

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of August 18, 2016

Board Members Present:

Board Chairman: Tracy Cagan, RCP
Vice Chairman: Jose Gonzales, RCP
Nicholas Walters, Esq
Kathy Rineer, RCP

Board Members Absent:

Alan Crawford, RCP
Michelle O'Hair –
Schattenberg, Esq.

Staff Present:

Executive Director:
Jack Confer
Investigator:
David Geriminsky
Licensing Specialist:
Kathy Stone

Legal Counsel Present:

Frankie Shinn-Eckberg, AAG
John Tellier, AAG

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of August 18, 2016

CALL TO ORDER

The Meeting was called to order at 9:00AM by Board Chairman Cagan.
A 2 minute break was taken at 9:30AM.

CONSENT AGENDA

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

MOTION: Board Member Gonzales to approve. Seconded by Board Member Walters.
VOTE: Motion passed (4-0).

C-1 APPROVAL OF MINUTES

Recommended for Approval
Regular Session Minutes from July 21, 2016 meeting.
Executive Session Minutes from July 21, 2016 meeting.

C-2 ACTION ON APPLICATIONS FOR LICENSURE

Recommended for approval by the Executive Director

Patricia Acosta	Hans Bhalla	Joseph Britt	Chasity Colon
Carolina Cordova	Adrian Fontan	Matthew Giles	Meaghan Houst
Osama Hussein	Thulasi Kashyap	Ashlee Lewis	Michaelyn Mills
Caleb Myers	Sandra Nez	Francisco Partida	Lynette Pfannenstiel
Clay Sawyer	Jacqueline Somoza	Ryan Steinnagel	Jose Urias
Sandra Utley	Christopher Brown		

C-3 ACTION ON ADMINISTRATIVE CLOSURE OF APPLICATION FILES

Recommended for closing of application files
Elizabeth Campbell Jolene Crain Eric Robertin

C-4 ACTION ON ADMINISTRATIVE CLOSURE OF TWO-YEAR INACTIVE FILES

Recommended for closing of inactive files

Elizabeth Anderson	Alan Baron	Richard Bellew	April Benzuly
Tammy Cabadas	Justin Clontz	Denielle Coger	Wayne Conway
Steven Davis	William Delago	Lynette Ewers	Henry Fronczak
Jane Fronczak	Mark Keppler	Robert McCarthy	Rachel Searls
Pamelua Vaughn			

C- 5 ACTION ON NOTICES OF LICENSE EXPIRATIONS

Recommend sending notice of license expirations to the following individuals:

David Ascencio	Catherine Bowen	William Cohagen	Timothy Davis
Lawrence Dobbins	Susan Donovan	Ebony Dunlap	Cody Feldman
Denise Foor	H. Elizabeth Hinton	Kelly Kastner	Tracy Lindeman
Jon Linville	Dustin Napier	Shawn Pattie	Karen Saige
Cynthia Schilt	Pramod Tailor	Brianne Van der Griend	Felix Vasquez
April Ward	Erica Williford		

C- 6 ACTION ON RATIFICATION OF RENEWAL OF LAPSED LICENSES

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

Hector Cabrera	Michelle Humphreys	Keophaythoune Mack	Karen Pascal
Dawn Rich	Jennifer Riecke	Ky Stodolak	Toya Wolo

C-7 DISCUSSION/ACTION ON RATIFICATION OF CONSENT AGREEMENTS

- | | |
|---------------------------|-------------------------------|
| 1. Leifried, Christina | Case Number C003506-16-011003 |
| 2. Klein, Brandon | Case Number C003587-16-011197 |
| 3. Muresan, Larissa | Case Number C003505-16-011166 |
| 4. Ling, Christy | Case Number C003589-16-009028 |
| 5. Leifried, Christina | Case Number C003513-16-011003 |
| 6. Moulder, Nicholas | Case Number C003593-16-009771 |
| 7. Long, Erich | Case Number C003590-16-007424 |
| 8. King, Pamela | Case Number C003540-16-002457 |
| 9. Hanley-Griswold, Debra | Case Number C003561-16-001479 |
| 10. Carson, Lori | Case Number C003583-16-007210 |
| 11. Baker, Christian | Case Number C003582-16-009522 |
| 12. McGee, Janice | Case Number C003591-16-001000 |
| 13. Ojeda, Ulyses | Case Number C003594-16-010995 |
| 14. Ellis, Jason | Case Number C003536-16-008096 |
| 15. Armstrong, Kimberly | Case Number C003519-16-010918 |
| 16. Rainge, Steven | Case Number C003595-16-011113 |
| 17. Hortman, Timothy | Case Number C003495-16-003515 |

- 18. Childress, Jenna
- 19. Townsend, Jaiah
- 20. Capers, Elaine

Case Number C003534-16-011300
Case Number C003597-16-009965
Case Number C003532-16-011015

C -8 ESTABLISH DATE AND TIME OF NEXT BOARD MEETING

Scheduled date of next Board meeting

Thursday, October 20, 2016 at 9:00AM.

REGULAR AGENDA

R-1 DISCUSSION/ACTION ON ITEMS REMOVED FROM THE CONSENT AGENDA

R-2 CONSIDERATION AND ACTION ON FORMAL COMPLAINT HEARINGS PURSUANT TO A.R.S. § 32-3553(H)

1. Barker, Jr., David Case Number C003443-16-010293 (9:30AM)
Chairman Cagan announced the case and commenced the interview at 9:32AM. RCP Barker was present. Assistant Attorney General, Frankie Shinn-Eckberg represented the State of Arizona in this proceeding. Assistant Attorney General John Tellier appeared as the Independent Advisor to the Board. Investigator Geriminsky was called as a witness and testified in this matter.

MOTION: Board Member Walters to adopt Parties, Jurisdiction and Factual Allegations numbers 1-3 in the Complaint and Notice of Hearing as Findings of Fact. Seconded by Vice Chairman Member Gonzales.

VOTE: Motion passed (4-0).

MOTION: Board Member Walters to adopt Alleged Violations (1-5) in the Complaint and Notice of Hearing as Conclusions of Law. Seconded by Vice Chairman Member Gonzales.

VOTE: Motion passed (4-0).

MOTION: Board Member Walters to issue a civil penalty of \$250 for failure to report criminal action within 10 days and amend application to reflect this incident within 90 days. Seconded by Board Member Rineer.

ROLL CALL VOTE: Motion passed (3-1). Vice Chairman Member Gonzales voted nay.

R-3 CONSIDERATION AND ACTION ON INFORMAL INTERVIEWS PURSUANT TO A.R.S. § 32-3553(G)

1. Garibay, Victor Case Number C003559-16-010629
Chairman Cagan announced the case and commenced the interview at 10:32AM. RCP Garibay was not present. Investigator Geriminsky presented a summary of the case.

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

VOTE: Motion passed (4-0).

2. Slusser, John Case Number C003577-16-011609
Chairman Cagan announced the case and commenced the interview at 10:34AM. RCP Slusser was not present. Investigator Geriminsky presented a summary of the case.

MOTION: Vice Chairman Member Gonzales to move this matter to a Formal Hearing. Seconded by Board Member Walters.
VOTE: Motion passed (4-0).

R-4 CONSIDERATION AND ACTION ON INVESTIGATIONS OF POSSIBLE UNPROFESSIONAL CONDUCT

1. Blankinship, Heather Case Number C003578-16-008881
Chairman Cagan announced the case. RCP Blankinship was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

MOTION: Board Member Walters to offer a consent agreement to pay \$25 for late CEUs (5) within 90 days. If consent agreement is not signed, move this matter to an informal interview. Seconded by Vice Chairman Member Gonzales.
VOTE: Motion passed (4-0).

2. First, Tad Case Number C003570-16-009738
Cagan announced the case. RCP First was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

MOTION: Board Member Walters to issue a Letter of Concern stating the failure or inaccurate patient charting can lead to future disciplinary actions. In addition, RCP First shall complete 3 hours of continuing education on charting or record keeping offered by the AARC within 90 days. Continuing Education cannot be used for future renewals. Seconded by Vice Chairman Member Gonzales.
VOTE: Motion passed (4-0).

3. Miller, Melissa Case Number C003528-16-007155
Chairman Cagan announced the case. RCP Miller was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Miller addressed the Board Members regarding the matter.

MOTION: Board Member Walters to issue a Letter of Concern stating that sharing prescription medications in the future could lead to disciplinary actions and that this incident

exhibits poor judgment. Seconded by Vice Chairman Member Gonzales.

VOTE: Motion passed (4-0).

4. Trigg, Shila Case Number C003568-16-011446
Chairman Cagan announced the case. RCP Trigg was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

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

VOTE: Motion passed (4-0).

Cases Recommended for Dismissal/Referral

5. First, Tad Case Number C003576-16-009738
Chairman Cagan announced the case. RCP First was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

MOTION: Board Member Walters to dismiss. Seconded by Vice Chairman Member Gonzales.

VOTE: Motion passed (4-0).

6. Goodman, Stacie Case Number C003504-16-003399
Chairman Cagan announced the case. RCP Goodman was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

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

VOTE: Motion passed (4-0).

R-5 DISCUSSION/ACTION ON APPLICATION INTERVIEW FOR LICENSURE

1. Drinkwater, David Case Number C003607-17-011976
Chairman Cagan announced the case. RCP Drinkwater was present. Licensing Specialist Stone reviewed the allegations for the Board Members.

MOTION: Board Member Walters to grant license. Seconded by Board Member Rineer.

VOTE: Motion passed (4-0).

2. LaTona, Dawn Case Number C003606-17-011985
Chairman Cagan announced the case. RCP LaTona was present. Licensing Specialist Stone reviewed the allegations for the Board Members.

MOTION:

Vice Chairman Member Gonzales to grant license once application has been amended and received to reflect incident. Seconded by Board Member Rineer.

VOTE:

Motion passed (4-0).

R-6 DISCUSSION/ACTION ON EXECUTIVE DIRECTOR'S REPORT

1. Application, Investigation & Probation Reports
2. Cash Flow Statement FY2016 (13th month) & July FY2017
3. Proposed Budget Submittal FY2018
4. Proposed Strategic Plan FY2018
5. Proposed IT Strategic Plan FY2018

MOTION:

Vice Chairman Member Gonzales to accept proposals for Budget, Strategic Plan and IT Strategic Plan. Seconded by Board Member Walters.

VOTE:

Motion passed (4-0).

6. Proposed Legislative Sunset Review Response
7. Board Policy (Possible Discussion, Action & Vote)
 - a. Amended Investigation Policy

MOTION:

Board Member Rineer to accept amended policy with changes. Seconded by Vice Chairman Member Gonzales.

VOTE:

Motion passed (4-0).

- b. License & Application Closure
8. RRT Rule, GRRC Approval, Effective date
9. Executive Director Evaluation (Possible Executive Session, Discussion, Action & Vote)
10. Governor's Office Request for Executive Order Exemption for Rule Promulgation
11. New Legislation, Language added to Board Meeting Notice Letters

R-7 CALL TO THE PUBLIC

None

R-8 ITEMS TO BE PLACED ON A FUTURE AGENDA


None

R-9 ADJOURNMENT

Board Chairman Cagan adjourned the meeting at 11:43AM.

Dated this 16th day of NOVEMBER 2016





Jack Confer
Executive Director