

# MINUTES

## BOARD OF NURSING MEETING

**March 14, 2024**

Heber M. Wells Bldg.  
ELECTRONIC MEETING – 8:30 a.m.  
Salt Lake City, UT 84114

CONVENED: 8:30 A.M.

ADJOURNED: 1:34 P.M.

### **DOPL STAFF PRESENT:**

Bureau Manager: Jeff Busjahn  
Board Secretary: Kelli Arriola  
Compliance Specialist: Sharon Bennett  
Assistant Attorney General: Robert Steed

### **CONDUCTING:**

Linda Hofmann, RN, Ph.D. – Co-Chair

### **BOARD MEMBERS PRESENT:**

Luisa Echeverria, RN – Chair  
Linda Hofmann, RN, Ph.D.  
Ralph Pittman, LPN  
Ellen Brown, MSN, APRN  
David Skalka, JD, APRN, FNP-C  
Julie Gee, RN, Ph.D.  
Kristi Vick, APRN-CRNA  
Beth Ann Friel, RN

### **BOARD MEMBERS EXCUSED:**

Joshua B. Wall – Ph.D., RN, CEN, CFRN

### **GUESTS:**

Alexandra Butler – DOPL, Assistant Attorney General  
Michelle Phelps – DOPL, Assistant Attorney General  
Mathew Johnson – DOPL, Legal Analyst  
Su Chon – Administrative Law Judge  
Amy Gowan – Administrative Law Judge  
Camille Farley – DOPL, Investigations  
Brent Ericksen – DOPL, Investigations  
Russell Godfrey – DOPL, Investigations  
Silmara Charlesworth – DOPL, Investigations  
Diane Forster-Burke – Utah Nurses Association  
Jonathan Malan  
Sherry Stone

## **ADMINISTRATIVE BUSINESS:**

### **CALL MEETING TO ORDER:**

Dr. Hofmann called the meeting to order at 8:30 a.m.

### **OATH OF OFFICE FOR NEW BOARD MEMBER – BETH ANN FRIEL:**

Ms. Friel was sworn in as a new member of the Utah Board of Nursing.

### **REVIEW AND APPROVE THE February 8, 2024, MINUTES:**

Mr. Pittman motioned to approve the minutes with corrections as submitted.

Dr. Gee seconded the motion.

The vote in favor was unanimous.

### **LEGISLATIVE AND ENVIRONMENTAL SCAN:**

*(Refer to audio for specifics. Audio\_Part1\_05:38 – 08:20 and 08:25 – 08:41)*

Mr. Busjahn went over some of the bills that were sent to the Governor this legislative session.

Senate Bill 127 - Registered Nurse Apprentice License allowing additional 75 days from the exam fail date to retake the exam before the license would expire.

HB 58 – License by Endorsement will broaden to accept substantially similar education or experience in satisfaction of standard licensing requirements. Permits the division to issue limited supervised training permit to applicants seeking licensure by endorsement under certain circumstances. Establish license by endorsement process applies to all statutory license endorsement process.

HB 534 – Boards and Commissions modifications will consolidate the Nursing Board and the Certified Nurse Midwife Board.

Ms. Forster-Burke from Utah Nursing Association reported on several bills to the Board. The CNA Bill. HB 0361 Nursing Education program amendments.

## **BOARD BUSINESS:**

### **PROBATIONER WRITTEN REQUESTS AND REVIEW OF DOCUMENTS:**

Ms. Bennett provided the Board with a brief update on their probationer reports.

### **REQUEST AND APPROVALS:**

Whitney Finley – No Show - Ms. Bennett provided a brief update.

Ms. Finley is non-compliant.

Ms. Finley no showed to the Board meeting February 8, 2024.

Ms. Finley has six no shows to test and four missed check-ins.  
Marc Hancock – File reviewed by Ms. Vick.  
Ms. Vicks motioned to accept Mr. Hancock’s mental health and substance abuse disorder evaluation.  
Dr. Gee seconded the motion.  
The vote in favor was unanimous.

Laurie Tashman – File reviewed by Dr. Gee.  
Dr. Gee motioned to lift Ms. Tashman’s pharmacy restriction.  
Mr. Pittman seconded the motion.  
The vote in favor was unanimous.

Meghann Nielsen – File reviewed by Ms. Brown.  
Ms. Brown motioned to accept Ms. Nielsen’s essay.  
Mr. Pittman seconded the motion.  
The vote in favor was unanimous.

Colette Kolesar – File reviewed by Mr. Pittman.  
Mr. Pittman motioned to remove Ms. Kolesar’s restriction to work in a home health hospice.  
Dr. Gee seconded the motion.  
The vote in favor was unanimous.

Christopher Fox – File reviewed by Dr. Hofmann.  
Mr. Fox has three missed check-ins.  
Dr. Hofmann has denied Mr. Fox’s request for early termination.

## **INFORMAL ADJUDICATIVE PROCEEDINGS – Kendal Kirkham:**

The proceedings were conducted by Mr. Steed.

*(Refer to audio for specifics. Audio\_Part2\_00:24 – 55:01 and Part3\_00:01 – 08:30)*

Mr. Kirkham was present at the proceeding via virtual google meet.  
Mr. Steed explained to Mr. Kirkham the process of this proceeding.  
Mr. Steed provided the Board with an overview of Mr. Kirkham's informal agency action.  
Mr. Steed reviewed each allegation for Mr. Kirkham with the Board.  
Mr. Steed asked Mr. Kirkham questions regarding the allegations.  
The Division recommendation is to revoke Mr. Kirkham's license for a period of five years. Prior to re-applying, Mr. Kirkham will need to complete one year of drug and alcohol testing. Three months prior to re-applying, Mr. Kirkham will need to submit a fit-to-practice mental health SUD evaluation.

- Mr. Pittman motioned to close the meeting in accordance with 52-4-205(1)(a) to discuss the character, professional competence, or physical or mental health of an individual.  
The motion was seconded by Ms. Brown.  
The vote in favor was unanimous.  
The meeting closed at 9:54 and reopened at 10:31.

Mr. Pittman motioned regarding Mr. Kirkham, as the Board of Nursing found all allegations presented to be true. The Board recommended to revoke Mr. Kirkham's license for a period of three years. Prior to re-application, Mr. Kirkham will need to complete one year of drug and alcohol testing. Three months prior to re-application Mr. Kirkham must submit a fit-to-practice mental health SUD evaluation.

Ms. Viks seconded the motion.

The vote in favor was unanimously approved.

### **PROBATIONER INTERVIEWS:**

Wayne Binks – Interview conducted by Ms. Vicks.

Mr. Binks is working as a nurse.

Mr. Binks has had one no-show and five missed check-ins.

Mr. Brinks is missing the meeting report that was due January 1, 2024.

Ms. Vicks recommends Mr. Binks to read stipulation and order weekly.

Ms. Vicks motioned to fine Mr. Binks \$1000.00 for non-compliance.

Mr. Pittman seconded the motion.

The vote in favor was unanimously approved.

Annette Ukena - Interview conducted by Dr. Hofmann.

Ms. Ukena has no missed check-ins.

Ms. Ukena has great family support.

Ms. Ukena attends group meetings regularly.

No motions were made.

Sarah Navanick – Interview conducted by Ms. Brown.

Ms. Navanick is currently working as a Nurse.

Ms. Navanick is going to school for RN.

Ms. Navanick has had four no-shows and four missed check-ins.

Ms. Brown motioned to fine Ms. Navanick \$500 for non-compliance.

Dr. Gee seconded the motion.

The vote in favor was unanimous.

### **INFORMAL ADJUDICATIVE PROCEEDINGS – Kassi Trujillo:**

The proceedings were conducted by Mr. Steed.

*(Refer to audio for specifics. Audio\_Part3\_33:31 – 1:04:19 and Part4\_00:04 – 03:28)*

Ms. Trujillo was present at the proceedings via virtual google meet.

Mr. Steed explained to Ms. Trujillo the process of this proceeding.

Mr. Steed provided the Board with an overview of Ms. Trujillo's informal agency action.

Mr. Steed reviewed each allegation for Ms. Trujillo with the Board.

Mr. Steed asked Ms. Trujillo questions regarding the allegations.

The Division recommendation is to revoke Ms. Trujillo's license for a period of five years. Prior to re-applying, Ms. Trujillo will need to complete one year of drug and alcohol testing. Three months prior to re-applying, Ms. Trujillo will need to submit a fit-to-practice mental health SUD evaluation.

- Mr. Pittman motioned to close the meeting in accordance with 52-4-205(1)(a) to discuss the character, professional competence, or physical or mental health of an individual.  
The motion was seconded by Dr. Gee.  
The vote in favor was unanimous.  
The meeting closed at 11:35 and reopened at 11:59.

The Board deliberated and found all allegations against Ms. Trujillo to be true. The Board recommended to revoke Ms. Trujillo's license for a period of three years. Prior to re-application, Ms. Trujillo will need to complete one year of drug and alcohol testing. Three months prior to re-application Ms. Trujillo must submit a fit-to-practice mental health SUD evaluation.

### **INFORMAL ADJUDICATIVE PROCEEDINGS – Heidi Palfreyman:**

The proceedings were conducted by Mr. Steed.

*(Refer to audio for specifics. Audio\_Part4\_04:22 – 24:45 and Part5\_00:39 – 05:11)*

Ms. Palfreyman was present at the proceedings via virtual google meet.

Mr. Steed explained to Ms. Palfreyman the process of this proceeding.

Mr. Steed provided the Board with an overview of Ms. Palfreyman's informal agency action.

Mr. Steed reviewed each allegation for Ms. Palfreyman with the Board.

Mr. Steed asked Ms. Palfreyman questions regarding the allegations.

The Division recommendation is to revoke Ms. Trujillo's license for a period of five years. Prior to re-applying, Ms. Trujillo will need to complete one year of drug and alcohol testing. Three months prior to re-applying, Ms. Trujillo will need to submit a fit-to-practice mental health SUD evaluation.

- Mr. Pittman motioned to close the meeting in accordance with 52-4-205(1)(a) to discuss the character, professional competence, or physical or mental health of an individual.  
The motion was seconded by Dr. Gee.  
The vote in favor was unanimous.  
The meeting closed at 12:23 and reopened at 12:32.

The Board deliberated and found all allegations against Ms. Palfreyman to be true. The Board recommended to revoke Ms. Palfreyman's license for a period of three years. Prior to re-application, Ms. Palfreyman will need to complete one year of drug and alcohol testing. Three months prior to re-application Ms. Palfreyman must submit a fit-to-practice mental health SUD evaluation.

**INFORMAL ADJUDICATIVE PROCEEDINGS – Belinda Miller:**

The proceedings were conducted by Mr. Steed.

*(Refer to audio for specifics. Audio\_Part6\_00:16 – 21:44 and Part7\_00:22 – 03:19)*

Ms. Miller was present at the proceedings via virtual google meet.

Mr. Steed explained to Ms. Miller the process of this proceeding.

Mr. Steed provided the Board with an overview of Ms. Miller's informal agency action.

Mr. Steed reviewed each allegation for Ms. Miller with the Board.

Mr. Steed asked Ms. Miller questions regarding the allegations.

The Division recommendation is to revoke Ms. Miller's license for a period of five years. Prior to re-applying, Ms. Miller will need to complete one year of drug and alcohol testing. Three months prior to re-applying, Ms. Miller will need to submit a fit-to-practice mental health SUD evaluation.

- Mr. Pittman motioned to close the meeting in accordance with 52-4-205(1)(a) to discuss the character, professional competence, or physical or mental health of an individual.

The motion was seconded by Ms. Vicks.

The vote in favor was unanimous.

The meeting closed at 1:17 and reopened at 1:30.

The Board deliberated and found all allegations against Ms. Miller to be true. The Board recommended to revoke Ms. Miller’s license for a period of five years. Prior to re-application, Ms. Miller will need to complete one year of drug and alcohol testing. Three months prior to re-application Ms. Miller must submit a fit-to-practice mental health SUD evaluation.

**NEXT SCHEDULED MEETING: MAY 9, 2024**

**ADJOURN: 1:34 P.M.**

**The meeting was adjourned at 1:34 P.M.**

**Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred. For specific details, refer to the audio recording.**

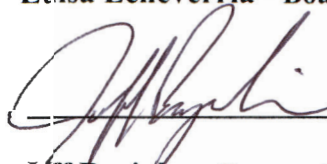
04/12/24

Luisa Echeverria

Date Approved

Luisa Echeverria - Board of Nursing Member

4/15/2024



Date Approved

Jeff Busjahn - Bureau Manager, DOPL