



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

**TO:** The Honorable Members of the Board of Regents

**FROM:** Christopher J. Halpin, Secretary

**SUBJECT:** Summary of the July 2022 Meeting

**DATE:** September 1, 2022

**AUTHORIZATION(S):**

## SUMMARY

### Issue for Decision

Should the Board of Regents approve the Summary of the July 2022 Meeting of the Board of Regents?

### Reason(s) for Consideration

Not applicable.

### Proposed Handling

This issue will come before the Full Board for action at its September 2022 meeting.

### Procedural History

This document summarizes the actions of the Board of Regents during the monthly meeting and is brought before the Board the following month for approval.

### Background Information

Not applicable.

### Related Regents Items

Not applicable.

**Recommendation**

It is recommended that the Board of Regents take the following action:

**VOTED**, that the Summary of the July 2022 Meeting of the Board of Regents of The University of the State of New York be approved.

**Timetable for Implementation**

Effective September 13, 2022.



**SUMMARY OF THE JULY 2022 MEETING**

**OF THE BOARD OF REGENTS**

**OF**

**THE UNIVERSITY OF THE STATE OF NEW YORK**

***Held at the State Education Building  
Albany, New York***

***July 11 and 12, 2022***

***Christopher J. Halpin, Secretary  
Board of Regents***

## ***THE BOARD OF REGENTS***

The Board of Regents of The University of the State of New York held a public session in Albany on Monday, July 11 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

### **MEETING OF THE FULL BOARD, Monday, July 11 at 9:00 a.m.**

#### **Board Members in Attendance:**

Lester W. Young, Jr., *Chancellor*  
Josephine Victoria Finn, *Vice Chancellor*  
Christine D. Cea  
Wade S. Norwood  
James E. Cottrell  
Judith Chin  
Catherine Collins  
Elizabeth S. Hakanson  
Luis O. Reyes  
Susan W. Mittler  
Frances G. Wills  
Ruth B. Turner  
Aramina Vega Ferrer  
Shino Tanikawa  
Roger P. Catania

Also present were Commissioner, Betty A. Rosa, Executive Deputy Commissioner, Sharon Cates-Williams, Senior Deputy Commissioner for Education Policy, James Baldwin, Counsel and Deputy Commissioner for Legal Affairs, Daniel Morton-Bentley, and Secretary, Board of Regents, Christopher J. Halpin. Regent Roger Tilles and Regent Kathleen M. Cashin were absent and excused.

### **ACTION ITEM**

#### **Executive Session Motion**

**MOVED**, that the Board of Regents convene in executive session on Monday, July 11 at 9:05 a.m. and at 2:20 p.m. to discuss personnel matters.

**Motion by:** Vice Chancellor Josephine Victoria Finn  
**Seconded by:** Regent Judith Chin  
**Action:** Motion carried. Regent Catania was absent for the vote.

**MEETING OF THE FULL BOARD, Monday, July 11 at 10:20 a.m.**

**Board Members in Attendance:**

Lester W. Young, Jr., *Chancellor*  
Josephine Victoria Finn, *Vice Chancellor*  
Christine D. Cea  
Wade S. Norwood  
James E. Cottrell  
Judith Chin  
Catherine Collins  
Elizabeth S. Hakanson  
Luis O. Reyes  
Susan W. Mittler  
Frances G. Wills  
Ruth B. Turner  
Aramina Vega Ferrer  
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Roger P. Catania

Also present were Commissioner, Betty A. Rosa, Executive Deputy Commissioner, Sharon Cates-Williams, Senior Deputy Commissioner for Education Policy, James Baldwin, Counsel and Deputy Commissioner for Legal Affairs, Daniel Morton-Bentley, and Secretary, Board of Regents, Christopher J. Halpin. Regent Roger Tilles and Regent Kathleen M. Cashin were absent and excused.

**ACTION ITEMS**

**Charter Applications  
BR (A) 1**

**MOVED**, that the Board of Regents approve each application in accordance with the recommendations contained in the summary table.

**Summary of the June 2022 Meeting of the Board of Regents  
BR (A) 2**

**MOVED**, that the Summary of the June 2022 Meeting of the Board of Regents of The University of the State of New York be approved.

**Motion by:** Regent James E. Cottrell  
**Seconded by:** Regent Christine D. Cea  
**Action:** Motion passed unanimously.

**State Education Department June 2022 Fiscal Report  
BR (A) 3**

**MOVED**, that Board of Regents accept the June 2022 State Education Department Fiscal Report as presented.

**Motion by:** Regent Aramina Vega Ferrer  
**Seconded by:** Regent Ruth B. Turner  
**Action:** Motion passed unanimously.

**PROGRAM AREA CONSENT ITEMS**

**Adult Career and Continuing Education Services (ACCES)**

**Proposed Amendment of Section 100.7(a) of the Regulations of the  
Commissioner of Education Relating to the General Comprehensive Examination  
Sub-tests and Grandfathering of Prior Passing Scores  
BR (CA) 1**

**MOVED**, that section 100.7(a) of the Regulations of the Commissioner of Education be amended, as submitted, effective July 27, 2022.

**Higher Education**

**Proposed Amendment of Section 52.21 of the Regulations of the Commissioner  
of Education Relating to the Admission Requirements for Graduate-level Teacher  
and Educational Leadership Programs  
BR (CA) 2**

**MOVED**, that section 52.21 of the Regulations of the Commissioner of Education be amended, as submitted, effective July 27, 2022.

**Proposed Amendment of Sections 52.21 and 80-1.5 of the Regulations of the  
Commissioner of Education and Section 30-3.2 of the Rules of the Board of  
Regents Relating to the Standards for School Building Leader Preparation  
Programs, Definition of “Leadership Standards” for Annual Professional  
Performance Reviews, and Safety Net for the School Building Leader Assessment  
BR (CA) 3**

**MOVED**, that sections 52.21 and 80-1.5 of the Regulations of the Commissioner of Education and section 30-3.2 of the Rules of the Board of Regents be amended, as submitted, as an emergency measure, effective September 12, 2022, upon a finding by the Board of Regents that such action is necessary for the preservation of the general

welfare to extend the date by which school building leader (SBL) preparation programs must be aligned with the Professional Standards for Educational Leaders (PSELs), with some modifications, to on or after September 1, 2023, to provide programs with additional time to revise their curriculum, if needed, given the continuing challenges presented by the COVID-19 pandemic, and to ensure the emergency action taken at the June 2022 meeting remains continuously in effect.

**Proposed Amendment of Sections 80-5.3 and 80-5.4 of the Regulations of the Commissioner of Education Relating to Extending Flexibilities for Incidental and Substitute Teaching  
BR (CA) 4**

**MOVED**, that sections 80-5.3 and 80-5.4 of the Regulations of the Commissioner of Education be amended, as submitted, as an emergency measure, effective August 15, 2022, upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare to continue allowing certified teachers to teach up to 10 classroom hours a week in a subject area not covered by their certificate and substitute teachers to work more than 40 days in a school district or BOCES in a school year under certain conditions for the 2022-2023 school year to address teacher shortages, and to ensure that the emergency action taken at the May 2022 meeting remains continuously in effect.

**Appointment to the State Professional Standards and Practices Board for Teaching  
BR (CA) 5**

**MOVED**, that the Board of Regents appoint the following individual to the State Professional Standards and Practices Board for Teaching (PSPB) pursuant to section 3.14 of the Rules of the Board of Regents and the PSPB Bylaws: Wen Ma (higher education) to complete the unexpired portion of a four-year term commencing August 1, 2022 and expiring June 30, 2025.

**Master Plan Amendment Applications  
BR (CA) 6**

**MOVED**, that the Board of Regents approves each master plan amendment application on the summary table.

**SUNY College of Agriculture and Technology at Morrisville (SUNY Morrisville):  
Master Plan Amendment to offer its first master's level program and Regents  
Authorization to award the Master of Science (M.S.) degree  
BR (CA) 7**

**MOVED**, that the Board of Regents approve a master plan amendment to authorize The State University of New York College of Agriculture and Technology at

Morrisville (SUNY Morrisville) to offer its first master's level program and authorize the institution to award the Master of Science (M.S.) degree.

**Permission to Operate: Biola University  
BR (CA) 8**

**MOVED**, that the Board of Regents renew Biola University's permission to offer courses from its Master of Divinity program in Brooklyn, New York. This permission will be effective July 18, 2022, and end on July 31, 2027.

**Proposed Amendments of Sections 52.21 and 80-5.24 of the Regulations of the Commissioner of Education Relating to Establishing Registration Requirements for Residency Programs and Revising Residency Certificate Requirements  
BR (CA) 9**

**MOVED**, that sections 52.21 and 80-5.24 of the Regulations of the Commissioner of Education be amended, as submitted, effective July 27, 2022.

**P-12 Education**

**Proposed Amendment of Section 100.2 of the Regulations of the Commissioner of Education Relating to Requirements for School Districts to Issue Diplomas to Eligible Students Confined in a Facility Operated by a State Department or Agency Providing Educational Programming within the District Boundary  
BR (CA) 10**

**MOVED**, that section 100.2 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 12, 2022, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare to immediately implement Chapter 754 of the Laws of 2021, as amended by Chapter 26 of the Laws of 2022, to require school districts to issue diplomas to eligible students confined in a residential facility operated by a state department or agency providing educational programming within the district boundary, and to ensure that the emergency action taken at the June 2022 Regents meeting remains continuously in effect.

**Proposed Amendment of Sections 100.4 and 100.21 of the Regulations of the Commissioner of Education to Provide Flexibility to Schools, Districts, and Charter Schools Regarding the Administration of Regents Examinations in Mathematics to Grade 6 Students and in Science to Grade 7 Students  
BR (CA) 11**

**MOVED**, that sections 100.4 and 100.21 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 12, 2022, as an

emergency action upon a finding of the Board of Regents that such action is necessary for the preservation of the general welfare to allow students to forego being “double-tested” in grade 6 mathematics and in grade 7 intermediate science, and to ensure the emergency action taken at the June 2022 meeting remains continuously in effect.

**Proposed Amendments of Section 100.5 of the Regulations of the Commissioner of Education Relating to the Diploma, Credential, and Endorsement Requirements Associated with Passing the Regents Examination in United States History and Government (Framework) for the June 2022, August 2022, and January 2023 Administration Periods  
BR (CA) 12**

**MOVED**, that section 100.5(a)(5)(vi)(a)(4) of the Regulations of the Commissioner of Education be amended, as submitted, effective September 12, 2022, as an emergency action upon a finding of the Board of Regents that such action is necessary for the preservation of the general welfare to immediately provide regulatory flexibility so that students can meet the diploma requirements related to the passing of the Regents Examination in United States History and Government (Framework) administered in June 2022, August 2022, and January 2023, and to ensure the emergency action taken at the June 2022 Regents meeting remains continuously in effect.

**Proposed Amendment of Section 100.5 of the Regulations of the Commissioner of Education Relating to Requirements for the Issuing of a Special Determination to Graduate with a Local Diploma  
BR (CA) 13**

**MOVED**, that section 100.5 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 12, 2022, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare to immediately provide regulatory flexibility for students who are scheduled to graduate in June 2022 but are unable to earn a diploma because they do not qualify for a special appeal or are unable to participate in a Regents examination because of illness, including isolation or other restrictions attributable to COVID-19, and to ensure that the emergency action taken at the June 2022 meeting remains continuously in effect.

**Proposed Amendment of Section 100.5(d)(7) of the Regulations of the Commissioner of Education Relating to the Special Appeal to Earn Diplomas with a Lower Score on a Regents Examination Taken in the 2021-2022 or 2022-2023 School Year  
BR (CA) 14**

**MOVED**, that section 100.5(d)(7) of the Regulations of the Commissioner of Education be amended, as submitted, effective August 15, 2022, as an emergency

action upon a finding of the Board of Regents that such action is necessary for the preservation of the general welfare to immediately provide regulatory flexibility so that students can meet the diploma requirements related to the passing of Regents Examinations administered during the 2021-2022 and 2022-2023 school years, and to ensure that the emergency action taken at the May 2022 meeting remains continuously in effect.

**Proposed Amendment of Subdivision (n) of Section 175.5 of the Regulations of the Commissioner of Education Relating to Extending the Instructional Hour COVID-19 Waiver to the 2022-2023 School Year  
BR (CA) 15 - REVISED**

**MOVED**, that subdivision (n) of section 175.5 of the Regulations of the Commissioner of Education be amended, as submitted, effective July 27, 2022.

**Proposed Amendment of Sections 200.1 and 200.4 of the Regulations of the Commissioner of Education Relating to the Disability Classification “Emotional Disturbance”  
BR (CA) 16**

**MOVED**, that sections 200.1 and 200.4 of the Regulations of the Commissioner of Education be amended, as submitted, effective July 27, 2022.

**Proposed Amendment of Sections 100.1, 155.17, and 175.5 of the Regulations of the Commissioner of Education Relating to Remote Instruction and its Delivery under Emergency Conditions  
BR (CA) 17**

**MOVED**, that sections 100.1, 155.17, and 175.5 of the Regulations of the Commissioner of Education be amended, as submitted, effective July 12, 2022, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare to permit districts to provide remote instruction in the upcoming 2022-2023 school year on days they would otherwise close due to an emergency and to count such instructional days towards minimum requirements and to identify the ways in which such remote instruction may be delivered.

**Proposed Amendment of Sections 200.5(j) and 200.21(a) and Addition of Section 200.5(o) to the Regulations of the Commissioner of Education Relating to Special Education Due Process System Procedures  
BR (CA) 18**

**MOVED**, that section 200.5(j) and 200.21(a) of the Regulations of the Commissioner of Education be amended and section 200.5(o) of the Regulations of the Commissioner of Education be added, as submitted, effective July 27, 2022.

**Professional Practice**

**(Re)Appointments of Members to the State Boards for the Professions and  
(Re)Appointments of Extended Members to the State Boards for the Professions  
for Service on Licensure Disciplinary and/or Licensure Restoration and Moral  
Character Panels  
BR (CA) 19**

**MOVED**, that the Board of Regents approve the proposed (Re)Appointments of Members to the State Boards for the Professions and (Re)Appointments of Extended Members to the State Boards for the Professions.

**Report of the Committee on the Professions Regarding Licensing Petitions and  
Degree Conferrals  
BR (CA) 20**

**MOVED**, that the Board of Regents approve the recommendations of the Committee on the Professions regarding the licensing petitions and degree conferrals.

**Proposed Amendment of Section 61.17 of the Regulations of the Commissioner  
of Education Relating to the Use of Restricted Local Infiltration  
Anesthesia/Nitrous Oxide Analgesia by Dental Hygienists  
BR (CA) 21**

**MOVED**, that paragraph (1) of subdivision (b) of section 61.17 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 12, 2022, as an emergency action, upon a finding by the Board of Regents that such an action is necessary for the preservation of the public health and the general welfare in order to timely implement the requirements of Chapter 198 of the Law of 2022, which became effective June 14, 2022 and to ensure that the emergency action taken at the June 2022 meeting remains continuously in effect.

**Proposed Repeal of Section 68.1 and Addition of a New Section 68.1 and  
Amendment of Section 68.3 of the Regulations of the Commissioner of Education  
Relating to the Licensure Requirements for Professional Engineers  
BR (CA) 22**

**MOVED**, that Section 68.1 of the Regulations of the Commissioner of Education be repealed and a new Section 68.1 of the Regulations of the Commissioner of Education be added and Section 68.3 of the Regulations of the Commissioner of Education be amended, as submitted, effective July 27, 2022.

## **Office of Counsel**

### **Interim Action by Standing Committees BR (CA) 23**

**MOVED**, that the Standing Committees of the Board of Regents, be and they hereby are, authorized to take interim action for the Board of Regents during the period commencing on July 14, 2022 and ending on September 10, 2022 and that any such action shall be reported to the Board at its meeting on September 11-12, 2022.

**MOVED**, that the Regents approve the consent agenda items.

**Motion by:** Regent Ruth B. Turner  
**Seconded by:** Regent Aramina Vega Ferrer  
**Action:** Motion passed unanimously.

### **STANDING COMMITTEE REPORTS**

#### **PROFESSIONAL PRACTICE**

The Professional Practice Committee held its scheduled meeting on July 11, 2022. All members were present. Chancellor Lester W. Young, Jr., Regent Luis O. Reyes, Regent Susan W. Mittler, Regent Aramina Vega Ferrer, Regent Shino Tanikawa, and Regent Roger P. Catania also attended the meeting, but did not vote on any action.

#### **ACTION ITEMS**

##### **Professional Discipline Cases [PPC EXS (A) 1-3]**

The Committee recommends that the reports of the Regents Review Committees, including rulings, findings of fact, determinations as to guilt, and recommendations, by unanimous or majority vote, contained in those reports which have been distributed to you, be accepted in 2 cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 26 consent order applications and 8 surrender applications be granted.

These recommendations are made following the review of 36 cases involving eleven registered professional nurses, five licensed practical nurses, four certified public accountants, two licensed master social workers who are also licensed clinical social workers, two professional engineers, one licensed mental health counselor, one pharmacy, one physical therapist, one registered professional nurse who is also a nurse practitioner (Family Health), one registered professional nurse who is also a nurse

practitioner (Pediatrics), one respiratory therapist, one veterinarian, and one veterinary technician.

**Proposed Repeal of Sections 79-9.6, 79-10.6, 79-12.6, Addition of New Sections of 79-9.6, 79-10.6, 79-12.6 and Amendment of Sections of 79-9.4, 79-10.4, 79-12.4 of the Regulations of the Commissioner of Education Relating to Mental Health**

**Practitioners' Diagnosis Privilege** [PPC (A) 1] - Department staff presented proposed amendments to the Commissioner's regulations to conform them to the sections of Chapter 230 of the Laws of 2022, which became effective June 24, 2022. Chapter 230, among other things, amended the Education Law by defining "diagnosis" and "development of assessment-based treatment plans"; authorizing the Department to issue a limited permit to an applicant who is gaining experience for the diagnostic privilege; and authorizing licensed mental health counselors, licensed marriage and family therapists, and licensed psychoanalysts in certain settings approved by the Department to diagnose and develop assessment-based treatment plans through June 24, 2025.

The Committee recommends that sections 79-9.6, 79-10.6 and 79-12.6 of the Regulations of the Commissioner of Education be repealed and new sections 79-9.6, 79-10.6, and 79-12.6 of the Regulations of the Commissioner of Education be added and sections 79-9.4, 79-10.4, 79-12.4 of the Regulations of the Commissioner of Education be amended, as submitted, effective July 12, 2022, as an emergency action, upon the finding by the Board of Regents that such action is necessary for the preservation of the public health and general welfare in order to timely implement the provisions of sections (1), (4) and (5) of Chapter 230 of the Laws of 2022, which became effective June 24, 2022.

The motion passed.

**MOTION FOR ACTION BY FULL BOARD**

The Professional Practice Committee recommends, and we move, that the Board of Regents act affirmatively upon each recommendation in the written report of the Committee's deliberations at its meeting on July 11, 2022, copies of which have been distributed to each Regent.

**MATTERS NOT REQUIRING BOARD ACTION**

Deputy Commissioner Sarah Benson reviewed the items on the Consent Agenda.

**MOVED**, that the Committee Report be approved.

**Motion by:** Regent James E. Cottrell  
**Seconded by:** Regent Elizabeth S. Hakanson  
**Action:** Motion passed unanimously.

**APPOINTMENT**

**Appointment of Theresa Billington to the Position of Assistant Commissioner for  
the Office of Accountability  
BR (A) 4**

**MOVED**, that the Board of Regents approve the appointment of Theresa Billington to the position of Assistant Commissioner for the Office of Accountability.

**Motion by:** Regent Judith Chin  
**Seconded by:** Regent Frances G. Wills  
**Action:** Motion passed unanimously.

Chancellor Young adjourned the meeting.

**Appendix I**  
**NEW YORK STATE BOARD OF REGENTS CHARTER ACTIONS**

<b>Name of Institution</b>	<b>Program Area</b>	<b>County (City/Town) of Location</b>	<b>Description of Charter Action(s)</b>
Albany County Historical Association	CE	Albany (Albany)	Amend charter to update maximum trustee range and voting designation.
Amagansett Life-Saving and Coast Guard Station Society	CE	Suffolk (Amagansett)	Grant an absolute charter.
The Harlem Children's and Family Museum	CE	Queens (New York)	Amend charter to change corporate name to "New Millennium Museum", amend corporate address, and revise corporate purposes and extend provisional for five years.
Huntington African American Museum	CE	Suffolk (Huntington)	Grant provisional charter for five years.
Kenkeleba House Museum	CE	New York (New York)	Grant an absolute charter in the first instance.
The Museum Of Civil Rights	CE	New York (New York)	Grant provisional charter for five years.
New York Shoe Museum	CE	New York (New York)	Amend charter to change the corporate name to "Noel Shoe Museum".
Rhinebeck Aerodrome Museum	CE	Dutchess (Rhinebeck)	Extend provisional charter for five years.
Sag Harbor Fire Department Antique Fire Truck Museum	CE	Suffolk (Sag Harbor)	Extend provisional charter for five years.
Wawarsing Historical Society and Knife Museum	CE	Ulster (Napanoch)	Extend provisional charter for five years.
Children's Enrichment Center	P12	Rockland (Tappan)	Dissolve charter, approval to store student records with the Child Care Resources of Rockland, and approval to distribute remaining inventory to Tappan Reform Church, Tappan New York and any excess funds to Head Start of Rockland.
Immaculate Conception Catholic Academy in Astoria	P12	Queens (Astoria)	Extend provisional charter for three years.

Sacred Heart Catholic Academy of Bayside	P12	Queens (Bayside)	Extend provisional charter for three years.
St. Francis of Assisi Catholic Academy in Astoria	P12	Queens (Astoria)	Amend charter to update the purpose clause and extend for three years.
Our Lady of the Snows Catholic Academy	P12	Queens (Floral Park)	Extend provisional charter for three years.
Central European University	HE	New York (New York)	Amend charter to remove branch campuses of Bucharest, Romania and Vienna, Austria effective August 1, 2022.
Elyon College	HE	Kings (Brooklyn)	Amend charter to add authority to confer the Bachelor of Science (B.S.) degree.
Houghton College	HE	Allegany (Houghton)	Amend charter to change the corporate name to "Houghton University".
Marist College	HE	Dutchess (Poughkeepsie)	Amend charter to add authority to confer the Master of Health Administration (M.H.A.) degree.
New York College of Podiatric Medicine	HE	New York (New York)	Amend, replace, and restate the charter as a Regents certificate of incorporation.

## Appendix II

### REGENTS ACTIONS IN 36 PROFESSIONAL DISCIPLINE CASES JULY 11, 2022

The Board of Regents announced disciplinary actions resulting in the revocation of 1 license, surrender of 8 licenses, and 27 other disciplinary actions. The penalty indicated for each case relates solely to the misconduct set forth in that particular case.

#### I. REVOCATION AND SURRENDERS

##### Nursing

Kathleen Bridget O'Rourke; Licensed Practical Nurse; Bronx, NY 10470-2425; Lic. No. 263788; Cal. No. 28771; Found guilty of professional misconduct; Penalty: Revocation.

Thomas Lionel Greene; Registered Professional Nurse; Clarence, NY 14031; Lic. No. 316699; Cal. No. 32971; Application to surrender license granted. Summary: Licensee admitted to the charge of stealing five thousand and seven hundred (\$5,700) dollars from a homecare patient.

Larry Wayne Owens; Registered Professional Nurse; Cabot, AR 72023; Lic. No. 540052; Cal. No. 33021; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Driving While Intoxicated, a low misdemeanor, in the State of Arkansas.

Bonnie Josephine Kavanagh; Registered Professional Nurse; Albuquerque, NM 87108; Lic. No. 530500; Cal. No. 33082; Application to surrender license granted. Summary: Licensee did not contest the charge of, in the State of New Mexico, failing to use appropriate personal protective equipment or follow appropriate universal precautions while instructing students in a nursing education program.

##### Public Accountancy

Amit Govil; Certified Public Accountant; New Brunswick, NJ 08901; Lic. No. 050319; Cal. No. 33033; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Making and Subscribing False Tax Returns, a class E felony.

Richard DiPaola; Certified Public Accountant; Palmetto, FL 34221; Lic. No. 053950; Cal. No. 33066; Application to surrender license granted. Summary: Licensee did not contest the charge of failing to comply with mandatory continuing education requirements.

Carol N. Pestone; Certified Public Accountant; Westwood, NJ 07675; Lic. No. 056668; Cal. No. 33081; Application to surrender license granted. Summary: Licensee did not

contest the charge of willful failure to comply with mandatory continuing education requirements.

Adam S. Cahn; Certified Public Accountant; New City, NY 10956; Lic. No. 063580; Cal. No. 33141; Application to surrender license granted. Summary: Licensee did not contest the charge of willful failure to comply with mandatory continuing education requirements.

### **Veterinary Medicine**

Javier R. Diaz Cabero a/k/a Javier Rodrigo Diaz Cabero a/k/a Javier C. Diaz; Veterinarian; White Plains, NY 10605-2906; Lic. No. 010619; Cal. No. 33272; Application to surrender license granted. Summary: Licensee did not contest the charge of physical abuse of animals.

## **II. OTHER REGENTS DISCIPLINARY ACTIONS**

### **Engineering, Land Surveying and Geology**

Victor Suben; Professional Engineer; Stony Brook, NY 11790; Lic. No. 049434; Cal. No. 33037; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$2,000 fine.

Bakhtiar Shamloo; Professional Engineer; Great Neck, NY 11024; Lic. No. 070154; Cal. No. 33047; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$7,500 fine.

### **Mental Health Practitioners**

Keith Edward McFall; Licensed Mental Health Counselor; Seaford, NY 11783; Lic. No. 005200; Cal. No. 32992; Application for consent order granted; Penalty agreed upon: Censure and reprimand, 2 years probation.

### **Nursing**

Nancy Vaverchak; Registered Professional Nurse; Syracuse, NY 13205; Lic. No. 457268; Cal. No. 30412; Found guilty of professional misconduct; Penalty: Indefinite actual suspension for no less than 1 year and until fit to practice, upon return to practice, 2 years probation.

Jenelle Anika Noble; Registered Professional Nurse; Rochester, NY 14609; Lic. No. 727586; Cal. No. 32665; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation, \$750 fine.

Joash Edmond Saint Jean; Licensed Practical Nurse; Valley Stream, NY 11581; Lic. No. 332006; Cal. No. 32869; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation.

Joy B. Fevrier; Registered Professional Nurse, Nurse Practitioner (Family Health); Hopewell Junction, NY 12533; Lic. No. 730238, Cert. No. 341715; Cal. Nos. 32912, 32913; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$1,000 fine.

Annette Osei Asiedu; Registered Professional Nurse; Bronx, NY 10462; Lic. No. 776418; Cal. No. 32936; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation, \$500 fine.

Kelley A. Canazzi; Registered Professional Nurse; Buffalo, NY 14209; Lic. No. 649383; Cal. No. 32959; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Lenka Alinda Espinoza; Registered Professional Nurse; Central Islip, NY 11722; Lic. No. 635605; Cal. No. 32964; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation.

Dominique Danyelle Ford; Licensed Practical Nurse; Buffalo, NY 14215; Lic. No. 301280; Cal. No. 32970; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Ashley Lee Jenkins; Licensed Practical Nurse; Glens Falls, NY 12801; Lic. No. 304978; Cal. No. 32973; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$250 fine.

Shannon L. Kozak; Registered Professional Nurse; Rochester, NY 14626; Lic. No. 711501; Cal. No. 32988; Application for consent order granted; Penalty agreed upon: Censure and reprimand, 1 year probation, \$500 fine.

Jeannene Donna Wagner; Licensed Practical Nurse; Rochester, NY 14624; Lic. No. 324664; Cal. No. 32996; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice, 2 years probation, \$500 fine.

Gladys Marie Faleafa; Registered Professional Nurse; Lehi, UT 84043; Lic. No. 782284; Cal. No. 33022; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 1 month and until fit to practice, upon return to practice, 2 years probation.

Phousavath Luangrath; Registered Professional Nurse; Buffalo, NY 14214; Lic. No. 675284; Cal. No. 33039; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Karen May Lau; Registered Professional Nurse, Nurse Practitioner (Pediatrics); Batavia, NY 14020; Lic. No. 516757, Cert. No. 381525; Cal. Nos. 33042, 33043; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

### **Pharmacy**

Albany Medical Center Hospital; Pharmacy; Albany, NY 12208; Reg. No. 000028; Cal. No. 32745; Application for consent order granted; Penalty agreed upon: Censure and reprimand, \$6,000 fine.

### **Physical Therapy**

Joanne M. Dooher; Physical Therapist; Massapequa, NY 11758; Lic. No. 015431; Cal. No. 33048; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 2 years and until fit to practice, upon return to practice, 2 years probation.

### **Respiratory Therapy**

Victoria Rose Toomajian; Respiratory Therapist; Waterford, NY 12188; Lic. No. 009682; Cal. No. 31952; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, upon return to practice, 2 years probation, \$500 fine.

### **Social Work**

Kelly Anne Esposito; Licensed Master Social Worker, Licensed Clinical Social Worker; Clay, NY 13041; Lic. Nos. 080649, 085893; Cal. Nos. 32805, 32804; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, upon return to practice, 2 years probation, \$1,000 fine.

Stacey Leigh Steinmiller a/k/a Stacey L. Snyder; Licensed Master Social Worker, Licensed Clinical Social Worker; Rochester, NY 14610; Lic. Nos. 083223, 081805; Cal. Nos. 32974, 32975; Application for consent order granted; Penalty agreed upon: 2 months actual suspension, 22 months stayed suspension, upon return to practice, 2 years probation, \$1,000 fine.

## **Veterinary Medicine**

Corrine Elizabeth Yotter; Veterinary Technician; Lockport, NY 14094; Lic. No. 006280; Cal. No. 32981; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$250 fine.