**Mission**: To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



Celeste Philip, MD, MPH Interim Surgeon General and Secretary

Vision: To be the Healthiest State in the Nation

## FIRST AMENDED NORTH PROBABLE CAUSE BOARD OF NURSING AGENDA SCHEDULED FOR APRIL 5, 2016

R-01 to R-03 R-04 to R-05 AC-01 to AC-37 AC-38 to AC-41 LOG-1 to LOG-16 D-01 to D-35 Reconsiderations Amended Administrative Complaints Administrative Complaints ESO/ERO Letters of Guidance\* Closing Orders\*

The Probable Cause Panel meeting scheduled April 5, 2016 will commence at 3:30 p.m., or as soon as possible thereafter, at the following location:

## MEET-ME NUMBER

# \*\*Toll Free Number- 1-888-670-3525\*\*

\*Everyone will need to call in on the above number for the public and non-public sections of the agenda at all PCP Meetings.

\*After dialing in, you will be asked to enter a Conference Code Number: 990 808 6106 (Public)

Court Reporter: For The Record (850) 222-5491; FAX (850) 224-5316

<u>Members scheduled to participate</u>: Lavigne Kirkpatrick, BS, RN (Panel Chair) Cathy Gordon, LPN, BPS

<u>Board Counsel</u> Lee Ann Gustafson, Esq. – Assistant Attorney General & Board Counsel Diane L. Guillemette, Esq. – Assistant Attorney General & Board Counsel

<u>Prosecution Services</u> Judson Searcy, Esq. – Assistant General Counsel Christopher Jurich, Esq. – Assistant General Counsel Amy Thorn, Esq. – Assistant General Counsel Rose Garrison, Esq. – Assistant General Counsel Justin Chang, Esq. – Assistant General Counsel Marc Taupier, Esq. – Assistant General Counsel Jenna Partin, Esq. – Assistant General Counsel Natalia Thomas, Esq. – Assistant General Counsel

#### Florida Department of Health

Office of the General Counsel – Prosecution Services Unit 4052 Bald Cypress Way, Bin C-65 • Tallahassee, FL 32399-3265 Express mail address: 2585 Merchants Row – Suite 105 PHONE: 850/245-4444 • FAX 850/245-4684 www.FloridaHealth.gov TWITTER:HealthyFLA FACEBOOK:FLDepartmentofHealth YOUTUBE: fldoh FLICKR: HealthyFla PINTEREST: HealthyFla BON NPCP 4/5/2016 Page 2

Rob Summers, Esq. – Assistant General Counsel Francis Carbone, II, Esq. – Assistant General Counsel Kristen Summers, Esq. – Assistant General Counsel

\*Note – Administrative Complaints, Letters of Guidance and Dismissals are all CONFIDENTIAL until probable cause has been found.

# **OPENING PROCEDURES**

- 1. The meeting is called to order by the Chairperson.
- 2. The introduction of the Panel members and all other attending persons.
- 3. Opening remarks by the Chairperson.
- 4. Opening remarks by the Panel's Legal Advisor.
- 5. Opening remarks by the Agency attorney.

## RECONSIDERATIONS (PUBLIC PORTION) Call in Number: 1-888-670-3525 Public Conference Code: 990 808 6106

# <u>CNA</u>

R-01 Akeem A. Babalola, CNA Case #2015-17769 (4097) Rose Garrison A motion was made to dismiss the case by Kirkpatrick, seconded. Motion passed unanimously.

R-02 Stephanie M. Debrossee, CNA Case #2014-00747 (4097) Judson Searcy A motion was made not to dismiss the case by Kirkpatrick, seconded. Motion passed unanimously. A motion was made to recommend a V1 by Kirkpatrick, seconded. Motion passed unanimously.

#### <u>RN/LPN</u>

R-03 Stacey L. Fachko, RN Case #2014-12993 (4097) Rose Garrison A motion was made to dismiss the case by Kirkpatrick, seconded. Motion passed unanimously.

# AMENDED ADMINISTRATIVE COMPLAINTS

#### <u>RN/LPN</u>

R-04 Wade T. Smith, RN Case #2015-00458 Jenna Partin A motion was made to find probable cause by Kirkpatrick, seconded. Motion passed unanimously. A motion was made to recommend a V1 and costs by Kirkpatrick, seconded. Motion passed unanimously.

R-05 Michael O'Neal, RN Case #2015-17059 Rose Garrison A motion was made to find probable cause by Kirkpatrick, seconded. Motion passed unanimously. A motion was made to recommend a reprimand, \$250 fine, Legal Aspects course and Ethics (2 hours each) and costs by Kirkpatrick, seconded. Motion passed unanimously.