



**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

Email: [information@aznciboard.us](mailto:information@aznciboard.us)

Site: [www.aznciboard.us](http://www.aznciboard.us)

**Katie Hobbs**  
Governor

**Jack Confer**  
Executive Director

**AGENDA REGULAR MEETING,  
June 12, 2023**

**I. ROLL CALL**

President Kidder called the meeting to order at 9:02 a.m.

President Kidder, Vice President Archer, Member Campbell, Member Brimhall, Member Felix, Member Steven, and Member Koford were present in person.

Attendance: Executive Director Jack Confer, Admin Assistant Jaedyn Sanchez, Investigator Phil Smith, Deputy Director Donita McGlasson, Assistant Attorney General Marc Harris, and Assistant Attorney General Diane DeDea.

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

Member Brimhall recused herself from case number 2023-NCI-0005

**III. CALL TO THE PUBLIC**

No one wishes to speak.

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

**MOTION:** Member Brimhall made a motion, seconded by Member Campbell to approve the May 8, 2023 Board Meeting Minutes.

**VOTE:** Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	X	X	X			X	X		X
No									
Absent					X			X	
Recused				X					

**V. REVIEW, CONSIDERATION, POSSIBLE DISSUCSSION ON REQEUST FOR REHEARING OR REVIEW OF DECISION PUSUANT TO AAC R4-33-106**

**A. Hamed, Shaista Complaint No.: 2022-NCI-0298**

Manager Hamed was not present. Executive Director Confer summarized this case to the Board, as well as Assistant Attorney General Marc Harris.

**MOTION:** President Kidder made a motion, seconded by Vice President Archer to deny the request for a rehearing.

**VOTE:** Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	X	X	X			X	X		X
No									
Absent					X			X	
Recused									

**VI. REVIEW, DISCUSSION AND POSSIBLE ACTION ON FORMAL ADMINISTRATIVE HEARINGS, PROPOSED CONSENT AGREEMENTS OR MOTIONS TO DEEM ALLEGATIONS ADMITTED:**

**B. Formal Hearing Bettina Nowak 2021-NCI-0045, 21-135 9:17AM**

Manager Nowak was not present. Assistant Attorney General DeDea clarified this case to the Board. Assistant Attorney General Harris summarized the case to the Board.

**MOTION:** President Kidder made a motion, seconded by Vice President Archer to grant that the State’s motion to deem the allegations in the Complaint and Notice of Hearing as admitted.

**VOTE:** Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	X	X	X	X		X	X		X
No									
Absent					X			X	
Recused									

**MOTION:** Vice President Archer made a motion, seconded by Member Campbell to adopt the parties of Jurisdiction, Factual Allegations and the Allegations of Unprofessional Conduct from the Complaint and Notice of Hearing as Findings of Fact and Conclusion of Law.

**VOTE:** Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	X	X	X			X	X		X
No									

Absent					X			X	
Recused									

**MOTION:** President Kidder made a motion, seconded by Vice President Archer to Revoke Manager Nowak’s Manager Certificate.

**VOTE:** Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	X	X	X	X		X	X		X
No									
Absent					X			X	
Recused									

**C. Formal Hearing Teresa L. Thoma 2022-NCI-0223 10:05AM**

Manager Thoma was present and represented herself. Assistant Attorney General Harris summarized the case to the Board. Manager Thoma answered questions from the Board.

**MOTION:** President Kidder made a motion, seconded by Vice President Archer to admit Exhibits 1-3 and paragraphs 1-5 into evidence.

**VOTE:** Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	X	X	X	X		X	X	X	X
No									
Absent					X			X	
Recused									

**MOTION:** President Kidder made a motion, seconded by Vice President Archer to adopt the Factual Allegations and the Allegations of Unprofessional Conduct from the Complaint and Notice of Hearing as Findings of Fact and Conclusions of Law.

**VOTE:** Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	X	X	X	X		X	X	X	X
No									
Absent					X			X	
Recused									

**MOTION:** President Kidder made a motion seconded by Member Steven, to issue a \$250.00 Civil Penalty.

**VOTE:** Passed (4-3).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	X	X		X					X
No			X			X	X		
Absent					X			X	
Recused									

**MOTION:** President Kidder and Member Steven amended their motion to issue a \$250.00 Civil Penalty to be paid within 6 month and the \$554.00 Civil Penalty to be paid within 60 days.

**VOTE:** Passed (4-3).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	X	X		X					X
No			X			X	X		
Absent					X			X	
Recused									

**BREAK 10:26 a.m. – 10:41 a.m.**

**BREAK 11:03 a.m. – 11:16 a.m.**

**D. Formal Hearing John M. Zungailo 2022-NCI-0178 11:00AM**

Manager Zungailo was not present. Executive Director Confer summarized the case to the Board, he stated the original Consent Agreement for this case could be signed and the hearing could be continued.

**MOTION:** President Kidder made a motion seconded by Vice President Archer, to continue the hearing with the understanding that Manager Zungailo will sign the original Consent Agreement. The Board will vacate the hearing if the Consent Agreement is signed by June 14<sup>th</sup>, 2023, before 5:00 P.M.

**VOTE:** Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	X	X	X	X		X			X
No									
Absent					X		X	X	
Recused									

**VII. CONSENT AGENDA ITEMS: REVIEW, DISCUSSION AND POSSIBLE ACTION ON COMPLAINT CASE**

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

- 1. Sylvie Nguyen Ly 2022-NCI-0411
- 2. Amador Ortega Jr. 2022-NCI-0586

Manager Ortega was present and represented by counsel. Investigator Smyth summarized the case to the Board. Manager Ortega and his counsel answered questions from the Board.

**MOTION:** President Kidder made a motion, seconded by Member Campbell to issue a Non-Disciplinary Letter of Concern.

**VOTE:** Passed (4-3).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	X		X			X	X		
No		X		X					X
Absent					X			X	
Recused									

- 3. Loretta R. Coffman 2022-NCI-0591
- 4. Cyrus Mogaka Mokaya 2022-NCI-0593

Manager Mokaya was present and represented himself. Investigator Smyth summarized the case to the Board. Manager Mokaya answered questions from the Board.

**MOTION:** President Kidder made a motion, seconded by Vice President Archer, to offer a Consent Agreement to be signed within 10 days or the matter will be forwarded to formal hearing for a violation of ARS 36-446.07(B)(3), conditions: Suspension of Certificate, but the Suspension as long as the terms of Probation are met; reimburse the Board \$524.70 for investigative costs; complete 3 hours of continuing education in the areas of Medication Management, Service Plans, Personnel Requirements, and Environmental Standards within 3 months/

**VOTE:** Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	X	X	X	X		X	X		X
No									
Absent					X			X	
Recused									

- 5. Aleksandra Salkic 2022-NCI-0596 Present

Manager Salkic was present and represented herself. Investigator Smyth summarized the case to the Board. Manager Salkic answered questions from the Board.

**MOTION:** President Kidder made a motion, seconded by Member Brimhall, to offer a Consent Agreement to be signed within 10 days or the matter will be forwarded to formal hearing for a violation of ARS 36-446.07(B)(3), conditions: Suspension of Certificate, but the Suspension as long as the terms of Probation are met; reimburse the Board \$524.82 for investigative costs; complete 3 hours of continuing education in the areas of Service Plans, Personnel Requirements, and Ethics within 3 months.

**VOTE:** Passed (4-3).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	X			X		X			X
No		X	X				X		
Absent					X			X	
Recused									

- 6. Isabella Anna C. Conte 2022-NCI-0597
- 7. Anna Maria G Gonzales 2022-NCI-0598
- 8. John S. Dignoti 2022-NCI-0600

Manager Dignoti was present and represented himself. Smyth summarized the case to the Board. Manager Dignoti answered questions from the Board.

**MOTION:** President Kidder made a motion, seconded by Vice President Archer, to offer a Consent Agreement to be signed within 10 days or the matter will be forwarded to formal hearing for a violation of ARS 36-446.07(B)(3), conditions: Suspension of Certificate, but the Suspension as long as the terms of Probation are met; reimburse the Board \$601.33 for investigative costs; complete 3 hours of continuing education in the areas of Service Plans and Emergency Disaster Preparedness within 3 months.

**VOTE:** Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	X	X	X	X		X	X		X
No									
Absent					X			X	
Recused									

- 9. Rodica Lup 2022-NCI-0604
- 10. Elena Romaniuc 2022-NCI-0610

Manager Romaniuc was present and represented herself. Investigator Smyth summarized the case to the Board. Manager Romaniuc answered questions from the Board.

**MOTION:** President Kidder made a motion, seconded by Vice President Archer to offer a Consent Agreement to be signed within 10 days or the matter will be forwarded to formal hearing for a violation of ARS 36-446.07(B)(3), conditions: Suspension of Certificate, but the Suspension as long as the terms of Probation are met; reimburse the Board \$569.70 for investigative costs; complete 3 hours of continuing education in the areas of Medication Management, Service Plans, Personnel Requirements, and Environmental Standards within 3 months.

**VOTE:** Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	X	X	X	X		X	X		X
No									
Absent					X			X	

Recused									
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11. Monica Poppa 2022-NCI-0612

Manager Poppa was present and represented herself. Investigator Smyth summarized the case to the Board. Manager Poppa answered questions from the Board.

**MOTION:** Vice President Archer made a motion, seconded by Member Brimhall, to issue a Non-Disciplinary Letter of Concern.

**VOTE:** Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	X	X	X	X		X	X		X
No									
Absent					X			X	
Recused									

12. Chad A Szymanski 2022-NCI-0614

13. Garrett R Jones 2022-NCI-0617

14. Irma G. Gomez 2022-NCI-0620

15. Medardo Aleman 2022-NCI-0621

16. Florencio Lalo 2023-NCI-0007

Manager Lalo was present and represented himself. Investigator Smyth summarized the case to the Board. Manager Lalo answered questions from the Board.

**MOTION:** President Kidder made a motion, seconded by Vice President Archer to Dismiss the case.

**VOTE:** Passed (7-0)

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	X	X	X	X		X	X		X
No									
Absent					X			X	
Recused									

17. Beverly J Heasley 2023-NCI-0008

**MOTION:** President Kidder made a motion, seconded by Member Brimhall, to accept the staff recommendation for agenda items 1, 3, 6,7,9,12-15, and 17.

**VOTE:** Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	X	X	X	X		X	X		X
No									
Absent					X			X	

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

1. Steven Bakken 2022-NCI-0526
2. Renu Chacko 2022-NCI-0546

Manager Chacko was present and represented herself. Investigator Smyth summarized the case to the Board. Manager Chacko answered questions from the Board.

**MOTION:** President Kidder made a motion, seconded by Member Campbell, to issue a Non-Disciplinary Letter of Concern.

**VOTE:** Passed (4-3).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	X	X	X	X		X	X		X
No									
Absent					X			X	
Recused									

3. Dionathan Plantado 2022-NCI-0592
4. Marianne Surgenor 2022-NCI-0595
5. Helen V. Heler 2022-NCI-0605
6. Geraldine Griffiths 2022-NCI-0618
7. Casiana Pacurar 2023-NCI-0014
8. Immanuel Arnold 2023-NCI-0023

**MOTION:** President Kidder made a motion, seconded by member Campbell, to accept the staff recommendation for agenda items 1, 3-8.

**BLOCK VOTE:** Passed (4-3).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	X	X	X	X		X		X	X
No									
Absent					X		X		
Recused									

**C. Staff Recommendation for Dismissal(s):**

1. Dina Arguillo 2022-NCI-0541
2. Jannea Downs 2022-NCI-0562

The complainant addressed the Board and answered questions. Board staff administratively deferred this case for further investigation.

3. Amanda V. Vivanco 2022-NCI-0570
4. Teresia N. Ndungu 2022-NCI-0584



- 5. Carla Tover 2022-NCI-0589
- 6. Ronald Suan 2022-NCI-0590
- 7. Jared R. Gardner 2022-NCI-0599
- 8. Darion T. Curry 2022-NCI-0602
- 9. Tedd J. Glazebrook 2022-NCI-0603

Manager Glazebrook was present and represented by counsel. President Kidder asked Manager Glazebrook if he or his counsel would like to address the Board at which they declined.

**MOTION:** President Kidder made a motion, seconded by Campbell, to Dismiss the complaint.

**VOTE:** Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	X	X	X	X		X	X		X
No									
Absent					X			X	
Recused									

- 10. Emilia Pop 2022-NCI-0606
- 11. Nereida O Chavarria 2022-NCI-0607
- 12. Leon G. Hamilton 2022-NCI-0608
- 13. Jeanette Letson 2022-NCI-0609
- 14. Victoria E English 2022-NCI-0611
- 15. Diane Gould 2022-NCI-0613
- 16. Tieg L Bargar 2022-NCI-0616
- 17. Timothy Poore 2022-NCI-0619
- 18. Thomas C Valenti 2022-NCI-0628
- 19. Jannea Downs 2023-NCI-0001

The complainant addressed the Board and answered questions. Board staff administratively deferred this case for further investigation.

- 20. Peggy Ulland 2023-NCI-0003

Manager Ulland was present and represented by counsel. President Kidder asked Manager Ulland if she or her counsel would like to address the Board at which they declined.

**MOTION:** President Kidder made a motion, seconded by Member Campbell, to Dismiss the complaint 2023-NCI-0003 and agenda item 32, 2023-NCI-0056 regarding Manager Ulland.

**VOTE:** Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	X	X	X	X		X	X		X
No									
Absent					X			X	
Recused									

- 21. Grace Leathers 2023-NCI-0005
- 22. No Manager 2023-NCI-0006
- 23. Lucita A. Dupas 2023-NCI-0010
- 24. Abidemi Ogundele 2023-NCI-0011

- 25. No Manager 2023-NCI-0012
- 26. Adriana Zamora 2023-NCI-0015
- 27. Caroline Njoroge 2023-NCI-0016
- 28. Steven Bakken 2023-NCI-0018
- 29. No Manager 2023-NCI-0019
- 30. No Manager 2023-NCI-0024
- 31. No Manager 2023-NCI-0025
- 32. Peggy Ulland 2023-NCI-0056
- 33. No Manager 2023-NCI-0190
- 34. No Manager 2023-NCI-0247

**MOTION:** President Kidder made a motion, Seconded by Archer to accept the staff recommendation for agenda items 1, 3-8, 10-18, 22-31, 33, and 34.

**BLOCK VOTE:** Passed (7-0).

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	X	X	X	X		X	X		X
No									
Absent					X			X	
Recused									

**VIII. BOARD PRESIDENT REPORT:**

There was nothing to report.

**IX. EXECUTIVE DIRECTOR REPORT**

Board to review, discuss and possibly take action on the following items:

**GRRC Update: Online Training Program(s), Five Year Rule Review & Issues Raised at GRRC Council Meeting**  
Executive Director Confer gave an update on the online training programs / GRCC.

**Budget Update**

Deputy Director McGlasson gave an update on the budget to the Board Members.

**Licensing & Investigation Statistics**

Executive Director Confer gave an update on current Licensing Statistics.

**2023 Proposed Legislation Update SB1333**

**Staff Update**

Executive Director Confer gave an update on the current NCIA staff members.

**Preliminary Budget Request and Fee Increase Discussion (possible vote)**

Executive Director Confer discussed the need for fee increases and advised the Board the item will be placed on a future Agenda for a vote.

**XIII. FUTURE ITEMS AND MEETING DATES**

July 10, 2023, August 14, 2023, September 11, 2023, October 16, 2023, November 13, 2023, and December 11, 2023.

**XIV. ADJOURNMENT**

President Kidder adjourned the meeting at 1:00 p.m.

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Jack Confer, Executive Director

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