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CNA/LNA INVESTIGATIVE QUESTIONNAIRE

TO BE COMPLETED BY BOARD STAFF

Nature of concern or complaint submitted against you:

(It is a violation of R4-19-403.25(a.) to fail to furnish in writing a full and complete explanation covering the matter reported pursuant to A.R.S. § 32-1664).

PLEASE COMPLETE AND RETURN THIS FORM BY:

I. RESPONDENT INFORMATION

Name:

License/Certificate No.:

Primary State of Residence (Where you vote, pay federal taxes, current driver's license):

Have you ever been licensed in any other state?

Yes No

Address: _____

If yes, list all states and current status of license: _____

Telephone Numbers:

DOB: _____

Home: _____

Work: _____

E-Mail: _____

Cell Phone: _____

Where did you receive your nursing education?

U.S. Non-U.S., please list country _____

Indicate all degrees you hold and list the year of graduation and year of initial licensure, if applicable.

Degree(s)

Year of Graduation(s)

Year of Initial Licensure(s)

II. EMPLOYMENT INFORMATION

A. Current Employer(s):

1. Employer: _____
Address: _____
Job title: _____
Supervisor: _____
Phone No.: _____
Date of Hire: _____

1. Employer: _____
Address: _____
Job title: _____
Supervisor: _____
Phone No.: _____
Date of Hire: _____

B. Previous Employer(s):

List all previous employers (full-time, part-time and registry employers) for the past five years. If a traveling assignment, list both facility and agency. **DO NOT ATTACH RESUME**

1. Employer: _____
Address: _____
Job title: _____
Supervisor: _____
Phone No.: _____
Start Date: _____ End Date: _____
Were you terminated or did you resign in lieu of termination from previous employment? Yes No
If yes, please explain or note your reason for leaving: _____

2. Employer: _____
Address: _____
Job title: _____
Supervisor: _____
Phone No.: _____
Start Date: _____ End Date: _____
Were you terminated or did you resign in lieu of termination from previous employment? Yes No
If yes, please explain or note your reason for leaving: _____

3. Employer: _____
Address: _____
Job title: _____
Supervisor: _____
Phone No.: _____
Start Date: _____ End Date: _____

Were you terminated or did you resign in lieu of termination from previous employment? Yes No
If yes, please explain or note your reason for leaving: _____

4. Were you terminated or did you resign in lieu of termination from **any** previous employment? Yes
 No If yes, please provide an explanation: _____

IV. WITNESSES

A witness is anyone who saw the alleged incident occur or otherwise had first-hand knowledge about the incident. List the witnesses you would like contacted regarding the incident(s):

Name	Address	Phone No.	Work Relationship

V. ARRESTS/CONVICTIONS

Do you have any **previous arrests/convictions**? YES NO

If yes, please complete pages 5 and 6 of this questionnaire.

VI. Attach any other documentation related to the complaint you would like reviewed.

If no response is received, the Investigative Report will proceed and your case will be presented at a future Board of Nursing meeting for discussion and recommendations. Be advised that failing to cooperate with the Board by not furnishing in writing a full and complete explanation covering the matter reported pursuant to A.R.S§ 32-1664 is considered unprofessional conduct and is grounds for disciplinary action.

I verify that the above information provided by me is true, complete and correct to the best of my knowledge and belief.

Signature

Date

Thank you for your assistance. Please return to:

Attention:
Arizona State Board of Nursing
1740 West Adams Street, Suite 2000
Phoenix, Arizona 85007-2607

When submitting a written explanation, be sure to be as specific as possible and address the “who, what, when, where, why and how” of the circumstances regarding the incident. This is your opportunity to tell the Board what happened in your own words. Failure to provide a *detailed* statement regarding each incident is a violation of the Nurse Practice Act.

3. Court Information:

Fill in the following information regarding the court where your case was heard or where your charges were submitted, if applicable.

Name of Court: _____

Address of Court: _____
Street City State Zip

Of what offense(s) were you convicted? _____

Date of conviction: _____

Was the conviction: misdemeanor felony undesignated

Did you plead: guilty nolo contendere no contest

What was the sentence? (Include all fines, courses, counseling or group sessions, restitution, probation/parole, community service, etc)

If the conviction was for a felony or undesignated offense, what was the date of completion of all probation requirements, including payment of court fines and restitution (You must include proof of completion of probation/court requirements/payment in full)? _____

Has there been any change in the designation of your conviction since the original sentencing (Examples: reduced to a misdemeanor, set aside, dismissed, expunged, deferred)?

No Yes

If yes, what was the change? _____

Are you currently on probation or parole? No Yes

If yes, when is your anticipated probation or parole end/discharge date? _____

Name of your probation/parole officer (PO): _____

Probation/parole officer phone number: _____

Were you ever found in violation of your probation or was a warrant ever issued? No Yes

If so, describe the circumstances of the violation: _____

Was your sentence modified as a result of your probation violation? No Yes

Explain: _____

I have requested from this court and am submitting with this questionnaire, as applicable, ALL required court records listed below:

- Notice of charges, complaint, indictment. This will show the Board what you were originally charged with; AND
- Pre-sentence screening, report or referral, pre-sentence report AND

- Plea agreement/s if applicable AND
- Sentencing, probation order/judgment. This will show the requirements imposed by the court AND
- Dismissal, probation release, court discharge.

4. Document Requirements

Check off the boxes below to ensure you have provided all documentation required to be submitted with this questionnaire.

- A **Detailed Written (or Typed) Statement.**
- ALL **Police, Sheriff, or Law Enforcement Records.**
- ALL **Court Documents.**

4a) If no formal court charges resulted from the arrest or citation, you must still include the police report. However, in place of the court records listed above, please provide:

- Documentation or letter from the police department or court stating that no charges were filed or that prosecution was declined.

4b) If the arrest, citation or charge occurred several years ago and police or court records have been purged or are no longer available, a document on letterhead from the police department and court stating that the files on your case no longer exist, will be required and acceptable if it includes the following:

- Your name, date of birth, social security number (used by the agency to conduct the search).
- The type of charge (what the arrest was for) and the date and year the arrest transpired.
- Name/phone number of the police department or court contact person.

I verify that the above information provided by me and answered within this questionnaire is true, complete and correct, and I have disclosed each of my arrests, citations and charges, for felonies and misdemeanors, including incidents that did not ultimately result in convictions.

Signature

Date

<http://azbn.gov/faqs/discipline-complaints/submitted-a-complaint-faqs/>

1. What happens with the complaint?

When a complaint or self-report is received by the Board, it is first reviewed to determine jurisdiction. If the Board has jurisdiction, an investigator and a case number are assigned. Notification letters are sent to the complainant and to the subject of the complaint and the investigative process begins. The subject of the complaint (“Respondent”) is made aware of the specific allegations and is required to respond in writing. The investigator collects objective information from a number of sources, interviews the complainant, witnesses, and Respondent. The information is compiled into an investigative report to present at a board meeting for the Boards’ review and decision. The board meeting is open to the public. The complainant and Respondent may choose to be present and make a statement to the Board but neither is required to do so. The board meeting is not a hearing but rather is forum for the Board to determine, based upon the investigative findings, if probable evidence exist that a license or certificate holder has violated the Nurse Practice Act.

2. Can the subject of the complaint (“Respondent”) obtain legal representation?

At any stage of the investigative process, the subject of the complaint (“Respondent”) may obtain independent legal representation.

3. How long does the investigative process take?

Several factors weigh into how long an investigation may take before the case is presented to the Board. The Board considers the severity of the risk to the public first and foremost and prioritizes accordingly. Some case are much more complex than others and take longer to process. If the allegation meets the criteria for case opening, both the complainant and Respondent receive notification that an investigation is in process and provided with contact information for the assigned investigator. We encourage you to stay in contact with the investigator throughout the process to facilitate the investigation.

4. Can the license/certificate holder or applicant work while they are under investigation?

The ability to work as a nurse, LNA or CNA is unrestricted during the investigation as long as the license or certificate remains active. However, applicants are not issued a license/certificate until the conclusion of the investigation and therefore cannot work until a license/certificate has been issued.

5. What can the subject of the complaint (“Respondent”) or people making the complaint (“Complainant”) do to assist in the investigative process?

If you are the subject of the complaint (“Respondent”): keep the board apprised of any changes in your address and phone number, and respond promptly to any requests for information or documents. You will be required to submit a written response to the complaint and will be requested to meet with the assigned investigator for an interview and to review information obtained during the course of the investigation. Your input and participation is important in understanding what occurred.

If you have filed a complaint (“Complainant”): submit all written documentation regarding your concerns, observations and impressions concerning the incident. Providing detailed

information at the onset is important in assisting the Board to understand risk of harm and in facilitating the investigative process.

6. What happens when the case is presented to the Board?

The board meeting is an open public meeting where investigative reports related to complaints that have been received and investigated by staff are reviewed by the Board members to determine, based upon evidence in a case, whether there is probable evidence of a violation of the Nurse Practice Act. Board members will deliberate and make a motion, stating what action should occur.

7. Who can address the Board members?

If you have submitted a complaint (“Complainant”) or you have had a complaint submitted against your application or your license/certificate (“Respondent”), you are welcome to attend the board meeting to hear the discussion and Board decision. The board meeting is not a hearing but you may choose to give a verbal presentation (up to 5 minutes), providing information you feel is pertinent for the Board to consider. You may also choose to just be available to respond to their questions, or you may be present and not speak at all. Information that is relevant to the complaint and investigation should have been provided to the assigned investigator in advance of the board meeting.

8. What are the possible Board members decisions or actions?

Board actions are categorized as: Dismissal, Non-disciplinary Action, Disciplinary Action, and Administrative Violations. Once the case has been reviewed by the Board and the Board votes for discipline, the licensee/certificate holder/applicant status is updated to reflect "complaint-outcome pending" or if final, the disciplinary action taken.

Dismissal	Dismissal – Evidence does not support there has been a violation of the Nurse Practice Act.
Non-Disciplinary	Letter of Concern – A letter from the Board expressing concern that a licensee, certificate holder or applicant may have been engage in questionable conduct that is considered low risk or harm to the public. A letter of concern issued by the Board is non-discipline and is not an appealable agency action
Disciplinary Actions	Civil Penalty – A monetary fine issued by the Board, not to exceed \$1,000, given singly or in combination with any disciplinary action for a violation of the Nurse Practice Act. Decree of Censure – This is an official discipline by the Board that the individual’s conduct violated the Nurse Practice Act but does not represent a continued risk to the patient/public. Probation – This action allows the nurse to continue working during the period of probation subject to compliance with the terms and conditions. During the period of probation the nurse must be supervised in their practice and complete certain requirements which are aimed at rehabilitation or educating and remediating the nurse in his/her area(s) of practice deficit. For example, a nurse with a substance abuse issue may be required to enter and complete treatment, attend AA/NA meetings, abstain from alcohol and other drug use along with other requirements. A nurse who lacks sufficient knowledge of medications or safe administration may be

required to take a pharmacology course, etc.

Suspension – A person who has been suspended may not practice during the period of suspension. A person who has been suspended has terms and conditions which must be fulfilled during the period of suspension and before being allowed to resume practice. Examples of terms and conditions may include completing a refresher course, psychological or substance abuse treatment in addition to other requirements. A licensee/certificate holder that has been suspended often has a period of probation or monitoring following successful completion of the terms of suspension.

Revocation – This action prohibits the nurse/certificate holder from practicing for a minimum of five years, pursuant to A.A.C. R4-19-404. When a license/certificate has been revoked, the applicant for re-issuance must provide detailed information to the Board that the reason for revocation no longer exists and that the issuance of a license/certificate would no longer threaten the public health or safety. A.A.C. R4-19-404 or R4-19-815) The individual whose license/certificate has been revoked may not practice or otherwise indicate to the public that they hold a license/certificate.

Denial – A person (applicant) who has been denied a license/certificate may not practice and is not eligible to reapply to the Board for a period of five years.

Voluntary Surrender – A Consent Agreement has been signed in which an APRN, RN, LPN, LNA, CNA has voluntarily surrendered their license or certificate.

Administrative Violations

Administrative Penalty – A penalty/fine given to a licensee or certificate holder who has worked on an expired license/certificate, or failed to notify the Board of an address change within 30 days. It is not reportable to NCSBN or other national data centers.

9. When is the Board decision final?

For discipline to be final and in effect, a Respondent must either consent to the discipline as voted upon by the Board by signing a “Consent Agreement” or if not signed, the Respondent has had an opportunity for a hearing. Hearings are conducted at the Office of Administrative Hearings and the person conducting the Hearing is an Administrative Law Judge (ALJ).

Following the hearing and based upon the evidence presented, the ALJ submits recommended “Findings of Fact, Conclusions of Law and Order” to the Board. Transcripts of the hearing are reviewed by the Board members prior to voting on the appropriate disciplinary actions (if any) to be taken. The Board has final authority to determine discipline and can adopt, modify or reject the ALJ recommendation. If discipline is determined to be appropriate by the majority of the Board Members, a “Board Order” is issued. If the Respondent disagrees with the outcome, a request for rehearing must be filed within 30 days of the mailing of the Board’s decision and Order, otherwise, the matter is final.