



Board of Nursing – Adjudicative Proceedings

December 9, 2022 at 8:30 AM
7 Eagle Square, Concord, NH 03301

Attendance

Members Present:

Chair - Samantha O'Neill (SO), Matthew Kitsis (MK), Maureen Murtagh (MM), Michele Melanson Schmitt (MMS), Melissa Tuttle (MT), Melissa Underhill (MU), and Wendy Stanley Jones (WSJ)

Members Absent:

Vice-Chair - Joni Menard, Dwayne Thibeault

Staff Present:

Ashley Czechowicz, Board Administrator, Jeanne Webber, Board Administrator, Nikolas Frye, Esq., Hearing Examiner, Lauren Warner, Esq., OPLC Board Counsel

The following applies to all Non-Public Sessions.

All Non-Public Sessions are recorded as follows for the purpose of board business and noting that such a non-public session is authorized by RSA 91-A:3, II (c), RSA 91-A:3, II (e), RSA 91-A:5, IV, RSA 326-B: 38 Lodge v. Knowlton, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges. Each member recorded his or her vote on the motion, which passed by the unanimous poll vote of all members present and included all members listed above.

And

Motion to keep minutes of the non-public session confidential from public disclosure pursuant to RSA 91-A: 3, III on the grounds that public disclosure would be likely to affect adversely the reputation of a person other than a board member and/or to render the proposed action ineffective and/or is not subject to public disclosure pursuant to RSA 236-B: 38. However, forty-eight hours after the mailing of any order, its respective vote shall automatically become public in accordance with RSA 326-B: 38.

Upon motion of WSJ seconded by MT, the Board voted to commence the **1st non-public session** at 9:24 a.m. and ended at 9:31 a.m.

Motion to come out of non-public was made by MU, and seconded by MK, by unanimous roll call vote.

Upon the motion of WSJ, and the second of MM, the Board voted to keep minutes of the non-public session confidential from public disclosure. Each member recorded his or her vote on the motion, which passed by unanimous vote.

Upon motion of WSJ, seconded by MT, the Board voted to commence the **2nd non-public session** at 11:51 a.m. and ended at 12:31 p.m.

Motion to come out of non-public was made by MMS, and seconded by MU, by unanimous roll call vote.

Upon the motion of MM, and the second of MK, the Board voted to keep minutes of the non-public session confidential from public disclosure. Each member recorded his or her vote on the motion, which passed by unanimous vote.

Upon motion of MK seconded by MM, the Board voted to commence the **3rd non-public session** at 1:49 p.m. and ended at 2:34 p.m.

Motion to come out of non-public was made by MMS, and seconded by MM, by unanimous roll call vote.

Upon the motion of MMS, and the second of MU, the Board voted to keep minutes of the non-public session confidential from public disclosure. Each member recorded his or her vote on the motion, which passed by unanimous vote.

Upon motion of MT seconded by MU, the Board voted to commence the **4th non-public session** at 2:40 p.m. and ended at 2:50 p.m.

Motion to come out of non-public was made by WSJ, and seconded by MK, by unanimous roll call vote.

Upon the motion of WSJ, and the second of MK, the Board voted to keep minutes of the non-public session confidential from public disclosure. Each member recorded his or her vote on the motion, which passed by unanimous vote.

Upon motion of MK seconded by MM, the Board voted to commence the **5th non-public session** at 2:55 p.m. and ended at 3:06 p.m.

Motion to come out of non-public was made by MT, and seconded by MK, by unanimous roll call vote.

Upon the motion of MT, and the second of MK, the Board voted to keep minutes of the non-public session confidential from public disclosure. Each member recorded his or her vote on the motion, which passed by unanimous vote.

I. Call to Order

The meeting was called to order and convened at 8:33 AM by Samantha O'Neill, Chair, with quorum present.

II. Appearance Schedule

- Dawn Nicholls, RN - 8:30 AM - 11:30 AM
- Rebecca Martel, APRN - 12:30 PM - 1:30 PM
- Karen Janoski, RN - 1:30 PM - 2:30 PM
- Kathryn Peterson - 2:30 PM
- Johanna Simonen - 2:30 PM

III. Adjudicative

- A. Dawn Nicholls, RN - Adjudication

Motion:

Adjudicative Hearing proceeded at 8:33 AM. Hearing concluded at 11:47 AM. Upon a motion by WSJ, with a second by MU, the Board voted to reserve the right to deny, restrict, condition, or modify her licensure based upon the disciplinary findings if she reapplies for licensure. Motion passed.

B. Rebecca Martel, APRN - Adjudication

Motion:

Adjudicative Hearing proceeded at 12:33 PM. Hearing concluded at 1:35 PM. Upon a motion by MMS, with a second by MK, the Board voted accept the surrender of Ms. Martel's RN license. Upon a motion by MM, with a second by WSJ, the board voted to revoke Ms. Martel's APRN license. Motion passed.

C. Karen Janoski, LPN - Adjudication

Motion:

Adjudicative Hearing proceeded at 1:42 PM. The applicant did not appear in person or by zoom after being provided notice of the hearing date and time. Upon a motion by WSJ, with a second by MMS, the Board voted to hold the hearing *in absentia*. Hearing concluded at 1:48 PM. Upon a motion by MK, with a second by MT, the board voted to revoke Ms. Janoski's privilege to practice in New Hampshire. Motion passed.

D. Kathryn Peterson - Show Cause

Motion: Show Cause Hearing proceeded at 2:52 PM. The applicant did not appear in person or by zoom after being provided notice of the hearing date and time. Upon a motion by MMS, with a second by MM, the Board voted to hold the hearing *in absentia*. Hearing concluded at 2:54 PM. Upon a motion by MT, with a second by MU, the Board voted to Deny Ms. Peterson's application; motion passed.

E. Johanna Simonen - Show Cause

Motion: Show Cause Hearing proceeded at 2:37 PM and concluded at 2:50 PM. Upon a motion by WSJ, with a second by MK the Board voted that her past disciplinary history does not make her unqualified for licensure for reinstatement as a registered nurse; motion passed.

IV. MNA Discussion

Motion: The Board reviewed information presented by MM, MT, MU and WSJ. Upon a motion by MK, with a second by MT the Board voted to keep the process as it is; motion passed.

V. Adjournment

Motion: At 3:32 p.m., upon a motion by MK, with a second by MMS, the Board voted to adjourn the meeting.