



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

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**Katie Hobbs**  
Governor

**Jack Confer**  
Executive Director

**MEETING MINUTES**

**November 13, 2023 9:00 AM**

**I. ROLL CALL**

Vice President Archer called the meeting to order at 9:04am

Vice President Archer, Member Campbell, Member Felix, Member Steven, Member Brimhall and Member Hill were present in person. Member Cook joined the meeting by phone

Attendance: Executive Director Jack Confer, Project Specialist Aileen Barajas, Administrative Assistant Stacy Rodriguez, Investigator Phil Smith, Deputy Director Donita McGlasson and Assistant Attorney General Seamus Monaghan.

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

No Conflict of Interests filed

Board Member Recusals:

Vice President Archer recused herself from cases 2023-NCI-0182 & 2023-NCI-0189

Member Felix recused herself from cases 2023-NCI-0272 & 2023-NCI-0286

**III. CALL TO THE PUBLIC**

No one wished to address the Board.

**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).

A. Draft Regular Meeting Minutes, October 16, 2023

**MOTION:** Vice President Archer made a motion, seconded by Member Campbell to approve the October 16, 2023 regular meeting minutes

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

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. Draft Executive Session Meeting Minutes, October 16, 2023

Executive Director Confer to postpone the Executive Session Meeting Minutes

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

A. Staff Recommendation for Disciplinary Consent Agreement(s) and/or Formal Hearing:

- 1. Shauna R Gann 2023-NCI-0182(postponed)
- 3. Evelyn C Flores 2023-NCI-0192(postponed)
- 4. Evelyn N Ochoa 2023-NCI-0231
- 7. Lori M Fruchey 2023-NCI-0243
- 8. Benjamin Reeves 2023-NCI-0262
- 11. Antonio S Camillo 2023-NCI-0284
- 12. Fhad Udjuni 2023-NCI-0285
- 14. Anne W Kabata 2023-NCI-0290
- 15. Lani M James 2023-NCI-0292
- 16. Hannah Malanog Tomimbang 2023-NCI-0297
- 17. Romero Jurca 2023-NCI-0541

**MOTION:** Vice President Archer made a motion, seconded by Member Campbell to accept staff recommendation of a Disciplinary Consent Agreement for agenda items 4, 7, 8, 11, 12,14,15,16 &17 and postpone cases 2023-NCI-0182 & 2023-NCI-0192

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

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									

- 2. Kim-Royce Rairden 2023-NCI-0189

Manager Rairden was present and represented himself. Investigator Smith summarized the case for the Board. Manger Rairden explained the allegations to the Board and Vice President Archer recused herself from the case.

**MOTION:** Member Campbell 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 \$601.33 for investigative costs; complete 3 hours of continuing education in the areas of Service Plans, Ethics and Personnel Requirements within 3 months.

**ROLL CALL VOTE: (6-0) Passed**

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							

5. Vivian Mary Rueda Ruiz 2023-NCI-0233

Manager Ruiz was present and represented herself. Investigator Smith summarized the case for the Board. Manager Ruiz explains the allegations to the Board.

**MOTION:** Vice President Archer 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 \$536.18 for investigative costs; complete 3 hours of continuing education in the areas of Medication Management, Resident Rights and Environmental Standards within 3 months.

**ROLL CALL VOTE: (5-2) Passed**

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	
No				X	X				
Absent	X								X
Recused									

6. Janina A. Alkhaloufi 2023-NCI-0236

Manager Alkhaloufi was in attendance and represented herself. Investigator Smith summarized the case to the Board. Member Steven addressed Manager Akhaloufi about her nursing and business background.

**MOTION:** Vice President Archer made a motion, seconded by Member Campbell to issue a Non-Disciplinary Letter of Concern. The Boards concern is the manager failed to maintain required documents.

**ROLL CALL VOTE: (6-0) Passed**

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. Dora M Mutuvi 2023-NCI-0268

Licensee Mutuvi was in attendance and represented herself. Investigator Smith summarized the case for the Board. Manager Mutuvi addressed the Board and any questions they had.

**MOTION:** Member Steven made a motion, seconded by Member Hill 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: Voluntary Surrender of Certificate.

**ROLL CALL VOTE: (6-1) Passed**

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			X						
Absent	X								X
Recused									

10.

Kellie Moats

2023-NCI-0274

Licensee Moats was in attendance and represented herself. Investigator Smith summarized the case for the Board and states that manager Moats has provided staff with a written response. Manger Moats addressed the repeating deficiency and stated that weekly community audits are being conducted.

**MOTION: Member Brimhall made a motion to dismiss the case. Motion died for a lack of second**

**MOTION:** Vice President Archer made a motion, seconded by Member Brimhall to dismiss the case

**ROLL CALL VOTE: (4-3) Not Passed**

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

**MOTION:** Member Hill made a motion, seconded by Vice President Archer to issue a Non-Disciplinary Letter of Concern for failure to ensure compliance on the April 17, 2023 check survey

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

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									

13.

Mary Elizabeth Mizer

2023-NCI-0288

Licensee Mizer was in attendance and represented herself. Investigator Smith summarized the case to the Board. Manager Mizer explains the changes that have been made to the Board such as conducting monthly audits, a new way of enforcing the policies and procedures and also making sure she contains all of the documents moving forward.

**MOTION:** Vice President Archer made a motion, seconded by Member Campbell to dismiss the case

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

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									

Yes		X	X	X	X	X	X	X	
No									
Absent	X								X
Recused									

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

16. Mariam Yousef 2023-NCI-0296

Manager Yousef was present and wished to address the Board. Investigator Smith summarized the case for the Board. Manager Yousef explains the allegations and the corrections that have been made.

**MOTION:** Member Campbell made a motion, seconded by Member Brimhall to issue a Non Disciplinary Letter of Concern

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

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									

1. Tabitha D Meyer 2023-NCI-0222

Licensee Meyer was not in attendance. Investigator Smith summarized the case to the Board. The Board discussed the case.

**MOTION:** Member Brimhall made a motion, seconded by Member Felix to issue staff recommendations for Non-Disciplinary Letter of Concern

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

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									

2. Ioana M Istrate 2023-NCI-0232

3. Susan M Baker 2023-NCI-0234

4. Felipe M Torrea 2023-NCI-0235

5. Ana Stanca 2023-NCI-0238

6. Joanna V Garba 2023-NCI-0240

7. Felicia Dogar 2023-NCI-0242

8. Azhar R Jan 2023-NCI-0244

9. Pamela A Orlich 2023-NCI-0270

10. Erlinda A Lazorchak 2023-NCI-0271

11. Deborah Lynn Anderson 2023-NCI-0273

12. Dana Blaj 2023-NCI-0282

13. Amalia Ruvalcaba 2023-NCI-0283

14. Diana Escobedo 2023-NCI-0287

**MOTION:** Vice President Archer made a motion, Seconded by Member Brimhall to follow staff recommendation for a Non-Disciplinary Letter of Concern(s) for agenda items 2-15

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

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. Immanuel David Arnold 2023-NCI-0210
2. Immanuel David Arnold 2023-NCI-0218
3. Nathan Koford 2023-NCI-0224
4. Kimberly J Barczyk 2023-NCI-0227
5. Irene Hajdu 2023-NCI-0229
6. Genaro O'Brian Cruz-Andino 2023-NCI-0230
7. Peter A Balistreri 2023-NCI-0237
8. Nicusor Porneala 2023-NCI-0241
9. Yesmeen Kassandra Teran 2023-NCI-0246
10. Jennifer Tara Creviston 2023-NCI-0248
11. Jordan Allred Monson 2023-NCI-0259
12. Chad Eaton 2023-NCI-0260
13. Elma Petkovic 2023-NCI-0261
14. Caleb William Morris 2023-NCI-0263
15. Lisa O'Toole 2023-NCI-0265
16. Joey B Ocuaman 2023-NCI-0266
17. Phoebe A. Nason 2023-NCI-0267
18. Denise S Zungailo 2023-NCI-0269
19. Dennis J Scalpone 2023-NCI-0272
20. Frances P Donnellan 2023-NCI-0275
21. Anita C Abella 2023-NCI-0277
22. Melissa S Miloz 2023-NCI-0286
23. Linda Petrillo Ireland 2023-NCI-0291
24. Natanael Lupei 2023-NCI-0293
25. Amie M Gadigan 2023-NCI-0299
26. Janice Swanner 2023-NCI-0322
27. Jennifer Tara Creviston 2023-NCI-0333
28. Pamela A Orlich 2023-NCI-0385
29. Doinita Dawson 2023-NCI-0408
30. Tyler J Petty 2023-NCI-0410
31. Jonathan Daniel Grosvenor 2023-NCI-0412
32. Jonathan Daniel Grosvenor 2023-NCI-0471
33. Pamela Becerra 2023-NCI-0530

**MOTION:** Vice President Archer made a motion, Seconded by Member Campbell to dismiss agenda items 1-33

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

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	
No					X				
Absent	X								X
Recused							X		

**VI. BOARD PRESIDENT’S REPORT:**

Nothing to report

**VII. EXECUTIVE DIRECTOR REPORT:**

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

**A. FY2024 & FY2025 Budget Request (Possible Consideration & Discussion)**

Executive Director Confer provided the Board with an update on the budget request

**B. Complaint & Licensing Statistics (Possible Consideration & Discussion)**

Executive Director Confer gave the Board an update on Compliant and Licensing Statistics and stated that the agency is receiving at least 3 Initial Manager applications a day

**C. Draft Statutory Language (Possible Consideration & Discussion & Vote)**

Executive Director Confer shared an update with the Board on drafting statutory language and that he will share that with the Board once it becomes available

**D. Update Thentia Database Project, Data Migration Blackout Dates**

Deputy Director McGlasson gave the board an update on the Thentia Database Project. Executive Director Confer addressed the data migration that will be happening starting December 1, 2023

**E. Notice of Proposed Rule Making, Fee Increase, Oral Proceeding**

Executive Director Confer provided the Board with an update on the Rulemaking/ Fee Increase

**VIII. FUTURE ITEMS AND MEETING DATES**

January 22, 2024, February 12, 2024, March 11, 2024

**IX. ADJOURNMENT**

Vice President Archer adjourned the meeting at 12:06pm

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Jack Confer, Executive Director