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September 20, 2021

Ms. Lindsey Perry, Auditor General
2910 N. 44th Street, Suite 410
Phoenix, Arizona 85018

Regarding: 2021 Arizona State Board of Nursing Sunset Review

Dear Ms. Perry,

On behalf of the Arizona Board of Nursing, I am pleased to respond to the audit report. We value your audit team for their utmost professionalism and integrity in reviewing our performance. The findings are thorough, thoughtful, and represent many years of collaborative work. The findings are agreed to and the audit recommendations will be implemented.

Sincerely,

A handwritten signature in cursive script that reads "Joey Ridenour RN MN FAAN".

Joey Ridenour, RN, MN, FAAN
Executive Director
Arizona State Board of Nursing

Finding 1: Board has not resolved some complaints in a timely manner, which may affect patient safety

Recommendation 1: The Board should investigate and adjudicate complaints within 180 days and, as necessary, use its complaint prioritization categories to focus its resources on resolving the highest-risk complaints first.

Board response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The Board is strongly committed to continue to focus resources on those complaints having the highest- risk complaints.

Recommendation 2: The Board should assess the impact of the requested investigator positions on its complaint-resolution timeliness and determine if it needs to request additional resources to resolve complaints within 180 days. If the Board determines that it needs additional resources, it should work with the Legislature to obtain these resources.

Board response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The Board will assess impact of 3.5 new FTE's for FY 2022. Currently working with OSPB regarding potential additional resources needed and the Board will work with the legislature to request additional resources.

Sunset Factor 2: The extent to which the Board has met its statutory objective and purpose and the efficiency with which it has operated.

Recommendation 3: The Board should continue to implement its new policy to review and align Arizona APRN certificate expiration dates with the expiration date of the multistate RN license issued by another state when the RN license expiration date is before the APRN certificate expiration date to ensure Arizona APRN certificate holders have an active RN license.

Board response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The new policy implemented includes a monthly report that will identify future expiration dates to remind out of state APRN's with a multistate license to renew their APRN certificate.

Recommendation 4: The Board should implement its new policy and procedures to periodically review the appropriateness of its fees.

Board response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The Board has periodically reviewed the fee structure and has not increased overall fees since 1999. The new model of determining actual cost of

Board Programs and fees charged for fiscal year 2022 was presented to the Board Members and did not result in a recommendation to increase fees.

Recommendation 5: The Board should, as soon as possible, determine the correct amount that should be remitted to the State General Fund due to its misclassification of fiscal year 2018 credit card revenues and unremitted civil and administrative penalties, including researching how long it has not remitted 100 percent of both penalties, and remit these monies to the State General Fund.

Board response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The Board's new Fiscal Officer has updated the Accounting monthly close checklist to include the transfer to the State General Fund of 100% of future civil and administrative penalties and the 10% of all other revenues (except federal monies). Once the monthly transfer to the State General Fund has been prepared, the Accountant I will notify the Fiscal Officer that it is ready for review. The Fiscal Officer will review the calculation and ensure that all civil and administrative penalties are being transferred. Both the Accountant I and the Fiscal Officer will sign and date the monthly close checklist to indicate when the transfer was prepared, reviewed, approved and processed.

Recommendation 6: The Board should ensure it remits 100 percent of future civil and administrative penalties to the State General Fund.

Board response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The Board's new Fiscal Officer has ensured that 100% of civil and administrative penalties are being remitted to the general fund. An audit of the prior fiscal years will be done by November 1, 2021 to ensure all funds are correctly remitted as required.

Sunset Factor 3: The extent to which the Board serves the entire State rather than specific interests.

Recommendation 7: The Board should continue to implement its new conflict-of-interest policy.

Board response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: Each January the board members and staff are now required to sign the conflict of interest form and not just upon appointment to the position. Also, when Board or Staff members recuse themselves due to a conflict of interest, a signed form will be required for uploading into the electronic file as well as continuing to enter into the Board Minutes the declaration of the conflict of interest.

Sunset Factor 5: The extent to which the Board has encouraged input from the public before adopting its rules and the extent to which it has informed the public as to its actions and their expected impact on the public.

Recommendation 8: The Board should continue to implement its new open meeting law policies and procedures.

Board response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: New policy was implemented in January 2021 regarding posting of the agenda within 24 hours of not only the Board Meetings but also any advisory committee or subcommittee meetings. Recordings of all meeting will be posted on the website within three days of the meeting,

Recommendation 9: The Board should continue to implement its new and revised public information policies and procedures.

Board response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: New policy states board staff will also provide information to the public if the person requesting the licensee or certificate holder information, also requests if there was ever a complaint submitted against the person.

Recommendation 10: The Board should continue to follow its procedures for ensuring that disciplinary information for LNAs and substantiated complaint information for CNAs is accurately uploaded to its database and displayed on its website, and update its written policies and procedures to reflect these procedures after its database is upgraded.

Board response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: Certified and Licensed Nursing Assistant information is on website and to enable a better search option, upgrade to data base has been requested.

Recommendation 11: The Board should conduct a risk-based review of its online information for LNAs and CNAs to ensure the information on its website is complete and accurate.

Board response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: Complete review will be done no later than January 2, 2022.