

The Florida

Board of Nursing

December 2019 Meeting Minutes

December 5-6, 2019
Mission Inn Resort
10400 FL-48
Howey-In-The-Hills



Kathryn Whitson, MSN, RN
Chair

Diana Forst, BA, RN
Vice Chair

Joe Baker, Jr.
Executive Director



**Florida Board of Nursing Meeting Draft
Agenda December 5-6, 2019
Howey-In-The-Hills**

Participants in these public meetings should be aware that these proceedings are being recorded and that an audio file of the meetings will be posted to the board's website.

Board Members:

Kathryn L. Whitson, MSN, RN– Chair
Diana Forst BA, RN – Vice Chair
Jody Bryant Newman, EdD, EdS Consumer
Deborah McKeen, CD-LPN, BS
Lori Desmond, MSN, RN, NE-BC
Derrick C. Glymph, DNAP, CRNA, APRN, COL, AN, USAR
Lisa Renee Johnson, MSN/Ed, RN, LPN
Heather Baumwald, Consumer
Francine Paschall, MBA, DNP, RN, CENP
Mary Julie Talmadge, DNP, APRN
Vacant, LPN
Vacant, Consumer
Vacant, Educator

Attorneys:

Deborah Loucks, Senior Assistant Attorney General
John Fricke, Assistant Attorney General
Matthew Witters, Chief Legal Counsel
Ann Prescott, Assistant General Counsel
Judson Searcy, Assistant General Counsel

Board Staff:

Joe Baker, Jr., Executive Director
Melissa Passett, Program Operations Administrator
Nicole Benson, Program Operations Administrator
Sherri Sutton-Johnson, MSN, RN, Director of Nursing Education
Shawntrell Ash, Regulatory Supervisor
Zoë McCook, Regulatory Specialist III

Thursday @ 8:30 AM

Credentials "A" Committee

- Required Appearances
- CNA Applicants for Licensure with criminal, discipline and health history and open cases
- LPN, RN and APRN Applicants for Licensure with criminal, discipline and health history and open cases
- Multi-State Upgrade Applicants
- Other Items for Discussion

Education and Credentials "B" Committee

- Required Appearances
- Non-Compliance with Section 464.019, FS, Approval of Nursing Education Programs
- Non-Compliance with Section 464.019(3), FS, and 464.019(5)(b), FS, Failure to Submit 2019 Annual Reports
- Exemption Applicants
- Education Credentials
- Applicants for Licensure under Section 456.0635, FS
- CNA Applicants for Licensure under Section 435.04, FS
- LPN, RN, APRN Applicants for Licensure under Section 464.009, FS
- LPN, RN, APRN Applicants for License - Other
- Ratification Lists
- Items for Discussion
- Informational Items

Thursday @ 1:30 PM

Full Board

- CNA, LPN, RN, and APRN Discipline & General Business
- Reconsiderations
- Recommended Orders
- CNA Informal Hearings
- LPN, RN, and APRN Informal Hearings
- Licensure Informal Hearings
- Petitions for Hearing/Modifications
- CNA Settlement Agreements
- LPN, RN, and APRN Settlement Agreements
- CNA Voluntary Relinquishments
- LPN, RN, and APRN Voluntary Relinquishments
- CNA Informal Waiver
- Practice Issues
- Advanced Practice Issues
- Special Education Issues
- Legislative Issues
- Declaratory Statements
- Petitions for Variance and Waiver

Friday @ 8:30 AM

Full Board

- CNA, LPN, RN, and APRN Discipline & General Business
- CNA Motion to Vacate
- LPN, RN, and APRN Motion to Vacate
- CNA Informal Waivers
- LPN, RN, and APRN Informal Waivers
- Reinstatements and Compliance Issues
- IPN & Board Reports

Credentials Summary of Conditions

CONTINUING EDUCATION

Required within 6 months of licensure

PROBATION (P1)

Standard terms

[A] Violate no laws

[B] Report changes in address, employer, arrests, or violations of probation or orders from another jurisdiction

[C] Quarterly self-reports

[D] Quarterly nursing employer reports

[G] Tolling

Direct supervision

[H] Direct supervision, regularly assigned unit, no employment by nurse registry, nurse employment agency or home health agency, no multiple employers or self-employment

IPN (V6)

V6A - must sign IPN contract

V6B - must have IPN evaluation and contract if recommended

V6C - must have IPN evaluation and contract if recommended; if contract not recommended, probation

Credentials “A” Committee

Thursday, December 5, 2019 at 8:30 AM

Call to Order

The meeting was called to order by the Committee Chair, Ms. McKeen at 8:31 a.m.

Roll Call

Board Members:

Deborah McKeen, CD-LPN, BS- Committee Chair
Kathryn L. Whitson, MSN, RN
Lori Desmond, MSN, RN, NE-BC
Heather Baumwald, Consumer

Absent:

Derrick C. Glymph, DNAP, CRNA, APRN, COL, AN, USAR- Unexcused

Attorneys:

Deborah Loucks, Senior Assistant Attorney General

Board Staff:

Joe Baker, Jr., Executive Director
Melissa Passett, Program Operations Administrator
Shawntrell Ash, Regulatory Supervisor
Zoë McCook, Regulatory Specialist III

A. Required Appearances

CNA

1. Ivory, Jermaine; 4401/779524- Present. A motion was made by Desmond to approve. Motion passed unanimously.

LPN, RN, and APRN

2. Adams, Jessica Dawn; 1701/656464- Present. Applicant waived her 90 days.

B. Pending Formal Denial

CNA

None

LPN, RN, and APRN

1. Franks, Karen Sue; 1701/650367- Present. A motion was made by Desmond to approve with an amended application, and proof of completion of Michigan discipline. Applicant verbally requested to switch to a Multi-State application. Motion passed with McKeen in opposition.
2. Sim, Phyllis Ann; 1711/638783- Present. A motion was made by Desmond to approve with Probation for 2 years with standard terms. Motion passed unanimously.
3. Maldonado Collazo, Coralys; 1701/628245- A motion was made by McKeen to deny based on failure to submit required employment verifications. Motion passed unanimously. **(reconsidered at Full Board)**

C. Applicants for Licensure

CNA

Prior Board Action

Exam

1. Altemar, Sandra; 4401/713026- Present with attorney Juan Santos. A motion was made by Desmond to approve. Motion passed unanimously.
2. Williams, Travis A; 4401/665043- Present. A motion was made by Desmond to approve with a V6B. Motion passed with Baumwald in opposition.

Endorsement

None

Juvenile Offense

None

Criminal History

Exam

1. Varnum, Miranda J; 4401/780869- Present. A motion was made by McKeen to deny based on crimes related to the practice. Motion failed 2-2, with Desmond and Baumwald in opposition. A motion was made by Whitson to approve with CEs in Ethics (8 hrs) and Legal Aspects (8 hrs). Motion passed with McKeen in opposition.
2. VazquezGarduno, Vanessa N; 4401/775529- A motion was made by Whitson to approve with a V6B. Motion passed unanimously.

3. Felder, Emani; 4401/771477- A motion was made by McKeen to require an appearance. Motion passed unanimously.

Endorsement
None

Discipline History

Exam

1. Lewis, Amanda C; 4401/781816- Present. A motion was made by Desmond to approve. Motion passed unanimously.

2. Donaldson, Tiffany S; 4401/655516- Present. A motion was made by Baumwald to approve. Motion passed unanimously.

Endorsement
None

Health History

Exam

1. Bauknight, Kirsten A; 4401/778921- Present. A motion was made by Whitson to approve with documentation of safety to practice, delegated for board staff approval. Motion passed with Baumwald in opposition.

Endorsement
None

False Answer on Application

Exam

1. Williams, Brantil; 4401/670907- Present. A motion was made by Desmond to approve with an amended application. Motion passed unanimously.

Endorsement
None

Open Case

None

**LPN, RN, and APRN
Discipline History
Exam**

None

Endorsement

1. Domin, Jazmen Margaret; 1701/663051- Present. A motion was made by Desmond to approve. Motion passed unanimously.
2. Slobodzian, Emily Jean; 1701/664054- A motion was made by Whitson to approve with a V6B and a remedial course. Motion passed unanimously.
3. Wambach, Kara Lynn; 1702/202872- A motion was made by McKeen to approve with a CE in Ethics (8 hrs) prior to licensure. Motion passed unanimously.
4. Marlowe, Shauna Lynn; 1701/665330- A motion was made by Whitson to approve. Motion passed unanimously.
5. Riddle, William Gene; 1701/589306- Present. A motion was made by Baumwald to approve. Motion passed unanimously.
6. Lombardi, Angelina M; 1701/662409- A motion was made by Baumwald to approve. Motion passed unanimously.
7. Campbell, Denise Melissa; 1702/203645- A motion was made by Whitson to approve with Probation for 1 year with standard terms, CEs in Ethics (8 hrs) and Documentation (8 hrs), and a fine of \$250 prior to licensure. Motion passed unanimously.
8. Elwell, Debora Jean; 1701/640186- A motion was made by McKeen to deny based on prior discipline. Motion passed unanimously.

APRN

9. Lynch, Wesley Wendell; 1711/640851- A motion was made by McKeen to approve with a CE in Legal Aspects (8 hrs) prior to licensure. Motion passed unanimously.
10. Anderson, Ramona Indira; 1711/639629- A motion was made by McKeen to approve with Probation concurrent with her RN license. Motion passed unanimously.
11. Roy, Michael Scott; 1711/640500- A motion was made by McKeen to approve. Motion passed unanimously.

Prior Board Action

Exam

1. Abubakar Bala, Umma K; 1701/573229- A motion was made by McKeen to approve. Motion passed unanimously.
2. Rolle, Sandra Bloneua; 1702/167096- A motion was made by McKeen to approve with a \$250 fine before approval to sit for the exam. Motion passed unanimously.

Endorsement

3. Ragusa, Nicholas Gerard; 1702/177718- **Continued**
4. Dela Guerra, De Wayne D; 1702/200321- A motion was made by Whitson to require an appearance. Motion passed unanimously.

APRN

None

Criminal History

Exam

1. Miller, Kristie; 1702/202285- Present. A motion was made by Whitson to approve. Motion passed with McKeen in opposition.
2. Mandell, Steven Murphy; 1701/665281- Present. A motion was made by Desmond to approve. Motion passed unanimously.

Endorsement

3. Mitchell, Jill Ann; 1702/200785- A motion was made by Baumwald to require an appearance. Motion passed unanimously.

APRN

None

Health History

None

Multi-State Upgrade

1. Murillo-Lazo, Amparo Adelida; 1702/164854- A motion was made by McKeen to deny due to ineligibility. Motion passed unanimously.
2. Sterlyn, Betty; 1701/580544- A motion was made by McKeen to deny due to ineligibility. Motion passed unanimously.

False Answer on Application

Exam

1. Evans, Heather; 1701/663432- Present. A motion was made by Desmond to approve with an amended application. Motion passed unanimously.

The meeting recessed from 10:17 a.m.- 10:29 a.m.

Endorsement

2. Joseph, Sonia; 1702/135066- **Pulled**

APRN

None

Other

Open Case

None

Staff Note

Exam

None

Endorsement

None

APRN

1. Carpenter, Crystal; 1711/640002- A motion was made by McKeen to approve. Motion passed unanimously.

D. Other Items for Discussion

CNA

None

LPN, RN, APRN

None

The meeting adjourned at 11:08 a.m.

Education & Credentials “B” Committee

Thursday, December 5, 2019 at 8:30 AM

Call to Order:

The meeting was called to order at 8:35 AM

Roll Call

Board Members:

Lisa Renee Johnson, MSN/Ed, RN, LPN- Committee Chair

Kathryn L. Whitson, MSN, RN

Diana Forst BA, RN

Jody Bryant Newman, EdD, EdS Consumer

Mary Julie Talmadge, DNP, APRN

Absent:

Francine Paschall, MBA, DNP, RN, CENP- Unexcused

Attorneys:

John Fricke, Assistant Attorney General

Board Staff:

Nicole Benson, Program Operations Administrator

Sherri Sutton-Johnson, MSN, RN, Director of Nursing Education

A. Required Appearance

CNA

None

LPN, RN, and APRN

None

B. Pending Formal Denial

CNA

None

LPN, RN, and APRN

1. Rodriguez, Alexandra Camille; 1701/628234-Present. A motion was made by Talmadge to approve. Motion passed unanimously.

C. Non-Compliance with Section 464.019, FS, Approval of Nursing Education Programs

None

D. Non-Compliance with Section 464.019(3), FS and 464.019(5)(b), FS, Failure to Submit 2019 Annual Reports

PN Programs

1. Carleen Health Institute of South Florida, PN, US70112200, 1705/257- A motion was made by Johnson to terminate. Motion passed with Newman opposed.

Meeting recessed for 15 minutes at 10:19 AM

2. Dade County Homestead Senior High, PN, US70206800, 1705/87- A motion was made by Johnson to terminate based on non-compliance with Section 464.019(3), FS and 464.019(5)(b), FS. Motion passed with Newman opposed.
3. Dade County Miami Edison High School, PN, US70203500, 1705/109- A motion was made by Johnson to terminate based on non-compliance with Section 464.019(3), FS and 464.019(5)(b), FS. Motion passed with Newman opposed.
4. Fernandina Beach College of Allied Health, PN, US70111600, 1705/264- A motion was made by Johnson to terminate based on non-compliance with Section 464.019(3), FS and 464.019(5)(b), FS. Motion passed with Newman opposed.
5. Harris-Casel Institute, PN, US70208800, 1705/1- A motion was made by Johnson to terminate based on non-compliance with Section 464.019(3), FS and 464.019(5)(b), FS. Motion passed with Newman opposed.
6. Med-Life Institute Kissimmee, PN, US70200900, 1705/147- A motion was made by Johnson to terminate based on non-compliance with Section 464.019(3), FS and 464.019(5)(b), FS. Motion passed with Newman opposed.
7. Techni-Pro Institute, LLC, PN, US70114400, 1705/357- A motion was made by Johnson to terminate based on non-compliance with Section 464.019(3), FS and 464.019(5)(b), FS.

Motion passed with Newman opposed.

RN Programs

1. College of Health and Allied Development, BSN, US70512300, 1704/479 A motion was made by Johnson to terminate based on non-compliance with Section 464.019(3), FS and 464.019(5)(b), FS. Motion passed with Newman opposed.

2. Fernandina Beach College of Allied Health, ADN, US70704500, 1704/201 A motion was made by Johnson to terminate based on non-compliance with Section 464.019(3), FS and 464.019(5)(b), FS. Motion passed with Newman opposed.

3. Healing Hands Institute, ADN, US70415400, 1704/598 A motion was made by Johnson to terminate based on non-compliance with Section 464.019(3), FS and 464.019(5)(b), FS. Motion passed with Newman opposed.

4. Techni-Pro Institute, ADN, US70415700 1704/606 A motion was made by Johnson to terminate based on non-compliance with Section 464.019(3), FS and 464.019(5)(b), FS. Motion passed with Newman opposed.

E. Exemption Applicants

CNA

1. Tellis, Dorothy P; 4401/166447-A motion was made by Johnson to deny due to ineligibility. Motion passed unanimously.

F. Education Credentials

LPN, RN, and APRN

Exam

1. Alicdan, Donna Faye Aguinaldo; 1701/663980-A motion was made by Newman to approve. Motion passed unanimously.

2. Baker, Paul Philip; 1701/645846-A motion was made by Johnson to deny based on deficiencies in education requirements. Motion passed unanimously.

3. Ball, Angela; 1701/626931-A motion was made by Johnson to deny based on deficiencies in education requirements. Motion passed unanimously.

4. Carneiro Madureira Todesco, Lauana; 1701/647867-A motion was made by Newman to require an appearance. Motion passed unanimously.

5. Centeno Garcia, Ana Maria; 1701/653977-Present. A motion was made by Johnson to approve with a remedial course. Motion passed unanimously.
 6. Enage, May Ann Geloryao; 1701/647456-Present. A motion was made by Newman to approve. Motion passed unanimously.
 7. Garcia Trujillo, Alejandro Cesar; 1701/481415-A motion was made by Newman to approve with a remedial course. Motion passed unanimously.
 8. Garcia, Rosemary; 1701/650004-Present. A motion was made by Newman to approve. Motion passed unanimously.
 9. Gizzaw, Selamawit; 1701/660070-A motion was made by Talmadge to approve. Motion passed unanimously.
 10. Hammad, Samia Saad; 1701/647790-A motion was made by Newman to approve with a remedial course. Motion passed with Forst opposed.
 11. Harris, Jennypher Brito; 1701/642587-A motion was made by Johnson to approve with a remedial course. Motion passed unanimously.
 12. Hernandez Rodriquez, Edith; 1701/662275-A motion was made by Johnson to approve. Motion passed unanimously.
 13. Jova Rodriguez, Rossana; 1701/662641-A motion was made by Newman to approve with a remedial course. Motion passed unanimously.
 14. Kafle, Nisha Kusum; 1701/643631-A motion was made by Johnson to approve. Motion passed unanimously.
 15. Kirgan, Julia Iurievna; 1701/652774-A motion was made by Johnson to deny based on deficiencies in education requirements. Motion passed unanimously.
 16. Kirkby, Chantal Marguerite; 1701/645704-A motion was made by Newman to require an appearance. Motion passed unanimously.
 17. Maestre, Rachele Anne Bulanadi; 1701/647297- **Pulled**
 18. Miller, Menchie Cadajas; 1701/621189-A motion was made by Johnson to approve. Motion passed unanimously.
 19. Sanchez Morales, Sonia Alejandra; 1701/642814-A motion was made by
-

Johnson to approve with a remedial course. Motion passed unanimously.

20. Saucó-Estipona, Sheryll; 1702/185105-A motion was made by Johnson to deny based on deficiencies in education requirements. Motion passed unanimously.

21. Stilwell, Laura Dianne; 1701/653858- Present. A motion was made by Johnson to approve with a remedial course. Motion passed unanimously.

22. Vallejo Rosa, Nayka Maraly; 1701/657494-A motion was made by Johnson to deny based on deficiencies in education requirements. Motion passed unanimously.

23. Wallace, Marissa Lakeisha; 1701/639107-A motion was made by Newman to approve with a remedial course. Motion passed unanimously.

24. Gregg, Aurhist Bugtong; 1701/658054-A motion was made by Johnson to approve. Motion passed unanimously.

25. Job, Natoria Marlene; 1701/604591-A motion was made by Newman to approve. Motion passed unanimously.

26. Perez, Karen Paola; 1701/664499-A motion was made by Johnson to approve. Motion passed unanimously.

27. Suarez Viltres, Everina; 1701/651942-A motion was made by Johnson to require an appearance. Motion passed unanimously.

28. Brown, LePeche Desha; 1701/607904-A motion was made by Johnson to deny based on deficiencies in education requirements. Motion passed unanimously.

29. Arayathel, Joseph Joseph; 1701/646943-Present and requested to withdraw application.

30. Villegas Munoz, Natalia Cristina; 1701/638061-Present and requested to withdraw application.

31. Newry, Andriel Toyquel; 1701/622161-A motion was made by Newman to deny based on deficiencies in education requirements. Motion passed unanimously.

32. Cubero Mendez, Danay Margarita; 1701/643429-A motion was made by Newman to approve with remedial course. Motion passed unanimously.

33. Cabamalan, Hazel P; 1701/647483-A motion was made by Johnson to approve. Motion passed unanimously.

34. Bolton Moore, Nathalie Shanette; 1701/640288-A motion was made by Talmadge to approve with a remedial course. Motion passed unanimously.

Endorsement
None

G. Applicants for Licensure under 456.0635, FS

CNA

Exam

1. Hawkins, Ja'Tiera; 4401/669699-A motion was made by Newman to deny based on 456.0635, FS. Motion passed unanimously.

LPN, RN, and APRN

Exam

1. Pagan, Mayra Ivette; 1701/577462-A motion was made by Newman to deny based on 456.0635, FS. Motion passed unanimously.

Endorsement

2. Pierre Toussaint, Maragline; 1702/87670-A motion was made by Newman to deny based on 456.0635, FS. Motion passed unanimously.

H. CNA Applicants for Licensure under Section 435.04, FS

Exam

1. Calvin, Ketara N; 4401/783235-A motion was made by Newman to deny based on Section 435.94 FS. Motion passed unanimously.

2. West, Coriosha; 4401/764442-A motion was made by Newman to deny based on Section 435.94 FS. Motion passed unanimously.

Endorsement

3. Seabrook-Sutton, Tonya S; 4401/735751-Present. A motion was made by Johnson to deny based on Section 435.94 FS. Motion passed unanimously.

I. LPN, RN, APRN Applicants for Licensure under Section 464.009, FS

None

J. LPN, RN, APRN Applicants for License – Other

Exam

1. Zafra, Jayson Castil; 1701/552638-A motion was made by Newman to uphold the denial. Motion passed unanimously. **(reconsidered at Full Board)**

Endorsement

None

APRN

None

K. Ratification Lists

1. CNA Training Programs- A motion was made by Newman to approve. Motion passed unanimously.

2. Nursing Education Programs- A motion was made by Newman to approve. Motion passed unanimously.

3. Internationally Educated Ratification List- A motion was made by Newman to approve. Motion passed unanimously.

L. Items for Discussion

1. Section 464.019(11). F.S. - Accreditation Requirement- discussion included with item 3.

2. Correspondence regarding CGFNS Revised Reports- Ms. Karen Scipio-Skinner present. There was discussion on how educational hours are determined and reported on evaluations. Ms. Scipio-Skinner will research information and will provide a statement to be placed on the February agenda.

3. Discussion of Accredited Programs and Teach-out Option if Terminated- Mr. Fricke explained that the termination of programs who have failed to be accredited and are terminated, will have students graduating from a unapproved and unaccredited program. The requirement to submit a Teach-out Option is not required in Section 464.019(11). F.S.

4. Rule 64B9-15.006, FAC- Standardized Curriculum- Mr. Fricke explained the implementation of the rule.

5. Consideration of Online CNA Curriculum Instruction- Melanie Motiska representing Florida Health Care Association present to discuss allowing online CNA programs to apply to be State approved. This program would allow for online theory training and hands on training in a lab. No action taken at this time.

M. Informational Items

1. Correspondence from Josef Silny regarding Applicant Credentials
2. Hope College of Arts and Sciences - Amended Curriculum
3. 2019 CNA 3rd Quarter First Time Passage Rates

The meeting was adjourned at 12:24 PM

Summary of Discipline

CONTINUING EDUCATION

Required within 6 months

PROBATION (P3)

Standard terms

[A] Violate no laws

[B] Report changes in address, employer, arrests, or violations of probation or orders from another jurisdiction

[C] Quarterly self-reports

[D] Quarterly nursing employer reports

[G] Tolling

Direct supervision

[H] Direct supervision, regularly assigned unit, no employment by nurse registry, nurse employment agency or home health agency, no multiple employers or self-employment
C1

PROBATION (P4)

Stayed suspension conditioned on compliance

IPN (V6)

V6A - suspension until entry into IPN, suspension stayed while compliant

V6B - suspension until IPN evaluation and contract if recommended, suspension stayed while compliant

V6C - suspension until IPN evaluation and contract if recommended suspension stayed while compliant; if contract not recommended probation

SUSPENSION (V)

V1 - suspend until appearance to demonstrate safety

V2 - suspend until appearance to demonstrate safety with IPN coordinated evaluation

V3 - suspend for a minimum period and thereafter until appearance to demonstrate safety with IPN coordinated evaluation

V4 - suspend until fine and costs/bounced check paid

V5A – suspend until compliant with CEs

V5F - suspend until compliant with previous final order **and costs from current case are paid**

V9- suspend until new student loan payment terms are established, followed by probation for the duration of the loan and a fine equal to 10 percent of the defaulted loan amount

REVOCAATION

V8 - revocation

Guidelines for Acceptable Disciplinary CE

CE AREA	HOURS/OPTIONS	TYPICAL CONTENT
Anger Management	4 hr 8 hr	<ul style="list-style-type: none"> • Definition, assessment, management of anger • Positive anger management tools • Resources
Assessment	2 hr 8 hr 40 hr full course	<ul style="list-style-type: none"> • Health History, including cultural assessment • Fundamental physical assessment techniques • Assessing body systems: Integumentary, Respiratory, Cardiac, Gastrointestinal, Reproductive, Musculoskeletal, Neurological
Critical Thinking	2 hr 8 hr	<ul style="list-style-type: none"> • Definition • Characteristics and skills that demonstrate critical thinking • Strategies to improve ability to think critically
Delegation	2 hr 8 hr	<ul style="list-style-type: none"> • Aspects that a nurse needs to consider when delegating • Professional roles that a nurse cannot delegate • Process for effective delegation
Documentation	2 hr 8 hr	<ul style="list-style-type: none"> • Process of charting • Common charting errors • Implications of poor record keeping • Emerging issues, i.e., faxes, computers, HIPAA • Legal case review
Ethics	2 hr 8 hr (may be combined with Legal Aspects)	<ul style="list-style-type: none"> • Ethical decision making • Concepts of beneficence, justice and autonomy • History of ethics in nursing • Common ethical issues/case review, frameworks • Resources
Legal Aspects	2 hr 8 hr (may be combined with Ethics)	<ul style="list-style-type: none"> • Nursing Practice Act: purpose and role of Board; definitions of advanced, professional, and practical nursing; scope of practice; grounds for disciplinary actions • Delegation • Documentation & medical record keeping • Informed consent • Case review
LPN Supervision	30 hr	<ul style="list-style-type: none"> • Per 64B9-15 • Note: RNs may take this course; for CE credit for RNs, at least 2 hours must be on the RN role
Medication Administration	16 hr Supervised lab	<ul style="list-style-type: none"> • Standard abbreviations • Transcription of orders • Calculations, including pediatric dosages • Preparation and administration of oral, parental, intravenous medications, fluids • Legal responsibilities related to medication administration, observation, documentation, and record keeping • Common errors and strategies to avoid them
Pain Management	2 hr 8 hr	<ul style="list-style-type: none"> • Classifying acute and chronic pain • Assessment and reassessment strategies • Barriers to effective pain management; psychology of pain

CE AREA	HOURS/OPTIONS	TYPICAL CONTENT
		<ul style="list-style-type: none"> • Pain intensity scales • Pharmacological pain interventions • Non-pharmacological pain management • Interdisciplinary discharge planning • Patient/family education
Patient Rights	2 hr	<ul style="list-style-type: none"> • Specific rights protected by federal and state laws • Right to be informed • Right to exercise self-determination • Protection of personal privacy • Forms of abuse • Reporting violations
Pharmacology	16 hr 40 hr	<ul style="list-style-type: none"> • Classification systems • Drug forms, routes, actions, uses, precautions, interactions, and side effects • Computation and dosages • Asepsis • Resources
Professional Standards	Varies	<ul style="list-style-type: none"> • Programs on Standards from Professional Associations • Curriculums approved by Professional Associations • Examples (not limited to): Association of Operating Room Nurses, Association of Critical Care Nurses, American Nurses Association, Infusion Nurses Society, Oncology Nurses Association
Refresher Remedial Courses	80 didactic and 96 hours clinical	<ul style="list-style-type: none"> • All disciplinary board-ordered refresher or remedial courses require didactic and clinical components that are in compliance with 64B9-3.025. • Additional clinical hours in specialized or general areas may be specified
Universal Protocol		<ul style="list-style-type: none"> • Agency specific, agency provided in-services on JCAHO requirements for procedural timeout and other standards

Note: 2 & 8 hour courses offered by CE Providers; 40 hour courses may be offered by CE Providers but are more commonly part of a nursing program curriculum.

Disciplinary Hearings & General Business

Thursday, December 5, 2019 at 1:30 PM

Call to Order:

The meeting was called to order by the Board Chair, Ms. Whitson at 1:38 p.m.

Roll Call

Board Members:

Kathryn L. Whitson, MSN, RN– Chair
Diana Forst BA, RN– Vice Chair
Lisa Renee Johnson, MSN/Ed, RN, LPN
Mary Julie Talmadge, DNP, APRN
Deborah McKeen, CD-LPN, BS
Heather Baumwald, Consumer
Jody Bryant Newman, EdD, EdS, Consumer
Lori Desmond, MSN, RN, NE-BC

Absent:

Derrick C. Glymph, DNAP, CRNA, APRN, COL, AN, USAR- Unexcused
Francine Paschall, MBA, DNP, RN, CENP- Unexcused

Attorneys:

Deborah Loucks, Senior Assistant Attorney General
John Fricke, Assistant Attorney General
Matthew Witters, Chief Legal Counsel
Ann Prescott, Assistant General Counsel
Judson Searcy, Assistant General Counsel

Board Staff:

Joe Baker, Jr., Executive Director
Melissa Passett, Program Operations Administrator
Nicole Benson, Program Operations Administrator
Sherri Sutton-Johnson, MSN, RN, Director of Nursing Education
Shawntrell Ash, Regulatory Supervisor
Zoë McCook, Regulatory Specialist III

Maldonado Collazo, Coralys; 1701/628245- Originally heard on Committee A. A motion was made by Whitson to reconsider. Motion passed unanimously. A motion was made by Whitson to deny based on failure to appear. Motion passed unanimously.

Zafra, Jayson Castil; 1701/552638- Originally heard on Committee B. A motion was made by Johnson to vacate the prior order and reconsider. Motion passed unanimously. A motion was made by Johnson to deny based on failure to comply with a previous order and educational deficiencies. Motion passed unanimously.

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

A. Reconsiderations

CNA

None

LPN, RN, and APRN

1. Stevens Jr, Franklin; 1702/194215- Present and sworn in. A motion was made by McKeen to uphold the prior denial. Motion passed with Baumwald, Whitson and Newman in opposition.
2. Fenelon, Rose; 1702/152624- A motion was made by McKeen to vacate the prior Notice of Intent to Deny and approve the request to withdraw. Motion passed unanimously.
3. Mosrie, Kimberly Ann; 1702/197711- A motion was made by McKeen to vacate the prior Notice of Intent to Approve with Conditions and approve the request to withdraw. Motion passed unanimously.
4. Curry, Deanna Carol; 1701/615955- A motion was made by McKeen to deny the request and uphold the original Notice of Intent to Approve with Conditions. Motion passed with Talmadge in opposition.
5. Gorski, Brenda Facunla; 1701/643065- A motion was made by Desmond to vacate the prior Notice of Intent to Approve with Conditions and approve the request to withdraw. Motion passed unanimously.
6. Ameerrally, Alex Amineen; 1701/658948- A motion was made by Desmond to vacate the prior Notice of Intent to Deny and approve. Motion passed unanimously.

Education Programs

None

B. Recommended Orders

1. Masters, Benjamin B; 1701/505344, DOAH Case #19-3203- Mr. Witters present as Board Counsel for this case. A motion was made by Whitson to adopt the findings of fact as set forth in the Recommended Order. Motion passed unanimously. A motion was made by Whitson to adopt the conclusions of law as set forth in the Recommended Order. Motion passed unanimously. A motion was made by Whitson to adopt the recommendation of the Administrative Law Judge to deny the application. Motion passed unanimously.

C. 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.

Recused Member: Kathryn Whitson

1. Gonzalez, Miguel Angel G. CNA 154366 Case #2018-16928 File #426755- Present with attorney Juan Santos and sworn in. A motion was made by Forst to impose costs of \$1,391.28 and a V6B. Motion passed with Talmadge in opposition. A motion was made to reconsider. Motion failed 2-5, with Forst and Talmadge in opposition.

2. Demarco, Jasmine M. CNA 335722 Case #2019-10178 File #707411- Present and sworn in. A motion was made by Forst to impose a V8. Motion failed 3-4, with Forst, Newman and Johnson in favor. A motion was made by Desmond to impose a V6B. Motion passed with Johnson and Newman in opposition. A motion was made by Talmadge to reconsider. Motion passed with Baumwald and Desmond in opposition. A motion was made by Johnson to impose costs of \$57.33, a P3 for 2 years with standard terms and a fine of \$100. Motion passed unanimously.

Recused Member: Lori Desmond

3. Brothers, Tanisha N. CNA 239708 Case #2019-01222 File #390714- Present and sworn in. A motion was made by McKeen to impose a V8. Motion passed unanimously.

4. Jackson, Loretta D. CNA 104814 Case #2019-24657 File #186608- Present and sworn in. A motion was made by Whitson to impose a V8. Motion passed with Talmadge in opposition.

5. Peter, Darien R. CNA 308469 Case #2017-21902 File #659391- Present and sworn in. A motion was made by Whitson to impose costs of \$72.59 and a V6B. Motion passed unanimously.

Recused Member: Diana Forst

6. Dilella, Patrick Richard CNA 332137 Case #2017-17964 File #702611- A motion was made by Whitson to accept the settlement agreement. Motion passed unanimously.

D. LPN, RN, and APRN 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.

No Recused Member

1. Charlemagne, Ilfrenise RN 2759642 Case #2015-30413 File #139512- A motion was made by Whitson to impose a V8. Motion passed unanimously.

Recused Member: Lori Desmond

2. Gerencser, Kaianna M. RN 9227574 Case #2017-17543 File #318136- **Pulled**

3. Kemmett, Deborah RN 9224313 Case #2018-21685 File #316145- Present and sworn in. A motion was made by Whitson to impose costs of \$795.20 and a V6B. Motion passed unanimously.

4. Diaz, Manuel Antonio APRN 9328295 Case #2018-24437 File #430653- Present with attorney Juan Santos and sworn in. A motion was made by Whitson to impose a V8. Motion passed with Talmadge.

No Recused Member

5. Martens, Paul M. LPN 5233823 Case #2019-01359 File #191269- A motion was made by McKeen to impose costs of \$18.04 and a V2. Motion passed unanimously.

6. Dawkins, Sophia Lorraine LPN 5169919 Case #2018-17105 File #111125- A motion was made by Whitson to impose a V8. Motion passed with Talmadge in opposition.

7. Santiago, Jose APRN 9191327 Case #2018-24400 File #278351- Present with attorney Carole Schriefer and sworn in. A motion was made by Forst to impose a V8. Motion passed with Talmadge, Baumwald and Newman in opposition.

The meeting recessed from 3:38 p.m.- 3:55 p.m.

8. Quintanal, Kristian RN 9464829 Case #2018-07202 File #578351- Present and sworn in. A motion was made by Whitson to impose a V8. Motion passed unanimously.

9. Diaz, Manuel Antonio RN 9328295 Case #2018-17804 File #430653- Present with attorney Juan Santos and sworn in. A motion was made by Whitson to impose a V8. Motion passed with Talmadge.

Recused Member: Kathryn Whitson

10. Deitrich, Talena Jo LPN 5230137 Case #2019-00412 File #188070- A motion was made by Forst to impose costs of \$183.09 and a V6B. Motion passed unanimously.

11. Carlozzi, Lorena Virginia RN 9386598 Case #2018-27653 File #494609- A motion was made by Forst to impose costs of \$4,307.47 and a V6A. Motion passed unanimously.

Recused Member: Heather Baumwald

12. Santiago, Jose APRN/RN 9191327 Case #2018-12919 File #278351 (Ms. Forst was also recused)- Present with attorney Carole Schriefer and sworn in. A motion was made by McKeen to impose a V8. Motion passed with Talmadge and Newman in opposition.

13. Bloom, Christopher E. LPN 5213377 Case #2018-28838 File #166610- A motion was made by Whitson to impose costs of \$140.36, a reprimand, a \$250 fine, and CEs in Legal Aspects (8 hrs) and Ethics (8 hrs). Motion passed unanimously.

Recused Member: Jody Bryant Newman

14. Nguyen, Colleen C. RN 9203717 Case #2019-04159 File #293663- **Continued**

15. Hall, Dawn M. RN 9366107 Case #2019-04514 File #473656- Present and sworn in. A motion was made by Whitson to impose costs of \$3,162.81 and a V6A. Motion passed unanimously.

16. Custodio, Charles RN 9367851 Case #2019-03640 File #459873- Present with attorney Christine Whitney and sworn in. A motion was made by McKeen to impose a V8. Motion passed with Whitson, Talmadge and Forst in opposition.

E. Licensure Informal Hearings

CNA

1. Lovett, Heather J; 4401/705829- Present and sworn in. A motion was made by McKeen to uphold the prior denial. Motion passed Baumwald, Talmadge and Whitson in opposition.

LPN, RN, and APRN

2. Kinnas, Douglas Donald; 1702/201113- A motion was made by Desmond to uphold the prior denial. Motion passed unanimously.

3. Wallace-Montgomery, Elizabeth A; 1702/182799- A motion was made by McKeen to uphold the prior denial. Motion passed unanimously.

4. Heemsath, Melissa M; 1701/651280- Present and sworn in. A motion was made by Desmond to vacate the prior Notice of Intent to Deny. Motion passed with Newman in opposition. A motion was made by Desmond to approve for a Single State License with and a remedial. Motion passed with Newman in opposition.

5. Soto, Marilyn; 1701/622490- Present and sworn in. Applicant verbally requested to withdraw. A motion was made by Desmond to vacate the prior Notice of Intent to Deny and approve the request to withdraw. Motion passed with Johnson and McKeen in opposition.

Education Programs

6. Antigua College International, Inc, BSN, US70502300, 1704/239- Diony Antigua, CEO and attorney Ignacio Alvarez present. A motion was made by Newman to uphold the prior Intent to Terminate. Motion passed unanimously. A motion was made by Newman to direct counsel to not oppose a stay with the District Court of Appeals. Motion passed unanimously.

7. Antigua College International, Inc, ADN, US70706900, 1704/240- Diony Antigua, CEO and attorney Ignacio Alvarez present. A motion was made by Newman to uphold the prior Intent to Terminate. Motion passed unanimously. A motion was made by Newman to direct counsel to not oppose a stay with the District Court of Appeals. Motion passed unanimously.

8. Azure College, ADN, US70701200, 1704/152- Jhonson Napoleon, CEO/President and attorney Mark Murray present. A motion was made by Forst to approve for a continuance to February. Motion passed with Newman in opposition.

9. Concorde Career Institute - Miramar, ADN, US70409900, 1704/84- National Nursing Program Director Dr. Marlo Robinson present. A motion was made by Newman to uphold the prior Intent to Terminate. Motion passed unanimously.

10. Emiraza College, ADN, US70702900, 1704/173- Attorney Bob Harris present. A motion was made by Newman to uphold the prior Intent to Terminate. Motion passed unanimously. A motion was made by Newman to direct counsel to not oppose a stay with the District Court of Appeals. Motion passed unanimously.

11. Hope College of Arts & Sciences, ADN, US70700200, 1704/144- Dr. Chantal Desir, Owner/President and Dana Fuller present. A motion was made by Newman to uphold the prior Intent to Terminate. Motion passed unanimously. A motion was made by Newman to direct counsel to not oppose a stay with the District Court of Appeals. Motion passed unanimously.

12. International Institute for Health Care Professionals, Inc, ADN, US70703200, 1704/174- Attorney Bob Harris present. A motion was made by Newman to uphold the prior Intent to Terminate. Motion passed unanimously. A motion was made by Newman to direct counsel to not oppose a stay with the District Court of Appeals. Motion passed unanimously.

13. Medical Prep Institute of Tampa Bay, ADN, US70703300, 1704/180- Dr. Jean Marie Collins and attorney Mark Murray present. A motion was made by Whitson to uphold the prior Intent to Terminate. Motion passed unanimously. A motion was made by Whitson to direct counsel to not oppose a stay with the District Court of Appeals. Motion passed unanimously.

14. Southern Technical College, ADN, US70701400, 1704/162 Program Director Jaqueline James and attorney Bob Harris present. A motion was made by Newman to uphold the prior Intent to Terminate. Motion passed unanimously. A motion was made by Newman to direct counsel to not oppose a stay with the District Court of Appeals. Motion passed unanimously.

F. Petitions for Hearing/ Modifications

None

G. CNA Settlement Agreements

Recused Member: Kathryn Whitson- A motion was made by Forst to approve. Motion passed unanimously.

1. Bond, Vivienne CNA 26361 Case #2019-04084 File #352724 **(\$397.66)**

Recused Member: Diana Forst- A motion was made by Whitson to approve. Motion passed unanimously.

2. Bivens, Denise CNA 177361 Case #2018-18723 File #11312 **(\$4,336.93)**

Recused Member: Julie Talmadge- A motion was made by Whitson to approve. Motion passed unanimously.

3. Destine, Litamene CNA 58455 Case #2018-27173 File #267423 **(\$2,309.97)**

Recused Member: Jody Bryant Newman- A motion was made by Whitson to approve. Motion passed unanimously.

4. Anestal, Issianie CNA 32385 Case #2019-04311 File #272923 **(\$4,148.48)**

H. LPN, RN, and APRN Settlement Agreements

No Recused Member- A motion was made by Whitson to approve. Motion passed unanimously.

1. Aucoin, Nancy Marie RN 9353371 Case #2016-23441 File #457990 **(\$3,926.10)**
2. Shaw, Vanessa Lee RN 2939762 Case #2016-13226 File #158122 **(\$8,461.67)**
3. Lee, Colleen Mary RN 2871902 Case #2018-06231 File #151124 **(\$795.66)**
4. Gibbs, T-Asia A. RN 9326308 Case #2016-27921 File #428022 **(\$3,680.70)**

Recused Member: Kathryn Whitson- A motion was made by Forst to approve. Motion passed unanimously.

5. Ioff, Sameera Yasmin RN 9250636 Case #2018-21262 File #342772 **(\$1,379.04)**
6. Lee, Colleen Mary RN 2871902 Case #2018-08946 File #151124 **(\$1,158.32)**
7. McClain, Tonya Patricia RN 9195570 Case #2018-25746 File #285320 **(\$465.40)**

Recused Member: Heather Baumwald- A motion was made by Whitson to approve. Motion passed unanimously.

8. Alexandria, Maureen RN 9306409 Case #2018-22468 File #407098 **(\$2,040.87)**
9. Fridge, Melissa D. RN 9494925 Case #2018-26693 File #632612 **(\$602.13)**

Recused Member: Jody Bryant Newman- A motion was made by Whitson to approve. Motion passed unanimously.

10. Curran, Haley Maureen RN 9415877 Case #2018-16766 File #522795 **(\$4,628.48)**
11. Mathews, Barbara L. RN 9265219 Case #2018-05714 File #358987 **(\$1,206.66)**
12. Grivas, Anastasia RN 9393004 Case #2016-25864 File #502134 **(\$1,184.86)**
13. Holmes, Kristina Marie LPN 5229209 Case #2018-11496 File #185451 **(\$80.05)**
14. Bagwell, Tammy W. APRN 9463628 Case #2018-25362 File #593512 **(\$710.29)**
15. Bagwell, Tammy W. RN 9463628 Case #2018-25286 File #593512 **(\$524.95)**

Recused Member: Julie Talmadge

16. McGee, Lesia Ann RN 9355391 Case #2018-09945 File #458298 **(\$1,117.11)**- A motion was made by Desmond to reject. Motion passed unanimously. A motion was made by Desmond to propose a counteroffer adding a reprimand and a \$500 fine to the original settlement agreement. Motion passed unanimously.

No Recused Member- A motion was made by Whitson to approve. Motion passed unanimously.

17. Scott, Regina Shanese APRN 9251571 Case #2018-24328 File #339606 **(\$1,058.69)**
18. Eremita, Jacquelyn M. RN 9446925 Case #2018-05045 File #527393 **(\$3,374.26)**

Recused Member: Lori Desmond- A motion was made by Whitson to approve. Motion passed unanimously.

19. McGone, Boney K. APRN/RN 2983412 Case #2016-16847 File #162620 **(\$4,599.36)**
20. Perry, Janet G. RN 9378278 Case #2018-22855 File #488880 **(\$749.90)**

No Recused Member- A motion was made by Whitson to approve. Motion passed unanimously.

21. Davis, Annie Ruth RN 9264782 Case #2018-21804 File #358834 **(\$18,000)**

I. CNA Voluntary Relinquishments

No Recused Member- A motion was made by McKeen to approve. Motion passed unanimously.

1. Benitez, Vanessa CNA 335568 Case #2019-21998 File #695748
2. Kane, Falo CNA 138924 Case #2019-39875 File #405173

Recused Member: Lori Desmond- A motion was made by Whitson to approve. Motion passed unanimously.

3. Kimball, Doreen S. CNA 58109 Case #2019-00717 File #220818
4. Melisi, Robert CNA 282453 Case #2018-11185 File #616211

Recused Member: Julie Talmadge- A motion was made by Whitson to approve. Motion passed unanimously.

5. Grear, Ashley S. CNA 295460 Case #2019-04137 File #644591

Recused Member: Jody Bryant Newman- A motion was made by Whitson to approve. Motion passed unanimously.

6. Pocopanni, Melissa B. CNA 325629 Case #2017-09701 File #689091

No Recused Member- A motion was made by Whitson to approve. Motion passed unanimously.

7. Dionne, Angelique F. CNA 321980 Case #2017-20544 File #680842

Recused Member: Kathryn Whitson- A motion was made by Forst to approve. Motion passed unanimously.

8. Dixon, Collin Dujon CNA 354119 Case #2019-10211 File #737868

J. LPN, RN, and APRN Voluntary Relinquishments

No Recused Member- A motion was made by Whitson to approve. Motion passed unanimously.

1. Medvinsky, Leonid RN 9435550 Case #2019-16223 File #547811
2. Dennis, William Paul RN 3071002 Case #2019-11211 File #171677
3. Korosei, Marsha Kay LPN 5225877 Case #2019-21386 File #182794
4. Decker, Catherine RN 1588012 Case #2019-12155 File #48952
5. Keeton, Patricia Ann RN 3296312 Case #2019-30034 File #194900
6. Spike, Jonathan Edward RN 9310416 Case #2019-37468 File #411412
7. Avore, Melissa Ann RN 1957102 Case #2019-37946 File #81233
8. Suarez, Michael Alexander RN 9472018 Case #2018-16521 File #591367
9. Stevens, Brittany Nicole RN 9395591 Case #2019-12277 File #495468

Recused Member: Kathryn Whitson- A motion was made by Forst to approve. Motion passed unanimously.

10. Matzer, Ellen Gale RN 9470603 Case #2018-24874 File #594765
11. Gonzalez, Susan P. Koloski RN 2605172 Case #2017-07507 File #123582

Recused Member: Jody Bryant Newman- A motion was made by Whitson to approve. Motion passed unanimously.

12. Connor, Holly E. APRN 9359634 Case #2019-05985 File #464742
13. Melvin, Matthew N. APRN 9169903 Case #2019-17945 File #255825
14. Melvin, Matthew N. RN 9169903 Case #2019-17947 File #255825

Recused Member: Heather Baumwald- A motion was made by Whitson to approve. Motion passed unanimously.

15. Buchmann, David Anthony LPN 5164215 Case #2019-00438 File #109923

No Recused Member- A motion was made by Whitson to approve. Motion passed unanimously.

16. Sandler, Bette J. RN 1062952 Case #2017-14929 File #11204

K. CNA Informal Waiver

Recused Member: Lori Desmond and Heather Baumwald

1. Williams, Lasharon CNA 76621 Case #2018-18800 File #188544- **Pulled**

II. Other

- A. Practice Issues
- B. Advanced Practice Issues
- C. Special Education Issues

D. Legislative Issues

1. Update of 2020 Legislative Session - Proposed Bills Impacting Nursing Regulation
 1. House Bill 607- Proposed legislation relating to Advanced Practice Registered Nurses
 2. House Bill 707- Proposed legislation relating to Review of Occupational Regulations
 3. House Bill 713- Proposed legislation relating to the Department of Health
 4. Senate Bill 230- Proposed legislation relation to the Department of Health

Mr. Baker gave a brief update on currently proposed legislation.

E. Declaratory Statements

None

F. Petition for Waiver and Variance

1. Tohopekaliga High School, 4402/682; Reference: 64B9-15.005, FAC, regarding Standards for Certified Nursing Assistant Programs- **Pulled**
2. Ogeto, Winnie Nyamusi; 1702/194868; Reference: 64B9-3.002, FAC, regarding Qualifications for Examination- Present and sworn in. A motion was made by McKeen to approve the petition. Motion passed unanimously.

The meeting recessed at 6:37 p.m.

Disciplinary Hearings & General Business

Friday, December 6, 2019 at 8:30 AM

Call to Order

The meeting was reconvened by the Board Chair, Ms. Whitson at 8:31 a.m.

Roll Call

Board Members:

Kathryn L. Whitson, MSN, RN– Chair
Diana Forst BA, RN– Vice Chair
Mary Julie Talmadge, DNP, APRN
Deborah McKeen, CD-LPN, BS
Heather Baumwald, Consumer
Jody Bryant Newman, EdD, EdS, Consumer
Lori Desmond, MSN, RN, NE-BC

Absent:

Derrick C. Glymph, DNAP, CRNA, APRN, COL, AN, USAR- Unexcused
Francine Paschall, MBA, DNP, RN, CENP- Unexcused
Lisa Renee Johnson, MSN/Ed, RN, LPN- Unexcused

Attorneys:

Deborah Loucks, Senior Assistant Attorney General
John Fricke, Assistant Attorney General
Ann Prescott, Assistant General Counsel
Judson Searcy, Assistant General Counsel

Board Staff:

Joe Baker, Jr., Executive Director
Melissa Passett, Program Operations Administrator
Nicole Benson, Program Operations Administrator
Sherri Sutton-Johnson, MSN, RN, Director of Nursing Education
Shawntrell Ash, Regulatory Supervisor
Zoë McCook, Regulatory Specialist III

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

A. CNA Motion to Vacate

None

B. LPN, RN, and APRN Motion to Vacate

None

C. CNA Informal Waivers

No Recused Member

1. Larry, Torya A. CNA 103200 Case #2017-22885 File #156103- A motion was made by Whitson to impose costs of \$394.54 and a V5F. Motion passed unanimously.
2. Albury, Miranda K. CNA 338991 Case #2018-18587 File #708058- A motion was made by Whitson to impose a V8. Motion passed unanimously.
3. Ariza, Skylar Chester CNA 342618 Case #2017-23329 File #718211- A motion was made by Whitson to impose a V8. Motion passed unanimously.
4. Pizarro Carrasquillo, Luis O. CNA 309471 Case #2018-01340 File #466097- A motion was made by McKeen to impose a V8. Motion passed unanimously.
5. Smart, Goddreas L. CNA 142120 Case #2017-16686 File #411833- A motion was made by Whitson to impose costs of \$1,218.00, a fine of \$1,368.58 and a V9. Motion passed unanimously.

Recused Member: Heather Baumwald

6. Aragon, Stephanie CNA 336772 Case #2017-11358 File #705683- A motion was made by Desmond to impose a V8. Motion passed unanimously.
7. Effiong, Felicia CNA 164869 Case #2019-09912 File #441692- A motion was made by Desmond to impose a V8. Motion passed unanimously.

Recused Member: Kathryn Whitson

8. Harrison, Irene A. CNA 151301 Case #2018-18808 File #422154- A motion was made by Forst to impose costs of \$244.13, a \$150 fine, and CEs Legal Aspects (8 hrs) and Ethics (8 hrs). Motion passed unanimously. A motion was made by Forst to vacate the prior motion. Motion passed unanimously. A motion was made by Forst to impose costs of \$244.13, a reprimand, a \$150 fine, and CEs Legal Aspects (8 hrs) and Ethics (8 hrs).

9. Powell, Brittney A. CNA 322426 Case #2018-29807 File #686066- A motion was made by Forst to impose a V8. Motion passed unanimously.

10. Effiong, Felicia CNA 164869 Case #2017-04727 File #441692- A motion was made by Forst to impose a V8. Motion passed unanimously.

11. McKenzy, Tiffanie N. CNA 120920 Case #2017-10541 File #364368- A motion was made by Forst to impose a V8. Motion passed unanimously.

12. Mathurine, Janelle M. CNA 360439 Case #2019-07993 File #742576- A motion was made by Forst to impose a V8. Motion passed unanimously.

13. Stickle, Tiana J. CNA 342983 Case #2018-27111 File #716911- A motion was made by Forst to impose a V8. Motion passed unanimously.

Recused Member: Lori Desmond

14. Green, Manisha L. CNA 135364 Case #2019-08111 File #403333- A motion was made by McKeen to impose costs a V8. Motion passed unanimously.

Recused Member: Jody Bryant Newman

15. Forch, Robert C. CNA 332253 Case #2018-19614 File #691468- A motion was made by Whitson to impose a V8. Motion passed unanimously.

16. Lombard, Heather D. CNA 284854 Case #2019-05765 File #620714- A motion was made by Whitson to impose costs of \$273.91, a reprimand and a CEs in Legal Aspects (4 hrs) and Ethics (4 hrs). Motion passed unanimously. A motion was made by Whitson to vacate the previous motion to assess costs. Motion passed unanimously. A motion was made by Whitson to impose costs of \$106.81. Motion passed unanimously.

D. LPN, RN, and APRN Informal Waivers

No Recused Member

1. Capobianco, Nicholas P. RN 3305042 Case #2017-20866 File #195798- A motion was made by Whitson to impose costs of \$601.58, a fine of \$1,022.93 and a V9. Motion passed unanimously.

2. Cadet, Marie Cecile LPN 5155755 Case #2016-21773 File #100309- A motion was made by McKeen to impose costs of \$1,353.80, a reprimand, a \$250 fine, a P3 1 year with standard terms, and CEs in Legal Aspects (8 hrs) and Ethics (8 hrs). Motion passed unanimously.

Recused Member: Kathryn Whitson

3. Kohart, Jessica E. RN 9404500 Case #2018-18075 File #516269- A motion was made by Forst to impose costs of \$1,262.96 and a V6B. Motion passed unanimously.

4. McDanal, Cora Beth RN 9245629 Case #2017-21801 File #340274- A motion was made by Forst to impose costs of \$1,533.09 and a V6B. Motion passed unanimously.

5. Miller, Jamie L. RN 9352973 Case #2017-14905 File #456284- A motion was made by McKeen to dismiss the case. Motion passed unanimously.

6. Edge, Sharita Ernestine Yvonne LPN 5211808 Case #2018-16633 File #164748- A motion was made by Forst to impose costs of \$273.64 and a V6B. Motion passed unanimously.

7. Smith, Jamie L. RN 9184493 Case #2018-19957 File #273218- Present and sworn in. A motion was made by McKeen to impose costs of \$1,104.24 and a V6B. Motion passed unanimously.

8. Richardson, Linda A. Johnson LPN 730151 Case #2018-19497 File #14515- A motion was made by Forst to impose costs of \$1,036.82, a fine of \$1,884.92, and a V9. Motion passed unanimously.

9. Nall, Cynthia Joanne RN 9415745 Case #2017-16856 File #532916- A motion was made by Forst to impose a V8. Motion passed unanimously.

10. Noall, Kelly A. APRN 9282695 Case #2018-24384 File #380424- A motion was made by McKeen to impose costs of \$481.37 and a V6B. Motion passed unanimously.

11. Conaway, Stacy Marie RN 9244749 Case #2018-11945 File #338038- A motion was made by Forst to impose costs of \$3,520.37, a V6B, and CEs in Documentation (8 hrs) and Legal Aspects & Ethics (8 hrs combined). Motion passed unanimously.

12. Platter, Rhonda H. RN 9186470 Case #2019-01843 File #274650- A motion was made by Forst to impose costs of \$2,410.82 and a V6A. Motion passed unanimously.

13. Sprys, Thomas G. RN 9352772 Case #2019-04513 File #450900- A motion was made by Forst to impose costs of \$1,236.94 and a **V5F**. Motion passed unanimously.

Recused Member: Heather Baumwald

14. Mcnair, Jennifer May RN 9433606 Case #2018-05874 File #558547- A motion was made by Whitson to impose costs of \$1,258.32 and suspension until the reinstatement of her North Carolina license. Motion passed unanimously.

15. Perez, Luis H. RN 9248856 Case #2019-00400 File #344483- A motion was made by Whitson to impose costs of \$103.75 and a V5F. Motion passed unanimously.

16. Johnson, Kelvin Lucain LPN 5149342 Case #2017-14990 File #90517- A motion was made by Whitson to impose costs of \$887.35, a fine of \$3,217.00 and a V9. Motion passed unanimously.

17. McDanal, Cora Beth RN 9245629 Case #2017-08580 File #340274- A motion was made by Whitson to impose costs of \$2,426.25 and a V6B. Motion passed unanimously.

18. Kelly, Patricia E. Humphrey RN 2215902 Case #2018-24590 and #2019-10550 File #108093- A motion was made by Whitson to impose costs of \$2,089.97 and a V6B. Motion passed unanimously.

19. Kelly, Patricia E. Humphrey RN 2215902 Case #2019-10550 File #108093- heard with preceding case.

Recused Member: Lori Desmond

20. Byers, Jennifer RN 9444139 Case #2019-04012 File #541040- A motion was made by Whitson to impose costs of \$183.10 and a V5F. Motion passed unanimously.

21. Hill, Shelley Kay RN 9317251 Case #2018-00525 File #405175- A motion was made by Whitson to impose costs of \$42.73 and a V5F. Motion passed unanimously.

22. Ford, Mary Jess RN 9350699 Case #2018-20531 File #453587- A motion was made by McKeen to impose costs of \$1,162.28 and a V6B. Motion passed unanimously.

23. McKleroy, Michelle RN 3241602 Case #2015-20953 File #189273- A motion was made by Whitson to impose a V8. Motion passed unanimously.

24. Antoniak, Brian Francis RN 9372885 Case #2016-08658 File #475283- Present with attorney Lauren Leikam. A motion was made by Newman to refer the case to the Division of Administrative Hearings. Motion passed unanimously.

25. Pryor, Jason A. RN 9378576 Case #2018-26838 File #487268- A motion was made by Whitson to impose a V8. Motion passed unanimously.

26. Isom, Emmalee C. LPN 5219561 Case #2018-08238 File #173869- A motion was made by Whitson to impose a V8. Motion passed unanimously.

27. Frederick, Krystal Monique LPN 5148743 Case #2018-26628 File #89563- A motion was made by Whitson to impose costs of \$16.54 and a V5F. Motion passed unanimously.

No Recused Member

28. Lawrence, Samara Dawn RN 9180550 Case #2018-25651 File #267669- A motion was made by Whitson to impose costs of \$230.02 and a V6A. Motion passed unanimously.

29. O'Connor, Ryan RN 9421337 Case #2018-18778 File #527961- Present with attorney Juan Santos and sworn in. A motion was made by Desmond to impose costs of \$324.91 and a V6A. Motion passed with Newman, Talmadge and Baumwald in opposition.

30. Sapp, Ashley LPN 5204709 Case #2017-18724 File #156015- A motion was made by Whitson to impose costs of \$1,069.29 and a V6B. Motion passed unanimously.

31. Blankenship, Jan Michelle RN 9365423 Case #2018-25514 File #468068- Present and sworn in. A motion was made by McKeen to impose costs of \$853.69 and a V6B. Motion passed unanimously.

Recused Member: Diana Forst

32. Morgan, Michelle LPN 5233472 Case #2018-10749 File #189514- A motion was made by McKeen to impose a V8. Motion passed unanimously.

33. O'Gilvie, Karen A. LPN 5217101 Case #2017-04394 File #170651- A motion was made by Whitson to impose costs of \$48.83, suspension until compliant with the New Jersey order, and CEs in Legal Aspects (8 hrs) and Ethics (8 hrs). Motion passed unanimously.

Recused Member: Jody Bryant Newman

34. Ferrer, Marcelino Suarez RN 9252871 Case #2019-12551 File #322953- A motion was made by Whitson to impose a V8. Motion passed unanimously.

35. Humphres, Kimberly Renee RN 9406871 Case #2016-22678 File #521961- A motion was made by Whitson to impose costs of \$164.13 and a reprimand. Motion passed unanimously.

36. Giles, Theresa L. LPN 5216641 Case #2017-06089 File #170788- A motion was made by Whitson to impose costs of \$1,093.08, a P3 for one year with direct supervision and CEs in Legal (8 hrs) and Ethics (8 hrs). Motion passed unanimously.

37. Marimon, Yailyn RN 9348696 Case #2017-12868 File #448878- **Continued**

38. Carlisle, Angela M. RN 9412171 Case #2017-12846 File #528205- A motion was made by Whitson to impose costs of \$1,051.77 and a V6B. Motion passed unanimously.

39. Mongeon, Sandra Denise RN 9278779 Case #2017-17776 File #375003- A motion was made by Whitson to impose costs of \$874.46, a fine of \$2,282.22 and a V9. Motion passed unanimously.

40. McDanal, Cora Beth RN 9245629 Case #2016-16308 File #340274- A motion was made by Whitson to impose costs of \$2,364.49 and a V6B. Motion passed unanimously.

41. McDanal, Cora Beth RN 9245629 Case #2016-24515 File #340274- A motion was made by Whitson to impose costs of \$4,833.66 and a V6B. Motion passed unanimously.

Recused Member: Julie Talmadge

42. Vail, David Lawrence II RN 9354532 Case #2018-29644 File #456769- A motion was made by Whitson to impose costs of \$634.74 and a V6A. Motion passed unanimously.

43. Rogers, Jamie Kay LPN 5214147 Case #2018-20895 File #165374- A motion was made by Whitson to impose costs of \$165.82 and a V6B. Motion passed unanimously.

No Recused Member

44. Jones, Kelly A. RN 9294470 Case #2018-15032 File #391713- A motion was made by McKeen to impose costs of \$4,156.92 and a V6A. Motion passed unanimously.

Recused Member: Kathryn Whitson

45. Williams, Carscena A. RN 9434227 Case #2017-12033 File #551246- A motion was made by Whitson to impose a V8. Motion passed unanimously.

No Recused Member

46. Gonzalez, Susan P. Koloski RN 2605172 Case #2018-24578 File #123582- A motion was made by McKeen to accept the Voluntary Relinquishment. Motion passed unanimously.

E. Reinstatements and Compliance Issues

CNA

1. Clark, Reshena L CNA 278512 Case #2017-16230 File #615135- Present and sworn in. A motion was made by Desmond to deny the request. Motion passed with Baumwald and Talmadge in opposition. Motion passed unanimously.

LPN, RN, and APRN

1. Soike, Kevin M RN 2010702 Case #2017-22492 File #86668- Present and sworn in. A motion was made by McKeen to deny the request. Motion passed with Talmadge in opposition.

Ms. McKeen left the meeting at 11:54 a.m.

II. Intervention Project for Nurses

1. State Reports
 - A. September 2019
 - B. October 2019
2. IPN Committee Agenda

Dr. Shannon Large provided a brief update on the monthly reports for September and October, ongoing outreach and webinars with schools and support groups, and make-up training for providers and evaluators.

III. Board Reports

A. Board Chair

1. NCSBN Midyear Meeting (March 3-5, 2020)- Ms. Whitson and Ms. Forst indicated an interest in attending. Mr. Baker will check with members who are absent to see if they have any interest in participating.

B. Board Members

Ms. Forst expressed gratitude for those involved in the Florida Nursing Quarterly and encouraged other members to submit any ideas they may have for future issues.

C. Board Counsel

1. Rules Report- informational
 - A. October 2019
 - B. November 2019
2. Litigation Update- Ms. Loucks provided an update on current litigation, which are primarily related to education program terminations.
3. Rule 64B9-8.003, FAC- Citations- A motion was made by Desmond to approve the proposed language. Motion passed unanimously. A motion was made by Whitson to acknowledge that the proposed amendment would not have an adverse effect on small businesses or likely directly or indirectly increase regulatory costs to any entity, including government, in excess of \$200,000 in the aggregate in Florida within one year after the implementation of the rule. Motion passed unanimously. A motion was made by Whitson that a violation of this rule would not constitute a minor violation. Motion passed unanimously.

4. Rule 64B9-8.006, FAC- Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances- A motion was made by Whitson to approve the proposed language. Motion passed unanimously. A motion was made by Whitson to acknowledge that the proposed amendment would not have an adverse effect on small businesses or likely directly or indirectly increase regulatory costs to any entity, including government, in excess of \$200,000 in the aggregate in Florida within one year after the implementation of the rule. Motion passed unanimously. A motion was made by Whitson that a violation of this rule would not constitute a minor violation. Motion passed unanimously.
5. Rule 64B9-15.0095, FAC- Citation for Certified Nursing Assistants- A motion was made by Whitson to approve the proposed language. Motion passed unanimously. A motion was made by Whitson to acknowledge that the proposed amendment would not have an adverse effect on small businesses or likely directly or indirectly increase regulatory costs to any entity, including government, in excess of \$200,000 in the aggregate in Florida within one year after the implementation of the rule. Motion passed unanimously. A motion was made by Whitson that a violation of this rule would not constitute a minor violation. Motion passed unanimously.
6. Rule 64B9-4.004, FAC- Requirements for Documentation- A motion was made by Whitson to approve the proposed language. Motion passed unanimously. A motion was made by Whitson to acknowledge that the proposed amendment would not have an adverse effect on small businesses or likely directly or indirectly increase regulatory costs to any entity, including government, in excess of \$200,000 in the aggregate in Florida within one year after the implementation of the rule. Motion passed unanimously. A motion was made by Whitson that a violation of this rule would not constitute a minor violation. Motion passed unanimously. A motion was made by Whitson to allow Ms. Loucks to change the title of 64B9-4. Motion passed unanimously.
7. Consideration of Online CNA Curriculum Instruction- Melanie Motiska from Florida Health Care Association present. Continued to February.
 - a. Rule 64B9-15.006, FAC- Standardized Curriculum
 - b. Rule 64B9-15.005, FAC- Standards for Certified Nursing Assistant Training Programs
8. Nov. 11, 2019, Letter from Gov. DeSantis re: OFARR and Rulemaking- A motion was made by Whitson to instruct board counsel to work with Mr. Baker and board staff to review the rules for compliance with this directive. Motion passed unanimously.

D. Prosecution Services Unit

1. December 2019 Prosecutor's Report- Mr. Searcy gave a brief prosecution report for the Board. A motion was made by McKeen to allow PSU to continue to prosecute cases

that are over a year old. Motion passed unanimously.

E. Executive Director

1. Ratification Lists- A motion was made by Whitson to approve. Motion passed unanimously.

A. CE Provider

B. Licensure Applicants

1. CNA

2. LPN

3. RN

4. APRN

2. Discussion of Accredited Programs and Teach-out Option if Terminated- Mr. Fricke gave a brief update on the discussion of this topic that took place on Committee B. A motion was made by Whitson to allow the option for programs terminated for non-accreditation to teach-out students, and the students would be deemed as having completed an approved program. Motion passed unanimously.

Mr. Baker advised the Board members of Cassandra Pasley's recent appointment as the new MQA division director. She holds BSN and JD degrees and previously served as HCPR bureau chief. He reminded them about the E-prescribing slider and flyer on the Board's website. He also participated in the Board Chair/Vice Chair meeting in October. The NLC Executive Committee will meet next week in Phoenix. The 2020 legislative session convenes on January 14th. He has been invited to speak during FNA Advocacy Days January 22-23, 2020. Mr. Baker expressed on-going thanks to the hard-working board staff and managers - 81% of the HCPR workload on initial licensure applications being processed is done in the Board of Nursing. He also welcomed Shawntrell Ash, new Regulatory Supervisor, to her first meeting.

F. Financial Report

1. September 2019 Revenue Report

2. October 2019 Revenue Report

3. Annual Cash Reports for 12 Months Ending June 30, 2019

Ms. Forst and Mr. Baker provided a brief overview of the financial reports.

G. Approval of Minutes (Previous Meeting, Current Committee Recommendations)- A motion was made by Whitson to approve. Motion passed unanimously.

1. October 2019 Meeting Minutes

2. Current Committee Minutes

H. Elections for 2020

1. Chair- A motion was made by Forst to nominate Whitson, which was not seconded. A motion was made by Desmond to nominate McKeen. Motion passed unanimously.

2. Vice-Chair- A motion was made by Forst to nominate herself. Motion passed with Desmond in opposition.

The meeting adjourned at 1:20 p.m.
The meeting reconvened at 1:22 p.m.

A motion was made by Whitson to approve signature delegation for 2020 to Mr. Baker, board staff, board counsel, and CMU per MQA policy

The meeting adjourned at 1:22 p.m.

IV. Adjournment