

# Arizona State Board of Nursing

Doug Ducey  
Governor

Joey Ridenour  
Executive Director



## Special Board Meeting Minutes

The regular meeting of the Arizona State Board of Nursing convened at 4:37 p.m., Thursday, June 26, 2018, in Board Room A, at the Board of Nursing office, 1740 W. Adams Street, Phoenix, Arizona, with Randy C. Quinn, CRNA, President, presiding.

### BOARD MEMBERS PRESENT:

Randy C. Quinn, CRNA, President  
M. Shawn Harrell, RN, MS, Member

### BOARD MEMBERS PRESENT TELEPHONICALLY:

Theresa (Terri) Berrigan, LPN, C-AL, Vice-President  
Jana Machesky, LPN, (Secretary)  
Dr. Carmen Hill-Mekoba, DNP, APRN-BC, Member  
Dr. Melinda Preston, DNP, APRN, PMHNP-BC, Member

### BOARD MEMBERS ABSENT:

Cecelia Andersen BSN, RN  
Elizabeth Boyer, RN, Member  
Brandon Dale, Member  
Lori Gutierrez, MSN, RN-C, Member

### LEGAL COUNSEL:

Sunita Krishna, Assistant Attorney General

### STAFF DIRECTORS:

Joey Ridenour, RN, MN, FAAN, Executive Director  
Janeen Dahn, PhD, RN, FNP-C, Associate Director of Investigations and Compliance  
Robert Ellis, BSIT, MBA, MPM, Associate Director of Operations

### STAFF:

Emma Mamaluy, JD, Chief Counsel present telephonically

Cindy Mand, MSN, RN, Program Administrator  
Kathleen Harrington, RN, MSN-INF, Program Admin  
Monitoring  
Naira Kutnerian, Legal Secretary II, Investigator

## I. Call to Order

The meeting was called to order at 4:30 p.m., Thursday, June 26, 2018.

The following Board members were present: Quinn, Berrigan, Harrell, Hill-Mekoba, Machesky and Preston.

Quinn presided.

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

**II.A. Administrative Law Judge (ALJ) Recommendations**

**II.A.1. Carol Ann Schaeffer RN049306 (Campbell/Krishna)**

The proceeding began at 4:37 p.m., with the following Board members present: Quinn, Berrigan, Harrell, Hill-Mekoba, Machesky and Preston.

All Board members answered affirmatively that they had received and read the transcript of the hearing and the Administrative Law Judge’s recommendation.

The State was represented by Sunita Krishna, Assistant Attorney General. Carrie Smith, Assistant Attorney General, provided independent counsel for the Board.

Krishna addressed the Board and requested the Board accept the Administrative Law Judge’s recommended findings of fact and conclusions of law and to and to proceed to revocation in this case.

Carol Ann Schaeffer was not present and was not represented by legal counsel.

Preston moved, Berrigan seconded, and it was unanimously carried to accept as Findings of Fact the findings contained in Paragraphs 1 through 16.

Preston moved, Berrigan seconded, and it was unanimously carried, to accept as Conclusions of Law the violations in Paragraphs 1 through 8.

Preston moved, Hill-Mekoba seconded, and it was unanimously carried, to accept the Administrative Law Judge’s Order to revoke Registered Nurse License No.RN09306 previously issued to Carol Ann Schaeffer.

<b>VOTE</b>		<u>Andersen</u> Member	<u>Gutierrez</u> Member	<u>Preston</u> Member	<u>Dale</u> Member	<u>Machesky</u> Secretary	<u>Quinn</u> President	<u>Berrigan</u> V.President	<u>Hill- Mekoba</u> Member	<u>Harrell</u> Member	<u>Boyer</u> Member
<b>YES</b>	<b>6</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>NO</b>	<b>0</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>ABSTAIN</b>	<b>0</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>ABSENT</b>	<b>4</b>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**II.A. Administrative Law Judge (ALJ) Recommendations**

**II.A. 2. Shu’Juan Tebec Jenkins CNA/LNA Applicant (Campbell/Krishna)**

The proceeding began at 4:41p.m., with the following Board members present: Quinn, Berrigan, Harrell, Hill-Mekoba, Machesky and Preston.

All Board members answered affirmatively that they had received and read the transcript of the hearing and the Administrative Law Judge’s recommendation.

The State was represented by Sunita Krishna, Assistant Attorney General. Carrie Smith, Assistant Attorney General, provided independent counsel for the Board.

Krishna addressed the Board and requested the Board accept the Administrative Law Judge’s recommended findings of fact and conclusions of law and to and to proceed to deny reissuance of nursing assistant certification in this case.

Shu’ Juan Tebec Jenkins was not present and was not represented by legal counsel.

Preston moved, Harrell seconded, and it was unanimously carried to accept as Findings of Fact the findings contained in Paragraphs 1 through 18.

Preston moved, Harrell seconded, and it was unanimously carried, to accept as Conclusions of Law the violations in Paragraphs 1 through 10.

Preston moved, Harrell seconded, and it was unanimously carried, to deny the applicant’s reissuance of nursing assistant certification and that prior denial of Shu’Juan Tebec Jenkins’s application for nursing assistant certification be upheld and affirmed.

<b><u>VOTE</u></b>		<u>Andersen</u> Member	<u>Gutierrez</u> Member	<u>Preston</u> Member	<u>Dale</u> Member	<u>Machesky</u> Secretary	<u>Quinn</u> President	<u>Berrigan</u> V.President	<u>Hill- Mekoba</u> Member	<u>Harrell</u> Member	<u>Boyer</u> Member
<b>YES</b>	<b>6</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>NO</b>	<b>0</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>ABSTAIN</b>	<b>0</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>ABSENT</b>	<b>4</b>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**II.A. Administrative Law Judge (ALJ) Recommendations**

**II.A.1. Carol Ann Schaeffer RN049306 (Campbell/Krishna)**

Harrell moved, Quinn seconded, and it was unanimously carried to reopen Agenda Item II.A.1. Schaeffer was present and addressed the Board. Quinn moved, Preston seconded, and it was unanimously carried, to reaffirm previous Board decision.

<b><u>VOTE</u></b>		<u>Andersen</u> Member	<u>Gutierrez</u> Member	<u>Preston</u> Member	<u>Dale</u> Member	<u>Machesky</u> Secretary	<u>Quinn</u> President	<u>Berrigan</u> V.President	<u>Hill- Mekoba</u> Member	<u>Harrell</u> Member	<u>Boyer</u> Member
<b>YES</b>	<b>6</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>NO</b>	<b>0</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>ABSTAIN</b>	<b>0</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>ABSENT</b>	<b>4</b>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**II.A. Administrative Law Judge (ALJ) Recommendations**

**II.A.3. Phuoning Alex Keo RN108624/AP4232 (Campbell/Krishna)**

The proceeding began at 5:01 p.m., with the following Board members present: Quinn, Berrigan, Harrell, Hill-Mekoba, Machesky and Preston.

All Board members answered affirmatively that they had received and read the transcript of the hearing and the Administrative Law Judge’s recommendation.

The State was represented by Sunita Krishna, Assistant Attorney General. Carrie Smith, Assistant Attorney General, provided independent counsel for the Board.

Krishna addressed the Board and requested the Board accept the Administrative Law Judge’s recommended findings of fact and conclusions of law and to and to proceed to revocation in this case.

Phuoning Alex Keo was not present and was not represented by legal counsel.

Preston moved, Berrigan seconded, and it was unanimously carried to accept as Findings of Fact the findings contained in Paragraphs 1 through 24.

Preston moved, Harrell seconded, and it was unanimously carried, to accept as Conclusions of Law the violations in Paragraphs 1 through 5.

Preston moved, Harrell seconded, and it was unanimously carried, to accept the Administrative Law Judge’s Order to revoke Registered Nurse License No.RN108624, and Advanced Practice certificate No.AP4232 previously issued to Phuoning Alex Keo. Preston withdrew the motion.

Quinn moved, Harrell seconded, and it was unanimously carried, to change Finding of Fact 22 and 23 as outlined in the State’s memorandum.

Quinn moved, Harrell seconded, and it was unanimously carried, to accept the Administrative Law Judge’s Order to revoke Registered Nurse License No.RN108624, and Advanced Practice certificate No.AP4232 previously issued to Phuoning Alex Keo.

<u>VOTE</u>		<u>Andersen</u> Member	<u>Gutierrez</u> Member	<u>Preston</u> Member	<u>Dale</u> Member	<u>Machesky</u> Secretary	<u>Quinn</u> President	<u>Berrigan</u> V.President	<u>Hill- Mekoba</u> Member	<u>Harrell</u> Member	<u>Boyer</u> Member
<b>YES</b>	<b>6</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>NO</b>	<b>0</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>ABSTAIN</b>	<b>0</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>ABSENT</b>	<b>4</b>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**II.B. Consent Agenda - Motion to Deem Allegations Admitted for Failure to Respond to Complaint and Notice of Hearing & Recommended Discipline**

<b>AGENDA #</b>	<b>Respondent Name</b>	<b>Lic/Cert #</b>	<b>Board Resolution</b>	<b>Legal Staff</b>
<b>II.B.1.</b>	Kristal Marie Criswell	LP049445	Revoke	(Campbell)
<b>II.B.2.</b>	Shauna Lee Maas	RN138226	Revoke	(Krishna)

The State was represented by Sunita Krishna, Assistant Attorney General. Carrie Smith, Assistant Attorney General, provided independent counsel for the Board.

The above-listed were not present and were not represented by legal counsel.

Preston moved, Harrell seconded, and it was unanimously carried to grant the State’s Motion to Deem Allegations Admitted.

Preston moved, Harrell seconded, and it was unanimously carried to accept the Factual Allegations and the Alleged Violations from the Complaint and Notice of Hearing as Findings of Fact and Conclusions of Law.

Preston moved, Harrell seconded, and after discussion it was unanimously carried to accept the State’s recommended discipline as noted on the Agenda and in the pleading.

<u>VOTE</u>		<u>Andersen</u> Member	<u>Gutierrez</u> Member	<u>Preston</u> Member	<u>Dale</u> Member	<u>Machesky</u> Secretary	<u>Quinn</u> President	<u>Berrigan</u> V.President	<u>Hill- Mekoba</u> Member	<u>Harrell</u> Member	<u>Boyer</u> Member
<b>YES</b>	<b>6</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>NO</b>	<b>0</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>ABSTAIN</b>	<b>0</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>ABSENT</b>	<b>4</b>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**II.C. APRN/RN/LPN/CNA Investigative Report/Potential Summary Suspension Pursuant to A.R.S. § 41-1092.11(B) and/or Acceptance of a Consent Agreement and/or Adoption of Complaint & Notice of Hearing**

**II.C.1. Monica Ortega-Watters RN119238 (Jones)**

Dahn updated the Board that Respondent signed Voluntary Surrender Order, so there was no further action by the Board.

**II.D. Rehearing Requests or Review of Board Decision**

**II.D.1. Ezekiel Tolu Oporoku RN162082 (Campbell)**

The proceeding began at 5:11 p.m., with the following Board members present: Quinn, Berrigan, Harrell, Hill-Mekoba, Machesky and Preston.

The State was represented by Sunita Krishna, Assistant Attorney General. Carrie Smith, Assistant Attorney General, provided independent counsel for the Board.

Ezekiel Tolu Oporoku was not present and was represented by legal counsel David Klink Esq., who was present and who addressed the Board.

Attorney David Klink requested that the Board members conduct a separate vote regarding whether they had received 92 pages of legal materials. Quinn stated that they had received the materials and he did not think a separate vote was necessary. Klink stated that his arguments in this matter were covered in his pleadings, however, he emphasized that e-mailing a Complaint and Notice of Hearing would not satisfy service requirements and that the Complaint and Notice of Hearing that was sent to Respondent via Certified Mail was returned back to the Board. Klink argued that the Complaint and Notice of Hearing thus had not been properly served on the Respondent.

Krishna addressed the Board and stated that the Complaint and Notice of Hearing was sent both via Certified Mail and First Class to Respondent's address of record, which meets the statutory service requirements that notice is served by certified mail, return receipt requested, or by any other method reasonably calculated to effect notice to the party's last address of record. Krishna stated that the Certified Mail came back to the Board because the Board cannot force a Respondent to sign for the Certified Mail and return the receipt back in the mail; however, the First Class Mail did not come back as undeliverable, meaning it was delivered to Respondent's address of record with no issues. This met the requirements of using a second method to effectuate service. Krishna also discussed that Respondent was in contact with the Board several times thereafter up until the night before the hearing, indicating he knew of the upcoming hearing; however, he never requested a continuance, and for unknown reasons, did not attend the hearing. Krishna argued all of Respondent's due process rights were met and Respondent's Motion should be denied.

Quinn moved, Harrell seconded, and after discussion it was unanimously carried to deny Respondent's request for review/rehearing based upon the evidence presented by the parties.

<b><u>VOTE</u></b>		<u>Andersen</u> Member	<u>Gutierrez</u> Member	<u>Preston</u> Member	<u>Dale</u> Member	<u>Machesky</u> Secretary	<u>Quinn</u> President	<u>Berrigan</u> V.President	<u>Hill-Mekoba</u> Member	<u>Harrell</u> Member	<u>Boyer</u> Member
<b>YES</b>	<b>6</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>NO</b>	<b>0</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>ABSTAIN</b>	<b>0</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>ABSENT</b>	<b>4</b>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**III. Board Reports for Discussion, Information, Staff Direction and/or Decision**

**III.A. Executive Directors Report – Ridenour**

**III.A.1.a. May 17-18, 2018, Regular Board Meeting Minutes**

Harrell moved, Quinn seconded, and it was unanimously carried to approve minutes of May 17-18, 2018, regular Board meeting.

**III.B. Non-Compliance/Compliance with Board Orders**

**III.B.1. Felicia Marie Velazquez RN EXAM (Harrington)**

Velazquez was present and addressed the Board and was not represented by legal counsel. Harrington updated the Board with additional information.

Quinn moved, Harrell seconded, after discussion it was unanimously carried, based on the information presented at this meeting, accept the signed Consent Agreement for not to exceed 12 month for limited license for refresher course only, followed by a minimum 22 month probation with terms and conditions outlined in the updated attached stipulations.

<u>VOTE</u>		<u>Andersen</u> Member	<u>Gutierrez</u> Member	<u>Preston</u> Member	<u>Dale</u> Member	<u>Machesky</u> Secretary	<u>Quinn</u> President	<u>Berrigan</u> V.President	<u>Hill- Mekoba</u> Member	<u>Harrell</u> Member	<u>Boyer</u> Member
YES	6	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ABSTAIN	0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ABSENT	4	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**IV. Call to the Public**

A public body may make an open call to the public during a public meeting, subject to reasonable time, place and manner restrictions, to allow individuals to address the public body on any issue within the jurisdiction of the public body. The Board may ask staff to review a matter or may ask that a matter be put on a future agenda. Members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. A.R.S. § 38-431.01(H).

No members of the public requested to speak

**V. Adjournment**

Quinn moved, Harrell seconded, and it was unanimously carried to adjourn the meeting.

The meeting adjourned at 5:26 p.m. Friday, June 26, 2018.

---

Randy C. Quinn, CRNA, President