



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 2023 Meeting

**DATE:** August 31, 2023

**AUTHORIZATION(S):**

## SUMMARY

### **Issue for Decision**

Should the Board of Regents approve the Summary of the July 2023 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 2023 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 2023 Meeting of the Board of Regents of The University of the State of New York be approved.

**Timetable for Implementation**

Effective September 12, 2023.



**SUMMARY OF THE JULY 2023 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 17, 2023***

***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 17 at 8:30 a.m. pursuant to a call to duty sent to each Regent.

### MEETING OF THE FULL BOARD, Monday, July 17 at 8:30 a.m.

#### Board Members in Attendance:

Lester W. Young, Jr., *Chancellor*  
Roger Tilles  
Wade S. Norwood  
Kathleen M. Cashin  
James E. Cottrell  
Judith Chin  
Luis O. Reyes  
Susan W. Mittler  
Frances G. Wills  
Aramina Vega Ferrer  
Roger P. Catania  
Adrian I. Hale

Also present were Commissioner, Betty A. Rosa, Executive Deputy Commissioner, Sharon Cates-Williams, Counsel and Deputy Commissioner for Legal Affairs, Daniel Morton-Bentley, and Secretary, Board of Regents, Christopher J. Halpin. Vice Chancellor Josephine Victoria Finn, and Regents Christine D. Cea, Catherine Collins, Elizabeth S. Hakanson, and Shino Tanikawa were absent and excused.

### ACTION ITEM

#### **Executive Session Motion**

**MOVED**, that the Board of Regents convene in executive session on Monday, July 17 at 10:30 am to discuss litigation matters.

**Motion by:** Regent Roger Tilles  
**Seconded by:** Regent James E. Cottrell  
**Action:** Motion passed. Regent Hale was absent for the vote.

## **PRESENTATION**

### **Highlights of the MBK Symposium**

Chancellor Lester W. Young, Jr. provided comments and shared a video of highlights from the 2023 New York State My Brother's Keeper (NYSMBK) Symposium held May 19 in Albany.

Chancellor Young adjourned the meeting.

**MEETING OF THE FULL BOARD, Monday, July 17 at 10:10 a.m.**

**Board Members in Attendance:**

Lester W. Young, Jr., *Chancellor*  
Roger Tilles  
Wade S. Norwood  
Kathleen M. Cashin  
James E. Cottrell  
Judith Chin  
Luis O. Reyes  
Susan W. Mittler  
Frances G. Wills  
Aramina Vega Ferrer  
Roger P. Catania  
Adrian I. Hale

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. Vice Chancellor Josephine Victoria Finn, and Regents Christine D. Cea, Catherine Collins, Elizabeth S. Hakanson, and Shino Tanikawa 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 (See Appendix I).

**Supplemental Charter Application  
BR (A) 1 - SUPPLEMENTAL**

**MOVED**, that the Board of Regents approve the application in accordance with the recommendations contained in the supplemental summary table. (See Appendix I).

**Summary of the June 2023 Meeting of the Board of Regents  
BR (A) 2**

**MOVED**, that the Summary of the June 2023 Meeting of the Board of Regents of The University of the State of New York be approved.

**Motion by:** Regent Frances G. Wills  
**Seconded by:** Regent James E. Cottrell  
**Action:** Motion passed. Regent Tilles recused himself from the vote on BR (A) 1.

**State Education Department June 2023 Fiscal Report  
BR (A) 3**

**MOVED**, that the Board of Regents approve the State Education Department June 2023 Fiscal Report as presented.

**Motion by:** Regent Roger Tilles  
**Seconded by:** Regent Aramina Vega Ferrer  
**Action:** Motion passed unanimously.

**PROGRAM AREA CONSENT ITEMS**

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

**Appointments to the New York State Independent Living Council, Inc.  
BR (CA) 1**

**MOVED**, that the Board of Regents take the following action:

**MOVED**, that Louis Paniccioli be appointed for a 6-month unexpired term beginning July 1, 2023 and ending December 31, 2023.

**MOVED**, that Isabelle Alexander-Klaboe be appointed for a 6-month unexpired term beginning July 1, 2023 and ending December 31, 2023.

**MOVED**, that Jacqueline John be appointed for a 6-month unexpired term beginning July 1, 2023 and ending December 31, 2023.

**Higher Education**

**Conferral of Degrees: City Seminary of New York Graduate Center  
BR (CA) 2**

**MOVED**, that Board of Regents confer upon the following individuals, who have completed the requirements for registered degree programs at the City Seminary of New York Graduate Center, the respective degree as listed below.

**City Seminary of New York Graduate Center**

The following students have completed the requirements for the Master of Arts (M.A.) award:

Abiola Babalola  
Susan Sanborn Carpenter  
Danielle Christi Cummings  
Sasha Thomas Hallock  
Jerin Joe James  
Juliya Joseph  
Deirdre Marie McIntosh-Brown  
Oluremi Joseph Omolola  
Oluwatoyin Maria Omolola  
Princy Prasad  
Samuel Thomas

**Master Plan Amendment  
BR (CA) 3 - REVISED**

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

**Proposed Amendment of Section 52.21 of the Regulations of the Commissioner of Education Relating to School Counselor Education Program General Registration Requirements  
BR (CA) 4**

**MOVED**, that section 52.21 of the Regulations of the Commissioner of Education be amended, as submitted, effective August 2, 2023.

**Proposed Amendment of Sections 80-1.6, 80-1.7, 80-1.8, 80-5.9, 80-5.24, and 80-5.25 of the Regulations of the Commissioner of Education Relating to the Initial Reissuance, Provisional Renewal, and Time Extension Requirements  
BR (CA) 5 – REVISED (7/17/23)**

**MOVED**, that Sections 80-1.6, 80-1.7, 80-1.8, 80-5.9, 80-5.24, and 80-5.25 of the Regulations of the Commissioner of Education be amended, as submitted, effective August 2, 2023.

**Proposed Amendment of Section 80-5.3 of the Regulations of the Commissioner of Education Relating to Extending a Flexibility for Incidental Teaching  
BR (CA) 6**

**MOVED**, that section 80-5.3 of the Regulations of the Commissioner of Education be amended, as submitted, effective August 14, 2023, as an emergency rule 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 for the 2023-2024 school year to address teacher shortages, and to ensure that the emergency action taken at the May 2023 meeting remains continuously in effect.



**Office of Counsel**

**Interim Action by Standing Committees  
BR (CA) 7**

**MOVED**, that 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 19, 2023 and ending on September 10, 2023 and that any such action shall be reported to the Board at its meeting on September 11-12, 2023.

**P-12 Education**

**Petition of the City School District of the City of Norwich for Consent to Exceed  
the Constitutional Debt Limit  
BR (CA) 8**

**MOVED**, that the Board of Regents hereby gives consent to the issuance of bonds and/or bond anticipation notes by the Board of Education of the City School District of the City of Norwich in an amount not to exceed \$1,100,000, in excess of the constitutional debt limit, to finance certain capital improvements consisting of construction and reconstruction of the Middle/High School building complex and facilities, site, multipurpose and other athletic field improvements and the acquisition of certain original furnishings, equipment, and apparatus and other incidental improvements required in connection therewith for such construction and school use.

**Petition of the Stockbridge Central School District for Consent to Exceed the  
Constitutional Debt Limit  
BR (CA) 9**

**MOVED**, that the Board of Regents hereby gives consent to the issuance of bonds and/or bond anticipation notes by the Board of Education of the Stockbridge Central School District in excess of the constitutional debt limit of said school district, in an amount not to exceed \$6,785,000, to pay the cost of reconstruction of and improvements to various school district facilities.

**Proposed Amendment of Section 151-1.3 of the Regulations of the Commissioner  
of Education Relating to the Universal Prekindergarten Program (UPK) Staffing  
Qualifications  
BR (CA) 10**

**MOVED**, section 151-1.3 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 11, 2023, 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 conform the Commissioner's regulations to Part A of Chapter 56 of the Laws of 2023 and to ensure that the emergency action taken at the June 2023 meeting remains continuously in effect.

**Proposed Amendment of Section 136.5 of the Regulations of the Commissioner of Education Relating to Requiring Nonpublic Schools to Follow Concussion Management Protocols  
BR (CA) 11**

**MOVED**, that section 136.5 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 11, 2023, as an emergency action upon a finding by the Board of Regents that such action is necessary for the public health, safety, and general welfare in order to timely implement Chapter 617 of the Laws of 2022, which effective July 1, 2023, requires nonpublic schools to follow the procedures of the Concussion Management Act and to ensure that the emergency action taken at the June 2023 meeting remains continuously in effect.

**The Registration of Religious and Independent High Schools Visited in the Spring of 2023  
BR (CA) 12**

**MOVED**, that the following schools, which have requested high school registration or received pending registration, be fully registered:

<b>School</b>	<b>County</b>	<b>Recommended Status</b>
Children's Academy	New York	Registered
Ihsan School of Excellence	Onondaga	Registered

**Proposed Amendment of Section 19.5 of the Rules of the Board of Regents and Sections 100.2, 200.1, 200.7, 200.15, and 200.22 of the Regulations of the Commissioner of Education Relating to the Prohibition of Corporal Punishment, Aversive Interventions, Prone Restraint and Seclusion; Permitted Use of Timeout and Restraint; and Data Collection  
BR (CA) 13**

**MOVED**, that Section 19.5 of the Rules of the Board of Regents and Sections 100.2, 200.1, 200.7, 200.15, and 200.22 of the Regulations of the Commissioner of Education be amended, as submitted, effective August 2, 2023.

**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) 14**

**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) 15**

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

**Master Plan Amendment: Long Island University, Bachelor of Engineering Program in Digital Engineering Licensure  
BR (CA) 16**

**MOVED**, that the Board of Regents approve an MPA to authorize Long Island University to offer a BE program in Digital Engineering at the Brooklyn and CW Post campuses. This amendment will be effective until July 31, 2024, unless the Department registers the program prior to that date, in which case the master plan amendment shall be without term.

**New York School for Medical and Dental Assistants, Inc.: Application for Permanent Degree Authority to Confer Degrees  
BR (CA) 17**

**MOVED**, that the Board of Regents grant permanent degree-granting authority to NYSMDA.

**Proposed Technical Amendment of Section 68.3 of the Regulations of the Commissioner of Education Relating to the Requirements for Admission to the Examination for Licensure as an Engineer  
BR (CA) 18**

**MOVED**, that section 68.3 of the Regulations of the Commissioner of Education be amended, as submitted, effective August 2, 2023.

**Proposed Amendment to Section 69.2 of the Regulations of the Commissioner of Education Relating to Licensing Examination and Testing Accommodations in the Profession of Architecture  
BR (CA) 19**

**MOVED**, that section 69.2 of the Regulations of the Commissioner of Education be amended, as submitted, effective August 14, 2023, 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 conform the Regulations of the Commissioner of Education to the national licensing and testing accommodations standards in the profession of architecture and to ensure the emergency action taken at the May 2023 Regents meeting remains continuously in effect.

**Renewal of Permission to Operate in New York State: Castleton University,  
Thomas Jefferson University, University of Pennsylvania, Vermont Technical  
College, and Yale University  
BR (CA) 20**

**MOVED**, that the Board of Regents renew permission to operate in New York State for the following programs until July 31, 2028:

- Castleton University (Castleton, Vermont): up to 24 students per academic year for the B.S. Nursing program
- Thomas Jefferson University (Philadelphia, Pennsylvania): up to 18 students per year for the M.S. and Post-Graduate Certificate Midwifery programs combined
- University of Pennsylvania (Philadelphia, Pennsylvania): up to 5 students per academic year for the M.S.N. Nurse Midwifery program
- Vermont Technical College (Randolph Center, Vermont): up to 24 students per academic year for the A.S. Nursing program
- Yale University (New Haven, Connecticut): up to 5 students per academic year each for the certificate Graduate-Entry Pre-specialty in Nursing program and M.S.N. the Adult/Gerontology Acute Care Nurse Practitioner program

After July 31, 2028, these programs cannot place students in New York without renewal permission. Each program shall not exceed the approved number of students to be placed in New York clinical facilities, practices, or agencies per academic year (for the enrollment period between August 1 and July 31).

These programs must submit an annual report in a form prescribed by the Department. Placing students exceeding the approved number and/or failure to submit the annual report will result in termination of permission to operate. It is illegal practice to place students in licensure-qualifying programs in New York clinical facilities without Board of Regents approval of permission to operate or renewal of permission to operate.

**Professional Practice/Higher Education**

**Proposed Addition of Section 29.21 to the Rules of the Board of Regents and  
Section 59.16 to the Regulations of the Commissioner of Education and  
Amendment of Section 80-5.6 of the Regulations of the Commissioner of  
Education Relating to Temporary Practice by Certain U.S. Servicemembers and  
Servicemembers' Spouses Licensed or Certified in Another State  
BR (CA) 21**

**MOVED**, that section 29.21 of the Rules of the Board of Regents and section 59.16 of the Regulations of the Commissioner of Education be added, and section 80-5.6 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 11, 2023, as an emergency action, upon a finding that such action is necessary for the preservation of the public health and the general welfare in order to

timely implement the provisions of federal law Public Law 117-333, effective January 5, 2023, which will increase the number of licensed professionals and practicing educators in New York State, and to ensure that the emergency action taken at the June 2023 Regents meeting remains continuously in effect.

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

**Motion by:** Regent Judith Chin  
**Seconded by:** Regent Frances G. Wills  
**Action:** Motion passed. Regent Tilles recused himself from BR (CA) 16.

## **STANDING COMMITTEE REPORTS**

### **P-12 EDUCATION**

The P-12 Education Committee held its scheduled meeting on July 17, 2023. All members were present except for Vice Chancellor Josephine Victoria Finn, Regent Christine D. Cea and Regent Shino Tanikawa who were excused. Chancellor Young and Regents Luis O. Reyes, Susan W. Mittler, and Adrian I. Hale also attended the meeting but did not vote on the action items.

### **ACTION ITEMS**

**Proposed Amendment to Section 100.2(ee) of the Regulations of the Commissioner of Education Relating to Providing Flexibility for the Two-Step Identification Process for Academic Intervention Services (AIS) for Students Enrolled in Grades 3-8 for the 2023-2024 School Year [P12 (A) 1]** - Department staff presented a proposed regulatory amendment to provide flexibility in the two-step identification process for Academic Intervention Services for students enrolled in grades 3-8 in the 2023-2024 school year.

The Committee recommends that the Board of Regents finds that section 100.2(ee) of the Regulations of the Commissioner of Education be amended, as submitted, effective July 18, 2023, 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 flexibility for the two-step identification process for academic intervention services (AIS) for students enrolled in grades 3-8 for the 2023-2024 school year, and any other school year where the results of the grades 3-8 assessments are not provided to schools prior to the beginning of the school year.

The motion passed unanimously.

**Proposed Amendment to Sections 114.3 and 114.4 of the Regulations of the Commissioner of Education Relating to School Food Service Programs and Bidding Exemptions for Purchasing New York State Food and Milk [P12 (A) 2]** - Department staff presented for emergency action a proposed amendment to conform the Commissioner's regulations to Part OO of Chapter 58 of the Laws of 2023, which amended the General Municipal Law regarding bidding exemptions for purchasing New York State food and milk for school food service program(s).

The Committee recommends that the Board of Regents finds that sections 114.3 and 114.4 of the Regulations of the Commissioner of Education be amended, as submitted, effective July 18, 2023, 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 conform the Commissioner's regulations to Part OO of Chapter 58 of the laws of 2023.

The motion passed unanimously.

#### **MOTION FOR ACTION BY FULL BOARD**

The P-12 Education Committee recommends, and we move, that at its meeting on July 18, 2023, the Board of Regents act affirmatively upon each recommendation in the written report of the Committee's deliberations, copies of which have been distributed to each Regent.

#### **MATTERS NOT REQUIRING BOARD ACTION**

Deputy Commissioner Angelique Johnson-Dingle reviewed the items on the Consent Agenda.

#### **PROFESSIONAL PRACTICE**

The Professional Practice Committee held its scheduled meeting on July 17, 2023. All members were present except Vice Chancellor Josephine Victoria Finn, Regent Christine D. Cea, Regent Catherine Collins, and Regent Elizabeth S. Hakanson, who were excused. Chancellor Lester W. Young, Jr. was also present and voted as an ex-officio member. Regent Roger Tilles, Regent Kathleen M. Cashin, Regent Judith Chin, Regent Luis O. Reyes, Regent Susan W. Mittler, Regent Aramina Vega Ferrer, and Regent Adrian I. Hale also attended the meeting, but did not vote on any action.

#### **ACTION ITEMS**

##### **Professional Discipline Cases [PCC 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 4 cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 20 consent order applications and 12 surrender applications be granted.

These recommendations are made following the review of 36 cases involving nine licensed practical nurses, eight registered professional nurses, four certified public accountants, three architects, two licensed practical nurses who are also registered professional nurses, one certified professional accountant professional service corporation, one licensed clinical social worker, one massage therapist, one pharmacist, one polysomnographic technologist, one professional engineer, one respiratory therapy technician, and one veterinary technician.

**Proposed Addition of Section 76.11 to the Regulations of the Commissioner of Education Relating to Occupational Therapists' Authority to Provide Treatment for a Limited Time without a Referral** [PPC (A) 1] - Department staff presented for emergency action proposed amendments to conform the Commissioner's regulations to Chapter 601 of the Laws of 2022, which, effective March 21, 2023, permits a licensed occupational therapist to provide treatment for 10 visits, or 30 days, whichever shall occur first, without a referral from a physician or nurse practitioner provided that: (1) the licensed occupational therapist has practiced occupational therapy on a full time basis equivalent to not less than 3 years; (2) each licensed occupational therapist shall provide written notice to each patient receiving treatment absent a referral from a physician or nurse practitioner that occupational therapy may not be covered by the patient's health care plan or insurer without such a referral and that such treatment may be a covered expense if rendered pursuant to a referral; and the occupational therapist shall keep on file with the patient's records a form attesting to the patient's notice of such advice and such form shall be in duplicate, with one copy to be retained by the patient, signed and dated by both the occupational therapist and the patient.

The Committee recommends that section 76.11 of the Regulations of the Commissioner of Education be added, as submitted, effective July 18, 2023, as an emergency action, upon a finding that such action is necessary for the preservation of the public health and general welfare in order to timely implement the provisions of Chapter 601 of the Laws of 2022, effective March 31, 2023, which will provide greater levels of care to patients by allowing them more direct access to occupational therapy services and reduce costs for both patients and insurance carriers.

The motion passed unanimously.

#### **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 17, 2023, 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 Reports be approved.

**Motion by:** Regent Roger P. Catania  
**Seconded by:** Regent Aramina Vega Ferrer  
**Action:** Motion passed unanimously.

### **Proclamation**

Chancellor Lester W. Young, Jr. and Angelique Johnson-Dingle, Deputy Commissioner, P-12 Instructional Support provided remarks on the career and retirement of Kathleen R. DeCataldo, Esq., Assistant Commissioner for the Office of Student Support Services. She was presented with a Proclamation in recognition of her service and dedication to the Department and the people of the State of New York.

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 of Location (City/Town)</b>	<b>Description of Charter Action(s)</b>
Bayport-Blue Point Heritage Association	CE	Suffolk (Bayport)	Extend provisional charter for five years.
Cambria Historical Society	CE	Niagara (Cambria)	Amend charter to add dissolution language.
Cambridge Historical Society Museum	CE	Washington (Cambridge)	Extend provisional charter for five years.
Century Association Archives Foundation	CE	New York (New York)	Extend provisional charter for five years.
Corfu Public Library	CE	Genesee (Corfu)	Grant an absolute charter.
Niagara County Genealogy Society	CE	Niagara (Lockport)	Amend charter to update IRS dissolution language.
Saint Marianne Cope Shrine & Museum	CE	Onondaga (Syracuse)	Extend provisional charter for five years.
Wharton Studio Museum	CE	Tompkins (Ithaca)	Extend provisional charter for five years.
The Five Towns Center for Education	P12	Nassau (Lawrence)	Grant provisional charter for three years.
Our Lady of Mercy Catholic Academy	P12	Queens (Queens)	Grant an absolute charter.
Park Children's Day School	P12	New York (New York)	Extend provisional charter for three years.
Torah and Language Academy	P12	Queens (Queens)	Grant provisional charter for three years.
The Winchendon School - NYC	P12	New York (New York)	Grant an absolute charter.
Long Island University	OP	Nassau (Brookville)	Amend charter to add authority to confer the Bachelor of Engineering (B.E.) degree.

**Supplemental Summary Table**

<b>Name of Institution</b>	<b>Program Area</b>	<b>County of Location (City/Town)</b>	<b>Description of Charter Action(s)</b>
Universal Hip Hop Museum	CE	Bronx (Bronx)	Amend charter to change the corporate name to "The Hip Hop Museum".

## Appendix II

### REGENTS ACTIONS IN 36 PROFESSIONAL DISCIPLINE CASES JULY 17, 2023

The Board of Regents announced disciplinary actions resulting in the revocation of 1 license, surrender of 11 licenses and 1 authorization, and 23 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

Matthew Walter; Registered Professional Nurse; Westtown, NY 10998; Lic. No. 630590; Cal. No. 33302; Found guilty of professional misconduct; Penalty: Revocation.

Jamie Lynn Milin; Licensed Practical Nurse; Hudson Falls, NY 12839; Lic. No. 330622; Cal. No. 33368; Application to surrender license granted. Summary: Licensee admitted to the charge of failing to administer and/or waste controlled substances.

Michael David Mesko; Registered Professional Nurse; Pekin, IL 61555; Lic. No. 604368; Cal. No. 33523; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Enticement of a Minor, a felony.

Ashley Verona Stone; Registered Professional Nurse; San Francisco, CA 94121; Lic. No. 659444; Cal. No. 33592; Application to surrender license granted. Summary: Licensee did not contest the charge of failing to record the administration, wasting, or return of medication to several patients in the State of Washington.

Julie Snyder; Licensed Practical Nurse; Lighthouse Point, FL 33064; Lic. No. 257151; Cal. No. 33651; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Petit Larceny.

John David Leonard; Registered Professional Nurse; Beaumont, AB T4X 1R1, Canada; Lic. No. 520514; Cal. No. 33672; Application to surrender license granted. Summary: Licensee did not contest the charge of, in the Province of Alberta, Canada, inaccurately documenting the type of respiratory machine a patient was on; failing to document the dosage of wastage of medications; administering medication contrary to a physician's order; and providing care for a patient on a ventilator despite the rescission of his ventilator certification.

Kristin Lynn O'Dell; Licensed Practical Nurse; Chatham, NY 12037; Lic. No. 275372; Cal. No. 33701; Application to surrender license granted. Summary: Licensee did not contest the charge of diversion of narcotics.

## **Pharmacy**

Mark Andrew Mongillo; Pharmacist; Bradford, PA 16701; Lic. No. 058233; Cal. No. 33527; Application to surrender license granted. Summary: Licensee admitted to the charges of having been convicted of Possession with Intent to Distribute Methamphetamine and Possession of a Firearm in Furtherance of a Drug Trafficking Crime, all felonies.

## **Public Accountancy**

Richard J. Bertuglia; Certified Public Accountant; Dix Hills, NY 11746; Lic. No. 062299; Cal. No. 33459; Application to surrender license granted. Summary: Licensee did not contest the charge of failing to complete testing of journal entries and internal controls.

Kevin Michael Smith; Certified Public Accountant; Seaford, NY 11783; Lic. No. 087447; Cal. No. 33679; Application to surrender license granted. Summary: Licensee did not contest the charge of willful failure to comply with mandatory continuing education requirements.

## **Respiratory Therapy**

Neranjana Shanthilal De Silva; Polysomnographic Technologist; Whitestone, NY 11375-7322; Auth. No. 000157; Cal. No. 33401; Application to surrender authorization granted. Summary: Licensee did not contest the charge of sending unsolicited sexually explicit text messages to a patient's mother.

Philip Harrison Clarke; Respiratory Therapy Technician; Leroy, NY 14482; Lic. No. 004455; Cal. No. 33643; Application to surrender license granted. Summary: Licensee admitted to failing to pay a \$500 fine, failing to complete continuing education consisting of coursework in ethics and documentation, and failing to answer and submit quarterly questionnaires as requested by the department, as required by the terms of probation imposed by the Board of Regents in Order No. 31709.

## **Veterinary Medicine**

Darlene Hernandez; Veterinary Technician; Bronx, NY 10467; Lic. No. 005802; Cal. No. 33578; Application to surrender license granted. Summary: Licensee admitted to the charge of practicing the profession of veterinary medicine as a veterinary technician while not registered.

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

### **Architecture**

Jon David Libasci; Architect; New York, NY 10025; Lic. No. 023066; Cal. No. 33572; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$4,000 fine.

Kurt Jacobs; Architect; Riverhead, NY 11901; Lic. No. 017831; Cal. No. 33611; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$1,500 fine.

Anthony Carmine Villano; Architect; Staten Island, NY 10309; Lic. No. 032342; Cal. No. 33619; Application for consent order granted; Penalty agreed upon: 3 months actual suspension, 21 months stayed suspension, 2 years probation, \$5,000 fine.

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

Cessou Jefferson Bernard; Professional Engineer; Salisbury, MA 01952; Lic. No. 091878; Cal. No. 33351; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 6 months and until fit to practice, upon return practice in New York State, 5 years probation.

### **Massage Therapy**

Justine Maria Byrd; Massage Therapist; Schenectady, NY 12305-1018; Lic. No. 028897; Cal. No. 30994; Found guilty of professional misconduct; Penalty: 6 months actual suspension, 18 months stayed suspension, 2 years probation.

### **Nursing**

Scott E. Trapper; Licensed Practical Nurse; Lockport, NY 14094; Lic. No. 262574; Cal. No. 32044; Found guilty of professional misconduct; Penalty: Indefinite actual suspension for no less than 1 year and until successful completion of coursework, upon return to practice, 2 years probation.

Christine Elizabeth Voss a/k/a Christine Elizabeth Lulo; Licensed Practical Nurse, Registered Professional Nurse; St. James, NY 11780; Lic. Nos. 238289, 567063; Cal. Nos. 33168, 33169; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation.

Kamani Sookpaul; Registered Professional Nurse; Clermont, FL 34712; Lic. No. 789966; Cal. No. 33189; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation.

Jillian Rene Winarske; Licensed Practical Nurse; Alden, NY 14004; Lic. No. 327688; Cal. No. 33207; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Bonnie Joy Rosengarten; Registered Professional Nurse; Robbinsville, NJ 08691; Lic. No. 688105; Cal. No. 33383; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Michele Pauline Hanna; Registered Professional Nurse; Albany, NY 12203; Lic. No. 662564; Cal. No. 33431; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Linda E. Betterton; Licensed Practical Nurse; Fulton, NY 13069-2454; Lic. No. 300821; Cal. No. 33531; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, upon return to practice, 2 years probation.

Wendy M. Rivera; Licensed Practical Nurse; Albion, NY 14411; Lic. No. 224902; Cal. No. 33533; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$250 fine.

Laura Anne Hargrove-Wise; Registered Professional Nurse; Hilton, NY 14468; Lic. No. 490022; Cal. No. 33631; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Mark Tourangeau; Licensed Practical Nurse, Registered Professional Nurse; Staten Island, NY 10303; Lic. Nos. 262913, 520719; Cal. Nos. 33660, 33659; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Jessica Lyn Wiech; Licensed Practical Nurse; Lancaster, NY 14086; Lic. No. 289046; Cal. No. 33695; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice, 2 years probation.

### **Public Accountancy**

Hongling Zhang; Certified Public Accountant; Flushing, NY 11355; Lic. No. 088065; Cal. No. 33465; Application for consent order granted; Penalty agreed upon: 6 months actual suspension, 18 months stayed suspension, upon return to practice, 2 years probation, \$5,000 fine.

Zhang Hongling CPA PC; Professional Service Corporation; Flushing, NY 11355; Cal. No. 33466; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$5,000 fine.

Jonathan Ian Brooks; Certified Public Accountant; West Orange, NJ 07052; Lic. No. 075675; Cal. No. 33645; Application for consent order granted; Penalty agreed upon: 2 months actual suspension, 22 months stayed suspension, 2 years probation, \$2,500 fine.

### **Social Work**

Christopher Scozzaro; Licensed Clinical Social Worker; Orchard Park, NY 14217; Lic. No. 045024; Cal. No. 33616; Application for consent order granted; Penalty agreed

upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation, \$500 fine.