

Guam Board Nurse Examiners Regular Virtual Board Meeting

Thursday, December 9, 2021 at 3:00 PM

<https://zoom.us/j/99263039095> : Meeting ID: 992 6303 9095 Passcode: 257072

Topic		DECISION(S) / ACTION(S) MADE		Responsible Party	Reporting Timeframe	Status
I.	Call to Order			Chair	15:09	
II.	Proof of Publication	Confirmation of public notice in: PDN 12/1/21; PDN 12/6/21		GBNE	15:13	
III.	Roll Call	<p>GBNE:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Greg Woodard, APRN-NPC, AOCNP, Vice-Chair <input checked="" type="checkbox"/> Elisa Dames, Treasurer, <input checked="" type="checkbox"/> Paula Manzón, RN-BC, GMHA, Member <input checked="" type="checkbox"/> Brenda Manzón, Secretary <input checked="" type="checkbox"/> Anna Varghese, Member <input checked="" type="checkbox"/> Kathleen Fernandez, Member <input checked="" type="checkbox"/> Gia Ramos, Member 	<p>Other Present:</p> <ul style="list-style-type: none"> Rob Weinberg, Asst AG Zennia Pecina, HPLO Rosemary Carman, HPLO Deborah Borja Howard Redilla Shania Nitara, Office of Attorney Vanessa Williams Cherry Pedilla Eddy Reyes, FLAME TREE Freedom Center 	Chair	15:15	Quorum Established
IV.	Election of Chairperson	Nominations for Chairperson: Gia Ramos		GBNE	15:12	Approved
V.	Adoption of Agenda	<p>Motion: A. Varghese; 2nd E. Dames.</p> <p>Motion: A. Varghese; 2nd G. Ramos</p>		GBNE	15:16	Approved
VI.	Approval of Minutes	<p>Minutes, dated November 18, 2021. Motion: A. Varghese; 2nd P Manzón</p> <p>E. Dames inquired if the proposed fee schedule would have to be included in the draft Rules & Regulations and then approved by the Legislature. Z. Pecina stated the Speaker would all the HPLO Boards to submit proposed changes piecemeal in lieu of waiting for all sections of the Rules & Regulations to be finalized before submission and approval by the Legislature.</p> <p>The Vice-Chairman reported that the GBNE at this meeting elected a new Chairperson, G. Ramos.</p>		GBNE	15:17	Approved
VII.	Chairperson's Report			Chair	15:22	Noted
VIII.	Treasurer's Report			E. Dames		No Report
IX.	Committee Reports	(a) Disciplinary Matrix Guidance – G. Ramos reported there is a meeting on Tuesday to continue discussions on the Matrix, which is based on Alabama's Nursing Board. She also stated that the responsibilities have been divided to 5 individuals, with the aim to present recommendations at the next GBNE meeting.		G. Ramos	15:24	Noted

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	<p>(b) Rules and Regulations</p> <p>(1) RNFA</p> <ul style="list-style-type: none"> Varghese reported that Standard 6 on Education is complete. In response to her request for additional expert reviewers on the other standards, Z. Pecina recommended to solicit support from the Guam Nursing Association (GNA), UoG and GCC. In addition, A. Varghese also solicited support from other Nurse Practitioners to help finalize the Disciplinary Matrix. G. Ramos recommended that a letter to the GNA, UoG and GCC to solicit formal feedback on the remaining standards. 	A. Varghese & B. Manzon		Noted
	<p>(c) Forms</p> <p>(1) Duty to Report Form. E. Dames reported that this was revised a few months ago.</p> <p>(2) GBNE Initial/Renewal Application</p> <ul style="list-style-type: none"> E. Dames reported no new update; however, she would be working with Asst AG Weinberg on the review of the forms. 	E. Dames & R. Carman		Noted
X	No Report	A. Varghese		No Report
XI	<p>Nursing Education Administrator's Report</p> <p>Z. Pecina reported that she met with key stakeholders about workforce development and the GNA offered support to the GBNE to help with the practical skill examinations. In addition, GMRC and GMHA offered to seek volunteers to help proctor exams. G. Ramos recommended that the GBNE support providing stipends to the volunteers for skills testing. (e.g. \$100.00/volunteer/day). The GBNE supported the recommendation and requested the Treasurer to consider stipends in a budget proposal at the next GBNE meeting. In reference to the examination/training materials:</p> <ul style="list-style-type: none"> R. Carman reported some of the training materials are incomplete for CNA classes. The GBNE noted that the backlog of CNA testing is currently at manageable level. Once testing materials arrive and the testing dates are set, at least two-three weeks is necessary before testing could commence. <p>In addition, Z. Pecina reported that the Speaker stands ready to support GBNE proposals on the Rules and Regulations, Fee Schedule and Disciplinary Matrix to the Guam Legislature.</p> <p>(a) GBNE Complaints.</p>	Z. Pecina	15:27	Noted
		Z. Pecina		
	(1) GBNE-CO-19-005 (B. Manzon) Received 6/28/19. No report due to a poor web connection.	GBNE	15:33	Tabled
	(2) GBNE-CO-19-018 (E. Dames) Received 10/1/19. No report.			Tabled
	(3) GBNE-CO-20-003 (B. Manzon) Received 6/1/20. No report due to a poor web connection			Tabled
	(4) GBNE-CO-20-004 (E. Dames) Received 6/1/20. No report			Tabled
	(5) GBNE-CO-20-007/1, 2, 3, 4, 6 & 7 (B. Santos/K. Hitosis, and G. Woodard/K. Fernandez assigned 9/9/21) Received 9/16/20.			Tabled
	a) Z. Pecina reported a conflict of interest for K. Fernandez; therefore, she will be removed from			

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	<p>the case and suggested another Board member be assigned. Asst AG Weinberg suggested that he be contacted immediately if there are potential conflicts of interest to determine a way ahead. For this case, he does not recommend another Board member be assigned since an assigned Board member would have to recuse him or herself in future judgment of the case; therefore, for the future, suggested to seek assistance from former Board members to investigate cases until the budget support the hiring of investigative services.</p> <p>b) G. Woodard reported that the documentation and interviews conducted have been reviewed, but will wait to provide a recommendation at the next GBNE meeting.</p> <p>c) Z. Pecina reported that she also met with B. Santos, K. Hitosis and G. Woodard to discuss the case. Investigation has resulted in several phases: Phase I completed; Phase II reviewed by B. Santos and K. Hitosis; however, B. Santos and K. Hitosis are no longer part of the investigation since their term with GBNE ended, so Phase III is now being addressed by G. Woodard. Asst AG Weinberg stated some concern with the aforementioned approach, but understands the situation the GBNE is now in for this case.</p>			Tabled
	(6) GBNE-CO-20-008 (Reassign to B. Manzon 5/18/21) Received 10/19/20. No report due to a poor web connection.			Tabled
	(7) GBNE-CO-21-001 (E. Dames) Received 3/3/21. No report.			Tabled
	(8) GBNE-CO-21-003 (*Reassigned 8/26/21 to P. Manzon) Received 6/10/21. Awaiting responses.			Tabled
	(9) GBNE-CO-21-004 (G. Woodard) Received 8/23/21. No report.			Tabled
	(10) GBNE-CO-21-005 (G. Ramos) Received 8/23/21. G. Ramos reported that she has completed the investigation; however, she would prefer to wait until the GBNE completes its process of reviewing the Disciplinary Matrix before making a recommendation in order to be consistent and objective. She stated that she hopes to make a recommendation at the next GBNE meeting.			Tabled
	(11) GBNE-CO-21-006 (P. Manzon) Received 9/13/21. Awaiting responses			Tabled
XII	Old Business	GBNE	15:56	Approved Course of Action
	<p>(a) GMTC CNA Graduate, Howard Redila.</p> <p>(1) The GBNE noted that H. Redila had applied for an examination to test and he was invited to present additional information regarding his past. P. Manzon requested H. Redila to provide an overview of his employment history. H. Redila informed GBNE that he is currently employed at Catholic Social Services (CSS) providing direct care to seven residents in a group home. He stated that he had also applied to GMHA but was not hired. Since the GBNE requested a letter of recommendation from a supervisor of a former employee, Ms. C. Pedilla, who attended this meeting, informed the GBNE that H. Redila was a former employee of over one year and was a good employee, caring for patients.</p> <p>(2) In reference to his case in 2008, H. Redila stated that he was in jail, awaiting trial for sexual assault allegations, when the alleged victim recanted the allegations; therefore, the case was dropped.</p> <p>(3) In reference to his case in 2015, H. Redila reported that his case was dropped for false allegations.</p> <p>a) R. Carman reported that she had in her possession an Order of Dismissal and an Order for Closure. Asst AG Weinberg stated that, based on a review of the file, H.Redila plead guilty of a misdemeanor for assault and satisfied the conditions of the Plea Agreement and probation; therefore, clarified to</p>			

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	<p>the GBNE that case was a conviction and not a case of false allegations. Asst AG Weinberg informed GBNE that the details would be included in the court files and not from the GPD and Court Clearances.</p> <p>b) H. Redila reported that he was hanging around a wrong group of friends, was in the wrong place at the wrong time, and got involved in a fight which led to his arrest. As part of his Plea Agreement he was required to check-in with probation and not leave island; there were no other requirements. He expressed that he did not know how to respond to the charges. He indicated that he was unaware if he inflicted serious injury that required hospitalization.</p> <p>(4) In response to G. Woodard regarding the Board's responsibility to ensure the public's safety, H. Redila expressed that he is a safe individual who has learned a lesson from this experience. He now has a wife and daughter, is no longer hanging around with bad friends, he is employed with CSS and is sorry for his actions. He also stated that his siblings are in the health field and it is his dream job to be in the health field.</p> <p>(5) G. Ramos stated that based on the draft Disciplinary Matrix, which is currently under review by the GBNE, an individual would be granted a letter of admonishment under the criteria (misdemeanor, no serious injury, met requirements of the court and time passed), and, therefore, suggested that he be allowed to test and subsequently leave the responsibility to a private employer. Z. Pecina stated her opinion that its national partner would most likely agree to give the individual a second chance and allow the applicant to proceed with testing. Asst AG Weinberg advised the Board that a letter of Admonishment would only apply to those who were licensed. He also suggested GBNE assign a Board member to review the court file, determine the facts of the case and consider a probation period. He further stated that there is no statute of limitations regarding an applicant's past; however, since the GBNE is not fully aware of the details of the case, it should continue with its due diligence.</p> <p>(6) G. Woodard indicated that it would still be the responsibility of the Board to grant a license to an individual upon satisfactory completion of the examinations.</p> <p>(7) Other Board members did not object to the G. Woodard's query to allow H. Redila to test.</p> <p>(8) In conclusion, G. Ramos initially made a motion to the following course of action, which was subsequently summarized by E. Dames (2nd: Varghese):</p> <p>a) H. Redila to submit a narrative of the 2015 case (the offense itself, the end result of the offense, corrective actions to improve himself).</p> <p>b) Upon receipt, the GBNE will review the narrative and make a decision whether to authorize H. Redila to proceed with the examination</p>	GBNE	16:43	Tabled
XIII	<p>New Business</p> <p>(a) GBNE Resolution #2020-02 Amendment.</p> <p>(1) Asst AG Weinberg gave an overview of the GBNE Resolution, which is intended to capture several Emergency Orders issued by the Governor and formalize the approval process of expediting the emergency and temporary health professional licenses as a result of the pandemic. Since the E.O.s were more general the Resolution was intended to place parameters on the licensing.</p> <p>(2) In response to a question from G. Woodard, Asst AG Weinberg explained the broad powers of the</p>	GBNE	16:43	Tabled

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	<p>Governor of Guam under the Organic Act with respect to public health emergencies, which have been extended several times as a result of the COVID pandemic. Since the Governor sought assistance from off-island, health professional licenses needed to be expedited.</p> <p>(3) The GBNE noted that Z. Pecina proposed changes to the resolution; therefore, an amendment to the Resolution is required. The GBNE agreed to table the proposed amendments until the next meeting.</p> <p>(b) Temporary Work Permit Applications. Motion to Approve: G. Woodard; 2nd G. Ramos</p> <p>(1) Viray, Roi Ivan T. – ETWP #21L14 Eff 11/9/21</p> <p>(2) Brooks, Virginia T. – ETWP #21R162 Eff 11/8/21</p> <p>(3) Ramos, Paola – ETWP #21R163 Eff 11/9/21</p> <p>(4) Morales, Janice – ETWP #21R164 Eff 11/9/21</p> <p>(5) Josen, Christine R. – ETWP #21R165 Eff 11/9/21</p> <p>(6) Hammer, Tasha H. – ETWP #21R166 Eff 11/9/21</p> <p>(7) Lahr, Shayna A. – TWP #21R167 Eff 11/10/21-2/10/22</p> <p>(8) Maliaman, Alfred F. – ETWP #21R168 Eff 11/15/21</p> <p>(9) Snider, Kaylie S. – ETWP #21R169 Eff 11/16/21</p> <p>(10) Rincon, Megan M. – ETWP #21R170 Eff 11/18/21</p> <p>(11) Gelpi, Lisa L. – ETWP #21R171 Eff 11/19/21</p> <p>(12) Braganza, Matthew N. – ETWP #21R172 Eff 11/19/21</p> <p>(13) Postles, Laura – ETWP #21R173 Eff 11/22/21</p> <p>(14) Carter, Daniah J. – ETWP #21R174 Eff 11/22/21</p> <p>(15) Pardini, Nikita – ETWP #21R175 Eff 11/22/21</p> <p>(16) Caporuscio, Victoria T. – ETWP #21R176 Eff 11/24/21</p> <p>(17) Reyes, Arvil Ann – TWP #21R177 Eff 11/24/21-2/24/22</p> <p>(18) Hehir, Samantha K. – ETWP #21R178 Eff 11/24/21</p> <p>(19) Baquing, Mark Rayson M. – ETWP #21R179 Eff 11/29/21</p> <p>(20) Gough, David – ETWP #21NA29 Eff 11/12/21</p> <p>(21) Nicdao, Frances M. – ETWP #21NP09 Eff 11/17/21</p>	GBNE	16:57	Approved
	<p>(c) Examination Applications. R. Carman reported that all applicants are recommended for approval, except those that are recommended for “conditional approval” as mentioned below. Motion to Approve: G. Woodard ; 2nd G. Ramos.</p> <p>(1) Bueno, Gerrylee B. – CAN. <i>Conditionally approved, pending Certificate of Education & Transcript.</i></p> <p>(2) Dahilig, Rachel Ann G. – CNA</p> <p>(3) Delica, Joshua R. – CNA</p> <p>(4) Edward, Rosania – LPN</p> <p>(5) Fallejo, Alfie R. – CNA</p>	GBNE	16:58	Approved
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	(6) Headley, April Chin Ju – RN 17:00	GBNE	17:00	Approved
	(7) Karuppan, Solidad P. – RN			Approved
	(8) Ramos, Raquel A. – CAN. <i>Conditionally approved, pending part IV</i>			Approved Conditionally
	(d) Endorsement Applications. R. Carman reported that all applicants are recommended for approval, except those that are recommended for “conditional approval” as mentioned below. (Motion: G. Woodard; 2 nd . A. Varghese). <ul style="list-style-type: none"> In response to a question from G. Ramos, R. Carman reported that those applications labeled as “conditionally approved” by the reviewers are pending submission of required documents. Asst AG Weinberg stated that conditional approvals would be allowed to be handled ministerially provided that subsequent actions by the Board are not required, e.g. approval could proceed upon submission of a police clearance provided there is nothing wrong in the clearance. G. Ramos recommended in future meetings to group the applicants separately on the agenda (i.e. recommended for approval and conditionally approved). 			Approved
	(1) Benites, Manuela L. – RN			Approved
	(2) Bloberger, Thomas A. – RN			Approved
	(3) Brewster-Yator, Deborah K. – RN. <i>Conditionally approved, pending GPD clearance.</i>			Approved Conditionally
	(4) Brown, Patrick D. – RN			Approved
	(5) Chua, Jumico Anthony R. – RN			Approved
	(6) Detera, Marites M. – RN. <i>Conditionally approved, pending clarification of citizenship</i>			Approved Conditionally
	(7) Diller, Rachel A. – RN			Approved
	(8) Echaluse, Christopher H. – RN			Approved
	(9) Elliott, Melissa N. – RN. <i>Conditionally approved, pending GPD and Court Clearances.</i>			Approved Conditionally
	(10) Ellis, Joel O. – RN			Approved
	(11) Erwert, Hannah – RN			Approved
	(12) Fenner, Sarah A. – RN			Approved
	(13) Fulgencio, Michael John V. – RN	Approved		
	(14) Gilyard, Victoria A. – RN	Approved		
	(15) Jumper, Abigail R. – RN	Approved		
	(16) Wang, Debbie - RN	Approved		
	(e) APRN Applications R. Carman reported that all applicants are recommended for approval, except those that are recommended for “conditional approval” as mentioned below. (Motion to approve: G. Woodard; 2 nd A. Varghese) <ul style="list-style-type: none"> (1) Brewster-Yator, Deborah K. – CRNA. <i>Conditionally approved, pending NBCPR Certification and</i> 	Approved		
				Approved Conditionally

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	<p><i>GPD Clearance</i></p> <p>(2) Sepalo, Dahlia O. - NP</p> <p>(f) Prescriptive Authority Application</p> <p>(1) Sepalo, Dahlia O. - NP (Motion to Approve: G. Woodward; 2nd G. Ramos)</p> <p>(g) Reinstatement Applications</p> <p>(1) Martinez, Jeanelle M. F> - RN/APRN (Motion to Approve: G> Woodward; 2nd G. Ramos)</p> <p>(h) Renewal Applications (Attached). In reference to the attached list, R. Carman reported that applicants 1 thru 16 are recommended for approval and applicants 17-22 are recommended for "conditional approval" as mentioned below. (Motion to approve: G. Ramos; 2nd: G. Woodward).</p> <p>(1) Applicants 1-16</p> <p>(2) Applicant 17-22:</p> <p>Applicant 17: <i>Conditionally approved, pending CE</i></p> <p>Applicant 18: <i>Conditionally approved, pending ESAR VHP form</i></p> <p>Applicant 19: <i>Conditionally approved, pending ESAR VHP form</i></p> <p>Applicant 20: <i>Conditionally approved, pending Signature and dates on photos</i></p> <p>Applicant 21: <i>Conditionally approved, pending signature on photo</i></p> <p>Applicant 22: <i>Conditionally approved, pending photos.</i></p>			<p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved Conditionally</p>
XIV	<p>Announcements</p> <p>a) Next Meeting is January 13, 2022 at 3PM.</p> <p>b) G Ramos: Staff Guidelines on Disciplinary Cases; Probation, Time Drug and Time practice. From Alabama. Asst AG stated it would more appropriate to handle in a work session since he is unaware of Nursing practice in AL</p> <p>c) Z. Pecina: could E. Dames what on disciplinary time practice</p>	GBNE	17:10	Noted
XV	<p>Adjournment</p> <p>Motion: Woodward; 2nd G Ramos</p>	GBNE	17:13	Adjourned

Reviewed by:  _____

1/13/2022.

Approved by: _____

Secretary / Date

 _____
Chairperson / Date

Minutes By: FLAME TREE Freedom Center, Inc.