MINUTES
REGULAR MEETING
October 20, 2008

I. CALL TO ORDER

President Buie called the meeting to order at 9:06 a.m.

II. ROLL CALL

Present: Ken Kidder, Ann Breen, Richard Morse, Fred Randolph, Deborah Buie, Heather Baier, David Hasseltine, Olivia Paulesc-Pastean (arrived 9:30 a.m.)

Absent: Lynda Kaser

Attendance: Allen Imig, ED, Phil Smyth, Investigator, Peggy Wilkinson, Licensing Coordinator, Keely Verstegen, AAG

III. CALL TO THE PUBLIC

No one wished to speak

IV. APPROVAL OF MINUTES

1. September 15, 2008 Regular Board Meeting Minutes

Member Randolph made a motion that was seconded by Member Morse to approve the September 15, 2008 regular meeting minutes as amended. The motion passed unanimously, 7 – 0, Member Pastean not present.

2. September 15, 2008 Executive Session Minutes

Member Kidder made a motion that was seconded by Member Morse to approve the September 15, 2008 Executive Session meeting minutes. The motion passed unanimously, 7 – 0, Member Pastean not present.
V. CONSENT AGREEMENT / PROBATION TERMINATION

A. Consent agenda to terminate probation as the terms were met:

3. 08-73 Nichitean, Elena Manager 01/17/08
4. 08-96 Dominguez, Felix Manager 03/15/08
5. 08-97 Sana, Viorica Manager 03/15/08

Member Kidder made a motion that was seconded by Member Morse to terminate the probation of Agenda items 3 through 5, as the conditions were met. The motion passed unanimously 7 – 0, Member Pastean not present.

VI. COMPLAINT CASE

C. Board Individual Review, Consideration and Action regarding new complaints:

6. Complaint # 08-143 Tunila, Robert Administrator
   Open Date: 06/26/08

Investigator Smyth summarized the complaint for the Board. Board staff received a complaint letter from Marita Wahl, a prior resident at Mi Casa Nursing Center, located at 330 S. Pinnule Circle, Mesa. Ms. Wahl alleged she had a broken hip at the time and was left on a bed pan for extended period, not bathed for ten days, discarded dirty gloves on the room’s floor, the wrong medication given to her, bed sores, and other areas.

Mr. Tunila was present and answered the Board’s questions. Also addressing the Board’s questions was Director of Nursing, Stephanie Kusek. The medical records showed that pain medication was given as ordered. The wrong medication was never given to Ms. Wahl, although there was a mix up when a CNA brought the wrong medication but before giving it realized it was wrong. The record indicated when she was admitted there was no bed sore but a tape burn was present.

Ms. Wahl was present and addressed the Board regarding her complaint. Yvan Olrich was a witness for Ms. Wahl.

Member Kidder made a motion that was seconded by Member Randolph to dismiss complaint number 08-143 against Robert Tunila for insufficient evidence of a violation. The motion passed 7 – 1 with Member Hasseltine voting nay.

7. Complaint # 09-27 Olvey, Angelina Administrator
   Open Date: 07/29/08

Investigator Smyth summarized the complaint for the Board. Board staff received a letter of complaint from Monica Alexander, the daughter of G.G., a previous resident at Life Care Center of Sierra Vista, located at 2305 E. Wilcox Dr., Sierra Vista. Ms. Alexander alleged that G.G. was left lying in bed, in urine, Ms. Alexander could not get bedding changed, bath not given to G.G. for ten days, G.G. had low blood sugar reading, and other areas.

Ms. Olvey was present and answered the Board’s questions. Ms. Olvey said that the family did not bring forward their concern regarding the dirty linen and bathing. The records indicated that bathing took place. Ms. Olvey brought the medical records with her which the Board reviewed while the case was discussed.
Ms. Alexander was present along with her daughter Leslie Alexander and answered the Board’s questions. Ms. Alexander states that G.G. did not have a bath for 10 days.

Member Breen made a motion that was seconded by Member Morse to dismiss complaint 09-27 against Angelina Olvey, for insufficient evidence of a violation. The motion passed 6 – 1 with Member Hasseltine voting nay.

8. Complaint # 09-29 Polidori, Andrea Manager
   Open Date: 07/31/08

Investigator Smyth summarized the complaint for the Board. Board staff received a letter of complaint from Craig Behar, the son of S.B., resident at Sunrise of Scottsdale, located at 7370 E. Gold Dust Ave., Scottsdale. Mr. Behar alleged that the resident agreement was wrongfully terminated and concerned about medication distribution.

Ms. Polidori was present and answered the Board’s questions. The issue surrounded the question of patient medication that did not have a pharmacy label and their ability to distribute it. The patient was given a 30 day notice because the facility could not provide the level of care. It was later learned after a meeting with DHS that the medication could be dispensed. The termination of the residency agreement was rescinded.

Mr. Behar was present and answered the Board’s questions.

Member Randolph made a motion that was seconded by Member Kidder to dismiss complaint 09-29 against Andrea Polidori, for insufficient evidence of a violation. The motion passed unanimously, 8 – 0.

9. Complaint # 09-12 Polidori, Andrea Manager
   Open Date: 07/02/08

Investigator Smyth summarized the complaint for the Board. DHS conducted an assisted living center special monitoring survey at Sunrise of Chandler, located at 5757 W. Chandler Blvd., Chandler. The survey identified two deficiencies for fingerprint clearance documentation requirement not met and employee files do not document care giver training as required. DHS took enforcement action on the two substantiated violations and assessed a civil money penalty of $1,250.00.

Ms. Polidori was present and answered the Board’s questions.

Member Hasseltine made a motion that was seconded by Member Pastean to dismiss complaint 09-12 against Andrea Polidori, for insufficient evidence of a violation. The motion passed 7 – 1 with Member Baier voting nay.

10. Complaint # 09-33 Pacheco, Melissa Manager
    Open Date: 08/20/08

The case was tabled until the next meeting

11. Complaint # 08-123 Romega, Emilia Manager
    Open Date: 05/29/08

Investigator Smyth summarized the complaint for the Board. DHS conducted a follow up survey to a renewal survey conducted on January 3, 2008, at Emily’s Loving Care Home, located at 13212 N. 7th Dr., Phoenix. The follow up survey identified 14 deficiencies in six different areas. Some of the areas included: the new owner does not allow the manager to have authority and responsibility to operate the
facility, no manager designee, fingerprint, TB testing, medication administration requirements not met, and other areas. DHS has not taken enforcement action at this time because Ms. Romega has not responded and the facility has since changed ownership.

Member Breen made a motion that was seconded by Member Randolph to proceed to formal hearing. The motion passed unanimously 8 – 0.

12. Complaint # 08-127 Blair, Linda Manager
Open Date: 05/28/08

Investigator Smyth summarized the complaint for the Board. The Board received a complaint from Millie Fisher a former employee of Ms. Blair. She alleges Ms. Blair failed to return Ms. Fisher’s original caregiver certificate and associated documents. She also alleges the manager of the facility, Archimedes Atega, has not been at the facility for four or five months.

Ms. Blair was present and answered the Board’s questions. She advised the Board she did not keep any of Ms. Fisher’s documents and that the manager Mr. Atega had not been at the facility.

Member Buie made a motion that was seconded by Member Randolph to dismiss complaint 08-127 against Linda Blair, for insufficient evidence of a violation. The motion passed unanimously.

13. Complaint # 08-141 Micula, Eugene Manager
Open Date: 06/24/08

Investigator Smyth summarized the complaint for the Board. DHS conducted a renewal survey at Sunrise Adult Home Care 2, located at 8329 W. Surrey Ave., Glendale and identified 33 deficiencies in 17 different areas. Some of the areas included: TB testing, fingerprint, personnel schedules, service plans, medication storage, fire drill requirements not met, along with others. In lieu of DHS enforcement action, the owner Dorin Micula closed the facility. Ms. Micula said there was no manager at the facility at the time of the survey. She had terminated Eugene Micula on February 15, 2008. The surveyor told staff the Mr. Micula’s certificate was hanging on the wall when the survey was done.

Mr. Micula was present and answered the Board’s questions. Mr. Micula told the Board that his license was not on the wall at the time of the survey.

Member Randolph made a motion that was seconded by Member Morse to dismiss complaint 08-141. After discussion, Member Randolph withdrew his motion and Member Morse withdrew his second.

Member Kidder made a motion that was seconded by Member Buie that based upon the information contained in the investigation report, the Board finds sufficient evidence of a violation of ARS 36-446.07(B)(3) as defined by ARS 36-446 (9)(a) for unprofessional conduct in complaint number 08-141 involving manager Eugene Micula and to offer him a consent agreement to include the following:

1. Probation for 6 months that includes:
   a) $350.00 civil money penalty payable within 6 months
   b) Retake the manager training course that is approved by the Board
   c) Pass the manager state examination
   d) Any costs of the probation are those of the certificate holder
   e) Request in writing termination of probation
2. Consent agreement must be signed within 30 days or the complaint will proceed to formal hearing.
Mr. Micula advised the Board that he did not want to be a manager any more and had no intention of complying with the previous consent agreement. Mr. Micula told the Board he would surrender his certificate.

Member Kidder withdrew his motion and Member Buie withdrew her second.

Member Kidder made a motion that was seconded by Member Randolph that based upon the information contained in the investigation report, and statements made by Mr. Micula, the Board finds sufficient evidence of a violation of ARS 36-446.07(B)(3) as defined by ARS 36-446 (9)(a) for unprofessional conduct in complaint number 08-141 involving manager Eugene Micula and to offer him a consent agreement to include the following:

1. Surrender of certificate.
2. Surrender of certificate would alleviate the conditions of the previous consent agreement.
3. Consent agreement must be signed within 10 days or the complaint will proceed to formal hearing.

A roll call vote was taken and passed unanimously, 8 – 0.

14. Complaint # 09-01 Morales, Rita Manager
Open Date: 07/01/08

Investigator Smyth summarized the complaint for the Board. DHS conducted a renewal survey at Victorian Gardens, located at 4050 N. Viewpoint Dr., Prescott and identified ten deficiencies in six different areas. Some of the areas included: TB testing, fingerprint compliance, medication storage, menu requirements not met, along with others. DHS took enforcement action on two substantiated violations and assessed a civil money penalty of $500.00.

Ms. Morales was not present at the Board meeting.

Member Randolph made a motion that was seconded by Member Morse that based upon the information contained in the investigation report, the Board finds sufficient evidence of a violation of ARS 36-446.07(B)(3) as defined by ARS 36-446 (9)(a) for unprofessional conduct in complaint number 09-01 involving manager Rita Morales and to offer her a consent agreement to include the following:

1. Probation for 6 months that includes:
   a) $300.00 civil money penalty payable within 6 months
   b) 3 hours of Board approved continuing education in environmental services
   c) 3 hours of Board approved continuing education in medication services
   d) Any costs of the probation are those of the certificate holder
   e) Request in writing termination of probation
2. Consent agreement must be signed within 30 days or the complaint will proceed to formal hearing.

Motion passed 7 – 0. Member Buie was not present for this item.

15. Complaint # 09-04 Chavarria, Rosa Manager
Open Date: 07/01/08

Investigator Smyth summarized the complaint for the Board. DHS conducted a renewal survey at CC’s Adult Care, located at 13417 W. Rimrock Rd, Surprise and found 12 deficiencies in 8 different areas. Some of the areas included: TB testing, CPR and First Aid training, service plans, medication
authorization documentation requirement not met. DHS took enforcement action on not submitting a timely renewal application and assessed a civil money penalty of $250.00.

Ms. Chavarria was present and answered the Board’s questions regarding the deficiencies.

Member Buie made a motion that was seconded by Member Kidder to dismiss complaint 09-04 against Rosa Chavarria, for insufficient evidence of a violation. The motion passed 5 – 3 with Members Hasseltine, Baier and Pastean voting nay.

16. Complaint # 09-08 Ene-Neagu, M. Manager
Open Date: 07/02/08

Investigator Smyth summarized the complaint for the Board. DHS conducted a renewal survey at Armen’s Garden of Indian Springs, located at 4935 W. Buckskin, Glendale and found 28 deficiencies in 11 different areas. Some of the areas included: manager designee, TB testing, service plans, medication storage, medication records, fire code and other requirements not met. DHS took enforcement action on 10 substantiated violations and assessed a civil money penalty of $3,750.00

Ms. Ene-Neagu was present and answered the Board’s questions. Ms. Ene-Neagu said she was out of the country when the survey took place. Ms. Ene-Neagu admitted she was wrong, but has since corrected the problems.

Member Hasseltine made a motion that was seconded by Member Randolph that based upon the information contained in the investigation report, the Board finds sufficient evidence of a violation of ARS 36-446.07(B)(3) as defined by ARS 36-446 (9)(a) for unprofessional conduct in complaint number 09-08 involving manager Ene-Neagu and to offer her a consent agreement to include the following:

1. Probation for 6 months that includes:
   a) $500.00 civil money penalty payable within 6 months
   b) Retake the manager training course that is approved by the Board
   c) Pass the manager state examination
   d) Any costs of the probation are those of the certificate holder
   e) Request in writing termination of probation

2. Consent agreement must be signed within 30 days or the complaint will proceed to formal hearing.

The motion failed unanimously, 0 – 8

Member Buie made a motion that was seconded by Member Morse that based upon the information contained in the investigation report, the Board finds sufficient evidence of a violation of ARS 36-446.07(B)(3) as defined by ARS 36-446 (9)(a) for unprofessional conduct in complaint number 09-08 involving manager Ene-Neagu and to offer her a consent agreement to include the following:

1. Probation for 6 months that includes:
   a) 3 hours of Board approved continuing education in medication administration
   b) 3 hours of Board approved continuing education in environmental management
   c) Any costs of the probation are those of the certificate holder
   d) Request in writing termination of probation

2. Consent agreement must be signed within 30 days or the complaint will proceed to formal hearing.

A roll call vote was taken and passed unanimously 8 – 0
17. Complaint # 09-15 Figueroa Duarte, C. Manager
Open Date: 07/09/08

Investigator Smyth summarized the complaint for the Board. DHS conducted a investigation survey at PH & Pat’s Assisted Living located at 8586 N. Hollybrook, Tucson and identified three deficiencies in the areas of administration, service plans, and health related services. DHS took enforcement action on one substantiated violation and assessed a civil money penalty of $500.00.

Ms. Figueroa was present and answered the Board’s questions.

Member Buie made a motion that was seconded by Member Randolph to dismiss complaint 09-15 against Duarte Figueroa, for insufficient evidence of a violation. The motion passed 7 – 1, with Member Pastean voting nay

18. Complaint # 09-30 David, Expedita Manager
Open Date: 08/06/08

Investigator Smyth summarized the complaint for the Board. Board staff received a letter of complaint from Regan Smith with the Area Agency on Aging. The complaint alleged that Ms. David failed to notify resident that the facility was closing, resident was left alone in the facility with no staff present, failing to provide a refund, and belongings were not returned to resident.

Ms. David was present and answered the Board’s questions. Ms. David explained the situation and circumstances involving the closing of the facility.

Member Hasseltine made a motion that was seconded by Member Baier to dismiss complaint 09-30 against Expedita David, for insufficient evidence of a violation. The motion passed unanimously, 8 -0.

19. Complaint # 09-32 Belbe, Claudia Manager
Open Date: 08/19/08

Member Pastean recused herself from the proceedings.

Investigator Smyth summarized the complaint for the Board. DHS conducted a change of ownership survey at Comfort Home Care, located at 20506 N. 80th Lane, Peoria, and identified seven deficiencies in five different areas. Some of the areas included: fingerprint clearance card, service plans, and medications. DHS took enforcement action on the fingerprint violation and assessed a civil money penalty of $1,000.00.

Ms. Belbe was present and answered the Board’s questions regarding the deficiencies.

Member Randolph made a motion that was seconded by Member Morse to dismiss complaint 09-32 against Claudia Belbe, for insufficient evidence of a violation. The motion passed unanimously, 8 – 0.

20. Complaint # 09-34 LeCheminant, Gregory Administrator
Open Date: 08/20/08

Investigator Smyth summarized the complaint for the Board. DHS conducted an annual re-certification survey at Heritage Health Care Center, located at 1300 South Street, Globe and identified five deficiencies in five different areas. Some of the areas included: smoking practices of residents, failure to secure building from elopement, incomplete clinical records. DHS took enforcement action on two substantiated violations and assessed a civil money penalty of $2,000.00.
Mr. LeCheminant was present and answered the Board’s questions regarding the survey and circumstances surrounding the elopement.

Members Kidder and Randolph disclosed they knew Mr. LeCheminant but it would not influence their decision.

Member Randolph made a motion that was seconded by Member Pastean to dismiss complaint 09-34 against Mr. LeCheminant, for insufficient evidence of a violation. Member Kidder abstained and the motion passed 7 – 0

21. Complaint # 09-36 Juneau, Robert Manager
Open Date: 09/03/08

Investigator Smyth summarized the complaint for the Board. Mr. Juneau was denied a fingerprint clearance card by DPS and never applied for a good cause exception. He does not have a valid fingerprint clearance card at this time.

Mr. Juneau was present for the meeting. Mr. Juneau knew his fingerprint clearance card was denied by DPS and that he did not appeal with the Board of Fingerprinting.

Member Kidder made a motion that was seconded by Member Buie to go into executive session for legal advice.

Executive session started at 11:17 a.m.

Regular session resumed at 11:30 a.m.

Member Kidder made a motion that was seconded by Member Randolph that based upon the information contained in the investigation report, that the Board finds sufficient evidence of a violation of ARS 36-446.04(D) in complaint number 09-36 involving manager Robert Juneau and to offer him a consent agreement to include the following:

1. Voluntary surrender of certificate
2. Consent agreement must be signed within 10 days or the complaint will proceed to formal hearing.

A roll call vote was taken and passed unanimously 8 – 0

22. Complaint # 09-37 McFarland, Rebecca Manager
Open Date: 08/27/08

Investigator Smyth summarized the complaint for the Board. Ms. McFarland was denied a fingerprint clearance card by DPS. Ms. McFarland does not have a valid fingerprint card at this time.

Ms McFarland was present and answered the Board’s questions. She explained she is in the process to have the judge amend the count from child abuse to child endangerment and reduce it to a class 1 misdemeanor. When completed, she can then apply for a fingerprint card, and go through the good cause exception appeal.

Member Kidder made a motion that was seconded by Member Randolph that based upon the information contained in the investigation report, the Board finds sufficient evidence of a violation of ARS 36-446.04(D) in complaint number 09-37 involving manager Rebecca McFarland and to offer her a consent agreement to include the following:
1. Suspension of manager certificate until evidence of a valid fingerprint clearance card is provided.
2. Quarterly updates on the good cause exception appeal.
3. Consent agreement must be signed within 10 days or the complaint will proceed to formal hearing.

A roll call vote was taken and passed unanimously 7 – 0, Member Randolph not present for this case.

23. Complaint # 09-38 Jenkins, Sandra Manager
   Open Date: 09/03/08

Investigator Smyth summarized the complaint for the Board. Ms. Jenkins fingerprint clearance card was suspended due to a new criminal case for child abuse and aggravated assault. Ms. Jenkins does not have a valid fingerprint clearance card at this time.

Ms. Jenkins was present and answered the Board’s questions. She stated her criminal case was complete and she was going through the good cause exception at this time.

Member Baier made a motion that was seconded by Member Kidder that based upon the information contained in the investigation report, the Board finds sufficient evidence of a violation of ARS 36-446.04(D) in complaint number 09-38 involving manager Sandra Jenkins and to offer her a consent agreement to include the following:

1. Suspension of manager certificate until evidence of a valid fingerprint clearance card is provided.
2. Consent agreement must be signed within 30 days or the complaint will proceed to formal hearing.

A roll call vote was taken and passed unanimously 8 – 0

VII. ADMINISTRATOR LICENSE APPLICATIONS

A. Consent Agenda to Approve Applicants Temporary Administrator License, and provide evidence of a valid fingerprint clearance card prior to the issuance of the license.

24. NONE

B. Consent Agenda to Approve Applicants Permanent Administrator License, pending passing the state and national examination within the substantive time frame or the license will be denied, and provide evidence of a valid fingerprint clearance card prior to the issuance of the license.

25. NONE

VIII. MANAGER CERTIFICATE APPLICATIONS

A. Consent Agenda to Approve Applicants Temporary Certificate, and provide evidence of a valid fingerprint clearance card prior to the issuance of the certificate.

26. 

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<tr>
<th>Bathan, Marilou</th>
<th>Bota-Dinu, Daniela</th>
<th>Bota-Dinu, Nicolae</th>
<th>Burley, Julia</th>
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<td>Damm, Iuliana</td>
<td>Fawundu, Jebbeh</td>
<td>Jean, Janice</td>
<td>Maravillas, Josephine</td>
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<td>Melanca, Gigi</td>
<td>Roberts, Linda</td>
<td>Rosas, Roman</td>
<td>Talley, Stephen</td>
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Member Randolph made a motion that was seconded by Member Kidder to approve the 17 temporary manager certificates, and provide evidence of a valid fingerprint clearance card prior to the issuance of the certificate. The motion passed unanimously.

The motion passed unanimously, 8 – 0.

B. Consent Agenda to Approve Applicants Permanent Manager Certificate, pending passing the state examination within the substantive time-frame or certification will be denied, and provide evidence of a valid fingerprint clearance card prior to the issuance of the certificate.

27. Bathan, Marilou  Bota-Dinu, Daniela  Bota-Dinu, Nicolae  Burley, Julia
    Damm, Iuliana  Fawundu, Jebbeh  Jean, Janice  Maravillas, Josephine
    Melanca, Gigi  Roberts, Linda  Rosas, Roman  Talley, Stephen
    Wangusi, Eliud  Webb, Sandra  Widelka, Bogumila  Wingate, Joe
    Anger, Joella  Cunningham, Kathy  Duah, Josephine  Ginkel, Paula
    Goja, Martha  Gupta, Prem  House, Linda  Iwanski, Denise
    Jivan, Monica  Mealman, Cynthia  Munoz, Gregorio  Nissen, Sharon
    Rak, Karina  Riggins, Donna  Schurman, Jay  Shakur, Hazael
    Stark, Kristine  Webb, Cecillia  Dykeman, Ersa  Sexton, Alicia

Member Pastean made a motion that was seconded by Member Baier to approve the 36 permanent manager certificates, pending passing the state examination within the substantive time-frame or certification will be denied, and provide evidence of a valid fingerprint clearance card prior to the issuance of the certificate. The motion passed unanimously, 7 – 0 Member Buie not present for the vote.

C. Individual Board Review, Consideration and Action on Applicants for Temporary and or Permanent Manager Certification. If approved, pending passing the state examination within the substantive time-frame or certification will be denied, and provide evidence of a valid fingerprint clearance card prior to the issuance of the certificate.

28. Dagle, Ned  Temporary and Permanent manager certification

Licensing coordinator Wilkinson summarized the legal issue for the Board. Mr. Dagle was present and answered the Board’s question.

Member Morse made a motion that was seconded by Member Pastean to approve the temporary certificate, and permanent manager certificate, pending passing the state examination within the substantive time-frame or certification will be denied. The motion and passed unanimously, 8 – 0.

29. Denton, Leah  Permanent manager certification

Licensing coordinator Wilkinson summarized the legal issue for the Board. Ms. Denton was present and answered the Board’s question.

Member Pastean made a motion that was seconded by Member Buie to approve the permanent manager certificate, pending passing the state examination within the substantive time-frame or certification will be denied. The motion and passed unanimously, 8 – 0.
30. Grady, Colleen  Temporary and Permanent manager certification

Licensing coordinator Wilkinson summarized the criminal issue for the Board. Ms. Grady does not have a valid fingerprint clearance card but is going through the appeal for a good cause exception.

Ms. Grady was present and answered the Board’s question.

Member Kidder made a motion that was seconded by Member Buie to go into executive session for legal advice. The motion passed unanimously 8 – 0.

Executive Session started at 3:18 p.m.

Regular session resumed at 3:35 p.m.

The Board made a substantive request to produce a valid fingerprint clearance card. According to the time frames, she has 60 days to submit the valid card.

31. Pannell, Cecelia  Permanent manager certification

Licensing coordinator Wilkinson summarized the criminal issue for the Board.

Ms. Pannell was present and answered the Board’s question.

Member Hasseltine made a motion that was seconded by Member Randolph to approve the permanent manager certificate, pending passing the state examination within the substantive time-frame or certification will be denied. The motion and passed unanimously.

32. Sparkes, Lorre  Temporary and Permanent manager certification

Licensing coordinator Wilkinson summarized the issue for the Board. Ms. Sparkes was present and answered the Board’s questions.

Member Buie made a motion that was seconded by Member Pastean to go into executive session for legal advice.

Executive session started at 3:45 p.m.

Regular session resumed at 3:48 p.m.

The Board made a substantive request to get court documents and documents submitted to the Board of Fingerprinting for the good cause exception. Both are required. The applicant has 60 days to produce required documents according to the substantive time frame.

IX. OTHER BUSINESS

A. New Business: The Board may Review, Consider and take Action

33. None

X. ADMINISTRATIVE MATTERS

34. Financial Reports

Executive Director Imig reviewed with the Board the financial reports.
35. Complaints Status Report

Investigator Smyth reviewed with the Board the complaint status report.

36. Licensing Report

Licensing Coordinator Wilkinson reviewed the licensing report with the Board.

37. Legislation Update

Executive Director Imig reported to the Board on the Legislative Committee meeting. The committee established a priority for the proposals in the following order: fees limit increase, member terms, recovery of investigative costs, and removal of members for cause.

Given the climate of the economy and extent needed to pass fee legislation, Mr. Imig requested the Board consider retaining the services of a legislative liaison to help with the fee increase legislation, in the upcoming session. After discussion, the Board directed Mr. Imig to pursue through an RFQ, legislative liaison services.

38. Rules Update

There were no updates.

39. Board Meeting Critique

The Board briefly critiqued the meeting.

XI. FUTURE AGENDA ITEMS

None were mentioned.

XII. ADJOURNMENT

The next regular meeting of the Board will be held on Monday, November 10, 2008 at 1400 W. Washington, Conference Room B-1, Phoenix, Arizona, at 9:00 a.m.

Meeting adjourned at 4:20 p.m.