

The Florida

Board of Nursing

Meeting Minutes

April 15-17, 2015

DoubleTree by Hilton Deerfield Beach-Boca Raton

100 Fairway Drive

Deerfield Beach, FL 33441



Jody Bryan Newman, EdD, EdS
Acting Chair

Joe Baker, Jr.
Executive Director

Florida Board of Nursing Draft Minutes
April 15-17, 2015
Deerfield Beach, FL

Board Members:

Jody Bryant Newman, EdD, EdS Consumer– Acting Chair
Cathy Oles Gordon, LPN, BPS
Kathryn L. Whitson, MSN, RN
JoAnn Trybulski, PhD, ARNP, DPNAP
Leonard Connors, JD, Consumer
Deborah Wakefield McKeen, LPN
Diana Forst, BA, RN
Todd Katz, JD, Consumer
Elizabeth Webster, RN, MBA
Lori Desmond, AAS, RN, MSN
Derrick C. Glymph, DNAP, CRNA, ARNP, LTC, USAR
Anna Maria Hubbard, EdD, ARNP, CNE
Lisa Johnson, LPN, RN

Attorneys:

Lee Ann Gustafson, Senior Assistant Attorney General
Diane Guillemette, Assistant Attorney General
Matthew Witters, Assistant General Counsel
Yolonda Green, Assistant General Counsel
Annie Prescott, Assistant General Counsel

Board Staff:

Joe Baker, Jr., Executive Director
William Spooner, Program Operations Administrator
Sherri Sutton-Johnson, MSN, RN, Director of Nursing Education
Janet Doke BSN, RN, Nursing Education Consultant

Meeting Schedule

Wednesday @ 4:00 PM

Education and Credentials "B" Committee

Non-Compliance with Section 464.019 (5), FS

Thursday @ 8:30 AM

Credentials "A" Committee

Required Appearances
Applicants for Licensure with criminal, discipline, and health history
Applicants for Licensure with False Answer on application
CNS Applicants
Other Items

Education and Credentials "B" Committee

Non-Compliance with Section 464.019, FS
Required Appearances
Exemption Applicants
Education Credentials
Applicants for Licensure under 456.0635, FS Applications
Applicants for Licensure under Section 464.009, FS Applications
Applicants for License - Other
Petition for Variance & Waiver
Items for Discussion
Informational Items
Ratification Lists
Other

Thursday @ 1:30 PM

Full Board

CNA, LPN, RN, and ARNP Discipline & General Business
Reconsiderations
Recommended Orders
Petitions for Hearing/Modification
CNA Informal Hearings
LPN, RN, and ARNP Informal Hearings
Licensure Informal Hearings
CNA Settlement Agreements
LPN, RN, and ARNP Settlement Agreements
CNA Voluntary Relinquishments
LPN, RN, and ARNP Voluntary Relinquishments
Other
Practice Issues
Advanced Practice Issues
Special Education Issues
Legislative Issues
Declaratory Statements

Friday @ 8:30 AM

Full Board

CNA, LPN, RN, and ARNP Discipline & General Business
CNA Motion to Vacate
LPN, RN, and ARNP Motion to Vacate
Reinstatements and Compliance Issues

Credentials "A" Committee

Thursday, April 16, 2015 at 8:30 AM

Call to Order

The meeting was called to order by the committee chair, Kathryn Whitson at 8:34 am.

Roll Call

Kathryn L. Whitson, MSN, RN
Leonard Connors, JD, Consumer
Deborah Wakefield McKeen, LPN
Elizabeth Webster, RN, MBA
Lori Desmond, AAS, RN, MSN
Derrick C. Glymph, DNAP, CRNA, ARNP, LTC, USAR

Absent: Todd Katz, JD, Consumer (unexcused)

Attorneys:

Lee Ann Gustafson, Senior Assistant Attorney General

Board Staff:

Joe Baker, Jr., Executive Director
William Spooner, Program Operations Administrator

A. Required Appearances

CNA

1. Luther, Antaneisha; 4401/589416- Present. A motion was made by McKeen to approve. Motion failed with Connors, Desmond and Hubbard in opposition. McKeen made a motion to present the case to full Board. Motion passed unanimously.

LPN, RN, and ARNP

2. Clements, Tinya Chamae; 1701/513861- Present. A motion was made by Connors to toll the application and require a personal appearance after the resolution of the case. Motion passed unanimously.

3. Koenigsberg, Richard; 1702/170754- A motion was made by Connors to deny based on non-appearance. Motion passed unanimously.

Pending Formal Denial

4. Reyes, Michelle; 4401/654062- A motion was made by Connors to deny based on non-appearance. Motion passed unanimously.

5. Stechmiller, Stephanie; 4401/660215- A motion was made by Connors to deny based on non-appearance. Motion passed unanimously.

B. Applicants for Licensure

Juvenile Offense

Exam

1. Woods, Rakesha D.; 4401/669230- A motion was made by McKeen to require an appearance. Motion passed unanimously.

Criminal History

Exam

1. Atwood, Susan Wright; 4401/669313- A motion was made by Connors to require an appearance. Motion passed unanimously.

2. Butler, Kiara L; 4401/629713- A motion was made by Desmond to deny based on crimes related to the practice. Motion passed unanimously.

3. Graham, Kelly; 4401/667965- Present. A motion was made by Whitson to approve. Motion passed unanimously.

4. Johnson, Jacqueline D.; 4401/27302- A motion was made by Connors to deny based on ineligibility. Motion passed unanimously.

5. Lucas, Monique; 4401/637896- A motion was made by Whitson to deny based on ineligibility and previous discipline. Motion passed unanimously.

6. McCray, Deborah; 4401/665469- Present. A motion was made by Whitson to approve. Motion passed unanimously.

7. McEaster, Sharfelonia; 4401/318062- A motion was made by Whitson to deny based on crimes related to the practice. Motion passed unanimously.

8. Meadows, Howard D.; 4401/663663- A motion was made by McKeen to deny based on crimes related to the practice. Motion passed unanimously.

9. Ryans, Debra; 4401/662485- A motion was made by McKeen to deny based on ineligibility. Motion passed unanimously.
10. Thompson, Kathryn; 4401/666909- A motion was made by McKeen to approve. Motion passed with Connors and Desmond in opposition.
11. Williams, Audrey; 4401/664849- A motion was made by Whitson to deny based on ineligibility. Motion passed unanimously.
12. Pearson, Nicole; 4401/667765- **supplemental documents on the e-addendum**- A motion was made by Whitson to deny based on crimes related to the practice. Motion passed unanimously.

Reciprocity

1. Murph, Tikira K; 4401/602049- Present. A motion was made by Whitson to approve. Motion passed with Connors and Desmond in opposition.

False Answer on Application

Exam

1. Betts, Eugene; 4401/663494- A motion was made by Whitson to deny based on previous discipline. Motion passed unanimously.
2. Brown, Kuritza B; 4401/648536- A motion was made by Connors to deny based on misrepresentation and crimes related to the practice. Motion passed unanimously.
3. Dorteius, Chrissundra; 4401/655823- A motion was made by Connors to deny based on misrepresentation and crimes related to the practice. Motion passed unanimously.
4. Dana, Trudi; 4401/660642- A motion was made by Connors to deny based on misrepresentation and crimes related to the practice. Motion passed unanimously.
5. Fortenberry, Kayla; 4401/660946- A motion was made by Glymph to require an appearance. Motion passed unanimously.
6. Franscella, Sharon R.; 4401/643535- A motion was made by Connors to require an appearance. Motion passed with McKeen in opposition.
7. Jackson, Carmalita; 4401/655392- A motion was made by Connors to deny based on misrepresentation. Motion passed unanimously.

8. Jones, Kelly R; 4401/614990- A motion was made by Glymph to require an appearance. Motion passed unanimously
9. Robles, Matilde; 4401/650801- A motion was made by Connors to deny based on misrepresentation. Motion passed unanimously.
10. Simmons, Cryssida; 4401/647453- A motion was made by Connors to deny based on misrepresentation and crimes related to the practice. Motion passed unanimously.
11. Stoudmire, Katrina; 4401/663077- A motion was made by Connors to deny based on misrepresentation and crimes related to the practice. Motion passed unanimously.
12. Turner, Tomonia; 4401/435150- A motion was made by Connors to deny based on ineligibly, misrepresentation and crimes related to the practice. Motion passed unanimously.
13. Wayte, Jessica M; 4401/660613- A motion was made by Connors to deny based on misrepresentation and crimes related to the practice. Motion passed unanimously.

Reciprocity

1. Crockett, Alan D; 4401/620701- A motion was made by McKeen to deny based on misrepresentation. Motion passed unanimously.
2. McKeever, Shakina; 4401/624554- A motion was made by McKeen to deny based on misrepresentation and crimes related to the practice. Motion passed unanimously.

LPN, RN, and ARNP Prior Discipline

Exam

1. Bardin, Tish Catherine; 1701/ 515050- Present. Ms. Bardin requested to waive her 90 days and post-pone review of her application until the June 2015 Board meeting.
2. Gilfillian, Claudia Patricia; 1701/517525 (**Name change: O'Meally, Claudia Patricia**)
A motion was made by McKeen to approve with conditions to satisfy previous fines and fees prior to sitting for the exam. Motion passed unanimously.
3. Merino, Jorge; 1701/513322- Present. The applicant made a request to withdraw his application. A motion was made by Connors to accept the withdrawal. Motion passed unanimously.

4. Smith, Decired Milagros; 1701/514407- A motion was made by Glymph to approve with conditions to comply with previous final order. Motion passed unanimously.

Endorsement

1. Aagaard, Ashlie Nicole; 1702/ 170084- Present. A motion was made by Connors to approve with a remedial course and a V6B. Motion passes unanimously.
2. Altman, Jodi Jean; 1701/514087- A motion was made by Connors to require an appearance. Motion passed unanimously.
3. Bailey, Roszina Ineznicole; 1702/174774- Present. A motion was made by Whitson to approve. Motion passed with Connors and Desmond in opposition.
4. Burroughs, Peter George; 1701/510614- A motion was made by Whitson to approve with a V6B. Motion passed unanimously.
5. Benton, Rachael Laverne; 1702/154948- A motion was made by Whitson to approve with a remedial course. Motion passed unanimously.
6. Carney, Frances Ann; 1701/395827- A motion was made by McKeen to require an appearance. Motion passed unanimously.
7. Dincher, Alexandra Rose; 1702/170887- A motion was made by Connors to approve with a V6B. Motion passed unanimously.
8. Hayes, Tiffany Carre; 1701/512511- Present. A motion was made by Connors to approve. Motion passed unanimously.
9. Pigeon, Gregory John; 1701/508990- A motion was made by Connors to require an appearance. Motion passed unanimously.
10. Lobby, Brenda Renee; 1702/172968- A motion was made by Whitson to approve with a V6A. Motion passed unanimously.
11. Mansah, Stacy D.; 1701/517030- A motion was made by McKeen to require an appearance. Motion passed unanimously.
12. Merrin, Stephanie Laura; 1701/508428- Present. A motion was made by Connors to approve with conditions of a V6B and costs/fines from previous license to be paid within 12 months. Motion passed unanimously.

13. Kutscher, Laura Mohr; 1702/154535- Present. A motion was made by McKeen to approve with a remedial course. Motion passed with Connors and Webster in opposition.
14. Nestler, Margaret Harriet; 1701/466969- A motion was made by Connors to approve with a V6B. Motion passed unanimously.
15. Sheppard, Adean; 1702/152949- A motion was made by McKeen to deny based on non-compliance with previous Board order. Motion passed unanimously.
16. Sheppard, Courtney Lynn; 1701/513868- Present. A motion was made by Desmond to approve with a V6B. Motion passed unanimously.
17. Streeter, Ronita Elizabeth; 1701/499548- Present. A motion was made by Whitson to approve with a remedial course. Motion passed unanimously.
18. Thomas, Heidi Irene; 1701/515355- Present. A motion was made by Connors to approve with a V6B. Motion passed unanimously.

Prior Board Action

Exam

1. Welch, Stephanie Ann; 1701/514881- Present. A motion was made by McKeen to deny based on prior discipline in Arkansas. Motion passed unanimously.

Criminal History

Exam

1. Durbin, Deborah Sue; 1701/513430- Present. A motion was made by McKeen to approve. Motion passed unanimously.
2. Ewesiobi, Uju; 1702/174466- A motion was made by McKeen to approve. Motion passed with Connors in opposition.
3. Hernandez, Fabian; 1701/506620- Present. A motion was made by McKeen to approve. Motion passed with Connors in opposition.
4. Wilson, Ciara Patrice; 1702/174249- A motion was made by Whitson to approve with a V6B. Motion passed unanimously.
5. Schmitt, Jennifer Lynn; 1701/517221 (**Paper Addendum**) - A motion was made by Whitson to approve with a V6B. Motion passed unanimously.

Endorsement

1. Byford, Tangi P; 1701/518529- A motion was made by Connors to require an appearance. Motion was not seconded. A motion was made by McKeen to approve. Motion passed with Connors in opposition.
2. Romans, Kayla Rae; 1702/17212- A motion was made by McKeen to approve with a V6B. Motion passed with Desmond in opposition.

Health History

Exam

1. Coleman, Danielle Lynn; 1701/516333- Present. A motion was made by Connors to approve with a V6B. Motion passed unanimously.
2. Nunez, Jorge Arturo; 1701/498295- Present. A motion was made by Glymph to approve. Motion passed unanimously.
3. Williams, Natasha Renee; 1701/513661- A motion was made by Connors to approve with a V6B. Motion passed unanimously.
4. Zeris, Amanda Marie; 1702/174354- Present. A motion was made by Desmond to approve. Motion was not seconded. A motion was made by Connors to approve with a V6B. Motion passed with Whitson in opposition.

Endorsement

1. Baggs, Tammy Lee; 1701/515156- Present. A motion was made by McKeen to approve. Motion passed unanimously.
2. Glezil, Sandy; 1701/491397- A motion was made by Whitson to approve with a V6A. Motion passed unanimously.
3. Murphy, Lisa A; 1701/510152- A motion was made by Whitson to approve. Motion passed unanimously.
4. Posey, Melissa Danielle; 1701/515533- A motion was made by Whitson to approve. Motion passed with Connors in opposition.
5. Rea, Maria Liberty; 1701/504352- A motion was made by McKeen to require an appearance. Motion passed unanimously.
6. Ritter, Randy Dean; 1701/513903- A motion was made by Whitson to approve. Motion passed unanimously.

False Answer on Application

Exam

1. Pedone, Tammi Leigh; 1701/504413- Present. The applicant requested to withdraw her application. A motion was made by Connors to allow the applicant to withdraw her application. Motion passed unanimously.

Endorsement

1. Rodriguez Rodriguez, German; 1701/512454- A motion was made by McKeen to deny based on previous discipline and misrepresentation. Motion passed unanimously.

Other

Exam

1. Cius, Altida Daniel; 1702/154853 – **supplemental documents on e-addendum**- A motion was made by Glymph to deny based on misrepresentation and not completing the remedial course. Motion passed unanimously.

Endorsement

1. Reinking, Patricia A; 1701/515954- A motion was made by Connors to require an appearance.

The meeting adjourned at 1:34 pm.

Education & Credentials “B” Committee

Wednesday, April 15, 2015 at 4:00 PM

Call to Order

The meeting was called to order by committee chair, JoAnn Trybulski at 4:09 p.m.

Roll Call

Board Members:

Jody Bryant Newman, EdD, EdS Consumer
Cathy Oles Gordon, LPN, BPS
JoAnn Trybulski, PhD, ARNP, DPNAP
Diana Forst, BA, RN
Anna Maria Hubbard, EdD, ARNP, CNE
Lisa Johnson, LPN, RN

Attorneys:

Diane Guillemette, Assistant Attorney General

Board Staff:

Sherry Sutton-Johnson, MSN, RN, Director of Nursing Education
Janet Doke BSN, RN, Nursing Education Consultant

A. Nursing Education Programs

1. Non-compliance with Section 464.019 (5), FS

1. Interpretation of section 464.019(5), Accountability, FS.

There was discussion regarding the Board’s current interpretation of this section. Diane Guillemette, Assistant Attorney General, Board counsel, presented an alternate interpretation for the Committee’s consideration. Programs placed on probationary status have one calendar year rather than two calendar years to demonstrate meeting or exceeding the statutory requirement for NCLEX pass rates or face termination.

A motion was made by Gordon to accept the alternate interpretation. Motion passed unanimously.

A motion was made by Gordon to table the programs placed on probation in 2014 due to low NCLEX scores for 2012 and 2013 to the June 2015 board meeting to allow them the opportunity to request an extension of probation for one additional year. Motion passed unanimously.

The list of (9) PN programs and (11) RN programs that would have been automatically moved in to the second year of probationary status due to low NCLEX scores for 2014 was read in to the record by Sherri Sutton-Johnson, Director of Education.

Continued Probationary Status

PN Programs (9)

Sunshine Training Center, North Miami Beach, US70200300
International Academy Training Center, North Miami, US70201300
Techni-Pro Institute, Inc., Boca Raton, US70208600
Victoria Medical College, West Palm Beach, US70101300
Azure College, Miami Gardens, US70101700
Medtech Institute, Altamonte Springs, US70102400
Capscare Academy for Healthcare Education, Lake Worth, US70103500
Suncoast College of Health, Bradenton, US70102100
Med-Life Institute, Naples, US70203900

RN Programs (11)

Dade Medical College, Miami Lakes, US70405200
Taylor College, Bellevue, US70402700
Virginia College, Jacksonville, US70402400
Breckinridge School of Nursing at ITT Technical Institute, Tampa, US70409800
Florida National University, Miami, US 70405400
SABER, Miami, US70409300
Mattia College, Miami, US70401400
Breckinridge School of Nursing at ITT Technical Institute, Jacksonville, US70403500
Florida National University, Hialeah, US70404300
Azure College, Miami Gardens, US70405800
Carleen Home Health School, Plantation, US70407900

2. Interpretation of Test Scores- There was discussion regarding instances of no testers during a calendar year following an approved program being placed on probation. The Committee agreed that a program with no testers would fail to meet the statutory requirement.

3. Nursing Education Programs-NCLEX pass rates- Implementation of section 464.019(5), FS,

Probationary Status to Terminated

PN Programs (5)

Centura Institute**, Orlando, NCLEX Code: US70103100- **Full Board**

Dr. Earl Lennard High School, Ruskin, NCLEX Code: US70101000- A motion was made by Trybulski to terminate the nursing program due to failure to meet statutory requirements, section 464.019(5), FS. Motion passed unanimously.

Green Cross School of Nursing, Miami, NCLEX Code: US70206000- A motion was made by Trybulski to terminate the nursing program due to failure to meet statutory requirements, section 464.019(5), FS. Motion passed unanimously.

Vintex Training Institute **, Miami, NCLEX Code: US7070106200- **Full Board**

Health Education Training School, Miami, NCLEX Code: US70102600- A motion was made by Trybulski to terminate the nursing program due to failure to meet statutory requirements, section 464.019(5), FS. Motion passed unanimously.

**** Centura Institute and Vintex Training have submitted requests that the board extend their probationary status for 1 additional year.**

RN Programs (4)

Dade Medical College**, Miami, NCLEX Code: US70400800- Full Board

Dade Medical College**, Hollywood, NCLEX Code: US 70403100- Full Board

City College, Ft. Lauderdale**, NCLEX Code: US70403700- Full Board

Concorde Career Institute, Miramar, NCLEX Code: US70409900- A motion was made by Trybulski to move the program back to approved status due to the corrected 2014 pass rate that exceeded the passing standard. Motion passed unanimously.

****Dade Medical College and City College have submitted requests that the board extend their probationary status for 1 additional year.**

Probationary Status to Approved

PN Programs (5)

A motion was made by Trybulski to move the following 5 PN nursing programs back to approved status due to 2014 NCLEX pass rates. Motion passed unanimously.

Harris-Casel Institute, Melbourne, US70208800
Cambridge Institute of Allied Health and Technology, Delray, US70202700
Med-Life Institute, Pompano Beach, US 70203800
Lincoln Technical Institute, Fern Park, US70103000
Florida State College at Jacksonville, Jacksonville, US70107900

RN Programs (5)

A motion was made by Trybulski to move the following 5 RN nursing programs back to approved status due to 2014 NCLEX pass rates. Motion passed unanimously.

Jersey College, Tampa, US70400400
Fortis College, Largo, US70401200
Taylor College, Belleview, US70405700
Rasmussen College, Ft. Myers, US70403600
Concorde Career Institute, Orlando, US70401900

Approved Status to Probationary

The following programs were required to appear before the Board to present a plan for remediation to address low NCLEX scores for the two consecutive calendar years of 2013 and 2014.

PN Programs (11)

American Health Institute, Port Richey, US70204000- Representative present- A motion was made by Hubbard to place on probationary status due to low NCLEX scores. Motion passed unanimously.

Lindsey Hopkins Technical College, Miami, US70105300- Representative present- A motion was made by Trybulski to place on probationary status due to low NCLEX scores. Motion passed unanimously.

Faith Medical Institute, Miami, US70207900- Representative present- A motion was made by Trybulski to place on probationary status due to low NCLEX scores. Motion passed unanimously.

Genesis Vocational Institute, Miami, US70202400- Representative present- A motion was made by Newman to place on probationary status due to low NCLEX scores. Motion passed unanimously.

A motion was made by Trybulski to place the following 3 Horizon Healthcare Institute programs on probationary status due to low NCLEX scores. Motion passed unanimously.

Horizon Healthcare Institute, Port Charlotte, US70200600- Representative present
Horizon Healthcare Institute, Palm Bay, US70204600- Representative present
Horizon Healthcare Institute, Ft. Myers, US70104900- Representative present

A motion was made by Trybulski to place the following 4 Med-Life Institute programs on probationary status due to low NCLEX scores. Motion passed unanimously.

Med-Life Institute, Bradenton, US70104100- Representative present
Med-Life Institute, West Palm Beach, US70202300- Representative present
Med-Life Institute, Kissimmee, US 70200900- Representative present
Med-Life Institute, Miami Gardens, US70200800- Representative present

RN Programs (16)

Academy for Nursing and Health Occupations, West Palm Beach, US70406300- Representative present- A motion was made by Trybulski to place on probationary status due to low NCLEX scores. Motion passed unanimously.

A motion was made by Trybulski to place the following two Breckinridge School of Nursing at ITT Technical Institute programs on probationary status due to low NCLEX scores. Motion passed unanimously.

Breckinridge School of Nursing at ITT Technical Institute, Hialeah, US70404600- Representative present.
Breckinridge School of Nursing at ITT Technical Institute, Tallahassee US70404500- Representative present.

Brown Mackie College, Miami, US70406600- Representative present- A motion was made by Newman to place on probationary status due to low NCLEX scores. Motion passed unanimously.

Concorde Career Institute, Jacksonville, US70403300- Representative present- A motion was made by Trybulski to place on probationary status due to low NCLEX scores. Motion passed unanimously.

Hope College of Arts & Science, Pompano Beach, US70700200-Representative present- A motion was made by Newman to place on probationary status due to low NCLEX scores. Motion passed unanimously.

Med-Life Institute, Miramar, US70701900- Representative present- A motion was made by Trybulski to place on probationary status due to low NCLEX scores. Motion passed unanimously.

Palm Beach Vocational Institute, Boynton Beach, US70702800- Representative present- A motion was made by Trybulski to place on probationary status due to low NCLEX scores. Motion passed unanimously.

Sigma College, Oakland Park, US70700100- **CLOSED**

Sigma College, Oakland Park, US70701800- **PULLED DUE TO MISCODES**

Suncoast College of Health, Bradenton, US70703100- Representative present- A motion was made by Trybulski to place on probationary status due to low NCLEX scores. Motion passed unanimously.

Techni-Pro Institute, Boca Raton, US70704000- Representative present- A motion was made by Trybulski to place on probationary status due to low NCLEX scores. Motion passed unanimously.

Ultimate Medical Academy, Tampa, US70409700- Representative present- A motion was made by Newman to place on probationary status due to low NCLEX scores. Motion passed unanimously.

Victoria Medical College, West Palm Beach, US70700300- Representative present- A motion was made by Trybulski to place on probationary status due to low NCLEX scores. Motion passed unanimously.

A motion was made by Trybulski to terminate the following two programs due to failure to appear before the Board to present a plan for remediation:

Azure College, Sebring, US70405900

City College, Miami, US70404900

The meeting was adjourned at 7:21 p.m.

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Education & Credentials “B” Committee

Thursday, April 16, 2015 at 8:30 AM

Call to Order

The meeting was called to order by committee chair, JoAnn Trybulski at 8:40 a.m.

Roll Call

Board Members:

Jody Bryant Newman, EdD, EdS Consumer
Cathy Oles Gordon, LPN, BPS
JoAnn Trybulski, PhD, ARNP, DPNAP
Diana Forst, BA, RN
Anna Maria Hubbard, EdD, ARNP, CNE
Lisa Johnson, LPN, RN

Attorneys:

Diane Guillemette, Assistant Attorney General

Board Staff:

Sherri Sutton-Johnson, MSN, RN, Director of Nursing Education
Janet Doke BSN, RN, Nursing Education Consultant

A. Rule 64B9-15.007 (4), Approval and Renewal of New Certified Nursing Assistant Training Programs, FAC

Certified Nursing Assistant Training Programs

The Board discussed the nursing assistant training programs that did not renew by December 31, 2014. The vote to rescind the programs' approval had been tabled during the February 2015 board meeting pending the clarification of “within 60 days”. Four programs renewed within 60 days after December 31.

Nursing Assistant Programs That Failed to Renew by December 31, 2014

A motion was made by Trybulski to renew the approval of the following nursing assistant training programs that renewed within 60 days of December 31, 2014.

Alexis Institute **LATE 1/27/15**, Program Code 1405
Brewster Technical Center **LATE 1/21/15**, Program Code 1287
Lively Technical Center **LATE 1/16/15**, Program Code 1225
Okeechobee HS **LATE 1/16/15**, Program Code 1299

A motion was made by Trybulski to rescind the approval of the following nursing assistant training programs that failed to renew within 60 days of December 31, 2014.

A. Philip Randolph Health Science Academy, Program Code 1233
All Saints Vocational School, Inc, Program Code 1079
Andrew Jackson HS, Program Code 1386
Elite Nurse Academy, Program Code 1431
Gateway Academy of Health and Medical, Program Code 1414
Hy-Tech Training Center, Program Code 1394
O'Reggio Technical Career Institute, Program Code 1337
Plant City Adult and Community School, Program Code 1268
Simmons Career Center, Program Code 1254
Treasure Coast Medical Academy, Program Code 1167
William R. Boone HS Health Care, Program Code 1137

Notice of program closure received by the Board office. No action required.

Bronson HS **CLOSED 1/23/15**, Program Code 1304
Career Learning Institute **CLOSED 1/30/15**, Program Code 1002
Career Learning Institute-Clearwater **CLOSED 1/30/15**, Program Code 1377
Vocational Institute of Florida **CLOSED 1/16/15**, Program Code 1089

B. Non-Compliance with Section 464.009, FS

Endorsement

1. Banks, Katrina Yvonne; 1702/173749- A motion was made by Newman to approve pending successful completion of a remedial course within 1 year, an 8 hour CE course in ethics and an 8 hour CE in laws and rules. Motion passed unanimously.
2. Berger, Kirstin Allyn; 1701/515197- A motion was made by Trybulski to approve pending successful completion of a remedial course within 1 year. Motion passed unanimously.
3. Dennington, Dixie Dan; 1701/511149- Present- A motion was made by Trybulski to approve pending successful completion of a remedial course within 1 year. Motion passed unanimously.

4. Devereaux, Eunice Blossom; 1701/509748- A motion was made by Trybulski to approve pending successful completion of a remedial course within 1 year. Motion passed unanimously.
5. Eckardt, Donna Lynn; 1701/516924- A motion was made by Trybulski to approve pending successful completion of a remedial course within 1 year. Motion passed unanimously.
6. Pfalzgraf, Deborah Anne; 1701/514082- A motion was made by Trybulski to approve pending successful completion of a remedial course within 1 year. Motion passed unanimously.
7. Rovin, Tanya G; 1701/516545- A motion was made by Trybulski to approve pending successful completion of a remedial course within 1 year. Motion passed unanimously.
8. Shapiro, Janet Marie; 1701/516605- A motion was made by Trybulski to approve. Motion passed unanimously.
9. Subramanian, Donna Rae; 1701/514998- A motion was made by Newman to approve pending successful completion of a remedial course within 1 year. Motion passed unanimously.

C. Required Appearances

LPN, RN, and ARNP

1. Avril, Martine; 1701/422532- Present- A motion was made by Trybulski to allow applicant to withdraw her application. Motion passed unanimously.
2. Bien-Aime, Kettly; 1702/154525- Present- A motion was made by Trybulski to approve. Motion passed unanimously.
3. Gonzalez, Myrna; 1701/475802- A motion was made by Trybulski to approve. Motion passed with Forst in opposition.
4. Guerrero, Genesis; 1701/509065- Present- A motion was made by Johnson to approve pending successful completion of a remedial course within 1 year. Motion passed with Newman in opposition.
5. Hill, Noemi; 1701/502138- Present- A motion was made by Trybulski to approve. Motion passed unanimously.

6. Palazzo, Sheila Jane; 1701/501430- Present- A motion was made by Trybulski to refer applicant to CSU due to suspicion of ULA. Motion passed unanimously. Further discussion. Motion by Trybulski to withdraw previous motion. Motion passed unanimously. Motion by Newman to approve pending successful completion of a remedial course within 1 year, an 8 hour CE course in ethics and an 8 hour CE in laws and rules. Motion failed with Johnson, Hubbard and Forst in opposition. Case moved to full board for decision.
7. Pierre, Marceline; 1701/417551- Present- A motion was made by Trybulski to allow applicant to waive right to a decision within 90 days of a complete application. Case continued until the June meeting. Motion passed unanimously.
8. Walter, Ira Marc; 1701 /387866- Present- Counsel advised the committee that they would be unable to consider the exemption request due to lack of availability of criminal history records. A motion was made by Trybulski to approve Counsel's recommendation. Motion passed unanimously. Counsel is to draft an order to that effect.

Pending Formal Denial

1. Louis Moise, Matula; 1701/466191- A motion was made by Trybulski to deny due to failure to appear as required. Motion passed unanimously.

D. Exemption Applicants

CNA

1. Albarran, Maricela; 4401/503067- A motion was made by Trybulski to deny due to ineligibility. Motion passed unanimously.
2. Bradford, Kiara; 4401/502183- Present- A motion was made by Trybulski to allow application to withdraw her application. Motion passed unanimously.
3. Galloway, Bria; 4401/601720- A motion was made by Trybulski to deny due to ineligibility. Motion passed unanimously.
4. Ivory, Bobby; 4401/441415- Present- A motion was made by Trybulski to approve. Motion passed unanimously.
5. Payne-Felder, Celeste Michelle; 4401/377651- A motion was made by Trybulski to deny due to ineligibility. Motion passed unanimously.

6. McCreary, Veetrica L; 4401/320852- A motion was made by Trybulski to deny due to ineligibility. Motion passed unanimously.

LPN, RN, and ARNP

1. Payne, Michelle; 1702/154917- A motion was made by Trybulski to deny due to ineligibility. Motion passed unanimously.

E. Education Credentials

1. Acanda, Daimi; 1701/510630- Present- A motion was made by Trybulski to approve. Motion passed unanimously.
2. Afshar, Anahita; 1701/503099- Present- A motion was made by Trybulski to approve. Motion passed unanimously.
3. Bramble, Elizabeth Icilma Noela; 1701/ 486630- A motion was made by Trybulski to approve. Motion passed unanimously.
4. Candelario, Oscarie; 1701/477417- A motion was made by Trybulski to approve pending successful completion of a remedial course within 1 year. Motion passed with Newman in opposition.
5. Cobas Arevalo, Madelaine; 1701/511428- A motion was made by Trybulski to approve. Motion passed unanimously.
6. Duenas, George; 1701/514966- A motion was made by Trybulski to approve. Motion passed unanimously.
7. Fernandez; Mayleth; 1701/515344- Present- A motion was made by Trybulski to approve. Motion passed unanimously.
8. Fyda, Michal; 1701/489762- A motion was made by Trybulski to approve. Motion passed unanimously.
9. Guerrero Velasquez, Sandra Milena; 1701/423939- Present- A motion was made by Trybulski to allow applicant to amend her application to LPN licensure by examination. Motion passed unanimously. A motion was made by Trybulski to approve pending successful completion of a remedial course within 1 year. Motion passed with Newman in opposition.

10. Hernandez, Marta De La Carida; 1701/505576- Present- A motion was made by Trybulski to approve. Motion passed unanimously.
11. Kaplan, Michelle Katrina; 1701/373486- A motion was made by Trybulski to approve. Motion passed unanimously.
12. Lacambra, Myla Tocmo; 1701/498174- A motion was made by Trybulski to approve. Motion passed unanimously.
13. Licin, Oglia; 1701/460384- A motion was made by Trybulski to deny due to failure to demonstrate proof of nursing licensure in Haiti in order to validate nursing education. Motion passed unanimously.
14. Lopez Castellanos, Ernesto; 1701/516896- A motion was made by Trybulski to approve. Motion passed unanimously.
15. Mancera, Sarah; 1701/496427- A motion was made by Trybulski to approve. Motion passed unanimously.
16. Medina Delgado, Nelitza; 1701/488942- A motion was made by Trybulski to approve pending successful completion of a remedial course within 1 year. Motion passed with Newman in opposition.
17. Mihoc, Monica Mihaela; 1702/17319- A motion was made by Trybulski to deny due to failure to meet PNEQ requirements. Motion passed unanimously.
18. Nikolla, Roland; 1701/505380- A motion was made by Trybulski to approve. Motion passed unanimously.
19. Osei-Bonsu, Angela; 1701/517001- A motion was made by Trybulski to approve. Motion passed unanimously.
20. Picon, Armando Enrique; 1701/496321- Present- A motion was made by Trybulski to approve. Motion passed unanimously.
21. Pierre, Nancy; 1701/465402- Present- A motion was made by Trybulski to approve. Motion passed unanimously.
22. Pingkian, Orlando Rafanan; 1702/174135 – **Case Pulled**

23. Polk, Brittany Nicole; 1702/174194- A motion was made by Trybulski to deny due to failure to meet PNEQ requirements. Motion passed unanimously.
24. Pugh, Lon; 1702/174450- A motion was made by Trybulski to deny due to failure to meet PNEQ requirements. Motion passed unanimously.
25. Rodriguez Penate, Lazaro; 1701/516521- A motion was made by Trybulski to approve. Motion passed unanimously.
26. Tizazu, Getnet Mehari; 1701/499236- A motion was made by Trybulski to approve. Motion passed unanimously.
27. Vickers, Julie; 1701-507862- A motion was made by Trybulski to approve. Motion passed unanimously.

F. Applicants for Licensure

Section 456.0635, FS Applicants

CNA

Exam

1. Anderson, Lashonza; 4401/664580- A motion was made by Trybulski to deny due to ineligibility. Motion passed unanimously.
2. Hardy, Pricilla; 4401/668853- A motion was made by Trybulski to deny due to ineligibility. Motion passed unanimously.
3. Maddox, Andrew Jr; 4401/386483- A motion was made by Trybulski to deny due to ineligibility. Motion passed unanimously.

Endorsement

1. Perez, Farah Maria; 1701/ 517570- Present- A motion was made by Trybulski to allow applicant to withdraw her application. Motion passed unanimously.
2. Wright, Dirk David; 1701/516988- A motion was made by Trybulski to deny due to ineligibility. Motion passed unanimously.

Section 464.009, FS Applicants

Endorsement

1. Kimpland, Marcia Anne; 1701/405465- A motion was made by Trybulski to approve pending successful completion of a remedial course within 1 year. Motion passed unanimously.
2. Lewin, Elizabeth Neville; 1701/516925- A motion was made by Trybulski to approve pending successful completion of a remedial course within 1 year. Motion passed unanimously.
3. McMahan, Sally Lynn; 1701/513035- A motion was made by Trybulski to approve pending successful completion of a remedial course within 1 year. Motion passed unanimously.
4. Mino, Humberto Enrique; 1702/17305- Present- A motion was made by Gordon to approve pending successful completion of a remedial course within 1 year and an 8 hour CE in laws and rules. Motion passed unanimously.
5. Neves, Julie Joanne; 1701/517233- A motion was made by Newman to require an appearance. Motion passed unanimously.
6. Remensynder Berman, Carol Lynn; 1701/517763- A motion was made by Trybulski to approve pending successful completion of a remedial course within 1 year. Motion passed unanimously.
7. Theam, Sophan; 1701/512230- A motion was made by Trybulski to approve pending successful completion of a remedial course within 1 year. Motion passed unanimously.

Other

HOTC

LPN Examination

1. Bertrand, Manouse; 1702/174872- A motion was made by Newman to approve pending successful completion of a remedial course within 1 year. Motion passed unanimously.

Applicants with Sealed Offense

CNA

1. Maurice, Christopher; 4401/666416- A motion was made by Trybulski to allow applicant to withdraw his application. Motion passed unanimously

G. Items for Discussion

1. NLN CNEA- Proposed Accreditation Standards
2. C.N.A. Programs Licensure Status- CNA Council Rule Change/ Update Recommendations (64B9).

- a. Proposed Changes to Rules 64B9-15.005, 15.006, 15.007, FAC
A motion was made by Newman to approve proposed changes to rule 64B9-15.005, FAC. Motion passed unanimously.

A motion was made by Newman to approve proposed changes to rule 64B9-15.006, FAC. Motion passed unanimously.

A motion was made by Newman to approve proposed changes to rule 64B9-15.007, FAC. Motion passed unanimously.

A motion was made by Newman to approve proposed changes and re-open rule development for rule 64B9-3.015, FAC. The language had to be reopened to remove “courses must be approved by the Board”.

H. Informational Items

1. West Coast University-CCNE
2. Health Educational Training School-Denial
3. Ruby’s Academy for Health Occupations- PN Program Curriculum Changes
4. ABHES Accredited Institutions and Programs
5. Chamberlain College of Nursing- Changes to the Bachelor of Nursing Degree Program
6. Christian International College-ADN Program Closure
7. Corinthian College Inc.- Changes of Ownership
8. Erwin Technical Institute- Name Change
9. Taylor College- Plan of Remediation
10. Ultimate Medical Academy-Change of Ownership
11. Carleen Home Health School 2014 Annual Report

I. Ratification Lists

1. CNA Training Programs Ratification List- A motion was made by Trybulski to approve. Motion passed unanimously.
2. Licensure Applicant Ratification List- **Full Board**
3. Nursing Education Program Ratification List- A motion was made by Trybulski to approve. Motion passed unanimously.

The meeting was adjourned at 1:40 p.m.

Disciplinary Hearings & General Business

Thursday, April 16, 2015 at 1:30 PM

Call to Order

The acting chair, Dr. Newman, called the meeting to order at 3:12 pm.

Roll Call

Board Members:

Jody Bryant Newman, EdD, EdS Consumer– Acting Chair
Cathy Oles Gordon, LPN, BPS
Kathryn L. Whitson, MSN, RN
JoAnn Trybulski, PhD, ARNP, DPNAP
Leonard Connors, JD, Consumer
Deborah Wakefield McKeen, LPN
Diana Forst, BA, RN
Elizabeth Webster, RN, MBA
Lori Desmond, AAS, RN, MSN
Derrick C. Glymph, DNAP, CRNA, ARNP, LTC, USAR
Anna Maria Hubbard, EdD, ARNP, CNE
Lisa Johnson, LPN, RN

Absent: Todd Katz, JD, Consumer (unexcused)

Attorneys:

Lee Ann Gustafson, Senior Assistant Attorney General
Diane Guillemette, Assistant Attorney General
Matthew Witters, Assistant General Counsel
Yolonda Green, Assistant General Counsel
Annie Prescott, Assistant General Counsel

Board Staff:

Joe Baker, Jr., Executive Director
William Spooner, Program Operations Administrator
Sherri Sutton-Johnson, MSN, RN, Director of Nursing Education
Janet Doke BSN, RN, Nursing Education Consultant

Luther, Antaneisha; 4401/589416- Credentials A committee sent this case to the full Board. A motion was made by Connors to deny. Motion failed with 7 members opposed. A motion was made by McKeen to approve. Motion passed with Connors, Trybulski, Webster, Desmond and Newman in opposition.

Palazzo, Sheila Jane; 1701/501430- Credentials B committee sent this case to the full Board. A motion was made by Trybulski to approve with conditions of a remedial course, 8 hour Laws and Rules course, and 8 hour ethics course. Motion passed with Connors and Webster in opposition.

I. CNA, RN, LPN, and ARNP Discipline & General Business

A. Reconsiderations

1. Kotarski; Michelle; 1701/451709- **supplemental documents on e-addendum.**

Present. Ms. Kotarski requested to withdraw her application. A motion was made by Whitson to allow her to withdraw her application. Mr. Connors made a motion to withdraw previously issued conditional order. Motion passed unanimously.

2. Calendo, Janine; 4401/641948- application withdrawal-**supplemental documents on e-addendum** - **Case continued**

1. Non-Compliance with Rule 64B9-15.005 (6), FAC, Standards for Certified Nursing Assistant Training Programs

1. Paramount Training Services, Inc.
2. Paramount Training Services Corp.-Dania
3. Paramount Training Services Corp-Riviera Beach

Ms. Jeanne Burnside was present to represent the programs. She stated that the Programs had no students for 2014. A motion was made by Connors to remove the probation for all 3 programs. The motion passed unanimously.

B. Recommended Orders

1. Warren, Ashley Q.; DOAH Case No. 14-5243- A motion was made by Newman to adopt the findings and facts and conclusions of law stated in the recommended order and deny the application. Motion passed unanimously.

C. Petitions for Hearing/Modification

None

D. CNA Informal Hearings

The board, as appropriate, accepted unanimously the following motions: 1). The Department asks that you accept the investigative report into evidence for the purpose of imposing a penalty. 2). The Department asks that you find that the Respondent was properly served and waived the right to a formal hearing (either by failing to respond at all or timely). 3). The Department asks that you adopt the findings of fact and conclusions of law as set forth in the Administrative Complaint and find that this constitutes a violation of the practice act.

1. Moise, Danyline, CNA 72724 Case #2013-14249 File #317124- **supplemental documents on the e-addendum**. A motion was made by Newman to proceed as an informal hearing. Motion passed unanimously. A motion was made by Newman to impose a V5F and costs in the amount of \$758.09. Motion passed unanimously.

Recused Member: JoAnn Trybulski

2. Exposito, Luis Miguel, CNA 31261 Case #2013-12071 File #358447- Present. A motion was made by Mr. Connors to reconsider the prior motions and send the case to DOAH. Motion passed unanimously.

Recused Member: Jody Bryant Newman

3. Woods, Patricia Lynn, CNA 249020 Case # 2013-09795 File #331689- Case was pulled and sent to DOAH.

E. LPN, RN, and ARNP Informal Hearings

The board, as appropriate, accepted unanimously the following motions: 1). The Department asks that you accept the investigative report into evidence for the purpose of imposing a penalty. 2). The Department asks that you find that the Respondent was properly served and waived the right to a formal hearing (either by failing to respond at all or timely). 3). The Department asks that you adopt the findings of fact and conclusions of law as set forth in the Administrative Complaint and find that this constitutes a violation of the practice act.

Recused Member: Kathryn Whitson

1. Wispe, Dianna Lisette, RN 9199618 Case #2014-00461 & 2014-09719 File #288205- A motion was made by Newman to impose costs in the amount of \$1166.00 and a V2. Motion passed unanimously.

Recused Member: Joann Trybulski

2. Bass, Marcia Branham, ARNP 9176944 Case #2014-00223 File #262576- A motion was made by Newman to impose a V8. Motion passed unanimously.

No Recused Members

3. Hughes, Stephanie J, LPN, 515575 Case #2013-04075 & 2013-09336 File #100445- **supplemental documents on the e-addendum**- A motion was made by Newman to impose costs in the amount of \$4702.19 and a V6A. Motion passed unanimously.
4. Duarte, Clara Givoanna; RN 9265446 Case #2014-06857 File #357717- **(will be heard on Friday)**

Recused Member: Jody Bryant Newman

5. Schulz-Stohl, Sally Ann, RN 1312192 Case #2013-15319 File #28355- A motion was made by Trybulski for a continuance. Motion passed unanimously.
6. Tinson, Sharon Ann, LPN 2747312 Case #2014-04122 File #138207- A motion was made by Trybulski to accept the settlement agreement with costs in the amount of \$92.93. Motion passed unanimously.

F. Licensure Informal Hearings

CNA

1. Alexander, Shantory; 4401/653415- Present. A motion was made by Connors to uphold the denial. Motion passed with Whitson in opposition.
2. Thaddnesha D. Roberts; 4401/651906- A motion was made by Connors to issue a final order denying her application based on the reasons stated in the previous final order. Motion passed unanimously.
3. Smith-Lockwood; Nicole R.; 4401/128513- A motion was made by Connors to deny based on reasons stated in previous order. Motion passed unanimously.

4. Kelly, Kristi; 4401/436817- A motion was made by Newman to deny based on crimes related to the practice and to remove the language about misrepresentation. Motion passed unanimously.
5. Rankin, Linda; 4401/12653- Present. Ms. Rankin requested to withdraw her application. A motion was made by Ms. Whitson to allow her to withdraw her application and vacate the notice of intent to deny. Motion passed with Desmond in opposition.
6. Justance, Emmanuel; 4401/644105 **supplemental documents on e-addendum-** A motion was made by Connors to amend the notice of intent to deny to cite sections 464.018(1)(a)(o) and 464.204(1)(z), F.S.. Motion passed unanimously.

CNA Program

1. Professional Academy of Health CNA Program Appeal (**Paper Addendum**)- A motion was made by Glymph to issue a final order that affirms the rescinding of approval. Motion passed unanimously.

G. Petitions for Modifications

None

H. CNA Settlement Agreements

Recused Member: Jody Bryant Newman

1. King, Devontral Jerman, CNA 221492 Case #2014-03845 File #531433- A motion was made by Trybulski to accept the settlement agreement with costs in the amount of \$511.83. Motion passed unanimously.
2. Mitchell, Demetra D., CNA 222449 Case #2013-00332 File #523135- A motion was made by Trybulski to accept the settlement agreement with costs in the amount of \$1,982.29. Motion passed unanimously.

Recused Member: JoAnn Trybulski

3. Diamwood, Denise L., CNA 77095 Case #2014-07623 File #301136- A motion was made by Newman to accept the settlement agreement with costs in the amount of \$1,395.60. Motion passed unanimously.

Recused Member: Jody Bryant Newman

4. Collins, Kimberley N., CNA 214962 Case #2014-00262 File #515042- A motion was made by Trybulski to accept the settlement agreement with costs in the amount of \$1,480.01. Motion passed unanimously.

Recused Member: Kathryn Whitson

5. Patel, Nikhil R., CNA 279495 Case #2013-10596 File #581285- 3808.88, A motion was made by Connors to accept the settlement agreement with costs in the amount of \$3,808.88. Motion passed unanimously.

I. LPN, RN, and ARNP Settlement Agreements

Recused Member: Leonard Connors

1. Hall, Latina Austin, LPN 5159364 Case #2012-08316 File #104643- A motion was made by Newman to accept the settlement agreement costs in the amount of \$3,181.57. Motion passed unanimously.
2. Alfonso, Jose Augusto, RN 1512182 Case #2011-14721 File #42889- A motion was made by Newman to accept the settlement agreement with costs in the amount of \$3,751.28. Motion passed unanimously.

Recused Member: Kathryn Whitson

A motion was made by Newman to accept settlement agreements for cases 3-9 and 11-13 with costs listed below. Motion passed unanimously.

7. Qualtire, Joseph Alexander, LPN 5203486 Case #2014-11551 File#152981- \$835.05
8. Simmons, Kyle James, LPN 5191941 Case #2014-07701 File #140374- Attorney Joann Kenna present. \$1022.18
9. Miles, Cheryl Lu, RN 9322971 Case #2014-09644 File #423405- \$330.12
10. Ennis, Kelly Lyn, LPN 5215553 Case #2014-15547 File #169404- \$428.38
11. James, Cordaleen, LPN 5212663 Case #2014-09558 File #164914- \$1652.00
12. Hackney, Heather Christian, RN 9239695 Case #2014-02591 File #331568- Attorney Joanne Kenna present. \$5035.65
13. Willis, Jana Leigh, RN 9238668 Case #2014-06088 File #330540- \$1887.92
14. Ramirez, Natalia Maria, RN 9270469 Case #2014-05491 File #364530- **Pulled**
15. Garrett, Dennis Alvin, LPN 5211723 Case #2014-13538 File #163062- \$661.71

16. Foster, Christy Lynn Mantie, RN 2690202 Case #2014-06589 File #132348-
\$3236.78

17. Kee, Sherri Ann, LPN 1173651 Case #2014-10759 File #54780- \$3471.52

Recused Member: JoAnn Trybulski

A motion was made by Newman to accept settlement agreements for cases 14-21 with costs listed below. Motion passed unanimously.

18. Chambliss, Alicia Nicole, RN 5168369 Case #2013-19048 File #1111109- \$2470.53

19. Fisher, Trisha Ann, RN 9206727 Case #2013-08301 File #297607- \$3571.94

20. Voland, Kristen Lee Ann, LPN 5167216 Case #2013-18486 File #113371- \$698.67

21. Quinn, Maura Bridget, RN 9356765 Case #2014-11564 File #456583- \$415.97

22. Harrelle, Julie Ann, RN 9301499 Case #2013-20625 File #400645- \$1481.71

23. Nelson, Paula Jo, RN 9168934 Case #2014-03374 File #251791- \$1001.77

24. Rodriguez, Darcy, LPN 5214965 Case #2014-13386 File# 167904- \$958.78

25. Cox, Christine Margaret, RN 9349142 Case #2014-03019 File #454286- \$468.92

No Recused Members

26. Durand, Marie Jones Pierre, LPN 835271 Case #2012-13363 File #21733- Present.

A motion was made by Newman to accept the settlement agreement with costs in the amount of \$1,347.61. Motion passed unanimously.

Recused Member: Jody Bryant Newman

A motion was made by Trybulski to accept settlement agreements for cases 23-31 with costs listed below. Motion passed unanimously.

23. Schad, Jeanne Celeste, RN 9289363 Case #2014-08230 File #387644-\$937.50

24. Mejias, Betzaida Cruz, RN 9283270 Case #2014-05974 File #380151-\$2,222.54

25. Coronado, Julie Amelia, RN 3103121 Case #2014-02939 File #175040- \$3875.70
26. Brophy, Paul, RN 9367794 Case #2014-11121 File #474863- \$4762.33
27. Tremmel, Kristin Joyce, RN 9232071 Case #2014-01710 File #324113-**Continued**
28. Morningstar, Laurie Kay, LPN 841541 Case #2014-11899 File #22209- \$1474.53
29. Clements, Sharon L. Kastner, ARNP 2638962 Case #2014-01670 File #127103- Present. \$2420.53
30. Doherty, Siobhan Matray, LPN 1209671 Case #2014-02871 File #58473- \$2877.36
31. Young, Brandon Richard, RN 9334346 Case #2014-05154 File #435681- \$4101.88

J. CNA Voluntary Relinquishments

No Recused Memebers

A motion was made by Newman to accept the Voluntary Relinquishments for cases 1-2. Motion passed unanimously.

1. Warren, Melinda M., CNA 94102 Case #2014-04787 File #167336
2. Werst, Adam M., CNA 293340 Case #2015-00243 File #6402226

Recused Member: JoAnn Trybulski

3. Thompson, Ina Maud, CNA 22768 Case #2014-13982 File #312878- Present. Ms. Thompson was allowed to withdraw her voluntary relinquishment. A vote was not required.

Recused Member: Kathryn Whitson

4. Wanamaker, Lakeya G., CNA 292385 Case #2014-08151 File #624591- A motion was made by Newman to accept the Voluntary Relinquishment. Motion passed unanimously.

K. LPN, RN, and ARNP Voluntary Relinquishments

No Recused Members

A motion was made by Newman to accept the Voluntary Relinquishments for cases 1-17. Motion passed unanimously.

1. Bowers, Carol Lee, RN 2751472 Case #2014-14431 File #138647
2. Akers, Cynthia Jean, RN 9271809 Case #2014-17498 File #362286
3. Grande, Rae J., LPN 5147985 Case #2014-13073 File #91988
4. Northcutt, Katrina, LPN 9325526 Case #2014-22211 File #427847
5. Prato, Joseph Galvani, RN 9284878 Case #2014-15764 File #354009
6. Wagner, Carolyn, LPN 5205564 Case #2014-15399 File #157191
7. Costello, Karey Ann, LPN 5189404 Case #2014-10608 File #138422
8. Rossi, Kelsey Lynn, LPN 5182213 Case #2014-19160 File #129808
9. Hollis, Denise M., ARNP 2749522 Case #2014-01750 File #138441
10. Jones, Yolando D., LPN 1286081 Case #2014-11864 File #66305
11. McKimm, Nancy Ann Snyder, RN 1140442 Case #2014-19506 File #16370
12. Imfeld, Tracy-Alice Susanne, RN 9282419 Case #2014-19225 File #379558
13. Imfeld, Tracy-Alice Susanne, RN 9282419 Case #2013-13350 File #379558
14. White, Martha Morse, RN 998212 Case #2014-12576 File #6862
15. Reed, Eric, RN 9301055 Case #2014-19229 File #398038
16. Wortham, Krystyna, LPN 1249091 Case #2015-00299 File #62514
17. Cady, Debra Lee, LPN 1247851 Case #2014-17041 File #62387

Recused Member: JoAnn Trybulski

18. Comer, Amanda L., LPN 5199200 Case #2013-07065 File #149618- **Pulled**

Recused Member: Jody Bryant Newman

19. Rendini, Gabrielle Michelle, RN 9190044 Case #2014-10212 File #277805- A motion was made by Trybulski to accept the settlement agreement. Motion passed unanimously.

II. Other

A. Practice Issues

None

B. Advanced Practice Issues

1. Protocols- A motion was made by Trybulski to accept the protocols. Motion passed unanimously.

C. Special Education Issues

1. Item for Discussion -Non- Compliance with Section 464.019(5),FS

- a. Programs Requesting Probation Extension-

1. Dade Medical – Miami

2. Dade Medical – Hollywood

A motion was made by Trybulski to extend the probation for both campuses for 1 additional year. Motion passed with Glymph, Gordon, Connors, Webster and Hubbard in opposition.

3. Vintex Training Institute- A motion was made by Connors to terminate the program. Motion passed unanimously.

4. Centura Institute- A motion was made by Trybulski to extend the probation for 1 additional year. Motion passed with Connors and Webster in opposition.

5. City College - Ft. Lauderdale- A motion was made by Trybulski to extend the probation for 1 additional year. There was no second. A motion was made by Connors to terminate the program. Motion passed with Trybulski, Desmond and Whitson in opposition.

6. Dade Medical School- Petitions for section 120.57(1), F.S.- A motion was made by Newman that there were no material facts in dispute. Motion passed unanimously. A motion was made by Connors to deny based on statute. Motion passed unanimously.

City College- Miami Campus- Case was heard on Wednesday. School was not properly noticed. A motion was made by Trybulski to extend the remediation plan to the June meeting.

D. Legislative Issues

1. 2015 Session Update/Discussion- Mr. Baker gave a brief update on the bills that are currently being heard in legislative session.

E. Declaratory Statements

1. Dadural, Edgar R.N.9211975- Petition pursuant to 464.003(20), FS regarding whether a Registered Nurse can initiate individual orders for tests, which are part of an established organ procurement protocol, to be performed on the deceased body of a potential organ donor. –**additional items on the e-addendum**- Linda McKlesy with LifeLink of Florida came forward and spoke. Ms. Gustafson will write to Mr. Dadural to let him know he needs to resubmit his request asking only for himself, not RNs in general. Ms. Gustafson was directed to ask: Is there an established standard protocol and what approvals it has gone through?

2. Bergstrom, Judith, RN1425422- Petition pursuant to 64B9-12.003, FAC regarding whether a Licensed Practical Nurse giving care in the home may deliver a pre-programmed Patient Controlled Analgesia (PCA) dose within the prescribed dosing interval by activating the dosing button of the infusion pump. -**additional items on the e-addendum**- Ms. Gustafson will correspond with the nurse.

Margaret Nestler- Applicant withdrew application in the Board office. Application should have been pulled from Credentials A agenda. A motion was made by Newman to withdraw the order issued due to the application being withdrawn.

F. Former Board Member Recognition

1. Presentation to Former Board Members- Dr. Jessie Colin & Dr. Ann-Lynn Denker- Dr. Newman presented plaques to Dr. Colin and Dr. Denker and thanked them for their years of service to the Board.

Meeting adjourned at 6:57pm

Disciplinary Hearings & General Business

Friday, April 17, 2015 at 8:30 AM

Call to Order

The acting chair, Dr. Newman, called the meeting to order at 8:37 am.

Roll Call

Board Members:

Jody Bryant Newman, EdD, EdS Consumer– Acting Chair
Cathy Oles Gordon, LPN, BPS
Kathryn L. Whitson, MSN, RN
JoAnn Trybulski, PhD, ARNP, DPNAP
Leonard Connors, JD, Consumer
Deborah Wakefield McKeen, LPN
Diana Forst, BA, RN
Elizabeth Webster, RN, MBA
Lori Desmond, AAS, RN, MSN
Derrick C. Glymph, DNAP, CRNA, ARNP, LTC, USAR
Anna Maria Hubbard, EdD, ARNP, CNE
Lisa Johnson, LPN, RN

Absent: Todd Katz, JD, Consumer (unexcused)

Attorneys:

Lee Ann Gustafson, Senior Assistant Attorney General
Diane Guillemette, Assistant Attorney General
Matthew Witters, Assistant General Counsel
Annie Prescott, Assistant General Counsel

Board Staff:

Joe Baker, Jr., Executive Director
William Spooner, Program Operations Administrator
Sherri Sutton-Johnson, MSN, RN, Director of Nursing Education
Janet Doke BSN, RN, Nursing Education Consultant

I. CNA, LPN, RN, and ARNP Discipline & General Business

A. CNA Motion to Vacate

None

B. LPN, RN, and ARNP Motion to Vacate

None

C. Reinstatements and Compliance

Reinstatements

CNA

1. Baker (Rogers), Toccara Lynette; - CNA123611, Case # 201103931- Present. A motion was made by McKeen to deny. Motion passed with Johnson, Hubbard, Newman and Glymph in opposition. Motion passed unanimously.

LPN, RN, and ARNP

1. Hiers, William; RN 9303380, Case #201312174- supplemental documents on e-addendum- Present. A motion was made by Whitson to reinstate. Motion passed unanimously.
2. Wakefield, Jenny A.; RN3240652, Case #201110936, 2010-13426- supplemental documents on e-addendum- Present. A motion was made by Connors to reinstate. Motion passed unanimously.

D. CNA Informal Waivers

The board, as appropriate, accepted unanimously the following motions: 1). The Department asks that you accept the investigative report into evidence for the purpose of imposing a penalty. 2). The Department asks that you find that the Respondent was properly served and waived the right to a formal hearing (either by failing to respond at all or timely). 3). The Department asks that you adopt the findings of fact and conclusions of law as set forth in the Administrative Complaint and find that this constitutes a violation of the practice act.

Recused Member: Jody Bryant Newman

1. Rivera, Kristy Marie, CNA 160033 Case #2014-04601 File #424688- A motion was made by Trybulski to impose costs in the amount of \$301.72 and a V6A. Motion passed unanimously.

2. Norton, Shakeria Reniece, CNA 288130 Case #2014-14643 File #608007- A motion was made by Trybulski to impose costs in the amount of \$499.44 and a V6B. Motion passed unanimously.
3. Mallard, Christine Marie, CNA 107006 Case #2014-11156 File #372281 supplemental **documents on the e-addendum**- A motion was made by Trybulski to impose costs in the amount of \$2,254.88 and a V6A. Motion passed unanimously.
4. Sewell, Charlean, CNA 179580 Case #2013-12185 File #445992- A motion was made by Trybulski to impose costs in the amount of \$520.45 and a V5F. Motion passed unanimously.
5. Butler, Carmiel L., CNA 267019 Case #2013-12850 File #596287- **Pulled**
6. Parlseay, Brittany Rose Marie, CNA 213417 Case #2014-13004 File #516791- A motion was made by Trybulski to impose a V8. Motion passed unanimously.
7. Tucker, Barbara J. AKA Barbara Peters, CNA 153157 Case #2013-16995 File #427440- A motion was made by Trybulski to impose costs in the amount of \$1,331.98 and a V6B. Motion passed unanimously.
8. Robinson, Chandler J., CNA 282254 Case #2013-15405 File #579612- A motion was made by Trybulski to impose a V8. Motion passed unanimously.
9. Young, Kisha L., CNA 59829 Case #2013-10811 File #147150- A motion was made by Trybulski to impose costs in the amount of \$254.91 and a P3 for two years with standard terms. Motion passed unanimously.
10. Santos, Quintava A., CNA 231701 Case #2014-03080 File #539730- A motion was made by Trybulski to impose a V8. Motion passed unanimously.
11. Kidd, Lasotra A., CNA 240168 Case #2014-08901 File #554055- A motion was made by Trybulski to impose a V8. Motion passed unanimously.
12. O'Neal, Shanta L., CNA 196501 Case #2013-12983 File #442868- A motion was made by Trybulski to impose a V8. Motion passed unanimously.

Recused Member: JoAnn Trybulski

13. Granger, Sarah J., CNA 192546 Case #2014-07677 File #482441- A motion was made by Newman to impose a V8. Motion passed unanimously.

14. Ellis, Tenoria S., CNA 277775 Case #2013-10298 File #613972- **supplemental documents on the e-addendum**- A motion was made by Newman to impose costs in the amount of \$254.56, a \$50.00 fine, a P3 for 1 year with standard terms, and CEs in legal aspects and ethics 4 hour each. Motion passed unanimously.
15. Craig, Sharita M., CNA 148679 Case #2013-19349 File #419086- A motion was made by Newman to impose a V8. Motion passed unanimously.
16. Mello, Alisha, CNA 187616 Case #2014-10710 File #47853- A motion was made by Newman to impose a V8. Motion passed unanimously.
17. Cain, Frank W., CNA 278233 Case #2013-12284 File #614665- A motion was made by Newman to impose a V8. Motion passed unanimously.
18. Wilcox, Seanea L., CNA 290174 Case #2014-00399 File #633773- A motion was made by Newman to impose costs in the amount of \$1,584.38, a \$50.00 fine, 1 year of probation, 3 hour course in ethics and a Laws and Rules course. Motion passed unanimously.
19. Satorre, Jan Nino, CNA 181913 Case #2014-15652 File #455519- A motion was made by Newman to impose a V8. Motion passed unanimously.
20. Mobley, Lakesha B., CNA 158459 Case #2014-09138 File #424416- A motion was made by Newman to impose costs in the amount of \$272.54, a \$50.00 fine, a P3 for 2 years with standard terms, CEs in legal aspects and ethics (4 hours each). Motion passed unanimously.
21. Whipper, Jacob, S., CNA 205186 Case #2014-11365 File #500059- A motion was made by Newman to impose costs in the amount of (\$) a V6B. Motion passed unanimously.

Recused Member: Kathryn Whitson

22. Hernandez Katie B., CNA 253615 Case #2013-10380 File #578341- A motion was made by McKeen to impose a V8. Motion passed unanimously.
23. Ibeagwa, Markanthony Okechukwu, CNA 16468 Case #2014-06446 File #377486- A motion was made by Newman to impose costs in the amount of \$81.98, a V5F and a fine of \$50.00. Motion passed unanimously.

E. LPN, RN, and ARNP Informal Waivers

The board, as appropriate, accepted unanimously the following motions: 1). The Department asks that you accept the investigative report into evidence for the purpose of imposing a penalty. 2). The Department asks that you find that the Respondent was properly served and waived the right to a formal hearing (either by failing to respond at all or timely). 3). The Department asks that you adopt the findings of fact and conclusions of law as set forth in the Administrative Complaint and find that this constitutes a violation of the practice act.

Recused Member: Kathryn Whitson

1. Baker, Esther Annegret, RN 9288536 Case #2014-03231 File #386881- **Continued**
2. Carames, Armando G. Buchillon, RN 9258266 Case #2014-07611 File #339380- A motion was made by Newman to impose a V8. Motion passed unanimously.
3. Darville, Maxcine, LPN 415881 Case #2013-01979 File #84408- A motion was made by Newman to impose a V8. Motion passed unanimously.
4. Riporti-Lombardo, Yvonne Maria, RN 2641762 Case #2014-07960 File #127386- A motion was made by Newman to impose costs in the amount of \$43.74 and a V6A. Motion passed unanimously.
5. Suarez, Jeyssa, RN 9305075 Case #2013-16372 File #404242- A motion was made by Newman to impose costs in the amount of \$1846.61 and a V6B. Motion passed unanimously.
6. Harbin, Bobby Lynn, RN 9367767 Case #2014-08957 File #476804- **Continued**
7. Harper, Amber Dawn, LPN 5210257 Case #2013-16111 File #161951- A motion was made by Newman to impose costs in the amount of \$2,447.88 and a V6A. Motion passed unanimously.

Recused Member: JoAnn Trybulski

8. McCann, Louise Marie, LPN 716071 Case #2013-18541 File #13604- A motion was made by Newman to impose costs in the amount of \$155.53, a \$100 fine, and a P3 through November of 2015. Motion passed unanimously.
9. Boitschenko, Lisa Marie, LPN 5188242 Case #2013-16979 File #137298- **Continued**
10. McDonald, Jr., Tony, LPN 5167446 Case #2014-01004 File #111648- A motion was made by Newman to impose costs in the amount of \$358.26 and a V6B. Motion passed unanimously.

11. Goodwin, Rita Rae, LPN 5153761 Case #2014-00729 File #98818- A motion was made by Newman to impose costs in the amount of \$608.17 and a V5F. Motion passed unanimously.
12. Edwards, Laranda Nicole, LPN 5180527 Case #2013-18227 File #126954- A motion was made by Newman to impose costs in the amount of \$4,602.61 and a V6A. Motion passed unanimously.
13. Harbin, Bobby Lynn, RN 9367767 Case #2014-06351 File #476804- A motion was made by Newman to impose costs in the amount of \$2,138.92 and a V6B. Motion passed with McKeen in opposition.
14. Martinez, Marianela, RN 9226259 Case #2013-15310 & 2013-15314 File #316318-
Continued
15. Wernock, Crystal Marie, LPN 5189244 Case #2014-04876 File #138517- A motion was made by Newman to impose costs in the amount of \$367.01 and a V5F. Motion passed unanimously.
16. Fonseca, Vivian, RN 9366687 Case #2014-09390 File #465619- A motion was made by Newman to impose a V8. Motion passed unanimously.
17. Hennion, Tanya Odessa, LPN 5190259 Case #2014-02275 File #136001- A motion was made by Newman to impose costs in the amount of \$534.97, a \$100.00 fine, and a V5F. Motion passed unanimously.
18. Soler, Joyce Elizabeth, RN 2098712 Case #2013-17659 File #95792- **Continued**
19. Evenue, Wendy Beth, LPN 157658 Case #2014-10757 File #103023- Present. A motion was made by Newman to impose costs in the amount of \$6,180.05 and a V6A. Motion passed unanimously.

Recused Member: Jody Bryant Newman

20. Munguia, Elias Sebastian, LPN 5187961 Case #2013-07940 File #133666- A motion was made by McKeen to impose a V8 and a fine of \$10,000.00. Motion passed unanimously. A motion was made by Connors to require that the fine be paid within 60 days. Motion passed unanimously.

21. Parker, Roberta Lee, LPN 5169846 Case #2013-14479 File #116344- A motion was made by Trybulski to impose costs in the amount of \$468.33 and a V5F. Motion passed unanimously.

22. Carter, Jo Anne, LPN 784521 Case #2013-02854 File #18069- A motion was made by Trybulski to impose a V8. Motion passed unanimously.

No Recused Members

23. Noval, Andrew Peter, LPN 5185690 Case #2013-05340 File #134219- **Continued**

II. Intervention Project for Nurses

1. IPN Agenda
2. State Reports
 - A. February
 - B. March

Ms. Linda Smith gave a verbal report.

III. Board Reports

A. Board Chair

1. NCSBN Midyear Meeting Report- The meeting was held in March in Louisville, KY. The theme of the meeting was a United Mission For Regulatory Success. Items discussed included: Compact Revision Team (CRT) Report; Rep. Marzian KY -- What You're Doing is Important; CVS MinuteClinic; Compact legislation and implementation.

B. Board Members

Ms. McKeen reported that the Panhandle has taken notice that they have a Board member from their area and that she is seeing a lot of requests for information.

Mr. Connors reported that he had spoken to an LPN program.

C. Board Counsel

1. January 2014 Rules Report- Ms. Guillemette gave a verbal report. A motion was made by Newman to remove the rule 64B9-2.018 since it mirrors statute. Motion passed unanimously.

2. Update on NC Board of Dentistry vs FTC (U.S. Supreme Court case)- Ms. Gustafson gave a brief synopsis of this. Ms. Gustafson stated that there are no concerns about it impacting regulation in Florida.
3. Hill, Shelly Kay; Case # 14-4511RU Final Order- Ms. Gustafson discussed this case which dealt with the administration of Botox by nurses. The Administrative Law Judge indicated that it was a non-rule policy.
4. Discussion of Licensure Requirements (remedial courses)- The Board does not get involved in establishing curriculum.
5. Nursing Education Program Rules (64B9)
 - a. Proposed Changes to Rules 64B9-2.017, 2.018, 2.019, F.A.C.
6. CNA Council Rule Change/ Update Recommendations (64B9)
 - a. Proposed Changes to Rules 64B9-15.005, 15.006, 15.007, FAC- Ms. Guillemette gave a verbal update as to what the language changes for these rules will be for C.N.A. training programs.

15:005- A motion was made by Newman that the rule will not have an effect on small businesses. Motion passed with Connors in opposition. A motion was made by Newman that the proposed language be noticed. Motion passed with Connors in opposition.

15:006- A motion was made by Newman that the rule will not have an adverse impact on small business or increase regulatory costs. Motion passed with Connors in opposition. A motion was made by Newman that the proposed language be noticed. Motion passed with Connors in opposition.

15.007- A motion was made by Newman that the rule will not have an adverse impact on small business or regulatory costs. Motion passed unanimously. A motion was made by Newman that the proposed language be noticed. Motion passed unanimously.

7. Rule 64B9-3.015 Licensure Examination Preparatory Courses-

A motion was made by Newman that the rule would not have an adverse impact on small business or increase regulatory costs. The language had to be reopened to remove "courses must be approved by the Board".

8. Update on Dade Medical Rule Challenge- Ms. Gustafson gave a brief synopsis.

- A. Prosecution Services Unit
 - 1. Introduction of Matthew Witters, Nursing Section Manager- Mr. Witters gave a brief synopsis of the report. A motion was made by Newman to give PSU permission to continue to prosecute the cases that are a year or older. Motion passed unanimously.

- B. Executive Director
 - 1. NCSBN 2013-14 Environmental Scan- Mr. Baker stated that this document will be emailed to the Board as an FYI.
 - 2 Ratification Lists
 - A. Nursing Withdrawals- A motion was made by Newman to accept the list. Motion passed unanimously.
 - B. CE Provider- A motion was made by Newman to accept the list. Motion passed unanimously.
 - C. Licensure Applicant Ratification List (**moved from Cred. B ratification lists, e- addendum**)- A motion was made by Newman to approve the list. Motion passed unanimously.
 - D. Ratification list for internationally educated nurses- A motion was made by Newman to approve the list. Motion passed unanimously.
 - 3. Agenda Topics for June Long-Range Policy & Planning Meeting-
A review of the exercise we have recently gone through in the office: Analyzing Laws and Rules.
We are hopeful that the Department will be putting through a clean-up bill of existing statutory language.
 - 4. MQA Quarterly Performance Report FY14-15 Q2- FYI
 - 5. "Are you Renewal Ready? Memo"-**supplemental documents on the e-addendum**- FYI
 - 6. Special Session of Delegate Assembly May 4, 2015 - **supplemental documents on e-addendum**

Mr. Baker explained that Ms. Forst and Mr. Spooner would serve as voting delegates for the board and that if any board members had any questions or concerns about the "new: Nurse Licensure Compact to let him know.

Mr. Baker gave a brief update on staffing the Board: Jessica Hollingsworth, Regulatory Supervisor and Angela Falls, Nurse Consultant.

- C. Financial Report
 - 1. Revenue Report- Dr. Newman gave a brief synopsis of these reports.
 - A. January 2015
 - B. February 2015
 - 2. Expenditures

A. Expenditures by Function

3. Cash Balance

4. Allocations to the Board

A. Allocations

G. Election of Board Chair

A motion was made by Connors to nominate Newman for the Chair. Motion passed unanimously.

Since the current Vice Chair was elected as the chair an election for Vice Chair was held. A motion was made by Connors to nominate Whitson. A motion was made by Newman to nominate Forst. Whitson was chosen as Vice Chair by a 8/3 vote.

H. Minutes and Committee Recommendations

February Minutes- A motion was made by Newman to approve. Motion passed unanimously.

Credentials B- A motion was made by Newman to approve. Motion passed unanimously.

Credentials A- A motion was made by Newman to approve. Motion passed unanimously.

IV. Adjournment

The meeting adjourned at 11:54 am.