



Iowa Board of Nursing
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BOARD MEETING MINUTES

January 20-22, 2021

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 1/22/21 at 8:00 am)
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:

Phil McCollum, Director of Information Technology, Iowa Boards of Nursing, Dentistry, Pharmacy and Medicine

Jessica Pauley, Iowa Western Community College

Dawn Bowker, Iowa State University

Deb Willyard, Mercy College of Health Sciences

Joan McCleish, Mercy College of Health Sciences

Sharon Guthrie, Mount Mercy University

Tara Nicols, Waldorf University

Lori Haugen, Eastern Iowa Community College

Anita Nicholson, University of Iowa College of Nursing

January 20, 2021

9:03 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 Kathryn Dolter, seconded by Amy Beltz, the Board voted to adopt the minutes from the December 2, 2020, Conference Call. Nancy Kramer did not participate in this conference call.

On a motion by Kathryn Dolter, seconded by Nancy Kramer, the Board voted to adopt the minutes from the January 7, 2021, Conference Call.

AMANDA 7 AND INFORMATION TECHNOLOGY INITIATIVES UPDATE

Phil McCollum, Director of Information Technology for the Iowa Boards of Nursing, Dentistry, Pharmacy and Medicine gave the Board an update regarding General IT initiatives currently taking place, the current status of the AMANDA 7 upgrade, and how the IT department is supporting a remote workforce. The Board was also advised of new equipment deployments, Filecloud deployment, and infrastructure updates.

ADMINISTRATIVE RULES

The Board discussed the amendments to ARC 5282C, 655 IAC Chapter 15- Waiver and Variance Rules. On a motion by Nancy Kramer seconded by Stephanie Carr, the Board voted to adopt ARC 5282C which amends waiver rules to remove references to “variances” and only use the term “waiver.”

Director Weinberg directed the Board to reference the public comments which had been received concerning 655 IAC Chapter 6, Nursing Practice for Registered Nurses/Licensed Practical Nurses and the memo from Assistant Attorney General, Tessa Register. Director Weinberg informed the Board that the staff workgroup and Ms. Register met and reviewed all the comments received and did propose amendments to ARC 5172C. The Board members discussed the comments received, including those concerning the proximate-area requirements. AAG, Register and Director Weinberg stated that the workgroup and a lengthy discussion regarding the comments received concerning the “proximate area” and felt that the new rules were clear and concise. On a motion by Nancy Kramer, seconded by Kathryn Dolter, the Board voted to adopt ARC-5172C, with amendments in response to comments to rules 6.2(7)(e), 6.3(9)(e), 6.2(8), 6.3(11)(a)(1), 6.3(11)(a)(2), and 6.3(11)(d)(1).

The Board discussed the board staff’s proposed Strategic Plan. In February 2020, the board staff’s Strategic Plan Team started meeting to develop 2021-2024 strategic initiatives based on results from a survey of board staff. The last time the team met was March 10, 2020. The drafting of the plan was halted due to the pandemic. Staff began meeting again in late October 2020. At this time the team decided to focus on a one-year strategic plan while the pandemic is still ongoing. The strategic plan highlights current Board practices and operations before COVID-19, practices and operations during COVID-19 and possible future practices and operations after COVID-19. The future practices and operations will guide the next three year strategic plan. The Board voted to accept the 2021 Strategic Plan.

EDUCATION

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

On the motion of Nancy Kramer, seconded by Kathryn Dolter, the Board approved the Nursing Education Progress Report submitted by Iowa Western Community College, Council Bluffs.

On the motion of Nancy Kramer, 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 Stephanie Carr, the Board approved the RN to BSN Program Progress Report submitted by Iowa 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 Stephanie Carr, the Board approved the Paramedic to BSN Program Progress Report submitted by Mercy College of Health Sciences.

On the motion of Nancy Kramer, seconded by Stephanie Carr, the Board approved the program proposal of the Master of Science in Nursing: Organizational and Systems Leadership Program, 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 Program Progress Report 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 Mercy University, Cedar Rapids.

On the motion of Stephanie Carr, seconded by Amy Beltz, 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 submitted by William Penn University, Oskaloosa.

On the motion of Stephanie Carr, seconded by Amy Beltz, the Board approved the Nursing Curriculum Modifications submitted by Eastern Iowa Community College, Davenport.

On the motion of Stephanie Carr, seconded by Nancy Kramer, the Board approved the Nursing Program Modifications submitted by University of Iowa College of Nursing, Iowa City.

Informational Items:

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

Kathryn Dolter provided the NCLEX RN and PN statistics for Iowa nursing programs for Quarter 4 2020. The statistics can be found on the Iowa Board of Nursing website.

Recess at 10:29 a.m.

Reconvene at 10:34 a.m.

CONTINUING EDUCATION

Gordon Goettsch provided a verbal committee report.

PROVIDER REPORT

New Providers:

None

Renewed Providers:

- 4 Iowa Hospital Association, Des Moines
- 12 Indian Hills Community College, Ottumwa
- 21 Western Iowa Tech Community College, Sioux City
- 46 UnityPoint Health – St. Luke’s Hospital, Cedar Rapids
- 109 Myrtue Medical Center, Harlan
- 362 The Iowa Clinic Endoscopy Center, West Des Moines
- 371 Axis Medical Education, Inc., Fort Lauderdale, FL

Voluntary Relinquishment(s):

None

WORKFORCE

Associate Director Laura Hudson reported about four openings on the Iowa Center for Nursing Workforce Advisory Committee due to resignations. A call for new members was posted in the October and November issues of *News You Can Use* and several applications were received. The committee’s focus at this time is strategic planning for the next two-to-three years. Board members will appoint the new members in a separate motion.

Board staff learned about additional grant funding available to produce an Area Education Agency (AEA) online career exploration module for K-12 students that focuses on registered nurses. The Iowa Healthcare Association (IHCA) has already produced a module for licensed practical nurses that was sponsored by a private funder and which the IBON did not participate in, as originally planned. An updated contract was prepared by AAG Register to remove the IHCA as the Board’s partner for module production and the agreement is now between AEA and the IBON. The cost to the IBON for the production of a module will be \$2,500 – the same as before – with the remainder being paid by matching funds covered by grant dollars from Employer

Innovation Funds. The agreement has been sent to AEA for their signature. The module production is slated to begin in February 2021.

The nursing workforce employer demand survey is under analysis and production by the Iowa Workforce Development (IWD) Labor Market Information Division. IWD has a target of January for completing the report.

On a motion by Kathryn Dolter, seconded by Stephanie Carr, the Iowa Board of Nursing appointed the following individuals to the Iowa Center for Nursing Workforce advisory committee with their initial three year terms to begin in January 2021:

Brenda Duree, PhD, RN

Associate Professor of Instruction, University of Iowa College of Nursing, Iowa City, representing a public or private college offering BSN or higher in nursing degrees;

Laura Coyle, DNP, RN, CNL

Performance Improvement Nurse, VA Medical Center, Des Moines, representing a practicing registered nurse;

Carol Fridal, MS, RN, CEN, CLNC, EMT, St. Luke's Hospital, Cedar Rapids, representing a practicing registered nurse;

Nancy Konzett Muecke, Ankeny, representing the public

INAP

Rhonda Ruby presented the INAP quarterly report and reported on the INAP statistics. 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 previously advised in 2020 there were a total of 43 graduations. Of the 43 anticipated graduations, INAP had 30 successful graduates, 6 with extended contracts and 6 were noticed to the Board for non-compliance. Ms. Ruby reported to the Board that in 2021 there are 27 tentative graduations. She also advised that INAP now has electronic self-report forms available on the website. INAP is also working on a podcast. It will be a series of 4 podcast episodes to help educate the public about the program. The Board inquired about inactive case statuses in INAP, and Ms. Ruby explained that when a participant's license goes inactive, the participant's INAP participation is put on pause and will resume when the license is restored to active status.

EXECUTIVE DIRECTOR'S REPORT

Director Weinberg gave the following report to the Board members:

The Board of Nursing October 2020 Financial Report was presented by Margaret Armagost.

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

Director Weinberg discussed HSB 75 with the Board members. Board members had questions concerning the proposed addition to Administrative Law Judges (ALJ) having the authority to preside over disciplinary hearings. The Board was informed that though the bill authorizes this option, the Board still retains the authority to preside over all hearings, and can decide in the future what types of cases, if any, to refer to ALJs. On a motion by Kathryn Dolter, seconded by Gordon Goettsch, the Board voted to support HSB 75.

The Governor's Proclamation of Disaster Emergency was extended until February 6, 2021, which includes professional licensing relief. 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 reminded the Board that they are welcome to attend the National Council of State Boards of Nursing virtual conferences. They may register themselves since there are no fees associated with the conferences.

Director Weinberg reminded the Board of the February 17, 2021, Board meeting to complete hearings and enforcement issues. The meeting begins at 8 am.

A clarification was made that the Board office will be collecting the \$25.00 fee for the Criminal Conviction Eligibility as the Board had intended.

PUBLIC COMMENT

A public member advised that the call was disconnected so part of the discussion was missed. Director Weinberg advised that if the public reviewed the Board Meeting Agenda and had any questions, they could send them directly to Director Weinberg or the Board office.

CONSIDERATION OF EXAMINATION APPLICANT

On the motion of Kathryn Dolter, seconded by Stephanie Carr, the Board voted to approve the Examination Application for 20-466 Jessica Strasser.

The Board decided to table the Reactivation Application for 20-455 Amber Griffin.

ENFORCEMENT

Closed Session

At 11:42 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.

Recess at 11:59 p.m.

Reconvened at 1:00 p.m.

Hearing Case 19-566 Brenda Stumpf

1:07 p.m. Emily Kimes-Schwiesow, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Brenda Stumpf was present.

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

The hearing was closed.

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

Witness for the State: Anne Ryan, Investigator

1:19 p.m. The record was closed.

Closed Session

1:20 p.m. On a motion by Gordon Goettsch, 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

1:22 p.m. On the motion of Gordon Goettsch, seconded by Amy Beltz, the Board returned to open session.

1:23 p.m. On a motion by Stephanie Carr, seconded by Nancy Kramer, 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 19-566 Brenda Stumpf.

Hearing Case 20-193 Amy Courtney

1:37 p.m. Emily Kimes-Schwiesow, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Amy Courtney was present.

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

The hearing was closed.

Exhibits 1-14 were admitted into evidence on behalf of the State.

Witness for the State: Anne Ryan, Investigator

Witnesses for the Respondent: Heather McLean, Christina Orr and Yolanda Carter

2:36 p.m. The record was closed.

Closed Session

2:37 p.m. On a motion by Gordon Goettsch, 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

2:41 p.m. On the motion of Gordon Goettsch, the Board returned to open session.

2:41 p.m. On a motion by Stephanie Carr, seconded by Nancy Kramer, 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 20-193 Amy Courtney.

Recess at 2:42

Reconvened at 2:55

Closed Session

At 3:00 p.m., on a motion made by Gordon Goettsch, 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 3:51 p.m., on a motion made by Gordon Goettsch, seconded by Stephanie Carr, the Board returned to open session.

On the motion of Nancy Kramer, seconded by Gordon Goettsch, with Kathryn Dolter recused, the Board voted to approve the Endorsement Application with Consent Order for the following case:
20-428 Rhonda Robbins

On a motion of Nancy Kramer, seconded by Gordon Goettsch, with Kathryn Dolter recused, the Board voted to approve the Examination Application for the following cases:
20-477 Trisha Wiese
20-474 Hunter Smith

On the motion of Nancy Kramer, seconded by Gordon Goettsch, with Kathryn Dolter recused, the Board voted to approve the Notices of Hearing and Statement of Charges in the following cases:
18-139 Linda Anderson
19-408 Wendy Heikes
19-569 Scott Perkins
20-043 Amy Hartwig
20-181 Vicki Stork
20-184 Ashley DeJong
20-266 Antoinette Thompson
20-291 Jennifer Penisten
20-301 Margie Day
20-411 Alicia Kirk

On the motion of Stephanie Carr, seconded by Gordon Goettsch, with Kathryn Dolter recused, the Board voted to approve the Combined Statements of Charges, Settlement Agreements, and Final Orders for the following cases:
19-479 Lori Bauler
19-486 Jason Gillespie
19-491 Shawwna Lutes
20-093 Stephanie Farley

On the motion of Stephanie Carr, seconded by Kathryn Dolter, the Board voted to approve the Combined Statements of Charges, Settlement Agreements, and Final Orders for the following cases:

20-175 Crystal Pelleymounter

20-178 Brooke Johnston

20-238 Lori Brownshield

20-239 Robert Watts

20-260 Jayne Kragel

20-302 Teresa Heithoff

20-305 Leann Wright

20-321 Brittany Yego

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

18-381 Rebecca Christie

19-074 Stephanie Harmdierks

19-082 Janelle Holden

19-261 Melissia Daly

19-461 Brittney Jara

20-153 Jennifer Greiner

20-236 Amy Robertson

20-242 Sydney McNertney

20-243 Mandi Irlbeck

On the motion of Kathryn Dolter, seconded by Nancy Kramer, the Board voted to approve the Stipulated Order for Licensure Reinstatement in the following case:

20-330 Mary Clayton

On the motion of Nancy Kramer, seconded by Stephanie Carr, the Board voted to approve the Agreement Not To Practice in the following cases:

20-134 Jodi Chittenden

20-241 Kathleen Ring

On the motion of Kathryn Dolter, seconded by Stephanie Carr, the Board voted to close the Complaints and Investigative Reports Screening for the following cases:

20-414

20-415

20-416

20-418

Hearing Case 20-204 Krista Hill

4:09 p.m. Emily Kimes-Schwiesow, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Krista Hill was not present.

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

The hearing was open.

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

Witness for the State: Kathleen Beebout, Investigator

4:23 p.m. The record was closed.

Closed Session

4:24 p.m. On a motion by Gordon Goettsch, seconded 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

4:26 p.m. On the motion of Kathryn Dolter, seconded by Gordon Goettsch, the Board returned to open session.

4:26 p.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 20-204 Krista Hill.

Recess at 4:24 p.m.

January 21, 2021

8:00 a.m. reconvene in open session.

Hearing Case 20-176 Kathryn Kirchner

8:19 a.m. Katie O'Neill, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Kathryn Kirchner was present.

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

The hearing was closed.

Exhibits 1-11 were admitted into evidence on behalf of the State.

Witness for the State: Laci Olson, Investigator

8:52 a.m. The record was closed.

Closed Session

8:56 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

9:07 a.m. On the motion of Kathryn Dolter, seconded by Gordon Goettsch, the Board returned to open session.

9:07 p.m. On a motion by Stephanie Carr, the Board voted to direct Administrative Law Judge Katie O'Neill, to draft a Findings of Fact, Conclusions of Law, Decision and Order consistent with the Board's deliberations for case 20-176 Kathryn Kirchner.

Recess at 9:08 a.m.

Reconvened at 9:13 a.m.

Hearing Case 20-125 Michelle Smith

9:26 a.m. Katie O'Neill, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Michelle Smith was present.

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

The hearing was closed.

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

Witness for the State: Anne Ryan, Investigator

10:30 a.m. The record was closed.

Closed Session

10:31 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

10:51 a.m. On the motion of Gordon Goettsch, seconded by Kathryn Dolter, the Board returned to open session.

10:52 a.m. On a motion by Kathryn Dolter, seconded by Amy Beltz, the Board voted to direct Administrative Law Judge Katie O'Neill, to draft a Findings of Fact, Conclusions of Law, Decision and Order consistent with the Board's deliberations for case 20-125 Michelle Smith.

Closed Session

At 11:03 a.m., on a motion made by Kathryn Dolter, seconded by Stephanie Carr, 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 11:30 a.m., on a motion made by Kathryn Dolter, seconded by Gordon Goettsch, the Board returned to open session.

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

19-427	20-196	20-320
19-528	20-205	20-332
20-034	20-222	20-344
20-070	20-228	20-349
20-122	20-230	20-367
20-123	20-231	20-420
20-131	20-234	20-421
20-154	20-241	20-453
20-174	20-277	
20-192	20-318	

On the motion by Gordon Goettsch, the Board voted to approve the Finding of Facts, Conclusions of Law, Decision and Order dismissing charges against the licensee for the following case:

19-232 Remona Brown

11:34 Recess

January 22, 2021

8:04 a.m. reconvene in open session.

Closed Session

At 8:05 a.m., on a motion made by Kathryn Dolter, seconded by Gordon Goettsch, 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 8:15 a.m., on a motion made by Kathryn Dolter, seconded by Gordon Goettsch, the Board returned to open session.

On a motion by B.J. Hoffman, seconded by Gordon Goettsch with Mark Odden recused, the Board voted to approve the Settlement Agreement and Final Orders for 19-321 Collin Willhite.

On a motion by Kathryn Dolter, seconded by Amy Beltz, the Board voted to approve the Settlement Agreement and Final Orders for 20-015 Stacy Quakenbush.

Recess at 8:17 a.m.

Reconvened at 8:55 a.m.

Hearing Case 20-186 Katherine Carr

9:17 a.m. Kristine Dreckman, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Katherine Carr was present.

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

The hearing was closed.

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

Witness for the State: Taunya Cunningham, Investigator

10:06 a.m. The record was closed.

Closed Session

10:07 a.m. On a motion by Kathryn Dolter, seconded by B.J. Hoffman, 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

10:17 a.m. On the motion of Gordon Goettsch, seconded by Kathryn Dolter, the Board returned to open session.

10:17 a.m. On a motion by Gordon Goettsch, seconded by Nancy Kramer, 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 20-186 Katherine Carr.

Recess at 10:18 a.m.

Reconvened at 10:25 a.m.

Hearing Case 19-471 Nicole Clay

10:28 a.m. Kristine Dreckman, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Nicole Clay was not present.

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

The hearing was open.

Exhibits 1-9 with a protective order for Exhibits 4, 7, 8, and 9 were admitted into evidence on behalf of the State.

Witness for the State: Anne Ryan, Investigator

11:10 a.m. The record was closed.

Closed Session

11:10 a.m. On a motion by Kathryn Dolter, seconded 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

11:16 a.m. On the motion of Kathryn Dolter, seconded by B.J. Hoffman, the Board returned to open session.

11:17 a.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 19-471 Nicole Clay.

11:18 a.m. On the motion of Kathryn Dolter, seconded by Stephanie Carr, the board voted to Adjourn.