



Iowa Board of Nursing
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BOARD MEETING MINUTES
October 14-16, 2020
9:00 a.m.

This electronic meeting of the Iowa Board of Nursing was held in accordance with Iowa Code section 21.8. The Code states that a governmental body may conduct a meeting by electronic means only if circumstances are such that a meeting in person is impossible or impractical and access is provided to the public. An in-person meeting of the Board to handle this limited agenda was impractical due to ongoing COVID-19 public health emergency. This electronic meeting originated in the conference room of the Iowa Board of Nursing office, 400 SW 8th Street, Suite B, Des Moines, IA, and public access to the meeting was provided at this location. The agenda was posted on the Board's Website and sent electronically to those individuals subscribing to GovDelivery.

Board in Attendance

Mark Odden, CRNA, ARNP, Chairperson
Kathryn Dolter, PhD, RN, Vice Chairperson
Nancy Kramer, EdD, RN
B.J. Hoffman Joined 8:00 AM Thursday
Stephanie Carr, MSN, RN
Amy Beltz, LPN
Gordon Goettsch, DDS

Staff

Kathy Weinberg, RN, Executive Director
Laura Hudson, RN, Associate Director CE/Workforce
Jimmy Reyes, RN, Associate Director Education/Practice
Maggie Schwarck, RN, Associate Director Licensure
Doug Bartels, Associate Director Enforcement
Bill Hansen, Enforcement
Eric Holsapple, Enforcement
Lucas Bee, Enforcement
Kathleen Beebout, RN, Enforcement
Diane Burkert, RN, Enforcement
Taunya Cunningham, RN, Enforcement
Anne Ryan, RN, Enforcement
Laci Olson, Enforcement

Rhonda Ruby, RN INAP Coordinator
Michele Royer, INAP Case Manager
Tessa Register, Assistant Attorney General
Benjamin Flickinger, Assistant Attorney General
Alan Nagel, Assistant Attorney General
Tracey Westby, Enforcement Secretary
Karly Stamper, Secretary

Audience:

Brenda Helmuth, Hawkeye Community College
Anita Steinmen, University of Iowa
Dawn Bowker, Iowa State University
Jackie Barber, Morningside College
Kimberly Brown, William Penn University

October 14, 2020

9:09 a.m. Mark Odden called the meeting to order.

On a motion by Kathryn Dolter seconded by Gordon Goettsch, the Board voted to adopt the agenda.

APPROVAL OF MINUTES

On a motion by Stephanie Carr seconded by Nancy Kramer, the Board voted to adopt the minutes from the August 05, 2020, Conference Call.

On a motion by Kathryn Dolter seconded by Stephanie Carr, the Board voted to adopt the minutes from the September 09, 2020, Conference Call.

DISCUSSION AND APPROVAL OF UPDATED IOWA BOARD OF NURSING COURSE-EXPANDED INTRAVENOUS THERAPY FOR THE LICENSED PRACTICAL NURSE

Dr. Jimmy Reyes provided a memo discussing the revised and updated IV therapy course which is required for Licensed Practical Nurses (LPNs) who will be practicing IV therapy. Dr. Reyes indicated that the IV therapy course has been updated to reflect the latest infusion guidelines published by the Infusion Nursing Society and the latest evidence-based practices and research. Dr. Reyes stated that Board staff worked collaboratively with an IV Therapy Advisory Committee composed of clinicians, educators, and researchers whose expertise is in infusion therapy. In addition, a subject matter expert was contracted to spearhead the curriculum revision and modification efforts. Lastly, Dr. Reyes indicated that IV therapy content and nomenclature changes were discussed during three meetings held in 2019 and 2020.

Kathryn Dolter made the motion to approve the new IV Therapy Course which was seconded by Stephanie Carr.

ADMINISTRATIVE RULES

The Board discussed the amendments to ARC 5164C, 655 IAC Chapter 1- Administrative and Regulatory Authority. On a motion by Kathryn Dolter seconded by Stephanie Carr, the Board voted to adopt ARC 5164C, 655 IAC Chapter 1- Administrative and Regulatory Authority, which implements the new advisory and consulting role in the hiring and supervising of its executive director.

The Board discussed the amendments to ARC 5177C, 655 IAC Chapter 2- Nursing Education Programs. On a motion by Gordon Goettsch seconded by Nancy Kramer, the Board voted to adopt ARC 5177C, 655 IAC Chapter 2, Nursing Education Programs, which amends the definition of “preceptor” to be consistent with how the term is used throughout the chapter, explains that educational programs may not require students to find their own preceptors, and programs must instead work with students to identify appropriate preceptors. The amendments also separates the standards for ARNP and undergraduate/non-ARNP preceptorships and clarifies that ARNP preceptors must be licensed as ARNPs or physicians.

The Board discussed the proposed amendments to 655 IAC Chapter 3- Licensure to Practice Registered Nurse/Licensed Practical Nurse, 655 IAC Chapter 4- Discipline, 655 IAC Chapter 11- Examination of Public Records, and 655IAC Chapter 18- Military Service and Veteran Reciprocity. This proposed rulemaking is in response to the legislature passing HF2627, which made various amendments to Iowa Code chapter 272C. The proposed amendments update existing rules to be in line with updated statutory language and implements new provisions by (1) updating the Board’s rules regarding use of criminal histories when issuing licenses, (2) updating the Board’s rules regarding criminal convictions as grounds for discipline, (3) updating the Board’s rules to reference the new section 272C.15 as authority to collect criminal records, (4) adopting new rules to effectuate the new eligibility determination procedure outlined in new section 272C.15(5), and (5) removing the military-spouse reciprocity language that implemented section 272C.4(13), which was rescinded by HF2726. On a motion by Kathryn Dolter seconded by Stephanie Carr, the Board voted to file amendments to 655 IAC Chapter 3, 655 IAC Chapter 4, 655IAC Chapter 11, and 655IAC Chapter 18, under Notice of Intended Action.

On a motion by Kathryn Dolter seconded by Stephanie Carr, the Board voted to impose a non-refundable fee of \$25 for review of criminal convictions and licensure eligibility per HF2627.

The Board discussed the proposed amendments to 655 IAC Chapter 15- Waiver and Variance Rules, which amends waiver rules to remove references to “variances” and only use the term “waiver”. On a motion by Kathryn Dolter seconded by Gordon Goettsch, the Board voted to file amendments to 655 IAC Chapter 15, under Notice of Intended Action.

DISCUSSION OF THE UNIVERSITY OF IOWA HOSPITALS AND CLINICS AND THE UNIVERSITY OF IOWA COLLEGE OF NURSING'S REQUEST TO PROMULGATE RULES FOR A TEMPORARY LICENSE AS A GRADUATE NURSE

Director Weinberg facilitated a discussion with Board members concerning the request from the University of Iowa Hospitals and Clinics and The University of Iowa College of Nursing asking the Board to consider permanently issuing temporary licenses to graduate nurses. The request was presented to the Board at the July 15, 2020 Board meeting and a letter dated October 9, 2020 was sent to the Board office. Ms. Weinberg read the memo to Board members from herself highlighting the key points of the October 9, 2020 letter and key points regarding present emergency licenses and consideration of a permanent temporary license for new graduates. Significantly, continuing the emergency license rules beyond the public health disaster emergency would require hiring additional staff and the Code would need to be changed in order to give the Board authority to continue issuing these licenses. In discussion, Kathryn Dolter mentioned that not every institution provides the same onboarding or orientation for their new graduates as the University of Iowa Hospitals and Clinics does, therefore the new graduate may not be prepared to work as a nurse without having taken the NCLEX. The Board members decided not to take any action on this request at this time.

EDUCATION

Kathryn Dolter gave a verbal Committee Report. No action was taken.

On the motion of Nancy Kramer and seconded by Kathryn Dolter, the Board approved the Bachelor of Science in Nursing Program Progress Report submitted by Dordt University, Sioux Center.

On the motion of Nancy Kramer seconded by Amy Beltz, the Board approved the RN to BSN Program Progress Report, presented by Dawn Bowker and submitted by Iowa State University, Ames.

On the motion of Nancy Kramer seconded by Amy Beltz, the Board approved the Accelerated Bachelor of Science in Nursing Program Progress Report submitted by Mercy College of Health Sciences, Des Moines.

On the motion of Nancy Kramer seconded by Amy Beltz, the Board approved the Paramedic to BSN Program Progress Report submitted by Mercy College of Health Sciences, Des Moines.

On the motion of Stephanie Carr seconded by Nancy Kramer, the Board approved the Doctor of Nursing Practice presented by Jackie Barber and submitted by Morningside College, Sioux City.

On the motion of Stephanie Carr seconded by Nancy Kramer, the Board approved the Doctor of Nursing Practice Program Progress Report submitted by Mount University, Cedar Rapids.

On the motion of Stephanie Carr seconded by Nancy Kramer, the Board approved the RN to BSN Program Progress Report submitted by Waldorf University, Forest City.

On the motion of Stephanie Carr seconded by Nancy Kramer, the Board approved the Bachelor of Science in Nursing Program Progress Report presented by Kimberly Brown, and submitted by William Penn University, Oskaloosa.

On the motion of Stephanie Carr seconded by Nancy Kramer, the Board approved the Program Institutional Plan for Assessment and Improvement of NCLEX Results for the following:

Briarcliff University

Des Moines Area Community College

Hawkeye Community College

Indian Hills Community College

Iowa Western Community College

Luther College

Northwest Iowa Community College

Western Iowa Tech Community College

Informational Items:

Administrative leadership changes, submitted by Indian Hills Community College, Ottumwa.

Administrative leadership changes, submitted by Iowa Valley Community College, Marshalltown.

Administrative leadership changes, submitted by Mercy College of Health Sciences, Des Moines.

Administrative leadership changes, submitted by Mount Mercy University, Cedar Rapids.

Administrative leadership changes, submitted by Northwest Iowa Community College, Sheldon.

Administrative leadership changes, submitted by Waldorf University, Forest City.

Kathryn Dolter provided the NCLEX RN and PN statistics for Iowa nursing programs for the prior quarter.

PUBLIC COMMENT

No public comment.

CONTINUING EDUCATION

Gordon Goettsch provided a verbal committee report.

On the motion of Amy Beltz seconded by Gordon Goettsch, the board approved the request submitted by Christel Oberbroeckling recognizing completion of online coursework offered by Johns Hopkins University as nursing continuing education.

On a motion by Amy Beltz seconded by Kathryn Dolter, the Board approved the request submitted by Kathryn McElree recognizing completion of online coursework offered by John Hopkins University as nursing continuing education.

On a motion by Amy Beltz seconded by Kathryn Dolter, the Board approved the request submitted by Kimberly Freel recognizing completion of online coursework offered by John Hopkins University as nursing continuing education.

On a motion by Amy Beltz seconded by Kathryn Dolter, the Board approved the request submitted by Taylor Lynch recognizing completion of online coursework offered by John Hopkins University as nursing continuing education.

WORKFORCE

Laura Hudson, Associate Director – CE/Workforce, provided a verbal report for the Iowa Center for Nursing Workforce. The committee continues to meet telephonically every four months. The next meeting will be held October 28th.

There are two additional openings on the Center committee due to resignations. A call for new members will be posted in the next issue of News You Can Use.

The collaboration with the AEA to produce modules for the career exploration system is on hold at this time, pending acceptance of a memorandum of understanding.

A nursing workforce demand survey was conducted this year in conjunction with the Iowa Workforce Development (IWD) Labor Market Information Division. The survey closed on August 31st. IWD has a target of January for analyzing/completing the report.

Associate Director Hudson reported she is participating in the writing of National Forum (Forum) of State Nursing Workforce Centers and NCSBN biennial 2020 National Nursing Workforce Survey. The survey results should be published the *Journal of Nursing Regulation*, early in 2021. Ms. Hudson is also participating in the writing of another document for publication with several members of the Forum, centered around the impact of COVID-19 on the nursing workforce.

EXECUTIVE DIRECTOR'S REPORT

Director Weinberg gave the following report to the Board members:

The Board of Nursing October Financial Report was presented by Margaret Armagost.

Board members reviewed the Board of Nursing fee structure. A motion was made by Kathryn Dolter and seconded by Gordon Goettsch to retain the remaining current fee structure as follows:

Examination fee:	\$93
Endorsement into Iowa:	\$119
Certified statement:	\$25
Non-certified verification:	\$3
Renewal:	\$99
Reactivation:	\$175
Duplicates and reissues:	\$20
Late renewal fee:	\$50
Returned check:	\$15
Certified copy of a document:	\$20
Special licensure:	\$62
Criminal background check:	\$50

Director Weinberg reviewed the October Board of Nursing Update which was sent to Board members. This is an overview of rules currently in the rule making process, staff updates, Board of Nursing advisory committees and other work being completed by the board staff. Board members did not have any questions.

The Governor's Proclamation of Disaster Emergency was extended until October 18, 2020 which includes Professional Licensing Relief. It is anticipated the Governor will extend the Proclamation for another 30 days. The Board of Nursing maintains a COVID section on the website which is updated to reflect the extension of the Proclamation and all licensing changes due to the pandemic.

Ms. Weinberg discussed the approved National Council of State Boards of Nursing (NCSBN) APRN Compact. Director Weinberg explained that Iowa would need to change the title ARNP to APRN before moving forward with the APRN Compact legislatively. CRNAs continue to oppose changing the title to APRN due to potential billing restrictions for CRNAs who practice in specialized areas. Ms. Weinberg plans to reach out to the Iowa Association of Nurse Anesthetists and NCSBN to propose working together to explore the title change without impacting billing requirements before any legislation would be introduced to adopt the APRN compact.

Director Weinberg informed the Board that the Lawsuit filed by Mr. Brent Nelson had been dismissed.

Ms. Weinberg reminded the Board of the February 17, 2021 Board conference call that is tentatively scheduled to be longer than usual in order to complete hearings.

INAP

Rhonda Ruby reported on the INAP statistics as of 10/14/2020. This included the number of cases processed in INAP, number of active cases, successful completions, inactive cases, secondary monitoring, closures, deaths and non-compliance. The Board was updated in 2020 there were a total of 43 graduations. Of the 43 anticipated graduations, INAP had 35 graduates, three with extended contracts and five noticed to the Board for non-compliance. The INAP graduation rate is at approximately 83%. The Board was also updated on the INAP Committee (INAPC). In addition to quarterly meetings, the INAPC will now hold four conference calls per year. This will assist with prompt case review. INAP is also working on a podcast. It will be a series of four podcasts to help educate the public about the program. INAP answered a question from Lynn Boes regarding inactive case status in INAP.

PUBLIC COMMENT

Lynn Boes, Iowa Nurse Association requested clarification on what an inactive case with INAP meant. Rhonda Ruby clarified the process.

Recess at 12:12 p.m.

Reconvene at 1:00 p.m.

Hearing Case 19-529 Amy Reeg

1:25 p.m. Emily Kimes-Schwiesow, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Amy Reeg was present.

Assistant Attorney General Ben Flickinger represented the State in this matter.

The hearing was closed.

Exhibits 1 to 10 were admitted into evidence on behalf of the State.

Witness for the State: Ann Ryan, Investigator

1: 56 p.m. The record was closed.

Closed Session

1: 57 p.m. On a motion by Kathryn Dolter, the Board voted unanimously by roll call vote to move into Closed Session in accordance with Iowa Code section 21.5(1)“f” to discuss the decision to be rendered in a contested case.

Open Session

2:07 p.m. On the motion of Gordon Goettsch, the Board returned to open session.

2:08 p.m. On a motion by Kathryn Dolter seconded by Amy Beltz, the Board voted to direct Administrative Law Judge Emily Kimes-Schwiesow, to draft a Findings of Fact, Conclusions of Law, Decision and Order consistent with the Board's deliberations for case 19-529 Amy Reeg.

Hearing Case 20-148 Pam Hester

2:24 p.m. Emily Kimes-Schwiesow, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Pam Hester was present.

Assistant Attorney General Ben Flickinger represented the State in this matter.

The hearing was closed.

Exhibits 1 to 12 were admitted into evidence on behalf of the State.

Witness for the State: Eric Holsapple, Investigator

3:04 p.m. The record was closed.

Closed Session

3:05 p.m. On a motion by Kathryn Dolter, the Board voted unanimously by roll call vote to move into Closed Session in accordance with Iowa Code section 21.5(1)"f" to discuss the decision to be rendered in a contested case.

Open Session

3:13 p.m. On the motion by Kathryn Dolter, the Board returned to open session.

3:13 p.m. On a motion by Kathryn Dolter seconded by Gordon Goettsch, the Board voted to direct Administrative Law Judge Emily Kimes-Schwiesow, to draft a Findings of Fact, Conclusions of Law, Decision and Order consistent with the Board's deliberations for case 20-148 Pam Hester.

Hearing Case 19-181 Valerie Wahl

3:35 p.m. Emily Kimes-Schwiesow, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Valerie Wahl was present.

Assistant Attorney General Alan Nagel represented the State in this matter.

The hearing was closed.

Exhibits 1 to 9 were admitted into evidence on behalf of the State.

Witness for the State: Ann Ryan, Investigator

4:11 p.m. The record was closed.

Closed Session

4:12 p.m. On a motion by Stephanie Carr, the Board voted unanimously by roll call vote to move into Closed Session in accordance with Iowa Code section 21.5(1)“f” to discuss the decision to be rendered in a contested case.

Open Session

4:23 p.m. On the motion of Gordon Goettsch seconded by Amy Beltz, the Board returned to open session.

4:23 p.m. On a motion by Gordon Goettsch, the Board voted to direct Administrative Law Judge Emily Kimes-Schwiesow, to draft a Findings of Fact, Conclusions of Law, Decision and Order consistent with the Board’s deliberations for case 19-181 Valerie Wahl.

Hearing Case 19-198 Amber Bishop

4:32 p.m. Emily Kimes-Schwiesow, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Amber Bishop was not present.

Assistant Attorney General Alan Nagel represented the State in this matter.

The hearing was open.

Exhibits 1 to 10 were admitted into evidence on behalf of the State.

Witness for the State: Lucas Bee, Investigator

4:48 p.m. The record was closed.

Closed Session

4:49 p.m. On a motion by Stephanie Carr, the Board voted unanimously by roll call vote to move into Closed Session in accordance with Iowa Code section 21.5(1)“f” to discuss the decision to be rendered in a contested case.

Open Session

4:51 p.m. On the motion of Kathryn Dolter seconded by Gordon Goettsch, the Board returned to open session.

4:52 p.m. On a motion by Amy Beltz seconded by Kathryn Dolter, the Board voted to direct Administrative Law Judge Emily Kimes-Schwiesow, to draft a Findings of Fact, Conclusions of Law, Decision and Order consistent with the Board’s deliberations for case 19-198 Amber Bishop.

Recess at 4:54 p.m.

October 15, 2020

8:00 a.m. reconvene in open session

Hearing Case 20-169 Barbara Tindall

8:12 a.m. Emily Kimes-Schwiesow, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Barbara Tindall was not present.

Assistant Attorney General Tessa Register represented the State in this matter.

The hearing was open.

Exhibits 1 to 8 were admitted into evidence on behalf of the State.

Witness for the State: None

8:19 a.m. The record was closed.

Closed Session

8:19 a.m. On a motion by Kathryn Dolter, the Board voted unanimously by roll call vote to move into Closed Session in accordance with Iowa Code section 21.5(1)“f” to discuss the decision to be rendered in a contested case.

Open Session

8:22 a.m. On the motion of Kathryn Dolter seconded by Gordon Goettsch, the Board returned to open session.

8:23 a.m. On a motion by BJ Hoffman seconded by Gordon Goettsch, the Board voted to direct Administrative Law Judge Emily Kimes-Schwiesow, to draft a Findings of Fact, Conclusions of Law, Decision and Order consistent with the Board's deliberations for case 20-169 Barbara Tindall.

Closed Session

At 8:26 a.m., on a motion made by Kathryn Dolter, the Board voted unanimously by roll call vote to move into closed session pursuant to Iowa Code section 21.5(1)(a), to review or discuss records which are required or authorized by state or federal law to be kept confidential; pursuant to Iowa Code section 21.5(1)(d), to discuss whether to initiate licensee disciplinary investigations or proceedings; pursuant to Iowa Code section 21.5(1)(f), to discuss the decision to be rendered in a contested case conducted according to the provisions of chapter 17A; and pursuant to Iowa Code section 21.5(1)(h), to discuss specific law enforcement matters, such as allowable tolerances or criteria for the selection, prosecution, or settlement of cases, which if disclosed would facilitate disregard of requirements imposed by law.

Open Session

At 8:44 a.m., on a motion made by Kathryn Dolter seconded by Nancy Kramer, the Board returned to open session.

On the motion of Kathryn Dolter seconded by Nancy Kramer, the Board voted to approve the Reactivation Application for 20-304 Angela Vera.

On the motion of Nancy Kramer seconded by BJ Hoffman, the Board voted to approve the Voluntary Surrender of Licensure in the following cases:

19-381 Peggy Boyd

19-551 Janelle Lindeman

On the motion of Kathryn Dolter seconded by Stephanie Carr, the Board voted to approve the Notices of Hearing and Statement of Charges in the following cases:

18-381 Rebecca Christie

19-471 Nicole Clay

19-566 Brenda Stumpf (Mark Odden Recused)

20-014 Erik Jones

20-015 Stacy Quakenbush

20-107 Kellie Allison

20-153 Jennifer Greiner

20-176 Kathryn Kirchner

20-186 Katherine Carr

20-193 Amy Courtney

20-204 Krista Hill

20-236 Amy Robertson
20-242 Sydney McNertney
20-243 Mandi Irlbeck

On the motion of Nancy Kramer seconded by Gordon Goettsch, the Board voted to approve the Combined Statements of Charges, Settlement Agreements, and Final Orders for the following cases:

19-539 Stephanie Ellsworth
20-088 Dean Heideman (Mark Odden Recused)
20-157 Jennifer Torres
20-170 Lindsay Clark
20-171 Angela Easley
20-173 Kimberly Arends
20-237 Audra Rowson

Recess at 8:47 a.m.

Reconvene at 8:52 a.m.

Hearing Case 20-143 Deborah Rand

9:05 a.m. Emily Kimes-Schwiesow, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Deborah Rand was present.

Assistant Attorney General Ben Flickinger represented the State in this matter.

The hearing was open.

Exhibits 1 to 11 with a protective order for Exhibit 11, were admitted into evidence on behalf of the State.

Witness for the State: William Hansen, Investigator.

9:34 a.m. The record was closed.

Closed Session

9:35 a.m. On a motion by Amy Beltz, the Board voted unanimously by roll call vote to move into Closed Session in accordance with Iowa Code section 21.5(1)“f” to discuss the decision to be rendered in a contested case.

Open Session

9:42 a.m. On the motion of Kathryn Dolter, the Board returned to open session.

9:42 a.m. On a motion by Gordon Goettsch seconded by Amy Beltz, the Board voted to direct Administrative Law Judge Emily Kimes-Schwiesow, to draft a Findings of Fact, Conclusions of Law, Decision and Order consistent with the Board's deliberations for case 20-143 Deborah Rand.

Recess at 9:43 a.m.

Reconvened at 9:48 a.m.

Hearing Case 20-085 Nicki Armstrong

10:08 a.m. Emily Kimes-Schwiesow, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Nicki Armstrong was present.

Assistant Attorney General Ben Flickinger represented the State in this matter.

The hearing was closed.

Exhibits 1 to 11 were admitted into evidence on behalf of the State. Exhibits A-C were admitted into evidence on behalf of the Respondent.

Witnesses for the State: Lucas Bee, Investigator; William Hansen, Investigator

11:05 a.m. The record was closed.

Closed Session

11:06 a.m. On a motion by Kathryn Dolter, the Board voted unanimously by roll call vote to move into Closed Session in accordance with Iowa Code section 21.5(1)"f" to discuss the decision to be rendered in a contested case.

Open Session

11:14 a.m. On the motion of Kathryn Dolter seconded by Gordon Goettsch, the Board returned to open session.

11:14 a.m. On a motion by Stephanie Carr seconded by Kathryn Dolter, the Board voted to direct Administrative Law Judge Emily Kimes-Schwiesow, to draft a Findings of Fact, Conclusions of Law, Decision and Order consistent with the Board's deliberations for case 20-085 Nicki Armstrong.

Recess at 11:15 a.m.

Reconvened at 11:20 a.m.

Hearing Case 19-241 Sarah Leonard

11:29 a.m. Emily Kimes-Schwiesow, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Sarah Leonard was present.

Assistant Attorney General Ben Flickinger represented the State in this matter.

The hearing was closed.

Exhibits 1 to 8 were admitted into evidence on behalf of the State.

Witness for the State: Kathleen Beebout, Investigator; Melissa Peterson

12:02 p.m. The record was closed.

Closed Session

12:03 p.m. On a motion by Kathryn Dolter, the Board voted unanimously by roll call vote to move into Closed Session in accordance with Iowa Code section 21.5(1)“f” to discuss the decision to be rendered in a contested case.

Open Session

12:15 p.m. On the motion of Gordon Goettsch seconded by Kathryn Dolter, the Board returned to open session.

12:15 p.m. On a motion by Amy Beltz seconded by Kathryn Dolter, the Board voted to direct Administrative Law Judge Emily Kimes-Schwiesow, to draft a Findings of Fact, Conclusions of Law, Decision and Order consistent with the Board’s deliberations for case 19-241 Sarah Leonard.

Recess at 12:15 p.m.

Reconvene at 1:00 p.m.

Hearing Case 19-275 Jennifer Dare

1:42 p.m. Kristine Dreckman, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Jennifer Dare was present.

Assistant Attorney General Alan Nagel represented the State in this matter.

The hearing was closed.

Exhibits 1 to 9 were admitted into evidence on behalf of the State. Exhibits A-C were admitted into evidence on behalf of the Respondent.

Witness for the State: Taunya Cunningham, Investigator; Becky Navota.

3:13 p.m. The record was closed.

Closed Session

3:14 p.m. On a motion by Kathryn Dolter, the Board voted unanimously by roll call vote to move into Closed Session in accordance with Iowa Code section 21.5(1)“f” to discuss the decision to be rendered in a contested case.

Open Session

3:30 p.m. On the motion of Kathryn Dolter seconded by Gordon Goettsch, the Board returned to open session.

3:31 p.m. On a motion by BJ Hoffman seconded by Kathryn Dolter, the Board voted to direct Administrative Law Judge Kristine Dreckman, to draft a Findings of Fact, Conclusions of Law, Decision and Order consistent with the Board’s deliberations for case 19-275 Jennifer Dare.

Recess at 3:33 p.m.

Reconvene at 3:38 p.m.

Hearing Case 19-196 Billi Jo Banks

3:45 p.m. Kristine Dreckman, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Billi Jo Banks was not present.

Assistant Attorney General Alan Nagel represented the State in this matter.

The hearing was open.

Exhibits 1 to 8 with a protective order for Exhibit 8, were admitted into evidence on behalf of the State.

Witness for the State: Lucas Bee

4:04 p.m. The record was closed.

Closed Session

4:05 p.m. On a motion by Kathryn Dolter, the Board voted unanimously by roll call vote to move into Closed Session in accordance with Iowa Code section 21.5(1)“f” to discuss the decision to be rendered in a contested case.

Open Session

4:06 p.m. On the motion of BJ Hoffman, the Board returned to open session.

4:06 p.m. On a motion by Gordon Goettsch seconded by Kathryn Dolter, the Board voted to direct Administrative Law Judge Kristine Dreckman, to draft a Findings of Fact, Conclusions of Law, Decision and Order consistent with the Board’s deliberations for case 19-196 Billi Jo Banks.

Hearing Case 19-020 Lisa Erice

4:11 p.m. Kristine Dreckman, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Lisa Erice was not present.

Assistant Attorney General Alan Nagel represented the State in this matter.

The hearing was open.

Exhibits 1 to 8 were admitted into evidence on behalf of the State.

Witness for the State: Lucas Bee

4:34 p.m. The record was closed.

Closed Session

4:35 p.m. On a motion by Amy Beltz, the Board voted unanimously by roll call vote to move into Closed Session in accordance with Iowa Code section 21.5(1)“f” to discuss the decision to be rendered in a contested case.

Open Session

4:41 p.m. On the motion by Kathryn Dolter seconded by BJ Hoffman, the Board returned to open session.

4:41 p.m. On a motion by BJ Hoffman seconded by Amy Beltz, the Board voted to direct Administrative Law Judge Kristine Dreckman, to draft a Findings of Fact, Conclusions of Law, Decision and Order consistent with the Board’s deliberations for case 19-020 Lisa Erice.

Recess at 4:42 p.m.

October 16, 2020

8:00 a.m. reconvene in open session

Hearing Case 20-012 Darla Adams

8:19 p.m. Kristine Dreckman, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Darla Adams was present.

Assistant Attorney General Alan Nagel represented the State in this matter.

The hearing was closed.

Exhibits 1 to 8 were admitted into evidence on behalf of the State.

Witness for the State: Taunya Cunningham, Investigator

9:05 a.m. The record was closed.

Closed Session

9:07 a.m. On a motion by Gordon Goettsch seconded by Kathryn Dolter, the Board voted unanimously by roll call vote to move into Closed Session in accordance with Iowa Code section 21.5(1)“f” to discuss the decision to be rendered in a contested case.

Open Session

9:11 a.m. On the motion of Kathryn Dolter seconded by Nancy Kramer, the Board returned to open session.

9:12 a.m. On a motion by Kathryn Dolter seconded by Amy Beltz, the Board voted to direct Administrative Law Judge Kristine Dreckman, to draft a Findings of Fact, Conclusions of Law, Decision and Order consistent with the Board’s deliberations for case 20-012 Darla Adams.

Recess at 9:18 a.m.

Reconvened at 9:23 a.m.

Closed Session

At 9:23 a.m., on a motion made by Kathryn Dolter, the Board voted unanimously by roll call vote to move into closed session pursuant to Iowa Code section 21.5(1)(a), to review or discuss records which are required or authorized by state or federal law to be kept confidential; pursuant to Iowa Code section 21.5(1)(d), to discuss whether to initiate licensee disciplinary investigations or proceedings; pursuant to Iowa Code section 21.5(1)(f), to discuss the decision to be rendered in a contested case conducted according to the provisions of chapter 17A; and

pursuant to Iowa Code section 21.5(1)(h), to discuss specific law enforcement matters, such as allowable tolerances or criteria for the selection, prosecution, or settlement of cases, which if disclosed would facilitate disregard of requirements imposed by law.

Open Session

At 10:00 a.m., on a motion made by Kathryn Dolter seconded by BJ Hoffman, the Board returned to open session.

On a motion by Kathryn Dolter seconded by BJ Hoffman, the Board voted to approve the Settlement Agreement and Final Orders for the following cases:

- 18-489 Sarah King
- 19-220 Laura Burten
- 19-242 Linda Lee
- 19-511 Jennifer Evins
- 19-532 Nadezhda Martynyuk
- 19-442 Tonya Konigsmark
- 19-549 Donald Wolf
- 19-555 Renee Hurtig
- 20-026 Temeshia Jacobs
- 20-032 Marcia Ledvina
- 20-049 Paula Crock
- 20-067 Alisha Jenecke
- 20-152 Marie Forjindam

On the motion of BJ Hoffman seconded by Nancy Kramer, the board voted to approve the Stipulated Order for 20-235 Samantha Brecount.

On a motion by BJ Hoffman seconded by Gordon Goettsch, the Board voted to approve confidential order for evaluation on the following cases: 20-041 and 20-194

On a motion by BJ Hoffman seconded by Kathryn Dolter, the Board voted to close the following cases:

- | | | | |
|--------|--------|--------|--------|
| 19-233 | 20-038 | 20-151 | 20-257 |
| 19-246 | 20-056 | 20-162 | 20-261 |
| 19-407 | 20-069 | 20-172 | 20-264 |
| 19-443 | 20-078 | 20-179 | 20-268 |
| 19-490 | 20-080 | 20-218 | 20-275 |
| 19-523 | 20-081 | 20-247 | 20-276 |
| 19-542 | 20-083 | 20-248 | 20-288 |
| 20-013 | 20-086 | 20-249 | |
| 20-016 | 20-119 | 20-253 | |
| 20-030 | 20-127 | 20-254 | |

Hearing Case 18-588 Jennifer Kneebone

10:07 a.m. Kristine Dreckman, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Jennifer Kneebone was not present.

Assistant Attorney General Alan Nagel represented the State in this matter.

The hearing was open.

10:29 a.m. The record was closed.

Closed Session

10:30 a.m. On a motion by Kathryn Dolter, the Board voted unanimously by roll call vote to move into Closed Session in accordance with Iowa Code section 21.5(1)“f” to discuss the decision to be rendered in a contested case.

Open Session

10:41 a.m. On the motion of Kathryn Dolter seconded by Gordon Goettsch, the Board returned to open session.

10:41 a.m. On a motion by Mark Odden, the Board voted to direct Administrative Law Judge Kristine Dreckman, to draft a Dismissal Order and vacate agreement not to practice consistent with the Board’s deliberations for case 18-588 Jennifer Kneebone.

Closed Session

At 10:49 a.m., on a motion made by Kathryn Dolter, the Board voted unanimously by roll call vote to move into closed session pursuant to Iowa Code section 21.5(1)(a), to review or discuss records which are required or authorized by state or federal law to be kept confidential; pursuant to Iowa Code section 21.5(1)(d), to discuss whether to initiate licensee disciplinary investigations or proceedings; pursuant to Iowa Code section 21.5(1)(f), to discuss the decision to be rendered in a contested case conducted according to the provisions of chapter 17A; and pursuant to Iowa Code section 21.5(1)(h), to discuss specific law enforcement matters, such as allowable tolerances or criteria for the selection, prosecution, or settlement of cases, which if disclosed would facilitate disregard of requirements imposed by law.

Open Session

At 10:50 a.m., on a motion made by BJ Hoffman seconded by Gordon Goettsch, the Board returned to open session.

On the motion by BJ Hoffman seconded by Gordon Goettsch, the Board voted to close the Finding of Facts, Conclusions of Law, Decision and Order for the following case:

18-545 Lucinda McVey

Recess at 10:51 a.m.

Reconvene at 1:00 p.m.

Hearing Case 19-496 Robin McElhaney

1:16 p.m. Kristine Dreckman, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Robin McElhaney was present.

Assistant Attorney General Benjamin Flickinger represented the State in this matter.

The hearing was closed.

Exhibits 1 to 9 were admitted into evidence on behalf of the State.

Witness for the State: Eric Holsapple

1:55 p.m. The record was closed.

Closed Session

1:56 p.m. On a motion by Kathryn Dolter, the Board voted unanimously by roll call vote to move into Closed Session in accordance with Iowa Code section 21.5(1)“f” to discuss the decision to be rendered in a contested case.

Open Session

2:01 p.m. On the motion of BJ Hoffman seconded by Kathryn Dolter, the Board returned to open session.

2:01 p.m. On a motion by Kathryn Dolter seconded by Gordon Goettsch, the Board voted to direct Administrative Law Judge Kristine Dreckman, to draft a Findings of Fact, Conclusions of Law, Decision and Order consistent with the Board’s deliberations for case 19-496 Robin McElhaney.

Recess at 2:02 p.m.

2:02 p.m. Gordon Goettsch left the meeting.

Hearing Case 19-232 Remona Brown

4:16 p.m. Kristine Dreckman, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Remona Brown was present.

Assistant Attorney General Ben Flickinger represented the State in this matter.

The hearing was open.

Exhibits 1 to 9 were admitted into evidence on behalf of the State.

Witness for the State: Eric Holsapple

Witness for the Respondent: William Nicholas

5:18 p.m. The record was closed.

Closed Session

5:19 p.m. On a motion by Kathryn Dolter, the Board voted unanimously by roll call vote to move into Closed Session in accordance with Iowa Code section 21.5(1)“f” to discuss the decision to be rendered in a contested case.

Open Session

5:23 p.m. On the motion of Kathryn Dolter seconded by BJ Hoffman, the Board returned to open session.

5:23 p.m. On a motion by Kathryn Dolter seconded by BJ Hoffman, the Board voted to direct Administrative Law Judge Kristine Dreckman, to draft a Findings of Fact, Conclusions of Law, Decision and Order consistent with the Board’s deliberations for case 19-232 Remona Brown.

5:24 p.m. On the motion of BJ Hoffman seconded by Amy Beltz, the board voted to Adjourn.