

The Florida

Board of Nursing

Council on Certified Nursing Assistants

Meeting Minutes

October 3, 2012

Tallahassee



Lois Gackenheimer, PhD Ed, MSN, RN
Chair

Joe Baker, Jr.
Executive Director

Council on Certified Nursing Assistants

Call to Order

Meeting was called to order on Wednesday, October 3, 2012 at 8:31 am by Dr. Lois Gackenheimer, Chair.

Roll Call

Present: Dr. Lois Gackenheimer, Christie King, Amy Sutton, Dr. Mary Botter

Absent: Lydel Wright (unexcused)

Staff: Joe Baker, Jr.; Robert Johnson; Janet Doke, Linda Deterding

OAG Staff: Rachel Clark, Esq.

IPN Staff: Linda Smith, Vickie Fitzpatrick

A. Required Appearances

1. Crews, Erica N. - 4401/594672

Present and sworn; a motion was made by King to approve. Motion was seconded and passed unanimously.

2. Hightower, Sharron L.; 4401/584610

Present and sworn; a motion was made by Gackenheimer to approve. Motion was seconded and passed unanimously.

3. Raulerson, Alyse; 4401/592551

Present and sworn; a motion was made by King to approve. Motion was seconded and passed unanimously.

B. Applicants for Licensure

Criminal History

Exam

1. Ballesteros, Alejandro; 4401/583279

Present and sworn; a motion was made by King to approve. Motion was seconded and passed unanimously.

2. Blankenburg, Josef; 4401/599718

A motion was made by King to approve. Motion was seconded and passed unanimously.

3. Brown, Carlos; 4401/575275

Present and sworn; a motion was made by King to approve. Motion was seconded and passed unanimously.

4. Cunningham, Brittney; 4401/511084

A motion was made by King to approve. Motion was seconded and passed unanimously.

5. Cymbal, Julee - 4401/592324

A motion was made by King to approve. Motion was seconded and passed unanimously.

6. Dieujuste, Linda - 4401/601725

A motion was made by Botter to approve. Motion was seconded and passed unanimously.

7. Harrison, Amber; 4401/570668

A motion was made by King to deny based on recency and crimes related to the practice; motion was seconded and passed unanimously.

8. Houston, Levi A.; 4401/597608

A motion was made by Gackenhaimer to require an appearance at one of the next two meetings. Motion was seconded and passed unanimously.

9. Jacques, Allison S.; 4401/589732

A motion was made by King to approve with the following terms: must have IPN evaluation and contract if recommended. Motion was seconded and passed unanimously.

10. Jenkins, Patricia; 4401/599640

Present and sworn; a motion was made by King to approve. Motion was seconded and passed unanimously.

11. Johnson, Marla 4401/584383

A motion was made by King to approve. Motion was seconded and passed unanimously.

12. Jones, Karol; 4401/595122

A motion was made by Botter to require an appearance at one of the next two meetings. Motion was seconded and passed unanimously.

13. Myrick, DeWayne; 4401/554159

A motion was made by Botter to deny based on recency and crimes related to the practice. Motion was seconded and passed unanimously.

14. Peterson, Jonathan; 4401/597297

A motion was made by Gackenhaimer to deny based on frequency and crimes related to the practice. Motion was seconded and passed unanimously.

15. Richison, Mark; 4401/589295

Present and sworn; a motion was made by Gackenhaimer to approve with the following terms: must have IPN evaluation and contract if recommended. Motion was seconded and passed unanimously.

16. Ritch, Vicky; 4401/599234

A motion was made by King to approve. Motion was seconded and passed unanimously.

17. Ruggieri, Elizabeth; 4401/591970

A motion was made by King to approve with the following terms: must have IPN evaluation and contract if recommended. Motion was seconded and passed unanimously.

18. Smith, Tyesha M.; 4401/594220

Present and sworn; a motion was made by King to approve. Motion was seconded and passed unanimously.

19. Velie, Sandra; 4401/585648

A motion was made by Gackenhaimer to approve with the following terms: must have IPN evaluation and contract if recommended. Motion was seconded and passed unanimously.

Reciprocity

1. Mullings, Erika; 4401/562357

A motion was made by King to deny based on recency and crimes related to the practice. Motion was seconded and passed unanimously.

False Answer on Application

Exam

1. Bryant, Myrna; 4401/595091

A motion was made by Gackenhaimer to deny based on crimes related to the practice and misrepresentation on application. Motion was seconded and passed unanimously.

2. Cova, Erick; 4401/599229

A motion was made by Gackenhaimer to deny based on crimes related to the practice and misrepresentation on application. Motion was seconded and passed unanimously.

3. Crane, Joseph; 4401/585467

A motion was made by Gackenheimer to deny based on crimes related to the practice and misrepresentation on application. Motion was seconded and passed unanimously.

4. Denson, Rainmesha; 4401/586924

A motion was made by Gackenheimer to deny based on crimes related to the practice and misrepresentation on application. Motion was seconded and passed unanimously.

5. Ferguson, Shantabria M.; 4401/596132

A motion was made by Gackenheimer to deny based on crimes related to the practice, misrepresentation on application and ineligibility due to s.435.07. Motion was seconded and passed unanimously.

6. Johnson, Tamara; 4401/574010

A motion was made by King to deny based on misrepresentation on application. Motion was seconded and passed unanimously.

7. Jones, Devonda; 4401/587724

A motion was made by Gackenheimer to deny based on crimes related to the practice and misrepresentation on application. Motion was seconded and passed unanimously.

8. McCoy, Brandy; 4401/518532

A motion was made by King to approve. Motion was seconded and passed unanimously.

9. McCray, Theresa - File# 4401/582456

A motion was made by King to approve. Motion was seconded and passed unanimously.

10. Minus, Mariah; 4401/564898

A motion was made by Gackenheimer to deny based on crimes related to the practice. Motion seconded and passed unanimously.

11. Rodriguez, Fernando; 4401/600212

A motion was made by Gackenheimer to deny based on crimes related to the practice and misrepresentation on application. Motion was seconded and passed unanimously.

Reciprocity

1. Brown, Janessa; 4401/600962

A motion was made by Gackenheimer to deny based on crimes related to the practice and misrepresentation on application. Motion was seconded and passed unanimously.

2. Elrod, Courtney; 4401/594346

A motion was made by King to deny based on misrepresentation on application. Motion was seconded and passed unanimously.

3. Johnson, Tameeka; 4401/593802

A motion was made by King to require an appearance at one of the next two meetings. Motion was seconded and passed unanimously.

4. Marshall, Johnnie E.; 4401/563006

A motion was made by Gackenheimer to deny based on crimes related to the practice and misrepresentation on application. Motion was seconded and passed unanimously.

5. Pizarro, Richard; 4401/579412

A motion was made by King to deny based on failure to comply with previous final orders and misrepresentation on application. Motion was seconded and passed unanimously.

6. Stevens, Audra; 4401/599288

A motion was made by King to deny based on misrepresentation on application. Motion was seconded and passed unanimously.

Section 456.0635, FS Applications

1. Bowles, Bobbi; 4401/601564

A motion was made by King to deny based on violation of s.456.0635. Motion was seconded and passed unanimously.

2. Everett, Sheila; 4401/584902

A motion was made by Gackenheimer to deny based on violation of s.456.0635, ineligibility due to 435.07 and misrepresentation on application. Motion was seconded and passed unanimously.

3. Lyles, Montrece; 4401/584688

A motion was made by King to deny based on violation of s.456.0635, ineligibility due to 435.07 and misrepresentation on application. Motion was seconded and passed unanimously.

4. Smith, Crystal; 4401/589183

A motion was made by King to deny based on violation of s.456.0635, recency, crimes related to the practice and ineligibility due to 435.07. Motion was seconded and passed unanimously.

5. Thomas, Angelica; 4401/583562

A motion was made by King to deny based on violation of s.456.0635 and misrepresentation on application; motion seconded and passed unanimously.

6. Bean, Debra; 4401/508997

A motion was made by King to deny based on violation of s.456.0635 and ineligibility due to 435.07. Motion was seconded and passed unanimously.

7. Jackson, Sakina; 4401/600073

A motion was made by King to deny based on violation of s.456.0635, ineligibility due to 435.07 and misrepresentation on application. Motion was seconded and passed unanimously.

8. Jesurum, Bona; 4401/598890

A motion was made by King to deny based on violation of s.456.0635 and ineligibility due to 435.07. Motion was seconded and passed unanimously.

9. King, Jakeia; 4401/579999

A motion was made by King to deny based on violation of s.456.0635 and ineligibility due to 435.07. Motion was seconded and passed unanimously.

10. Ortega, Karen; 4401/594671

A motion was made by Gackenheimer to approve. Motion seconded and passed unanimously.

11. Pion, Elizabeth; 4401/589481

A motion was made by King to deny based on violation of s.456.0635 and misrepresentation on application. Motion was seconded and passed unanimously.

12. Wright, Latonya; 4401/599732

Present and sworn; a motion was made to deny by King based on ineligibility due to 435.07 and crimes related to the practice. Motion was seconded and passed unanimously.

Section 435.07, FS Applications

Exam

1. Brown, Valinda M.; 4401/593846

A motion was made by King to deny based on ineligibility due to s.435.07. Motion was seconded and passed unanimously.

2. Cartagena, Lenora; 4401/590848

A motion was made by King to deny based on ineligibility due to s.435.07. Motion was seconded and passed unanimously.

3. Miffin, Gale; 4401/513674

A motion was made by King to deny based on ineligibility due to s.435.07. Motion was seconded and passed unanimously.

4. Walker, Erica; 4401/552790

A motion was made by King to deny based on ineligibility due to s.435.07. Motion was seconded and passed unanimously.

C. Exemption Applications

1. Cooper, Tequila; 4401/483693

A motion was made by King to deny based on ineligibility due to s 435.07. Motion was seconded and passed unanimously.

2. Frazier, Carol; 4401/161362

A motion was made by King to deny based on ineligibility due to s.435.07. Motion was seconded and passed unanimously.

3. Pearsell-Clarke, Melissa; 4401/82312

A motion was made by King to deny based on ineligibility due to s.435.07. Motion was seconded and passed unanimously.

4. Rushing, Shaquita; 4401/512898

A motion was made by King to deny based on ineligibility due to s.435.07. Motion was seconded and passed unanimously.

D. Informal Hearings

Licensure

1. Celestin Blaise, Sahskia; 4401/520839

Present and sworn; a motion was made by King to uphold previous denial due to recency and crimes related to the practice; motion was seconded; motion failed with Botter and Gackenheimer in opposition. Discussion ensued. A motion was made by King to rescind previous denial and grant with probation; no second; motion failed. A motion was made by Gackenheimer to vacate previous notice of intent to deny and approve with the following terms: must have IPN evaluation and contract if recommended. Motion was seconded and passed unanimously.

2. Doster, Harriet; 4401/480910

Present and sworn; a motion was made by King to vacate previous notice of intent to deny. Motion was seconded and passed unanimously. A motion was made by King to approve. Motion was seconded and passed unanimously.

Exemption

1. Bowers, Lakrystle; 4401/400761

Present and sworn; a motion was made by Gackenheimer to deny based on ineligibility due to s.435.07. Motion was seconded and passed unanimously.

2. Espada, Alicia; 4401/211560

A motion was made by King to vacate previous notice of intent to deny and approve. Motion was seconded and passed unanimously.

3. Parks, Ashley: 4401/440528

Present and sworn; a motion was made by King vacate previous notice of intent to deny and approve. Motion was seconded and passed unanimously.

E. CNA Education - none

F. Council Reports

Lois Gackenheimer gave an overview of her attendance at the Board Chair/Vice Chair meeting at the Department of Health in Tallahassee. Topics included the Sunshine law, the protocol for handling media requests, and the budget situation. Joe Baker indicated the CNA Council will be out of its chronic deficit in 2016. Other serving council members had nothing to report.

G. Testing Reports

Heather Alexander from Prometric addressed the council with an update on yearly statistics and trends. In October of 2011, a new clinical examination was launched and the pass rates have increased from 72% to 83%. This month a new written examination was launched and early data shows a decrease in pass rates. The National Exam Council meeting will be held in San Antonio, TX and Prometric is currently in the recruitment process for subject matter experts to participate in item writing.

H. Counsel's Report

Rachel Clark informed the council the disciplinary guidelines have been adopted and will be in place within the next 10-15 days.

I. Executive Director's Report

Joe Baker addressed the council regarding the renewal date change to May and the issue of in-service hours being tied to a calendar year instead of the biennium. Recommendations will be on the December agenda regarding this issue for possible rule or legislative changes.

J. Rule 64B9-15.007 - Approval of C.N.A. Training Programs

No issues discussed.

K. CNA Issues for Discussion

1. C.N.A In-Service

Garnet Keller with the Division of Medical Quality Assurance, Bureau of Operations addressed the council regarding in-service provider requirements. A discussion ensued with Dr. Botter recommending an approval process for CNA in-service providers. At the December meeting, Rachel Clark will present draft language for review as a starting point for rule development.

A motion was made by Botter to authorize counsel and staff to draft rule language regarding CNA in-service provider requirements. Motion was seconded and passed unanimously.

2. C.N.A. Challenger Discussion

The council discussed possible alternatives to the CNA challenger licensure path legislative proposal. A motion was made by Gackenheimer to require 40 hours, with 20 hours being in long term care, as the minimum number of clinical hours for CNA licensure. No second, motion failed.

Ms. King raised a question about Patient Care Technicians (PCT) and their regulation/requirements. A discussion ensued about PCTs and possible recommendations to the Board about the regulation of the profession. Dr. Gackenhaimer requested staff agenda the curriculum framework for PCT from the Department of Education for the December meeting.

L. Approval of Minutes

August 2012 CNA Council Draft Minutes

A motion was made by Gackenhaimer to approve; motion seconded and passed unanimously.

Adjournment

Meeting adjourned at 12:15 pm.

Summary of Conditions

CONTINUING EDUCATION—required within 6 months of licensure

PROBATION (P1)

Standard terms= [A] violate no laws
orders from another jurisdiction [B] report changes in address, employer, arrests, or violations of probation or
[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