



**BOARD OF EXAMINERS OF NURSING CARE INSTITUTION ADMINISTRATORS AND  
ASSISTED LIVING FACILITY MANAGERS**

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**Katie Hobbs**  
Governor

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**Jack Confer**  
Executive Director

**BOARD MEETING MINUTES  
July 10, 2023**

**I. ROLL CALL**

President Kidder called the meeting to order at 9:05 a.m.

President Kidder, Vice President Archer, Member Campbell, Member Brimhall, Member Felix, Member Steven, Member Cook, and Member Koford were present in person.

Attendance: Executive Director Jack Confer, Licensing Specialist Jaedyn Sanchez, Investigator Phil Smith, Deputy Director Donita McGlasson, Assistant Attorney General Seamus Monaghan, and Assistant Attorney General Diane DeDea.

**II. DECLARATION OF CONFLICTS OF INTEREST – A.R.S. § 38-503**

Vice President Archer recused herself from case number 2022-NCI-0509

**III. CALL TO THE PUBLIC**

Paul Emeka addressed the Board in relation to his Administrator application that he submitted in 2015. He expressed that he requested a waiver in conjunction with his endorsement/reciprocity application. President Kidder referred him to staff to answer his questions and address the issue.

**IV. REVIEW, DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF MINUTES**

Postponed to next Board Meeting.

**V. REVIEW, CONSIDERATION, POSSIBLE DISCUSSION ON REQUEST FOR REHEARING OR REVIEW OF DECISION PURSUANT TO AAC R4-33-106**

A. POSTPONED

**VI. REVIEW, DISCUSSION AND POSSIBLE ACTION ON FORMAL ADMINISTRATIVE HEARINGS, PROPOSED CONSENT AGREEMENTS OR MOTIONS TO DEEM ALLEGATIONS ADMITTED:**

A. **Formal Hearing Linda Blair 2022-NCI-0462**

**MOTION:** President Kidder made a motion, seconded by Member Campbell to go into Executive Session.

**ROLL CALL VOTE:** Motion Passed Unanimously

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	x	x	x	x		x	x	x	x
No									
Absent					x				
Recused									

**ADJOURNED TO EXECUTIVE SESSION 10:32 A.M.  
BOARD RETURNED TO OPEN SESSION 10:57 A.M.**

Manager Blair was not present however, she was represented by counsel. Counsel requested the hearing to be continued/rescheduled to another date. Board staff discussed the case.

**MOTION:** President Kidder made a motion, seconded by Campbell to continue the Formal Hearing 30 days.

**ROLL CALL VOTE:** Motion Passed (7-1)

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	x		x	x		x	x	x	x
No		x							
Absent					x				
Recused									

**B. Formal Hearing Kimberly Delgado 2022-NCI-0478 10:00AM**

Manager Delgado was not present. Assistant Attorney General Monaghan summarized the case to the Board.

**MOTION:** President Kidder made a motion, seconded by Vice President Archer to grant that the State’s motion to deem the allegations in the Complaint and Notice of Hearing as admitted.

**ROLL CALL VOTE:** Motion Passed Unanimously

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	x	x	x	x		x	x	x	x
No									
Absent					x				
Recused									

**MOTION:** President Kidder made a motion, seconded by Member Campbell to adopt the Factual Allegations and the Allegations of Unprofessional Conduct from the Complaint and Notice of Hearing as Findings of Fact and Conclusions of Law.

**ROLL CALL VOTE:** Motion Passed Unanimously

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	x	x	x	x		x	x	x	x

No									
Absent					x				
Recused									

**MOTION:** President Kidder made a motion seconded by Vice President Archer, to Revoke Manager Delgado’s Managers Certificate.

**ROLL CALL VOTE:** Motion Passed Unanimously

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	x	x	x	x		x	x	x	x
No									
Absent					x				
Recused									

**Member Cook excused himself from the meeting at 9:26 a.m. - 9:29 a.m.**

**C. Formal Hearing Bethel Kebebe 2022-NCI-0018 9:45AM**

Executive Director Confer stated this case needed to be postponed to a future meeting.

**MOTION:** President Kidder made a motion, seconded by Vice President Archer to postpone this case to a future date.

**ROLL CALL VOTE:** Motion Passed Unanimously

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	x	x	x	x		x	x	x	x
No									
Absent					x				
Recused									

**VII. CONSENT AGENDA ITEMS: REVIEW, DISCUSSION AND POSSIBLE ACTION ON COMPLAINT CASE**

**A. Staff Recommendation for Disciplinary Consent Agreement(s):**

1. Jason Wright 2022-NCI-0432

Manager Wright was present and resented himself to the Board. Investigator Smyth summarized the case to the Board. Manager Wright answered questions from the Board.

**MOTION:** Vice President Archer made a motion, seconded by President Kidder, to dismiss the case.

**ROLL CALL VOTE:** Motion Passed Unanimously

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	x	x	x	x		x	x	x	x
No									
Absent					x				
Recused									

**BREAK 10:18AM – 10:33AM**

- 2. Bradley Edmunds 2022-NCI-0594
- 3. Baby Jane E. Acutin 2022-NCI-0601
- 4. Florencio Lalo 2022-NCI-0626
- 5. Remus V Stefan 2022-NCI-0627
- 6. Lani M James 2023-NCI-0028
- 7. Winfred Karuma 2023-NCI-0030
- 8. Anca Barbur 2023-NCI-0032

Manager Barbur was present and representing herself. Investigator Philip Smyth summarized the case to the Board. Manager Barbur answered questions from the Board.

**MOTION:** Member Brimhall made a motion, seconded by President Kidder to issue a Non-Disciplinary Letter of Concern. The Boards concern being the Manager failed to provide sufficient evidence of fall prevention and fall recovery training.

**ROLL CALL VOTE:** Motion Passed Unanimously

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	x	x	x	x		x	x	x	x
No									
Absent					x				
Recused									

- 9. Anuca Komerdelj 2023-NCI-0039

Manager Komerdelji was present and represented by Jennifer Wasserman. Investigator Smyth summarized the case to the Board. Manager Komerdelji answered questions from the Board.

**MOTION:** President Kidder made a motion, seconded by Member Campbell to offer a Consent Agreement to be signed within 10 days or the matter will be forwarded to formal hearing for a violation of ARS 36-446.07(B)(3), conditions: Suspension of Certificate, but the Suspension as long as the terms of Probation are met; reimburse the Board \$569.70 for investigative costs; complete a 40-hour manager training program with the Executive Directors pre-approval required, and document completion and Successfully pass the state examination for managers administered by the Board.

**ROLL CALL VOTE:** Motion Passed Unanimously

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	x	x	x	x		x	x	x	x
No									

Absent						x			
Recused									

- 10. Mariafe Castro 2023-NCI-0046
- 11. Deborah Ann Salvador Pineda 2023-NCI-0047

Manager Pineda was present and represented by herself. Investigator Smyth summarized the case to the Board. Manager Pineda answered questions from the Board.

**MOTION:** President Kidder made a motion, seconded by Vice President Archer, to offer a Consent Agreement to be signed within 10 days or the matter will be forwarded to formal hearing for a violation of ARS 36-446.07(B)(3), conditions: Suspension of Certificate, but the Suspension as long as the terms of Probation are met; reimburse the Board \$569.70 for investigative costs; complete 3 hours of continuing education in the areas of Medication Management and Personnel Requirements, and Ethics within 3 months.

**ROLL CALL VOTE: Motion Passed Unanimously**

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	x	x	x	x		x	x	x	x
No									
Absent					x				
Recused									

- 12. Rugabirwa "Heri" Ruhorimb 2023-NCI-0060
- 13. Aaron Rocha 2023-NCI-0062
- 14. Fernando Maceda Murella 2023-NCI-0063

Manager Murella was present and represented himself. Investigator Smyth summarized the case to the Board. Manager Murella answered questions from the Board.

**MOTION:** President Kidder made a motion, seconded by Member Campbell, to offer a Consent Agreement to be signed within 10 days or the matter will be forwarded to formal hearing for a violation of ARS 36-446.07(B)(3), conditions: Suspension of Certificate, but the Suspension as long as the terms of Probation are met; reimburse the Board \$569.70 for investigative costs; complete 3 hours of continuing education in the areas of Medication Management and Personnel Requirements within 3 months.

**ROLL CALL VOTE: Motion Passed Unanimously**

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	x	x	x	x		x	x	x	x
No									
Absent					x				
Recused									

- 15. Kimberly L. Delgado 2022-NCI-0625

**MOTION:** President Kidder made a motion, seconded by Member Campbell, to move the case to a Formal Hearing.

**ROLL CALL VOTE: Motion Passed Unanimously**

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford

		Archer							
Yes	x	x	x	x		x	x	x	x
No									
Absent					x				
Recused									

**MOTION:** Member Brimhall made a motion, seconded by Member Campbell, to refer the Manager to the DES Mandatory Reporting Registry.

**ROLL CALL VOTE:** Motion Passed Unanimously

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	x	x	x	x		x	x	x	x
No									
Absent					x				
Recused									

**MOTION:** President Kidder made a motion, seconded by Vice President Archer, to accept the staff recommendation for agenda items 2-7, 10, 12, and 13

**ROLL CALL VOTE:** Motion Passed Unanimously

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	x	x	x	x		x	x	x	x
No									
Absent					x				
Recused									

**B. Staff Recommendation for Non-Disciplinary Letter of Concern(s):**

1. Amber Monique Porter 2022-NCI-0471
2. POSTPONED
3. Manuela Tilvan 2023-NCI-0037
4. Simona Tolan 2023-NCI-0041
5. Mariel Ekandza 2023-NCI-0042
6. Claudia M Onut 2023-NCI-0065

**MOTION:** President Kidder made a motion, seconded by Member Wally to follow staff recommendation for a Non-Disciplinary Letter of Concern(s).

**ROLL CALL VOTE:** Motion Passed unanimously

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	x	x	x	x		x	x	x	x
No									
Absent					x				

Recused									
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**C. Staff Recommendation for Dismissal(s):**

- 1. Andrea A Perkins 2022-NCI-0479
- 2. Debera L Kopp 2022-NCI-0509
- 3. Bret King 2022-NCI-0512
- 4. Semka Curovac 2022-NCI-0514
- 5. Lilian Elena Salinas 2022-NCI-0615
- 6. Stacey Parmele 2023-NCI-0009
- 7. POSTPONED
- 8. Sunshine Tippets 2023-NCI-0027
- 9. Baerbel Odey 2023-NCI-0029
- 10. Diane Saal 2023-NCI-0031
- 11. Jaklin Geurgis 2023-NCI-0035
- 12. Daniel Junc 2023-NCI-0038
- 13. Galina Elo 2023-NCI-0040
- 14. Filip Variciuc 2023-NCI-0045
- 15. Melissa Forte 2023-NCI-0049
- 16. Benny Vidal 2023-NCI-0051
- 17. Rebecca A Allison 2023-NCI-0054
- 18. Jocelyn Jasper 2023-NCI-0057
- 19. Claudia M Acsinte 2023-NCI-0059
- 20. Simona Tolan 2023-NCI-0094
- 21. Simona Duican 2023-NCI-0216

**MOTION:** Member Brimhall made a motion, seconded by Member Campbell to follow the Board recommendation to dismiss cases 1-21.

**ROLL CALL VOTE:** Motion Passed (7-0)

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	x		x	x		x	x	x	x
No									
Absent					x				
Recused		x							

**VIII. BOARD PRESIDENT REPORT:**

President Kidder had nothing to report.

**IX. EXECUTIVE DIRECTOR REPORT**

**A. Online Training Program Effective Date/Industry Communication, & Article 6 & 7 Five Year Rule Update**

Executive Director Confer summarized the Online Training Program and stated it was currently effective.

**B. Budget Update**

Executive Director Confer gave an updated on the Budget.

**C. Licensing & Investigation Statistics**

Executive Director Confer gave an update on the staff and Licensing/Investigation statistics.

**D. 2024 Legislative Sunset Review**

Executive Director Confer summarized the 2024 Legislative Sunset Review.

**E. Proposed Fee Increase Discussion (possible discussion and vote)**

Executive Director Confer summarized the reasoning for the proposed fee increase.

**MOTION:** President Kidder made a motion, seconded by Member Brimhall, to increase the Board fees by 22%.

**ROLL CALL VOTE:** Motion Passed (7-1)

Vote	President Kidder	Vice President Archer	Member Campbell	Member Steven	Member Hill	Member Brimhall	Member Felix	Member Cook	Member Koford
Yes	x	x	x			x	x	x	x
No				x					
Absent					x				
Recused									

**F. Proposed Draft Enforcement Matrix**

Executive Director Confer summarized his reasoning for the proposed draft enforcement matrix.

**XIII. FUTURE ITEMS AND MEETING DATES**

August 14, 2023, September 11, 2023, October 16, 2023, November 13, 2023, and December 11, 2023.

**XIV. ADJOURNMENT**

President Kidder adjourned the meeting at 11:55 a.m.

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Jack Confer, Executive Director