



**DEBRA K. DAVENPORT, CPA**  
AUDITOR GENERAL

**STATE OF ARIZONA**  
OFFICE OF THE  
**AUDITOR GENERAL**

**MELANIE M. CHESNEY**  
DEPUTY AUDITOR GENERAL

January 22, 2013

The Honorable Chester Crandell, Chair  
Joint Legislative Audit Committee

The Honorable John Allen, Vice Chair  
Joint Legislative Audit Committee

Dear Senator Crandell and Representative Allen:

Our Office has recently completed an 18-month followup of the Arizona State Board of Nursing regarding the implementation status of the 10 audit recommendations (including sub-parts of the recommendations) presented in the performance audit report released in May 2011 (Auditor General Report No. 11-02). As the attached grid indicates:

- 8 have been implemented;
- 1 is in the process of being implemented; and
- 1 legislative recommendation has not been implemented.

Unless otherwise directed by the Joint Legislative Audit Committee, this concludes our follow-up work on the Board's efforts to implement the recommendations from the May 2011 performance audit report.

Sincerely,

Dale Chapman, Director  
Performance Audit Division

DC:ss  
Attachment

cc: Joey Ridenour, Executive Director  
Arizona State Board of Nursing

Arizona State Board of Nursing Members

# Arizona State Board of Nursing

## Auditor General Report No. 11-02

### 18-Month Follow-Up Report

Recommendation	Status/Additional Explanation
<b>Finding 1: Board should take additional steps for more timely complaint processing</b>	
<p>1.1 The Legislature should consider revising statute to:</p> <ul style="list-style-type: none"><li>a. Enable the Board to develop a substantive policy that would allow the Executive Director to require substance abuse, mental, physical, or psychological examinations or skills evaluations in appropriate cases; and</li><li>b. Expand the definition of unprofessional conduct to include failing to comply with the Executive Director's order to obtain an evaluation.</li></ul>	<p><b>Implemented at 18 months</b> The Legislature enacted Laws 2012, Ch. 132, §1, which amended Arizona Revised Statutes (A.R.S.) §32-1664 to enable the Board to delegate authority to the Executive Director to order examinations, assessments, or evaluations.</p> <p><b>Not implemented</b> The Legislature did not expand the definition of unprofessional conduct to include failing to comply with the Executive Director's order to obtain an evaluation. Instead, it revised statute to require the Executive Director to refer the matter to the Board if the licensee, certificate holder, or applicant does not affirm to the Board in writing that he/she intends to comply with the order. The Board can then determine whether to issue a board order to obtain an evaluation.</p>
<p>1.2 If the Legislature revises statute, the Board should develop and implement a substantive policy authorizing the Executive Director to require substance abuse evaluations in appropriate cases and establish criteria for determining appropriate circumstances for requiring an evaluation.</p>	<p><b>Implemented at 18 months</b></p>
<p>1.3 To reduce delays associated with waiting for licensees and certificate holders to sign consent agreements, the Board should:</p> <ul style="list-style-type: none"><li>a. Expand its practice of drafting, negotiating, and having the licensee/certificate holder sign a consent agreement in appropriate cases prior to staff forwarding the complaint investigations to the Board for its initial review, and;</li><li>b. Develop and implement policies and procedures that would provide guidance to its staff for negotiating and completing consent agreements.</li></ul>	<p><b>Implemented at 18 months</b></p> <p><b>Implemented at 6 months</b></p>

Recommendation	Status/Additional Explanation
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1.4 To enable the Board to rely on its database for tracking and monitoring timeliness of complaint processing, particularly high-priority complaints, it should:

a. Review and modify its procedures and controls to address missing data and inconsistencies in other database fields, and:

**Implemented at 18 months**

b. When resources permit, enhance its database to allow better tracking of historical information and status changes.

**Implementation in process**

The Board is working with the National Council of State Boards of Nursing to develop a new management system that will replace its current database. The Board reported that the new management system will be implemented by the end of calendar year 2013 or the beginning of calendar year 2014 and that the new system will allow the Board to better track historical information and status changes, such as changes in the complaint priority level.

1.5 To better ensure that medium- and low-priority cases continue to make progress, board officials should strengthen monitoring of these cases by selecting and implementing a process for reviewing inactive medium- and low-priority complaints.

**Implemented at 18 months**

**Sunset Factor 2:**

2.1 The Board should clarify its guidance for investigative staff to specify when motor vehicle and law enforcement records should and should not be subpoenaed, based on the nature of the allegations, to help prevent board staff from obtaining unnecessary or irrelevant information.

**Implemented at 18 months**

**Sunset Factor 4:**

4.1 The Board should either seek statutory changes to authorize Certified Registered Nurse Anesthetists to prescribe medications, or modify its rules to remove the provisions that are not supported by statutes.

**Implemented at 18 months**

The Legislature enacted Laws 2012, Ch. 152, §2, which added A.R.S. §§32-1634.03 and 32-1634.04 to establish certification requirements and define the scope of practice for Certified Registered Nurse Anesthetists.