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

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Katie Hobbs Governor



Jack Confer Executive Director

Board Meeting Minutes

The regular meeting of the NCIA Board convened at 9:05 AM, Monday, Feb 10, 2025 in Boardroom C, at 1740 W. Adams Street, Phoenix, Arizona, with Jeffrey Cook, Board President, presiding.

BOARD MEMBERS PRESENT:

Jeffrey Cook, President Rebecca Hill, Vice President James (Ritch) Steven, Member Nina Louis, Member Kelly Bojorquez, Member Amy Malkin, Member Mark Muir, Member Annette Mendonca, Member

LEGAL COUNSEL PRESENT:

Seamus Monaghan, Assistant Attorney General (AAG) Dena Benjamin, Assistant Attorney General (AAG)

STAFF PRESENT:

Jack Confer, Executive Director Donita McGlasson, Deputy Director Phil Smyth, Investigator Brian Thomas, Project Specialist Paige Horton, Licensing Specialist The meeting was called to order at 9:05 am, Monday, Feb 10, 2025.

President Cook welcomed members of the audience, explained the procedure for addressing the Board, and stated the mission of the Board.

I. ROLL CALL

The following Board members were present: President Cook, Vice President Hill, Member Steven, Member Louis, Member Bojorquez, Member Malkin, Member Muir, Member Mendonca

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

No Board Member declared conflicts of interest.

III. <u>DECLARATION OF RECUSAL(S)</u>

Member Mendonca recused from 2024-NCI-0105, Ligia Ilea Member Mendonca recused from 2024-NCI-0456, Amy McIlroy President Cook recused from 2024-NCI-0544, Jeffrey Cook

IV. ELECTION OF OFFICERS

AAG Monaghan provided instructions to the Board on the process of electing a Board President and Vice President.

Member Hill motioned, Member Mendonca seconded the motion, to elect Member Cook as Board President. Member Cook accepted the nomination.

ROLL CALL VOTE (8-0)

<u>VOTE</u>	<u>Member</u> <u>Hill</u>	Member Cook	Member Steven	Member Bojorquez	Member Malkin	Member Louis	Member Muir	Member Mendonca
YES	>	>	N	N	N	N	N	>
NO								
ABSTAIN								
RECUSED								
ABSENT								

President Cook motioned, Member Mendonca seconded the motion, to elect Member Hill as Vice President. Member Hill accepted the nomination.

ROLL CALL VOTE (8-0)

VOTE	President Cook	<u>Member</u> <u>Hill</u>	Member Steven	Member Bojorquez	<u>Member</u> <u>Malkin</u>	Member Louis	<u>Member</u> <u>Muir</u>	<u>Member</u> <u>Mendonca</u>
YES	V	\checkmark	✓	N	N	N	V	\checkmark
NO								
ABSTAIN								
RECUSED								

ABSENT				

V. <u>CALL TO THE PUBLIC</u>

No one wished to speak.

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

- A. Draft January 13, 2025 Regular Board Meeting Minutes
- B. Draft January 13, 2025 Executive Session Meeting Minutes
- C. Draft January 17, 2025 Virtual Legislative Subcommittee Meeting Minutes

The review and approval of the January 13, 2025 Draft Regular Meeting Minutes, January 13, 2025 Executive Session Meeting Minutes, and the January 17, 2025 Virtual Legislative Subcommittee Meeting Minutes was postponed to the next meeting.

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

A. Sidonia Groza

2024-NCI-0344

9:30 AM

Respondent, Sidonia Groza was not present and was not represented by Counsel. AAG Monaghan outlined the case to the Board.

Vice President Hill • motioned, Member Louis • seconded to grant the State's motion and deem the allegations in the Complaint and Notice of Hearing as admitted.

ROLL CALL VOTE (8-0)

VOTE	President Cook	Vice President Hill	Member Steven	Member Bojorquez	Member Malkin	Member Louis	Member Muir	Member Mendonca
YES	Y	>	N	N	>	>	N	V
NO								
ABSTAIN								
RECUSED								
ABSENT								

Vice President Hill • motioned, Member Louis • seconded to adopt the Parties and Jurisdiction, Factual Allegations and the Allegations of Unprofessional Conduct from the Complaint and Notice of Hearing as Findings of Fact and Conclusions of Law.

ROLL CALL VOTE (8-0)

<u>VOTE</u>	President Cook	<u>Vice</u> <u>President</u> <u>Hill</u>	Member Steven	Member Bojorquez	Member Malkin	Member Louis	Member Muir	Member Mendonca
		11111					1	

YES	>	>	N	N	>	>	>	N
NO								
ABSTAIN								
RECUSED								
ABSENT								

Vice President Hill • motioned, Member Louis • seconded to revoke manager certificate ALM-003254 for Sidonia Groza.

ROLL CALL VOTE (8-0)

NOLL CAL	JE VOIE	(0 0)						
VOTE	President Cook	Vice President Hill	Member Steven	Member Bojorquez	Member Malkin	Member Louis	Member Muir	Member Mendonca
YES	\	✓	✓	>	N	N	N	N
NO								
ABSTAIN								
RECUSED								
ABSENT								

B. Ligia Ilea

2024-NCI-0105

10:00 AM

Respondent, Ligia Ilea present and was not represented by Counsel. AAG Monaghan outlined the case to the Board and explained the State's position to settle the matter with a non-disciplinary Letter of Concern. Manager Ilea explained her position on the allegations and answered questions from the Board. Executive Director Confer asked questions and Manager Ilea provided responses. After discussion, a motion was made.

Vice President Hill • motioned, Member Louis • seconded to vacate the hearing and issue a Letter of Concern for hiring someone who was unable to communicate effectively in English.

ROLL CALL VOTE (0-8)

<u>VOTE</u>	President Cook	Vice President Hill	Member Steven	Member Bojorquez	Member Malkin	Member Louis	Member Muir	Member Mendonca
YES								
NO	\	>	V	N	N	N	N	V
ABSTAIN								
RECUSED								
ABSENT								

NCIA Feb 10, 2025 Board Minutes

The motion was not passed and additional discussion took place. After discussion, a new motion was made.

Vice President Hill • motioned, Member Steven • seconded to vacate the hearing and issue a non-disciplinary Letter of Concern for failing to ensure a Caregiver could effectively communicate in English, for Service Plans and personnel files being incomplete and for the improper storage of toxic chemicals.

	ROLL	CALL	VOTE	(5-2))
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VOTE	President Cook	Vice President Hill	Member Steven	Member Bojorquez	<u>Member</u> <u>Malkin</u>	Member Louis	<u>Member</u> <u>Muir</u>	Member Mendonca
YES	V	N	N		K		N	
NO				<		>		
ABSTAIN								V
RECUSED								
ABSENT								

C. Mark Lawrence

2024-NCI-0267

10:30 AM

Respondent was not present and was not represented by Counsel. AAG Monaghan explained to the Board that Manager Lawrence would not be participating in the hearing, but has been responsive. AAG Monaghan requested a postponement to the next meeting to allow time for negotiations of a Consent Agreement for Voluntary Surrender and if not signed, the matter would be brought back to the Board.

Vice President Hill - motioned, Member Steven - seconded to move the hearing to the next board meeting.

ROLL CALL VOTE (8-0)

VOTE	President Cook	Vice President Hill	Member Steven	Member Bojorquez	Member Malkin	Member Louis	Member Muir	Member Mendonca
YES	\searrow	N	N	N		N	N	✓
NO								
ABSTAIN			Image: section of the content of the					
RECUSED								
ABSENT								

VIII. <u>CONSENT AGENDA ITEMS: REVIEW, DISCUSSION AND POSSIBLE ACTION ON COMPLAINT CASE REVIEWS</u>

A. Staff Recommendation for Disciplinary Consent Agreement(s)

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Vice President Hill • motioned, Member Louis • seconded, to approve the staff recommendation for consent agreement for agenda items, VIII(A) 1,2,3,5, 6-13, 15-27, VIII(A)14 for Matthew Sirbu 2024-NCI-0612 was postponed for a future meeting.

- 1. Laarni Paragas 2024-NCI-0402
- 2. Laarni Paragas 2024-NCI-0551
- 3. Racheal Sandoval 2024-NCI-0437
- 5. Nancy Njoroge 2024-NCI-0531
- 6. Erika Tanglao 2024-NCI-0533
- 7. Felipe Torrea 2024-NCI-0558
- 8. April Chavez 2024-NCI-0574
- 9. Junxiang Yin 2024-NCI-0576
- 10. Chong Yu 2024-NCI-0577
- 11. Irene Hajdu 2024-NCI-0581
- 12. Patricia Botts 2024-NCI-0596
- 13. Amber Briongos 2024-NCI-0601
- 15. Elena Sik 2024-NCI-0287
- 16. Kim Royce-Rairden 2024-NCI-0502
- 17. Emily Leka 2024-NCI-0521
- 18. Felicia Dogar 2024-NCI-0522
- 19. Jessica McPherson 2024-NCI-0535
- 20. Paul Briehl 2024-NCI-0549
- 21. Erika Tanglao 2024-NCI-0553
- 22. Kelci Franks 2024-NCI-0554
- 23. Aaron Rocha 2024-NCI-0564
- 24. Catleene Dabney 2024-NCI-0568
- 25. Nicole Suprien 2024-NCI-0572
- 26. Miramar Biralde 2024-NCI-0575
- 27. Victoria Nakazigo 2024-NCI-0591

ROLL CALL VOTE (8-0)

VOTE	President Cook	Vice President Hill	Member Steven	Member Bojorquez	Member Malkin	Member Louis	Member Muir	Member Mendonca
YES	N	N	N	N	N	Ŋ	V	V
NO								
ABSTAIN								
RECUSED								
ABSENT								

4. Amy McIlroy 2024-NCI-0456

Respondent, Manager McIlroy was present with Counsel, Jennifer Wasserman. Investigator Phil Smyth outlined the case for the Board. The Board asked questions of the respondent and Counsel. After discussion, a motion was made.

Vice President Hill • motioned, Member Malkin • seconded, to issue a non-disciplinary Letter of Concern. The Board's concern is the manager failed to appropriately secure personnel records, complete incident reports, and properly secure toxic chemicals in a locked area inaccessible to residents.

NOLL CILL VOIL (0 0)	ROLL	CALL	VOTE	(8-0)
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<u>VOTE</u>	President Cook	<u>Vice</u> <u>President</u> <u>Hill</u>	Member Steven	Member Bojorquez	<u>Member</u> <u>Malkin</u>	Member Louis	Member Muir	Member Mendonca
YES	\	✓	✓	K	\	N	✓	✓
NO								
ABSTAIN								
RECUSED								
ABSENT								

Break 9:58-10:08

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

1.	Andrea Soto	2024-NCI-0523
2.	Robin Hawkins	2024-NCI-0524
3.	Florentina Lela	2024-NCI-0541
4.	Jefferey Cook	2024-NCI-0544
5.	Adrian Pedlowski	2024-NCI-0548
6.	Abel DeFrost	2024-NCI-0569
7.	Bryan Wasterman	2024-NCI-0586
8.	Ana Tache	2024-NCI-0590
9.	Belinda Costa	2024-NCI-0603

Vice President Hill • motioned, Member Louis • seconded, to accept the staff recommendation for a non-disciplinary Letter of Concern

ROLL CALL VOTE (8-0)

VOTE	President Cook	<u>Vice</u> <u>President</u> <u>Hill</u>	Member Steven	Member Bojorquez	<u>Member</u> <u>Malkin</u>	Member Louis	Member Muir	Member Mendonca
YES	Y	>	N	N	N	N	N	V
NO								
ABSTAIN								
RECUSED								
ABSENT								

C. Staff Recommendation for Dismissal(s).

1. Laura Olson	2024-NCI-0275
2. Susan Archer	2024-NCI-0309
3. Dawn Romayo	2024-NCI-0492
4. Marcia Turner	2024-NCI-0525
5. Nicol Surgenor	2024-NCI-0526
6. Manuela Rios	2024-NCI-0529
7. Calina Ardelean	2024-NCI-0532
8. Gary Fulton	2024-NCI-0534
9. Sampaguita Maglalang	2024-NCI-0536
10. Russell Sylvester	2024-NCI-0537
11. Jean Pederson	2024-NCI-0539
12. Stephanie Burns	2024-NCI-0547
13. Wilmala Mackey	2024-NCI-0552
14. Matthew Sirbu	2024-NCI-0555
15. Annalisa LaJeunesse	2024-NCI-0557
16. Racquel Millar	2024-NCI-0559
17. Liesen Clemons	2024-NCI-0560
18. Lani James	2024-NCI-0561
19. Yasmin Juliah	2024-NCI-0562
20. Ana Cu	2024-NCI-0563
21. Prescilia Ygot	2024-NCI-0565
22. Judith Steward	2024-NCI-0566
23. Krystal Saucedo	2024-NCI-0567
24. Dawn Miller	2024-NCI-0570
25. Stefanie Mulkerin	2024-NCI-0571
26. Krista Solomon	2024-NCI-0573
27. Akinyele Ikuseru	2024-NCI-0579
28. Elena Ciubotaru	2024-NCI-0580
29. Lavinia Mateescu	2024-NCI-0582
30. Jeannette Zerilli	2024-NCI-0583
31. Kerri Felix	2024-NCI-0588
32. Sara Sarabia	2024-NCI-0592
33. Annett Medina	2024-NCI-0593
34. Janett Agbayani	2024-NCI-0594
35. Brianna McGaugh Fischer	2024-NCI-0602
36. Rose Ann Dela Rosa	2024-NCI-0611
37. Listas Dumagpi	2024-NCI-0613
38. Sarah Ann White	2024-NCI-0614

ROLL CALL VOTE (8-0)

VOTE	President Cook	Vice President Hill	Member Steven	Member Bojorquez	<u>Member</u> <u>Malkin</u>	Member Louis	<u>Member</u> <u>Muir</u>	Member Mendonca
YES	>	>	>	>	V	>	>	\
NO								
ABSTAIN								
RECUSED								
ABSENT								

X. BOARD PRESIDENT'S REPORT

Nothing to report

XI. EXECUTIVE DIRECTOR REPORT

Executive Director Confer advised the Board that the FBI has granted access to the NCIA Board to begin FBI criminal background checks for new applicants. Executive Director Confer advised more information would be provided when available.

Executive Director Confer provided a handout of Vice President Hill's summary notes from the HB2183 meetings she attended. Vice President Hill provided suggestions for items recommended for amendments or modifications.

Vice President Hill, Member Louis and Member Malkin volunteered to be a part of the Subcomitte to review HB2183

XII. FUTURE ITEMS AND MEETING DATES

March 10, 2025, April 14, 2025, May 12, 2025

XIII. ADJOURNMENT

The meeting adjourned on Feb 10, 2025 at 10:54 am.



Jack Confer, Executive Director