

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of August 15, 2019

Board Members Present:

Board Chairman: Tracy Cagan, RCP
Vice Chairman: Jose Gonzales, RCP
Michael Beller, Public Member
Alan Crawford, RCP
Kathy Rineer, RCP

Board Members Absent:

Leslie Easley, Dr.

Staff Present:

Executive Director:
Jack Confer
Licensing Administrator:
Kathy Stone

Legal Counsel Present:

Frankie Shinn-Eckberg, AAG
Mary Williams, AAG

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of August 15, 2019

I. CALL TO ORDER

The Meeting was called to order at 9:01AM by Board Chairman Cagan.
A 10 minute break was taken at 10:35AM.

II. CONSENT AGENDA

There being no items requested to be removed, a motion was made to approve all items on the Consent Agenda.

MOTION: Board Vice Chairman Gonzales to approve items A – H. Seconded by Board Member Rineer.

VOTE: Motion passed (5-0).

A. APPROVAL OF MINUTES

Recommended for Approval
Regular Session Minutes from July 18, 2019

B. ACTION ON APPLICATIONS FOR LICENSURE

Recommended for approval by the Executive Director

Daniel Aguilar	Janell Cooke	Clarissa Dominguez	Brena Duckworth
Mayra Felix	Toni Girard	Daniel Goodwin	Karen Hall
Arron Hughes	Denise Jackson	Vicki Jennings	Robin Keller
Christopher Kilgore	Kiernan Macrone	Victoria Mercado	Jennie Montgomery
Jennifer Mora	Zoveyda Murillo Chavez	Cariann Myers	Sydney O'Brien
Carley Ott	Arizbe Rosas	Terry Roy	Brittany Scheppmann
Danielle Willis	Serenity Winn		

C. ACTION ON ADMINISTRATIVE CLOSURE OF APPLICATION FILES

Recommended for closing of application files

Joseph Ahene	Ashley Calkins	Natalia Correa	Mariana Cruz Paiz
Danielle Dayton	Jason Luna	Shafiq Mobarez	BriAnna Wilson
Teresa Scott			

D. ACTION ON ADMINISTRATIVE CLOSURE OF 90-DAY INACTIVE FILES

Recommended for closing of inactive files

Tanya Andriso	Stephen Casarez	David Cash	Arcenio Galindo
Lisa Johnican	Rebecca Kerestes	Jeffery Kogerup	Christopher Martin
Thomas McCarthy	Natalie Sharka	Samantha Trace	Douglas Varland

E. ACTION ON NOTICES OF LICENSE EXPIRATIONS

Recommend sending notice of License Expirations to the following individuals:

Henry Canales	Steven Cooper	Isabella Costello	Joel Donenfeld
Steven Duenes	Tiffany Hackett	Toni Harris	Erika Hernandez
Johnny Hively	Kelsey Kruse	Rachelle Ann Lazarte	Elli Lopez
Michael Meadows	Robert Minnich	Dennis Nordquist	Elvia Olivares
Kevin Patrick	Elizabeth Riedl	Daniel Rushford	R.Michelle Terrell
Jason Vanloo	Tara Weber		

F. ACTION ON RATIFICATION OF RENEWAL OF LAPSED LICENSES

Recommended to ratify licenses issued by the Executive Director to individuals who met requirements for renewal:

Matthew Jones	Sandra Sandusky	Samantha Schwartz
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G. DISCUSSION/ACTION ON RATIFICATION OF CONSENT AGREEMENTS

1. Ricchetti, Joseph, 2019-RCE-0057
2. Popa, Cosmin, 2019-RCE-0199
3. Foster, Debbie, 2019-RCE-151
4. Rhine, Donald 2019-RCE-200
5. Malloy, Bill 2019-RCE-0192
6. Martinez, Bailey 2019-RCE-0193
7. Wykle, Charlene 2019-RCE-0206
8. Parres-Gold, Jill 2019-RCE-0197

H. ESTABLISH DATE AND TIME OF NEXT BOARD MEETING

Scheduled date of next Board Meeting

Thursday, September 19, 2019 at 9:00AM.

III. REGULAR AGENDA

A. DISCUSSION/ACTION ON ITEMS REMOVED FROM THE CONSENT AGENDA

B. CONSIDERATION AND POSSIBLE ACTION ON A FORMAL COMPLAINT HEARING PURSUANT TO A.R.S. § 32-3553(H)

1. Hernandez, Raymond Case# 2019-RCE-0136 [9:15AM]
Chairman Cagan announced the case and commenced the interview at 9:16AM. RCP Hernandez was not present. Assistant Attorney General, Frankie Shinn-Eckberg represented the State of Arizona in this proceeding. Assistant Attorney General, Mary Williams appeared as the Independent Advisor to the Board.

MOTION: Board Member Crawford to deem the Parties, Jurisdictional Statements and Factual Allegations contained in the Complaint and Notice of Hearing as the Findings of Fact. Seconded by Board Vice Chairman Gonzales.

VOTE: Motion passed (5-0).

MOTION: Board Member Crawford to adopt the Alleged Violations as Conclusions of Law. Seconded by Board Vice Chairman Gonzales.

VOTE: Motion passed (5-0).

MOTION: Board Member Crawford to revoke the license held by Raymond Hernandez. Seconded by Board Member Rineer.

ROLL CALL VOTE: Motion passed (5-0).

C. CONSIDERATION AND ACTION ON INFORMAL INTERVIEWS

1. Allen, Melissa Case# 2019-RCE-0080
Chairman Cagan announced the case and commenced the interview at 9:23AM. RCP Allen was present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Crawford to issue a non-disciplinary Letter of Concern regarding lack of detail in assessment of RCP's student assignments. Seconded by Board Member Beller.

VOTE: Motion passed (4-0). Board Member Rineer was recused.

2. Amado, Leticia Case# 2019-RCE-0110
Chairman Cagan announced the case and commenced the interview at 10:25AM. RCP Amado was present. Executive Director Confer presented a summary of the case.

Consent Agreement was signed and case resolved.

3. Arteaga, Ernesto Case# 2019-RCE-0111
Chairman Cagan announced the case and commenced the interview at 10:02AM. RCP Arteaga was present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Crawford to offer a non-disciplinary consent agreement with a civil penalty of \$150 payable within 90 days. Seconded by Board Member Rineer.

VOTE: Motion passed (4-1). Board Chairman Cagan voted nay.

4. Blondin, James Case# 2019-RCE-0076
Chairman Cagan announced the case and commenced the interview at 9:51AM. RCP Blondin was present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Crawford to issue a non-disciplinary Letter of Concern for violating HIPAA. Seconded by Board Vice Chairman Gonzales.

VOTE: Motion passed (5-0).

5. Dempsay, Brandie Case# 2019-RCE-0130
Chairman Cagan announced the case and commenced the interview at 10:25AM. RCP Dempsay was not present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Crawford to move this matter to a Formal Hearing. Seconded by Board Member Rineer.

VOTE: Motion passed (5-0).

6. Evans, Monica Case# 2019-RCE-0148
Chairman Cagan announced the case and commenced the interview at 10:26AM. RCP Evans was not present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Crawford to move this matter to a Formal Hearing. Seconded by Board Member Rineer.

VOTE: Motion passed (5-0).

7. Mich, Misty Case# 2019-RCE-0119
Chairman Cagan announced the case and commenced the interview at 10:13AM. RCP Mich was present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Crawford to issue a disciplinary probation order for 90 days to complete 20 CEUs and pay a civil penalty of \$500. Seconded by Board Vice Chairman Gonzales.

ROLL CALL VOTE: Motion passed (5-0).

D. CONSIDERATION AND ACTION ON INVESTIGATIONS OF POSSIBLE UNPROFESSIONAL CONDUCT

1. Hadzihasanovic, Amar Case# 2019-RCE-0019
Chairman Cagan announced the case. RCP Hadzihasanovic was present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to dismiss. Seconded by Board Member Rineer.

VOTE: Motion passed (5-0).

2. Huerta, Lisa Case# 2019-RCE-0020
Chairman Cagan announced the case. RCP Huerta was not present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to move this matter to an Informal Hearing.
Seconded by Board Vice Chairman Gonzales.

VOTE: Motion passed (5-0).

E. DISCUSSION/ACTION ON EXECUTIVE DIRECTOR'S REPORT

Updates were given by John Confer, Executive Director and Kathy Stone, Licensing Administrator.

1. Application, Investigation & Probation Reports (Board Update & Status)
2. FY20 Budget Status (Board Update & Status)
3. FY21 Budget Status (Possible Vote, Discussion & Consideration)
4. Online Renewal Continuing Education Audit Application Change Reports (Board Update & Status)
5. Customer Satisfaction Survey Summary
6. Summary of current events that affect the Arizona Board of Respiratory Care Examiners (This is the time for the Board Chair, Board Members or Staff to give a brief summary of current affecting the Board)

F. CALL TO THE PUBLIC

Several RCPs addressed the Board.

G. ITEMS TO BE PLACED ON A FUTURE AGENDA

H. ADJOURNMENT

Chairman Cagan adjourned the meeting at 11:18AM.

DATED this 19th day of August 2019.





Jack Confer, Executive Director

Final