

The Florida

Board of Nursing

Council on Certified Nursing Assistants

Meeting Minutes

December 5-7, 2012
Hyatt Regency-Sarasota
1000 Boulevard of the Arts
Sarasota, FL 34236



Lois Gackenheimer, PhD Ed, MSN, RN
Chair

Joe Baker, Jr.
Executive Director

Council on Certified Nursing Assistants

Call to Order

The meeting was called to order on Wednesday, December 5th at 8:30 am by the Chair, Dr. Gackenhaimer.

Roll call

Present: Dr. Lois Gackenhaimer, Ms. Christie King, Ms. Amy Sutton, Dr. Mary Botter, Mr. Lydel Wright
Staff: Mr. Joe Baker, Jr.; Mr. William Spooner; Ms. Sherri Sutton-Johnson; Ms. Linda Deterding
OAG Staff: Rachel Clark, Esq.; Ms. Michelle Bass
IPN Staff: Ms. Linda Smith, Ms. Vickie Fitzpatrick

Council Members, Counsel to the Council and staff introduced themselves. IPN staff introduced themselves and talked about the IPN program. Ms. King led the Council in the pledge of Allegiance. The Chair welcomed the school that was in attendance. The security officer and court reporter introduced themselves. The Chair of the Council addressed housekeeping issues: turning off electronic devices, reminding everyone that the proceedings were being recorded, asked that the audience not have any reactions during the proceedings, and provided the location of the restrooms. She also reminded the respondents that they needed to sign in and where the sign-in sheet was located.

A. Required Appearances

1. Houston, Levi; 4401/597608- Present and sworn in. A motion was made to grant by King. The motion was seconded and passed unanimously.

B. Applicants for Licensure

- **Prior Discipline**

- Exam

1. Shirk, Jeffrey; 4401/594259- A motion was made by King to deny based on previous discipline and misrepresentation. The motion was seconded and passed unanimously.

2. Sellars, Deborah D.; 4401/483464- A motion was made to grant with a V6B by King. The motion was seconded. The motion was withdrawn. A motion was made to require a personal appearance by King. The motion was seconded and passed unanimously.

- Reciprocity

1. Galey, Shannon Gayle; 4401/503876- Present and sworn in. A motion was made to grant by King. The motion was seconded and passed unanimously.

- **Prior Board Action**

- Exam

- Reciprocity

- **Criminal History**

- Exam

1. Hall, Kendrick; 4401/596227- A motion was made to grant by King. The motion was seconded and passed unanimously.

2. Hudson, Willie; 4401/467408- A motion was made by Gackenheimer to deny based on misrepresentation and recency. The motion was seconded and passed unanimously.
3. Lawton, Jokesha; 4401/586031- A motion was made to grant by Gackenheimer. The motion was seconded and passed unanimously.
4. Johnson, Dwayne; 4401/598421- Present and sworn in. A motion was made to grant by King. The motion was seconded and passed unanimously.
5. Peterson, Glenn; 4401/582826- A motion was made to grant by King. The motion was seconded and passed unanimously.
6. Fails, Mitzi; 4401/605197- A motion was made by King to deny based on misrepresentation. The motion was seconded and passed unanimously.
7. Oneal, Robert; 4401/604100- Present and sworn in. A motion was made to approve with a V6B by Gackenheimer. The motion was seconded and passed unanimously.
8. Harrell, Karletta; 4401/598763- A motion was made to grant by King. The motion was seconded and passed unanimously.
9. Destra, Maxine R.; 4401/602493- A motion was made to grant by Gackenheimer. The motion was seconded and passed unanimously.
10. Ferenzi, Donna; 4401/605174- Present and sworn in. A motion was made by Gackenheimer to deny due ineligibility under Section 435.07, F.S. The motion was seconded and passed with King in opposition.
11. Robinson, Earle; 4401/604882- A motion was made to grant with a V6B by Wright. The motion was seconded and passed unanimously.
12. Samuels, Sonya N.; 4401/599980- A motion was made to grant by Gackenheimer. The motion was seconded and passed unanimously.
13. Thompson, April K.; 4401/604481- Present and sworn in. A motion was made to grant by King. The motion was seconded and passed unanimously.

- Reciprocity

1. Thompson, Frances; 4401/601233- A motion was made to grant with a V6B by Gackenheimer. The motion was seconded. The motion was withdrawn. A motion was made by Botter to deny based upon incomplete probation. The motion was seconded and passed unanimously.
2. Werner, Michelle; 4401/582636- A motion was made to grant by Gackenheimer. The motion was seconded.
The motion was withdrawn. A motion was made to approve with a V6B by King. The motion was seconded and passed unanimously.

- ***False Answer on Application***

- Exam

1. Casillas, Joyce; 4401/581339- A motion was made by King to deny based on misrepresentation. The motion was seconded and passed unanimously.
2. Coleman, Tamyra; 4401/602698- A motion was made by King to deny based on misrepresentation and ineligibility under Section 435.07, F.S. The motion was seconded and passed unanimously.

3. Boru, Mumena; 4401/604305- A motion was made by Gackenheimer to deny based on misrepresentation. The motion was seconded and passed unanimously.

- Reciprocity

1. Tucker, Nina; 4401/600430- A motion was made to approve by Sutton. The motion was seconded and passed unanimously.

2. Thornton, Debra Ann; 4401/603405- A motion was made by King to deny based on misrepresentation. The motion was seconded and passed unanimously.

3. Traylor, Osiris Lisbeth; 4401/602040- A motion was made by Wright to deny based on misrepresentation. The motion was seconded and passed unanimously.

- **Section 435.07, FS Applications**

- Exam

1. Franklin, Juanita; 4401/592168- A motion was made by King to deny due to ineligibility under Section 435.07, F.S. The motion was seconded and passed unanimously.

2. Gardner, Irvishia; 4401/550225- A motion was made by Gackenheimer to deny due to ineligibility under Section 435.07, F.S. The motion was seconded and passed unanimously.

3. Sexton, Sherri; 4401/605499- Present and sworn in. A motion was made to grant by Gackenheimer. The motion was seconded and passed unanimously.

4. Riner, Dawn; 4401/594677- A motion was made by King to deny due to ineligibility under Section 435.07, F.S. The motion was seconded and passed unanimously.

5. Butler Griffin, Chemise; 4401/602051- A motion was made by King to deny due to ineligibility under Section 435.07, F.S. The motion was seconded and passed unanimously.

6. Campbell, Rachel; 4401/601469- Present and sworn in. A motion was made to grant by Wright. The motion was seconded and passed unanimously.

7. Pfister, Craig J; 4401/598616- A motion was made by King to deny due to ineligibility under Section 435.07, F.S. The motion was seconded and passed unanimously.

8. Thompkins; Dominique N; 4401/600854- A motion was made by King to deny based on ineligibility under Section 435.07, F.S. The motion was seconded and passed unanimously.

- Reciprocity

- **Section 456.0635, FS Applications**

- Exam

1. Clark, Ebony P.; 4401/594372- Present and sworn in. A motion was made by King to deny based on a violation of Section 456.0635, F.S. The motion was seconded and passed unanimously.

2. Gordon, Charlie; 4401/588063- A motion was made by King to deny based on ineligibility based on Sections 435.07 and 456.0635, F.S. The motion was seconded and passed unanimously.

3. Crawford, Patricia A; 4401/594381- A motion was made by Gackenheimer to deny based on Section 456.0635, F.S. The motion was seconded and passed unanimously.

4. Curtiss, Elizabeth; 4401/604927- Present and sworn in. A motion was made by King to deny based on misrepresentation and a violation of Section 456.0635, F.S. The motion was seconded and passed unanimously.

5. Solt, Tayler C; 4401/598430- A motion was made by King to deny based on Section 456.0635, F.S., recency, and crimes related to the practice. The motion was seconded. The motion was withdrawn. A motion was made by King to require a personal appearance. The motion was seconded and passed unanimously.

- Reciprocity

1. Dewberry, Tarosalyn; 4401/452718- A motion was made by King to deny based on a violation of Section 456.0635, F.S., recency, misrepresentation, and ineligibility under Section 435.07, F.S. The motion was seconded and passed unanimously.

2. Clark, Mary Charise; 4401/592979- A motion was made by King to deny based on a violation of Section 456.0635 F.S. and misrepresentation. The motion was seconded and passed unanimously.

- **Other**
- Exam
- Reciprocity

C. Exemption Applications

1. Calderon, Corinne M.; 4401/378550- A motion was made by King to deny based on ineligibility under Section 435.07, F.S. The motion was seconded and passed unanimously.

2. Black, Suzette; 4401/151983- A motion was made by King to deny based on ineligibility under Section 435.07, F.S. The motion was seconded and passed unanimously.

3. Ivery, David; 4401/130227- A motion was made to grant by Gackenheimer. The motion was seconded and passed unanimously.

4. Kyser, Maggie D; 4401/598459- A motion was made by King to deny based on ineligibility under Section 435.07, F.S. The motion was seconded and passed unanimously.

5. Gardner, Shametra Nichole; 4401/417054- A motion was made by King to deny based on ineligibility under Section 435.07, F.S. The motion was seconded and passed unanimously.

6. Glasco, Teneka Roshell; 4401/415207- A motion was made by Wright to deny based on ineligibility under Section 435.07, F.S. The motion was seconded and passed unanimously.

7. Register, Cassandra D; 4401/412225- A motion was made by King to deny based on ineligibility under Section 435.07, F.S. The motion was seconded and passed unanimously.

8. Rogers-Child, Melinda; 4401/190247- A motion was made to grant by Wright. The motion was seconded and passed unanimously.

9. Taylor, Martin Lydell; 4401/189623- Present and sworn in. A motion was made to grant by King. The motion was seconded and passed with Botter and Gackenheimer in opposition.

10. Wigington, Jacqueline E; 4401/76672- A motion was made by King to deny based on ineligibility under Section 435.07, F.S. The motion was seconded and passed unanimously.

11. Dudley, Latasha; 4401/259835- A motion was made by Wright to deny based on ineligibility under Section 435.07, F.S. The motion was seconded and passed unanimously.

12. Hines, Mira; 4401/355782- A motion was made by Gackenheimer to deny based on ineligibility under Section 435.07, F.S. The motion was seconded and passed unanimously.

13. King, Utara; 4401/358968- A motion was made by Wright to deny based on ineligibility under Section 435.07, F.S. The motion was seconded and passed unanimously.

14. Lewis, Regina; 4401/540487- A motion was made by King to deny based on ineligibility under Section 435.07, F.S. The motion was seconded and passed unanimously.

15. Owens, Geraldine; 4401/418839- A motion was made by King to deny based on ineligibility under Section 435.07, F.S. The motion was seconded and passed unanimously.

16. Taylor, Ylonda; 4401/373662- Present and sworn in. A motion was made by King to deny based on ineligibility Section 435.07, F.S. The motion was seconded and passed unanimously.

17. Brown, Patricia; 4401/492781- A motion was made by Gackenheimer to deny based on ineligibility under Section 435.07, F.S. The motion was seconded and passed unanimously.

D. Informal Hearings

• **Informal Licensure Hearings**

• 1. Mullings, Ericka; 4401/562357 (paper addendum) - Present and sworn in with Beverly James, her mother. A motion was made by King to uphold the previous decision to deny. The motion was seconded and passed unanimously.

• **Informal Exemption Hearings**

E. CNA Education

Mr. Baker spoke about the renewal process for programs. He also informed the Council that Nurse Consultant, Ms. Pierce was back in the office.

F. Council Reports- None

G. Testing Reports- None

H. Counsel's Report

Counsel to the Council, Ms. Rachel Clark spoke about the rules report.

I. Executive Director's Report

1. HB943 Background screening Clearinghouse- Mr. Baker spoke about this bill. He informed the Council that it will assist applicants in only having to be fingerprinted once. He stated that state agencies that are part of the Clearinghouse, created by this bill, will be able to share results with other state agencies in the Clearinghouse. Mr. Baker also explained that this bill requires all applicants to submit fingerprints through Livescan. He also added that this process was being implemented on January 1, 2013. A member of the public came up and asked questions about the process. Mr. Baker answered the questions.

Mr. Baker spoke about the Board's Centennial Celebration approaching and some of the plans that the committee has made.

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

Ms. Clark informed the Council when this rule was adopted. There was no further discussion.

K. CNA Issues for Discussion

1. Correspondence re: Patient Care Techs- Mr. Baker stated that based on his research with the National Council, that the only State Board of Nursing that indicated that they regulate Patient Care Techs was the District of Columbia. Dr. Botter spoke about the State of Vermont having similar requirements to the District of Columbia.

2. FPACG Position Statement re: Section 464.203, FS- Terry Bucher, Acting Director for FPACG came forward and spoke about the FPACG position on eliminating the challenger route of the C.N.A. exam.

A member of the public came forward and discussed the elimination of the challenger route.

L. Approval of Minutes

1. October 2012 Minutes- A motion was made by Dr. Botter to approve the minutes from the October meeting. The motion was seconded and passed unanimously.

A motion was made by Ms. King to add DWLS, Driving While License Suspended, to the language in the criminal history section of the applications. The motion was seconded and passed unanimously. A motion was made by Ms. King that this change in the applications will not have any impact on small business or to any entity we govern. The motion was seconded and passed unanimously.

A motion was made by Wright to approve the reciprocity and exemption applications and the additions to the criminal history language as noted above. The motion was seconded and passed unanimously. A motion was made by Gackenheimer that the updated applications would not have any impact on small business or to any entity we govern. The motion was seconded passed unanimously.

The meeting adjourned at 11:45 a.m.

Summary 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

DRAFT