



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

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Katie Hobbs
Governor

Jack Confer
Executive Director

**DRAFT BOARD MEETING MINUTES
March 11, 2024**

I. ROLL CALL

President Brimhall called the meeting to order at 9:00 AM.

President Brimhall, Member Archer, Member Felix, Member Koford, Member Rebecca Hill
Member Cook was present by telephone.

In attendance: Executive Director Jack Confer, Deputy Director McGlasson, Investigator Smyth, Assistant
Attorney General Monaghan, Assistant Attorney General DeDea Project Specialist Rodriguez, Project
Specialist Thomas and Licensing Specialist Horton

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

No Conflicts of Interests declared at this meeting.

President Brimhall recused herself from cases 2023-NCI-0464 and 2023-NCI-0539.

Member Koford recused himself from case 2023-NCI-0733.

Member Felix recused herself from case 2023-NCI-0501.

III. CALL TO THE PUBLIC

No one wished to speak.

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

The Board may vote to go into Executive Session pursuant to A.R.S. § 38-431.03(A)(2) (to discuss
confidential information), A.R.S. § 38-431.03(A)(3) (to receive legal advice). Board Review, Consideration
and Action on Approval of Minutes

A. Draft February 12, 2024 Regular Meeting Minutes,

B. Draft Executive Session Minutes, January 22, 2024 (correction & revote)

MOTION: President Brimhall made a motion, was seconded by Member Felix to approve Draft February
12, 2024 Regular Meeting Minutes.

VOTE: (7-0) Passed

MOTION: Member Archer made a motion, was seconded by Member Felix to approve Draft Executive Session Minutes, January 22, 2024 (correction & revote)

VOTE: Passed (7-0)

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

A. Formal Hearing Herbert G. Strauss, 2022-NCI-0494

Herbert G Strauss was not present. Herbert G Strauss was provided notice of the meeting. Investigator Phil Smyth was sworn in as a witness for the State. Assistant Attorney General Seamus Monaghan representing state outlined the case to the Board. Investigator Smyth answered questions from the Assistant General Attorney Monaghan for the Board. The State presented exhibits. After a brief discussion, Assistant General Attorney Monaghan made a closing statement.

MOTION: Member Archer made a motion, was seconded by Member Hill to adopt all parties Factual allegations and Jurisdictions of the complaint as Findings of Facts.

VOICE ROLL CALL: Passed 7-0

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

MOTION: Member Archer made a motion, was seconded by Member Hill to adopt the Alleged Violations from the Complaint and Notice of Hearings as Findings of Fact and Conclusions of Law.

VOICE ROLL CALL: Passed 7-0

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

MOTION: Member Archer made a motion, was seconded by Member Hill for Revocation of Certificate for Herbert G. Strauss.

ROLL CALL VOTE: Passed (7-0)

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

B. Formal Hearing – Irma G. Gomez, 2022-NCI-0620

Irma G Gomez was not present. Irma G Gomez was provided notice of the meeting. Assistant Attorney General Seamus Monaghan, representing State outlined the case to the Board. Assistant General Attorney Monaghan called Investigator as a witness for the State. Investigator Phil Smyth answered questions from the Assistant General Attorney Monaghan for the Board. Exhibits 1-3 were admitted. After a brief discussion, Assistant General Attorney Monaghan made a closing statement.

MOTION: Member Archer made a motion, seconded by Member Felix to adopt all Parties Factual allegations and Jurisdictions of the complaint as Findings of Facts.

ROLL CALL VOTE: Passed (7-0)

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

MOTION: Member Archer made a motion, was seconded by Member Koford to adopt the Alleged Violations from the Complaint and Notice of Hearing as Conclusions of Law.

ROLL CALL VOTE : Passed (7-0)

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

MOTION: Member Archer made motion, seconded by Member Koford for Revocation of Certificate for Irma G. Gomez.

ROLL CALL VOTE: Passed (7-0)

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

C. Formal Hearing – Aloyzios G. Nyakana, 2023-NCI-0076

Aloyzios G Nyakan was not present. Aloyzios G Nyakana was provided notice of the meeting. Assistant Attorney General Monaghan, representing state outlined the case to the Board. Assistant General Attorney Monaghan called Investigator Phil Smyth as a witness for the State. Investigator Smyth answered several questions from the Assistant General Attorney Monaghan for the Board. Exhibits 1-4 were admitted. After a brief discussion, Assistant General Attorney Monaghan made a closing statement.

MOTION: Member Archer made a motion, was seconded by Member Koford to adopt all parties Factual allegations and Jurisdictions of the complaint as Findings of Facts.

VOICE ROLL CALL : Passed 7-0

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

MOTION: Member Archer made a motion, was seconded by Member Koford to adopt Alleged Violations from the Complaint and Notice of Hearings as Findings of Fact and Conclusions of Law.

VOICE ROLL CALL: Passed 7-0

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

MOTION: Member Archer made a motion, was seconded by Member Koford for Revocation of certificate for Aloyzios G Nyakana.

ROLL CALL: Passed 7-0

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

D. Formal Hearing – Guadalupe Martinez, Case# 2022-NCI-0506

Guadalupe Martinez was not present. Guadalupe Martinez was provided notice of the meeting. Assistant Attorney General Seamus Monaghan representing state, outlined the case to the Board. Assistant General Attorney Monaghan called Investigator Phil Smyth as a witness for the State. Investigator Smyth answered several questions from the Assistant Attorney General Seamus Monaghan for the Board. Exhibits 1-4 were admitted. After a brief discussion, Assistant General Attorney Monaghan made a closing statement.

MOTION: Member Archer made a motion, seconded by Member Koford to adopt all parties Factual allegations and Jurisdictions of the Complaint as Findings of Facts.

VOICE ROLL CALL: Passed 7-0

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

MOTION: Member Archer made a motion, seconded by Member to accept the Alleged Violations from the Complaint and Notice of Hearing as Conclusions of Law.

VOICE ROLL CALL: Passed 7-0

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

MOTION: Member Archer made a motion, seconded by Member Koford for Revocation of certificate for Guadalupe Martinez.

ROLL CALL: Passed 7-0

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

E. Formal Hearing - Marie Eid, 2023-NCI-0257

Marie Eid was present and represented herself. Investigator Phil Smyth was sworn in as witness for the State. Marie Eid was sworn in as Respondent’s witness. Assistant Attorney General Seamus Monaghan appeared on behalf of the State of Arizona. Diana DeDea, Assistant Attorney General appeared as the Board’s Independent Advisor.

After opening statements, hearing from both the State of Arizona and Respondent, the Board made the following decision:

MOTION: President Brimhall made a motion, seconded by Member Koford to not admit evidence from the Respondent.

VOICE ROLL CALL: Passed 7-0

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

Marie Eid was asked several questions and gave details to the matter. Assistant Attorney General Seamus Monaghan made closing statement. After a brief discussion, the Board voted on this matter.:

MOTION: Member Archer made a motion, seconded by Member Koford to adopt the Factual Allegations from the Complaint as Findings of Fact.

VOICE ROLL CALL: Passed 7-0

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

No									
Absent		x	x						
Recused									

MOTION: Member Archer made a motion, seconded by Member Koford to adopt all the Parties and Jurisdiction, Factual Allegations and the Alleged Violations from the Complaint and Notice of Hearings as Findings of Fact and Conclusions of Law.

VOICE ROLL CALL: Passed 7-0

MOTION: Member Archer made a motion, seconded by Member Koford for Revocation of certificate for Marie Eid.

ROLL CALL: Passed 7-0

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

Break 10:44 AM – 10:56 AM

VI. REVIEW, CONSIDERATION, POSSIBLE DISSUCSSION ON REQEUST FOR REHEARING OR REVIEW OF DECISION PUSUANT TO AAC R4-33-106

The Board may vote to go into Executive Session pursuant to A.R.S. § 38-431.03(A)(2) (to discuss confidential information), A.R.S. § 38-431.03(A)(3) (to receive legal advice).

A. Loretta Rivera, 2023-NCI-0209, 2023-NCI-0372, & 2023-NCI-0425

Loretta Rivera was present and was represented by Nicholas Johnson. Attorney Nicholas Johnson of firm Davis Miles, gave opening statement for rehearing. Assistant Attorney General Diane DeDea, Assistant Attorney General appeared as the Board’s Independent Advisor.

MOTION: Member Archer made a motion, seconded by Member Felix for Executive Session to seek legal advice.

VOTE: Passed 7-0

Board Members entered Executive session at 11:07AM, session resumed at 11:28 AM

After a brief discussion, the board voted on this matter.:

MOTION: Member Brimhall made a motion, seconded by Member Archer to deny request for a rehearing.

ROLL CALL: Passed 5-1

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

VIII. CONSENT AGENDA ITEMS: REVIEW, DISCUSSION AND POSSIBLE ACTION ON COMPLAINT CASE REVIEWS

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

17. Dorothea Stewart 2023-NCI-0516

Dorothea Stewart was present and represented by Counsel Denise Attwood. Investigator Phil Smyth outlined the case to the Board. Denise Attwood made opening statement and is requesting for a Letter of Concern for Dorothea Stewart. Dorothea Stewart answered several questions from the Board and gave details to the matter. After a brief discussion, the Board voted on the matter.:

MOTION: Member Archer made a motion, seconded by President Brimhall to issue a letter of concern.

ROLL CALL: Passed 7-0

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

C. Staff Recommendation for Dismissal(s)

1. Lilian Salinas 2023-NCI-0103
2. Maria R Parham 2023-NCI-0264
3. Sally Abram 2023-NCI-0458
4. No Manager 2023-NCI-0460
5. Claudia Mirescu 2023-NCI-0466
6. Chandriga Hullana 2023-NCI-0468 (postponed)
7. Enma M Martinez Rodas 2023-NCI-0470
8. Santos C Dancel Jr. 2023-NCI-0472
9. Annette P Caspe 2023-NCI-0475
10. Darlene M Barkau 2023-NCI-0478
11. Samuel G Loveless 2023-NCI-0479
12. Brenda Cody 2023-NCI-0480
13. Dorina Serrano 2023-NCI-0481
14. Phoebe Alexis Nason 2023-NCI-0482
15. Diana M Escobedo 2023-NCI-0487
16. John Lacanilao 2023-NCI-0491

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|----------------------------|---------------------------|
| 17. Laura Dollar | 2023-NCI-0501 |
| 18. Rhonda L Shockley | 2023-NCI-0504 |
| 19. Ciara V Warner | 2023-NCI-0507 |
| 20. Deatra D Johnson | 2023-NCI-0522 |
| 21. Adam Zaid Griffiths | 2023-NCI-0523 |
| 22. Mirabella Alexandru | 2023-NCI-0525 |
| 23. Rocio Rubio-Busby | 2023-NCI-0529 |
| 24. Annalisa Y LaJeunesse | 2023-NCI-0531 |
| 25. Sally Abram | 2023-NCI-0532 |
| 26. Ryan M Love | 2023-NCI-0533 |
| 27. Chandriga Hullana | 2023-NCI-0542 (postponed) |
| 28. Clayton J Wagner | 2023-NCI-0588 |
| 29. Kathy Visevoan | 2023-NCI-0615 |
| 30. Heather Hildreth | 2023-NCI-0654 |
| 31. Jaron Ray Watson | 2023-NCI-0726 |
| 32. Pamela Katherine Clark | 2023-NCI-0727 |
| 33. Melissa Forte | 2024-NCI-0005 |
| 34. Emily Dulas | 2024-NCI-0016 |
| 35. Jason W Konrad | 2024-NCI-0035 |

MOTION: Member Archer made a motion, seconded by President Brimhall to accept the staff recommendation for Dismissal(s) for items 1,3,4,8,10, 11, 13-15, 19-26, 28-35.

ROLL CALL: Passed 7-0

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

5. Claudia Mirescu

2023-NCI-0466

MOTION: President Brimhall made a motion, was seconded by Member Archer to dismiss complaint 2023-NCI-0466, due to incorrect manager being notified.

ROLL CALL: Passed 7-0

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

VII. REVIEW, DISCUSSION AND POSSIBLE ACTION ON ADMINISTRATOR LICENSURE AND MANAGER CERTIFICATION

A. David Petrin Manager Application 2024-NCI-0179

David Petrin was present. Investigator Phil Smyth outlined the case to the Board. David Petrin answered several questions from the Board and gave details to matter. After a brief discussion, the Board voted on this matter.:

MOTION: President Brimhall made a motion, was seconded by Member Archer for approval of Manager Application for David Petrin.

VOICE ROLL CALL: Passed 7-0

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

VIII. CONSENT AGENDA ITEMS: REVIEW, DISCUSSION AND POSSIBLE ACTION ON COMPLAINT CASE REVIEWS

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

3. Heidi McLester 2023-NCI-0464

Heidi McLester was present. Investigator Phil Smyth outlined the case to the Board. Heidi McLester answered several questions from the Board and gave details to the matter.

22. Heidi McLester 2023-NCI-0539

Heidi McLester was present. Investigator Phil Smyth outlined the case to the Board. Heidi McLester answered several questions from the Board and gave details to the matter. After a brief discussion, the Board voted on this matter.:

MOTION: Member Archer made a motion, was seconded by Member Felix to combine cases 2023-NCI-0464 and 2023-NCI-0539 involving Heidi McLester.

VOICE ROLL CALL: Passed 6-1

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

Recused									
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MOTION: Member Hill made a motion, was seconded by Member Steven 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 \$601.33 for investigative costs; complete 3 hours of continuing education in the areas of Medication Management, Service Plans, and Residence rights within 3 months.

ROLL CALL: Failed 3-3

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

MOTION: Member Archer made a motion, was seconded by Member Felix to issue a letter of concern for complaints 2023-NCI-0464 and 2023-NCI-0539 involving Heidi McLester.

ROLL CALL: Passed (6-0)

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

Break 12:46 PM – 12:51PM

A. Staff Recommendation for Disciplinary Consent Agreement(s):
1. Benjamin Reeves 2023-NCI-0262

Benjamin Reeves was present. Investigator Phil Smyth outlined the case to the Board. Benjamin Reeves answered several questions from the Board and gave detail to the matter. After a brief discussion, the Board voted on this matter.:

MOTION: President Brimhall made a motion, seconded by Member 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 \$511.59 for investigative costs; complete 3 hours of continuing education in the areas of Service Plans and Residence rights within 3 months.

ROLL CALL: Passed 7-0

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

8. Gladys Y Rosa

2023-NCI-0486

Gladys Y Rosa was present. Investigator Phil Smyth outlined the case to the Board. Gladys Y Rosa answered several questions from the Board and gave detail to the matter. After a brief discussion, the Board voted on this matter.:

MOTION: Member Archer made a motion, seconded by Member Koford 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 \$536.18 for investigative costs; required to complete a 40 hour manager training program with the Executive Directors pre-approval required and document completion; Successfully pass the state examination for managers administered by the Board.

ROLL CALL: Passed 7-0

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

10. Dannis R Murphy

2023-NCI-0495

Dannis R Murphy was present. Investigator Phil Smyth outlined the case to the Board. Dannis R Murphy answered several questions from the Board and gave detail to the matter.

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

15. Dannis R Murphy

2023-NCI-0587

Dannis R Murphy was present. Investigator Phil Smyth outlined the case to the Board. Dannis R Murphy answered several questions from the Board and gave detail to the matter. After a brief discussion, the Board voted on this matter.:

MOTION: President Brimhall made a motion, was seconded by Member Archer to accept the staff recommendation to issue a non-disciplinary Letter of Concern for failing to ensure resident services were documented in the medical record which led to a repeat deficiency for complaint 2023-NCI-0587.

ROLL CALL: Passed 6-1

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

MOTION: Member Steven made a motion, was seconded by Member Hill 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: Voluntary Surrender of license/certificate for complaint 2023-NCI-0495.

ROLL CALL: Passed 6-1

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

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

11. Marjorie Aquino Reed 2023-NCI-0498

Marjorie Aquino Reed was present. Investigator Phil Smyth outlined the case to the Board. Marjorie Aquino Reed answered several questions from the Board and gave detail to the matter. After a brief discussion, the Board voted on this matter.:

MOTION: Member Archer made a motion, was seconded by President Brimhall 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 \$601.33 for investigative costs; complete 3 hours of continuing education in the areas of Medication Management, Personnel Requirements, Record Keeping, and Service Plans, within 3 months.

ROLL CALL: Passed (7-0)

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

12. Felix Jose Banez Amante 2023-NCI-0500

Felix Jose Banez Amante was present. Investigator Phil Smyth outlined the case to the Board. Felix Jose Banez

Amante answered several questions from the Board and gave detail to the matter. After a brief discussion, the Board voted on this matter.:

MOTION: President Brimhall made a motion, was seconded by Member 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, Record Keeping, Environmental standards, Emergency/Disaster Preparedness within 3 months.

ROLL CALL: Passed (5-2)

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

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

MOTION: President Brimhall made a motion, was seconded by Member Archer to accept the staff recommendation to issue a non-disciplinary Letter of Concern for items : 1-14 and 16.

VOICE ROLL CALL: Passed (7-0)

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

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

14. Heather Dawn Hildreth 2023-NCI-0512

Heather Dawn Hildreth was present. Investigator Phil Smyth outlined the case to the Board. Heather Dawn Hildreth answered several questions from the Board and gave detail to the matter. After a brief discussion, the Board voted on this matter.:

MOTION: President Brimhall made a motion, was seconded by 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 \$601.33 for investigative costs; complete 3 hours of continuing education in the areas of Personnel Requirements, Service Plans, Emergency/Disaster Preparedness, Residence rights, within 3 months.

ROLL CALL: Passed (7-0)

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

16. Eleanor A Sweum 2023-NCI-0514

Eleanor A Sweum was present. Investigator Phil Smyth outlined the case to the Board. Eleanor A Sweum answered several questions from the Board and gave detail to the matter. After a brief discussion, the Board voted on this matter.:

MOTION: President Brimhall made a motion, was seconded by Member Steven 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 \$536.18 for investigative costs; complete 3 hours of continuing education in the areas of Personnel Requirements and Service Plans, within 3 months.

ROLL CALL: Passed (5-2)

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

18. Anna Maria Guadalupe 2023-NCI-0521

Anna Maria Guadalupe was present. Investigator Phil Smyth outlined the case to the Board. Anna Maria Guadalupe answered several question from the Board and gave detail to the matter. After a brief discussion, the Board voted on this matter.:

MOTION: Member Steven made a motion, was seconded by President Brimhall 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 \$601.33 for investigative costs; complete 3 hours of continuing education in the areas of Medication Management, Personnel Requirements, and Service Plans, within 3 months.

ROLL CALL: Passed (7-0)

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

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

20. Marie E. Bentz 2023-NCI-0526

Marie E Bentz was present. Investigator Phil Smyth outlined the case to the Board. Marie E Bentz answered several questions from the Board and gave detail to the matter. After a brief discussion, the Board voted on this matter.:

MOTION: President Brimhall made a motion, was seconded by Member 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 \$523.88 for investigative costs; complete 3 hours of continuing education in the areas of Personnel Requirements, Medication Management and Emergency/Disaster preparedness, within 3 months.

ROLL CALL: Passed (7-0)

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

21. Agustin Rodriguez Olmedo 2023-NCI-0528

Agustin Rodriguez Olmedo was present. Investigator Phil Smyth outlined the case to the Board. Agustin Rodriguez Olmedo answered several questions from the Board and gave detail to the matter. After a brief discussion, the Board voted on this matter.:

MOTION: President Brimhall made a motion, seconded by Member Archer to issue a non-disciplinary letter of concern.

ROLL CALL: Passed (7-0)

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

15. Regina L Brown 2023-NCI-0513

Regina L Brown was present. Investigator Phil Smyth outlined the case to the Board. Regina L Brown

answered several questions and gave detail to the matter. After a brief discussion, the Board voted on this matter.:

MOTION: President Brimhall made a motion, was seconded by Member Koford 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 \$536.18 for investigative costs; complete 3 hours of continuing education in the areas of Personnel Requirements, and Record Keeping, within 3 months.

ROLL CALL: Passed 7-0

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

23. Melinda Leibfried

2023-NCI-0733

Melinda Leibfried was present. Investigator Phil Smyth outlined the case to the Board. Melinda Leibfried answered several questions and gave detail to the matter. After a brief discussion, the Board voted on this matter.:

MOTION: President Brimhall made a motion, seconded by Member Archer to dismiss complaint. President Brimhall rescinded motion.

After a brief discussion, the Board voted on this matter.:

MOTION: President Brimhall made a motion, seconded by Member Archer to dismiss complaint 2023-NCI-0733.

ROLL CALL: Passed 6-1

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

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

- 1. Benjamin Reeves 2023-NCI-0262
- 2. Veronica A Bustamante 2023-NCI-0459

- | | |
|------------------------------|---------------|
| 3. Heidi McLester | 2023-NCI-0464 |
| 4. Joshua Charles Billet | 2023-NCI-0469 |
| 5. Tammy L Nash | 2023-NCI-0155 |
| 6. Tammy L Nash | 2023-NCI-0474 |
| 7. Irineo Inghram Ambrocio | 2023-NCI-0484 |
| 8. Gladys Y Rosa | 2023-NCI-0486 |
| 9. Editha P Tacaldo | 2023-NCI-0493 |
| 10. Dannis R Murphy | 2023-NCI-0495 |
| 11. Marjorie Aquino Reed | 2023-NCI-0498 |
| 12. Felix Jose Banez Amante | 2023-NCI-0500 |
| 13. Laarni Mislant Paragas | 2023-NCI-0505 |
| 14. Heather Dawn Hildreth | 2023-NCI-0512 |
| 15. Regina L Brown | 2023-NCI-0513 |
| 16. Eleanor A Sweum | 2023-NCI-0514 |
| 17. Dorothea Stewart | 2023-NCI-0516 |
| 18. Anna Maria Guadalupe | 2023-NCI-0521 |
| 19. Andrew Simon | 2023-NCI-0524 |
| 20. Marie E. Bentz | 2023-NCI-0526 |
| 21. Agustin Rodriguez Olmedo | 2023-NCI-0528 |
| 22. Heidi McLester | 2023-NCI-0539 |
| 23. Melinda Leibfried | 2023-NCI-0733 |

MOTION: President Brimhall made a motion, seconded by Member Archer to accept the staff recommendation to issue a disciplinary Consent Agreement for agenda items 2,4-7, 9, 13, 19

ROLL CALL: Passed 7-0

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

C. Staff Recommendation for Dismissal(s)

2. Maria R Parham 2023-NCI-0264

Maria R Parham was present. Investigator Phil Smyth outlined the case to the Board. Maria R Parham answered several questions from the Board and gave detail to the Board. After a brief discussion, the Board voted on this matter.:

MOTION: Member Hill made a motion, to issue a non-disciplinary Letter of Concern.
Motion died.

MOTION: President Brimhall made a motion, was seconded Member Archer to dismiss complaint 2023-NCI-0264.

ROLL CALL: Passed (6-1)

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

7. Enma M Martinez Rodas 2023-NCI-0470

Enma M Martinez Rodas was present. Enma M Martinez Rodas answered several questions from the Board and gave detail to the matter. After a brief discussion, the Board voted on this matter.:

MOTION: Member Hill made a motion, was seconded by President Brimhall to issue a non-disciplinary Letter of Concern.

ROLL CALL: Passed (7-0)

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

9. Annette P Caspe 2023-NCI-0475

Annette P Caspe was present. Investigator Phil Smyth outlined the case to the Board. Annette P Caspe answered several questions from the Board and gave detail to the matter. After a brief discussion, the Board voted on this matter.:

MOTION: Member Hill made a motion, was seconded by President Brimhall to dismiss complaint 2023-NCI-0475.

ROLL CALL: Passed (7-0)

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

12. Brenda Cody 2023-NCI-0480

Brenda Cody was present. Investigator Phil Smyth outlined the case to the Board. Brenda Cody answered several questions and gave the detail to the matter. After a brief discussion, the Board voted on this matter.:

MOTION: Member Hill made a motion, was seconded by to issue a non-disciplinary Letter of Concern for failure to ensure equipment was operable.

ROLL CALL: Failed 3-4

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

MOTION: Member Archer made a motion, was seconded by Member Koford to dismiss complaint 2023-NCI-0480.

ROLL CALL: Passed 6-1

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

17. Laura Dollar 2023-NCI-0501

MOTION: Member Archer made a motion, was seconded by Member Koford to dismiss complaint 2023-NCI-0501.

ROLL CALL: Passed (6-0)

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

18. Rhonda L Shockley 2023-NCI-0504

After a brief discussion, the Board voted on this matter.:

MOTION: Member Hill made a motion, was seconded by Member Archer to issue a non-disciplinary Letter of Concern for failing to ensure quality management standards were met and documented.

ROLL CALL: Passed 7-0

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

16. John Lacanilao 2023-NCI-0491

After a brief discussion, the Board voted on this matter.:

MOTION: Member Hill made a motion, was seconded by Member Archer to issue a non-disciplinary Letter of Concern for complaint 2023-NCI-0491 for providing care without training.

ROLL CALL: Passed (5-2)

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

C. Staff Recommendation for Dismissal(s)

- | | |
|--------------------------|---------------------------|
| 1. Lilian Salinas | 2023-NCI-0103 |
| 2. Maria R Parham | 2023-NCI-0264 |
| 3. Sally Abram | 2023-NCI-0458 |
| 4. No Manager | 2023-NCI-0460 |
| 5. Claudia Mirescu | 2023-NCI-0466 |
| 6. Chandriga Hullana | 2023-NCI-0468 (postponed) |
| 7. Enma M Martinez Rodas | 2023-NCI-0470 |
| 8. Santos C Dancel Jr. | 2023-NCI-0472 |
| 9. Annette P Caspe | 2023-NCI-0475 |
| 10. Darlene M Barkau | 2023-NCI-0478 |
| 11. Samuel G Loveless | 2023-NCI-0479 |
| 12. Brenda Cody | 2023-NCI-0480 |
| 13. Dorina Serrano | 2023-NCI-0481 |

14. Phoebe Alexis Nason	2023-NCI-0482
15. Diana M Escobedo	2023-NCI-0487
16. John Lacanilao	2023-NCI-0491
17. Laura Dollar	2023-NCI-0501
18. Rhonda L Shockley	2023-NCI-0504
19. Ciara V Warner	2023-NCI-0507
20. Deatra D Johnson	2023-NCI-0522
21. Adam Zaid Griffiths	2023-NCI-0523
22. Mirabella Alexandru	2023-NCI-0525
23. Rocio Rubio-Busby	2023-NCI-0529
24. Annalisa Y LaJeunesse	2023-NCI-0531
25. Sally Abram	2023-NCI-0532
26. Ryan M Love	2023-NCI-0533
27. Chandriga Hullana	2023-NCI-0542 (postponed)
28. Clayton J Wagner	2023-NCI-0588
29. Kathy Visevoan	2023-NCI-0615
30. Heather Hildreth	2023-NCI-0654
31. Jaron Ray Watson	2023-NCI-0726
32. Pamela Katherine Clark	2023-NCI-0727
33. Melissa Forte	2024-NCI-0005
34. Emily Dulas	2024-NCI-0016
35. Jason W Konrad	2024-NCI-0035

IX. BOARD PRESIDENT’S REPORT:

President Brimhall had nothing to report.

X. EXECUTIVE DIRECTOR REPORT:

Board to review, discuss and possibly take action on the following items:

- A. Budget Update, Licensing, Probation & Investigation Statistics (Possible Discussion & Consideration)
- B. Proposed Rules (Possible Discussion & Consideration)
- C. Legislative Update (Possible Discussion & Consideration)
- D. Governor Hobbs Correspondence (Possible Discussion & Consideration)
- E. Draft Enforcement Matrix/Policy (Possible Discussion & Consideration)
- F. Board Member Training (Possible Discussion & Consideration)

XI. FUTURE ITEMS AND MEETING DATES

April 8, 2024, May 13, 2024, June 10, 2024, July 15, 2024

XII. ADJOURNMENT

President Brimhall adjourned the meeting. (4:21pm)



Jack Confer, Executive Director