaFountaine
- 24. 2022-NCI-0202 Jonathan Burningham
- 25. 2022-NCI-0270 Gabrielle LaVia**

MOTION: President Kidder made a motion seconded by Member Seamans to dismiss complaints in agenda item IV (C)(1-3, 5-14, 17, 19-20, and 22-24).

VOTE: Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Seamans	Member Randolph	Member Hill	Member Brimhall	Member Steven
Yes	x	x	x	x		x	x	x
No								
Abstain								
Absent					x			

MOTION: President Kidder made a motion seconded by Vice President Archer to dismiss complaint 2022-NCI-0194.

VOTE: (6-0). Member Brimhall recused

Vote	President Kidder	Vice President Archer	Member Campbell	Member Seamans	Member Randolph	Member Hill	Member Brimhall	Member Steven
Yes	x	x	x	x		x		x
No								
Abstain								
Absent					x			

A. Staff Recommendation for Disciplinary Consent Agreement(s):

- 8. 2022-NCI-0144 Remigius Uzoma**
- 9. 2022-NCI-0148 Belinda Costa**
- 10. 2022-NCI-0150 Monique Joy**
- 11. 2022-NCI-0161 Florencia Lalo**

Chief Investigator Eaden summarized the case for the Board. Florencia Lalo was present at the meeting and answered the questions from the Board. Mr. Lalo stated that he works at the home on Saturdays because he works as a med tech at another facility. He spends 5-6 hours a week at the facility. Mr. Lalo stated that he was not at the facility at the time of the inspection. Mr. Lalo stated that the owner of the facility was not taking his recommendations to maintain compliance at the facility. Mr. Lalo no longer works at the facility and he does not work as a manager currently.

MOTION: President Kidder made a motion seconded by Member Campbell to issue a non-disciplinary letter of concern. The Board’s concern is that the manager failed to maintain adequate resident and staff records.

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VOTE: Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Seamans	Member Randolph	Member Hill	Member Brimhall	Member Steven
Yes	x	x	x	x		x	x	x
No								
Abstain								
Absent					x			

12. 2022-NCI-0178 John Zungailo

13. 2022-NCI-0180 Jia Seidel

Chief Investigator Eaden stated that Jia Seidel informed him that she no longer works as a manager and would like to give up her certificate.

MOTION: President Kidder made a motion seconded by Vice President Archer that based upon the information contained in the investigation report, the Board finds sufficient evidence of a violation of A.R.S. § 36-446.07(B)(3) as defined by A.R.S. § 36-446 (10)(a) for unprofessional conduct and AAC R4-33-407(A)(B)(1), in complaint number 2022-NCI-0180 involving manager Jia Seidel and to offer a consent agreement to be signed within 10 days or the matter will proceed to formal hearing. The terms shall include the following to be completed within 3 months:

- a) Voluntary surrender of certificate.

VOTE: Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Seamans	Member Randolph	Member Hill	Member Brimhall	Member Steven
Yes	x	x	x	x		x	x	x
No								
Abstain								
Absent					x			

14. 2022-NCI-0182 Angela Damian

Chief Investigator Eaden summarized the case for the Board. Angela Damian was present at the meeting and answered the questions from the Board. Ms. Damian stated that she is the owner of the home and has been the manager since 2004. Ms. Damian stated that she took all of the paperwork home to work on but there was an emergency and she could not bring the paperwork back in time. She stated that one of the caregiver's husband lives on the premises, but he does not work at the facility. Ms. Damian stated that she has taken a continuing education course for medication management. She stated that she had to fill out an incident report and fill out the MAR. She stated that every time a medication is given the MAR is signed by the employee giving the medication. Ms. Damian stated that they do not have any residents who have PRN medications.

MOTION: President Kidder made a motion seconded by Member Seamans that based upon the information contained in the investigation report, the Board finds sufficient evidence of a violation of A.R.S. § 36-446.07(B)(3) as defined by A.R.S. § 36-446 (10)(a) for unprofessional conduct and AAC R4-33-407(A)(B)(1), in complaint number 2022-NCI-0182 involving manager Angela Damian and to offer a consent agreement to be signed within 10 days or the matter will proceed to formal hearing. The terms shall include the following to be completed within 3 months:

- a) Voluntary surrender of certificate.

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VOTE: Fails (3-4).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Seamans	Member Randolph	Member Hill	Member Brimhall	Member Steven
Yes				x		x		x
No	x	x	x				x	
Abstain								
Absent					x			

MOTION: President Kidder made a motion seconded by Member Seamans that based upon the information contained in the investigation report, the Board finds sufficient evidence of a violation of A.R.S. § 36-446.07(B)(3) as defined by A.R.S. § 36-446 (10)(a) for unprofessional conduct and AAC R4-33-407(A)(B)(1), in complaint number 2022-NCI-0182 involving manager Angela Damian and to offer a consent agreement to be signed within 10 days or the matter will proceed to formal hearing. The terms shall include the following to be completed within 3 months:

- a) Reimbursement of investigative costs in the amount of \$520.00
- b) Successfully complete the 40-hour manager training course
- c) Pass the Arizona Manager Examination

VOTE: Passed (4-3).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Seamans	Member Randolph	Member Hill	Member Brimhall	Member Steven
Yes	x	x	x				x	
No				x		x		x
Abstain								
Absent					x			

15. 2022-NCI-0183 Phobe Buyuccan
16. 2022-NCI-0186 Regan Stone

Chief Investigator Eaden summarized the case for the Board. Regan Stone was present at the meeting and answered the questions from the Board. Mr. Stone stated that the community was a challenged facility and he was trying to help out the community. During his brief time there he was trying to get the facility back on track and hire new staff. Mr. Stone stated that in the future he will be more through with his follow up on new Executive Directors he is trying to mentor.

MOTION: President Kidder made a motion seconded by Vice President Archer to dismiss complaint 2022-NCI-0186 against manager Regan Stone.

VOTE: Passed (5-2).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Seamans	Member Randolph	Member Hill	Member Brimhall	Member Steven
Yes	x	x	x	x			x	
No						x		x
Abstain								
Absent					x			

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17. 2022-NCI-0187 Amalia Ruvalcaba

18. 2022-NCI-0199 Helen Tea

This case was moved to next months Board meeting.

C. Staff Recommendation for Dismissal(s)

4. 2022-NCI-0101 Regan Stone

Chief Investigator Eaden summarized the case for the Board. Regan Stone was present at the meeting and answered the questions from the Board. Mr. Stone stated that the allegations in the complaint were not able to be substantiated. He stated that he thinks the daughter of the resident was basing the complaint on what the resident had told her. Mr. Stone stated that staff followed the policies and procedures and the timeline of the complaint does not match what the investigation showed. Mr. Stone stated that the staff works to have a 10-minute average response time to a resident's call. He stated that he has not heard back from APS about the case.

MOTION: President Kidder made a motion seconded by Vice President Archer to dismiss complaint 2022-NCI-0101 against manager Regan Stone.

VOTE: Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Seamans	Member Randolph	Member Hill	Member Brimhall	Member Steven
Yes	x	x	x	x		x	x	x
No								
Abstain								
Absent					x			

15. 2022-NCI-0167 Lani James

Chief Investigator Eaden summarized the case for the Board. Lani James was present at the meeting and answered questions from the Board. Ms. James stated that she oversees two facilities. She stated that she spends approximately 3 hours at each house each day. Ms. James stated that she had a discussion with the residents' families via telephone to ensure they were comfortable with the service plan.

MOTION: President Kidder made a motion seconded by Vice President Archer to dismiss complaint 2022-NCI-0167 against manager Lani James.

VOTE: Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Seamans	Member Randolph	Member Hill	Member Brimhall	Member Steven
Yes	x	x	x	x		x	x	x
No								
Abstain								
Absent					x			

16. 2022-NCI-0177 Scott Wade

Chief Investigator Eaden summarized the case for the Board. Scott Wade was present at the meeting and answered the questions from the Board. Mr. Wade stated that he stepped in as the interim Executive Director at the facility. He stated that there was a documentation issue in regards to documenting which caregivers would be working since they used a staffing agency. He has worked at the facility for almost six years now. Mr. Wade

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 stated that he was not aware that the two employees who did not have fingerprint clearance cards now have valid cards and everyone is in compliance.

MOTION: President Kidder made a motion seconded by Member Campbell to dismiss complaint 2022-NCI-0177 against manager Scott Wade.

VOTE: Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Seamans	Member Randolph	Member Hill	Member Brimhall	Member Steven
Yes	x	x	x	x		x	x	x
No								
Abstain								
Absent					x			

18. 2022-NCI-0185 Lupita Aguirre

Chief Investigator Eaden summarized the case for the Board. Lupita Aguirre was present at the meeting and answered the questions from the Board. Ms. Aguirre stated that the employees without fingerprint clearance cards were kitchen staff and employees from staffing agencies. She stated that the employees from the staffing agencies had files that were compliant, however, the files were not at the facility. There was a fingerprinting company that came in to fingerprint all of the employees.

MOTION: President Kidder made a motion seconded by Vice President Archer to dismiss complaint 2022-NCI-0185 against manager Lupita Aguirre.

VOTE: Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Seamans	Member Randolph	Member Hill	Member Brimhall	Member Steven
Yes	x	x	x	x		x	x	x
No								
Abstain								
Absent					x			

25. 2022-NCI-0270 Gabrielle LaVia

Chief Investigator Eaden summarized the case for the Board. Gabrielle LaVia was not present at the meeting.

Member Hill stated that she requested this case be pulled from the dismiss list because she believes when allegations are this severe that there should be a discussion about them.

Chief Investigator Eaden stated that DHS is also involved in investigating a complaint with this facility.

AAG Monaghan stated that it would not be appropriate to move to a formal hearing unless the Board can definitively determine that the violations were committed by the Manager. He stated that if this cannot be determined from the information provided then the Board can move the complaint to be heard at a future Board meeting when more information is obtained.

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MOTION: President Kidder made a motion to defer the case and subpoena Gabrielle LaVia and the Director of Nursing.

President Kidder withdrew his motion.

Chief Investigator Eaden stated that Ms. LaVia was not aware of this situation while she was employed at the facility. She no longer works at the facility.

President Kidder stated that if the Board dismisses the case and more evidence is brought forward after the fact then a new case can be opened.

MOTION: President Kidder made a motion seconded by Vice President Archer to dismiss without prejudice complaint 2022-NCI-0270 against manager Gabrielle LaVia.

VOTE: Passed (5-2). Member Hill and Member Seamans voted nay.

Vote	President Kidder	Vice President Archer	Member Campbell	Member Seamans	Member Randolph	Member Hill	Member Brimhall	Member Steven
Yes	x	x	x				x	x
No				x		x		
Abstain								
Absent					x			

10-minute break.

MOTION: President Kidder made a motion seconded by Vice President Archer that based upon the information contained in the investigation report, the Board finds sufficient evidence of a violation of A.R.S. § 36-446.07(B)(3) as defined by A.R.S. § 36-446 (10)(a) for unprofessional conduct and AAC R4-33-407(A)(B)(1), in complaint numbers 2022-NCI-0144, 2022-NCI-0148, 2022-NCI-0150, 2022-NCI-0178, 2022-NCI-0183 and 2022-NCI-0187 and to offer a consent agreement to be signed within 10 days or the matter will proceed to formal hearing. The terms to be completed within 3 months. The terms of the consent agreements will be those listed in the staff recommendations.

VOTE: Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Seamans	Member Randolph	Member Hill	Member Brimhall	Member Steven
Yes	x	x	x	x		x	x	x
No								
Abstain								
Absent					x			

VII. REQUEST TO EXTEND TIME FRAME FOR COMPLIANCE WITH PROBATIONARY ORDER

The Board may vote to go into Executive Session pursuant to A.R.S. § 38-431.03(A)(2) (to discuss confidential information), A.R.S. § 38-431.03(A)(3) (to receive legal advice).

A. Request from Andrei Gondec, Manager, 2022-NCI-0017

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Executive Director Confer summarized the case for the Board. He stated that Mr. Gondec is requesting an extension for his consent agreement. Mr. Gondec’s consent agreement is supposed to be completed in August. Executive Director Confer stated that if the Board wants to grant an extension he would recommend no less than 45 days and no more than 60 days.

MOTION: President Kidder made a motion seconded by Vice President Archer to approve the extension request for a maximum for 60 days.

VOTE: Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Seamans	Member Randolph	Member Hill	Member Brimhall	Member Steven
Yes	x	x	x	x		x	x	x
No								
Abstain								
Absent					x			

VIII. BOARD PRESIDENT’S REPORT:

President Kidder stated that at the NAB conference COVID-19 was still a large topic or conversation.

IX. TRAINING PROGRAM SUBCOMMITTEE REPORT:

The Board may vote to go into Executive Session pursuant to A.R.S. § 38-431.03(A)(2) (to discuss confidential information), A.R.S. § 38-431.03(A)(3) (to receive legal advice).

A. Possible Discussion, Consideration and vote on subcommittee recommendation to amend Arizona Administrative Code for online delivery of caregiver and manager training courses.

Project Specialist Elizabeth Bronold summarized the subcommittee meeting recommendation for the Board.

Executive Director Confer stated that the first step for the Board to move this rule change would be a vote and directions to staff.

Vice President Archer stated that there are a lack of caregivers and managers coming into the workforce. Caregivers and Managers were allowed to take online training during the COVID-19 emergency order and it did not have a negative impact on the pass rate or the level of instruction the students received.

MOTION: Vice President Archer made a motion seconded by Member Seamans to change the rules to allow for 100% online learning for caregiver and manager training programs.

VOTE: Passed (4-3).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Seamans	Member Randolph	Member Hill	Member Brimhall	Member Steven
Yes		x		x		x	x	
No	x		x					x
Abstain								
Absent					x			

X. EXECUTIVE DIRECTOR REPORT:

A. Budget Update

Executive Director Confer stated that the appropriation increased by about \$100,000 from last year due to staff raises and funding for a new database.

B. Licensing & Investigation Statistics

C. Staffing Update

Executive Director Confer stated that Chief Investigator Eaden has resigned from his position and taken another opportunity within State service. The Board thanked him for his service to the Board

D. Substantive Policy State for License Verification, Nrysus

Executive Director Confer explained that there has been a change in how Nursing Boards across the nation give do license verifications through NURSYS. He requested that the Board vote to accept NURSYS for license verifications.

MOTION: Member Campbell made a motion seconded by Vice President Archer to approve the substantive policy amendment to accept online license verification for nurses online from NURSYS.

VOTE: Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Seamans	Member Randolph	Member Hill	Member Brimhall	Member Steven
Yes	x	x	x	x		x	x	x
No								
Abstain								
Absent					x			

E. Auditor General 30 Month Follow-up

Executive Director Confer stated that Board staff is preparing for the Auditor General follow up audit.

F. Training Program Curriculum and Online Testing Examination (possible discussion and direction)

Executive Director Confer stated that these topics were brought up in the subcommittee meeting for online training.

XI. FUTURE ITEMS AND MEETING DATES

- September 19, 2022
- October 10, 2022
- November 14, 2022
- December 12, 2022

XII. ADJOURNMENT

President Kidder adjourned the meeting at 1:58 pm.



Jack Confer, Executive Director