The meeting was called to order at 1:00 p.m. August 28, 2017, in Conference Room A, 2829 University Avenue Southeast, Minneapolis, Minnesota by Michelle Harker, president.

Members Present
Joann Brown
Julie Frederick
Becky Gladis
Michelle Harker
Bradley Haugen
Robert Muster
Christine Norton
Sheila Robley
Eric Thompson
Pa Chua Vang
Laurie Warner

Members Absent
Sakeena Futrell-Carter
June McLachlan
Rui Pina
Steven Strand

Staff
Shirley Brekken
Kay Buchanan
Rene Cronquist
Barbara Damchik-Dykes
Becky Elmasry
Mariclaire England
Kimberly Miller
Daphne Ponds

Legal Counsel (present at various times)
Hans Anderson
Joanna Fay
Nicholas Lienesch
Eric Maloney
Jennifer Middleton
Gregory Schaefer

Mission Statement

J. Brown read the Board mission statement to remind members of the Board’s purpose:

Mission Statement
“The mission of the Minnesota Board of Nursing is to protect the public’s health and safety through regulation of nursing education, licensure and practice.”
Closed Session

President Harker convened the meeting in closed session at 1:00 p.m. and declared a quorum present.

Vice President, Bradley Haugen assumed the chair

Sharon Johnson, APRN-CNP 3516, RN 197878-8

A Notice and Order for Hearing on Temporary Suspension was served to Sharon Johnson and Ms. Johnson’s attorney, Andrew Garvis on February 16, 2017, scheduling a prehearing conference on March 14, 2017 and hearing on May 9, 2017. Ms. Johnson and her attorneys Andrew Garvis and Matthew McMullen attended the prehearing conference and the hearing on March 14, 2017, March 15, 2017, and May 9, 2017, at the Office of Administrative Hearings. Ms. Johnson, Mr. Garvis and Mr. McMullen also attended the hearing before the Minnesota Board of Nursing. Assistant Attorney General Hans Anderson presented oral argument on behalf of the Review Panel. Andrew Garvis presented oral argument on behalf of Ms. Johnson. Mr. Anderson responded to Mr. Gavis’s oral argument. Mr. Garvis responded to Mr. Anderson statement. Ms. Johnson responded to questions from Board members. Michelle Harker, Board member on the Review Panel, and Assistant Attorney General Hans Anderson were excused and did not participate in the deliberation or voting. Assistant Attorney General Nicholas Lienesch advised the Board.

Motion by C. Norton, seconded by L. Wagner, that the Board authorize Assistant Attorney General Nicholas Lienesch to make editorial revisions in the proposed Order, accept the Findings of Fact, Conclusions and Final Order of the Review Panel, as revised, and issue the Order revoking Ms. Johnson’s advanced practice registered and professional nurse licenses.

Vote: Yes – 8 (Brown, Frederick, Gladis, Haugen, Muster, Norton, Robley, Vang)

No – 2 (Thompson, Warner); Abstain – 0; Absent – 1 (Harker)   Motion Carried

Motion by R. Muster, seconded by B. Gladis, to rescind previous motion.

Vote: Yes – 10 (Brown, Frederick, Gladis, Haugen, Muster, Norton, Robley, Thompson, Vang, Warner)

No – 0; Abstain – 0; Absent – 1 (Harker)   Motion Carried

Motion by B. Gladis, seconded by J. Frederick, to accept the documents and exhibits into record.
Sharon Johnson, APRN-CNP 3516, RN 197878-8 (cont’d)

Vote: Yes – 10 (Brown, Frederick, Gladis Haugen, Muster, Norton, Robley, Thompson, Vang, Warner)

No – 0; Abstain – 0; Absent – 1 (Harker) Motion Carried

Motion by C. Norton, seconded by R. Muster, that the Board authorize Assistant Attorney General Nicholas Lienesch to make editorial revisions in the proposed Order, accept the Findings of Fact, Conclusions and Final Order of the Review Panel, as revised, and issue the Order revoking Ms. Johnson’s advanced practice registered and professional nurse licenses effective date of service (August 31, 2017).

Vote: Yes – 9 (Brown, Frederick, Gladis, Haugen, Muster, Norton, Robley, Vang, Warner)

No – 1 (Thompson); Abstain – 0; Absent – 1 (Harker) Motion Carried

Meeting recessed at 2:40 p.m. and resumed at 2:45 p.m. in closed session to discuss the following cases.

Tchernavia Johnson, RN 240046-2

A Notice and Order for Hearing on Temporary Suspension was served to Tchernavia Johnson on July 13, 2017, scheduling a prehearing conference on July 24, 2017. Ms. Tchernavia did not attend the prehearing conference or hearing. Administrative Law Judge Perry Wilson served a Findings of Fact, Conclusions of Law, and Recommendation Upon Default on August 2, 2017. Assistant Attorney General Jennifer Middleton presented oral argument on behalf of the Review Panel. Michelle Harker and Christine Norton, Board members on the Review Panel, and Assistant Attorney General Jennifer Middleton were excused and did not participate in the deliberation or voting. Assistant Attorney General Nicholas Lienesch advised the Board.

Motion by B. Gladis, seconded by S. Robley, that the Board authorize Assistant Attorney General Nicholas Lienesch to redact identifying information from ME and ND, to make editorial revisions in the proposed Order, accept the Findings of Fact, Conclusions and Final Order of the Review Panel, as revised, and issue the Order suspending Ms. Johnson’s registered nurse license effective the date of service (August 31, 2017).

Vote: Yes – 8 (Brown, Frederick, Gladis, Haugen, Muster, Robley, Vang, Warner)

No – 1 (Thompson); Abstain – 0; Absent – 2 (Harker, Norton) Motion Carried
Nicole Marshall, RN 165970-6

A Notice and Order for Hearing on Temporary Suspension was served to Nicole Marshall on July 14, 2017, scheduling a prehearing conference on August 8, 2017. Ms. Marshall did not attend the prehearing conference or hearing. Administrative Law Judge, Steven Bialick served a Findings of Fact, Conclusions of Law, and Recommendation Upon Default on August 15, 2017. Assistant Attorney General Gregory Schaefer presented oral argument on behalf of the Review Panel. Michelle Harker, Board member on the Review Panel, and Assistant Attorney General Gregory Schaefer were excused and did not participate in the deliberation or voting. Assistant Attorney General Nicholas Lienesch advised the Board.

Motion by J. Brown, seconded by C. Norton, that the Board authorize Assistant Attorney General Nicholas Lienesch, to make editorial revisions in the proposed Order, accept the Findings of Fact, Conclusions and Final Order of the Review Panel, as revised, and issue the Order suspending Ms. Johnson’s registered nurse license effective the date of service (September 11, 2017).

Vote: Yes – 9 (Brown, Frederick, Gladis, Haugen, Muster, Robley, Thompson, Vang, Warner)  
No – 0; Abstain – 0; Absent – 2 (Harker, Norton)  

Motion Carried

The Stipulation and Consent Order Consent Agenda included the following cases:

1. Joseph Ariwoola, LPN 47594-9 – Limitations, Conditions
2. Jessica Ballestrazze, RN 157783-3 – Suspension
3. Isatu Omaru, LPN 62088-8 – Reprimand, Civil Penalty
4. Sandra Peterson, LPN 72452-2 - Suspension
5. Nancy Rickmyer, RN 106659-3 – Civil Penalty, Conditions

Motion by R. Muster, seconded by C. Norton, that the Board adopt the Stipulation and Consent Order Agenda and issue the Orders effective August 28, 2017.

Vote: Yes – 11 (Brown, Frederick, Gladis Harker, Haugen, Muster, Norton, Robley, Thompson, Vang, Warner)  
No – 0; Abstain – 0; Absent – 0  

Motion Carried
Elisa Graves, LPN 78851-3

Elisa Graves attended a conference via telephone with the Board of Nursing Review Panel on May 4, 2017, the Panel including Bradley Haugen, Board member. The Board reviewed the resulting proposed stipulation and consent order to suspend Ms. Graves’s practical nurse license.

Motion by C. Norton, seconded by J. Frederick, that the Board adopt the Stipulation and Consent Order as proposed and issue the Order effective August 28, 2017.

Vote: Yes – 10 (Brown, Frederick, Harker, Haugen, Muster, Norton, Robley, Thompson, Vang, Warner)

No – 0; Abstain – 1 (Gladis); Absent – 0 Motion Carried

Dusty Gilbertson, LPN 67833-5

Dusty Gilbertson attended a conference with the Board of Nursing Review Panel on June 8, 2017, the Panel including Eric Thompson, Board member. The Board reviewed the resulting proposed stipulation and consent order to reprimand Ms. Gilbertson’s practical nurse license and assess a $500.00 civil penalty.

Motion by C. Norton, seconded by J. Frederick, that the Board adopt the Stipulation and Consent Order as proposed and issue the Order effective August 28, 2017.

Vote: Yes – 10 (Brown, Frederick, Gladis, Harker, Haugen, Muster, Norton, Robley, Vang, Warner)

No – 0; Abstain – 1 (Thompson); Absent – 0 Motion Carried

Adjourn

The meeting adjourned at 3:20 p.m.

Recorder: ___________________________
Shirley A. Brekken
Executive Director

Attest: ___________________________
Sheila Robley
Secretary