

# Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of February 18, 2016

**Board Members Present:**

Board Chairman: Tracy Cagan, RCP  
Jose Gonzales, RCP  
Michelle O’Hair-Schattenberg, Esq.  
Nicholas Walters, Esq.

**Board Members Absent:**

Alan Crawford, RCP  
Kathy Rineer, RCP

**Staff Present:**

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

**Legal Counsel Present:**

Frankie Shinn-Eckberg, AAG

# Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of February 18, 2016

## CALL TO ORDER

The Meeting was called to order at 9:20AM by Board Chairman Cagan.  
A 5 minute break was taken at 10:20AM.

## 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 O’Hair-Schattenberg to approve. Seconded by Board Member Gonzales.

**VOTE:** Motion passed (4-0).

### C-1 APPROVAL OF MINUTES

Recommended for Approval

Regular & Executive Session Minutes for January 21, 2016.

### C-2 ACTION ON APPLICATIONS FOR LICENSURE

Recommended for approval by the Executive Director

Jason Audisio	Courtney Blevins	Jasmine Bravo	Crystal Brieno
Huda Elsaad	Bryan Gaston	Amanda Guillory	Lauren Kirchoff
Gabriella Lorenger	Olivia Murphy	Samantha Pohoresky	Christopher Powell
Linda Silkwood	Jaimie Thorp		

### C-3 ACTION ON ADMINISTRATIVE CLOSURE OF APPLICATION FILES

Recommended for closing of application files

Chelsea Manley	Cheryon Simon
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### C-4 ACTION ON ADMINISTRATIVE CLOSURE OF TWO-YEAR INACTIVE FILES

Recommended for closing of inactive files

Shirley Balden	Scott Barthol	Lloyd Bartholomew	Scott Callahan
James Cox	Mary Edelman	Sara Evans	Michelle Fry
Carolyn Hamm	Michele Herman	Kimberly Hikida	Kimberly Homer

Pamela Munson	Shauna Ottley	Tyler Pemberton	Danielle Petty
Eric Sampson	Brian Sandwich	Jill Savoy	Robert Scott
Tatyana Shakarova	Richard Smith	Charles Spencer	Stephen Wall
Naomi Wilson	Gulnora Witas		

**C- 5 ACTION ON NOTICES OF LICENSE EXPIRATIONS**

Recommend sending notice of license expirations to the following individuals:

Cheryl Benally	Christopher Bermudez	Debbie Brown	Karrie Clark
Steven Crismon	Alex Day	Michael Hall	Joel Hansen
Shauna Harris	Elizabeth Jansen	Ruth Limes-Jimenez	Mark Meins
Yvonne Miller	Marilyn Olson	Karen Pascal	Michael Rossi
Matthew Schubert	Hinde Silver	Samuel Tetrault	Lana Therio
Michael Verardi	Brittany Washington	Cynthia Weidner	Otto Werner

**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

Yvette Binns	Casey Winterrowd	Jason Cook	Raymond Hernandez
Laura McMinn	Triscia Stokes	Julie Stoneberger	Kristinea Watson

**C - 7 ESTABLISH DATE AND TIME OF NEXT BOARD MEETING**

Scheduled date of next Board Meeting

Thursday, March 17, 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)**

### **R-2 CONSIDERATION AND ACTION ON INFORMAL INTERVIEWS**

1. Goss, Karen Case Number C003441-16-006965  
Chairman Cagan announced the case and commenced the interview at 9:25AM. RCP Goss was present. Investigator Geriminsky presented a summary of the case.

**MOTION:** Board Member O’Hair-Schattenberg to dismiss. Seconded by Board Member Gonzales.

**VOTE:** Motion passed (4-0).

2. Eide, Zeke Case Number C003384-15-009711  
Chairman Cagan announced the case and commenced the interview at 10:25AM. RCP Eide was not present. Investigator Geriminsky presented a summary of the case.

**MOTION:** Board Member Walters to dismiss. Seconded by Board Member O’Hair-Schattenberg.

**VOTE:** Motion passed (4-0).

3. Wilson, Rita Case Number C003415-16-002823  
Chairman Cagan announced the case and commenced the interview at 10:32AM. RCP Wilson 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 Gonzales.

**VOTE:** Motion passed (4-0).

### **R-3 CONSIDERATION AND ACTION ON INVESTIGATIONS OF POSSIBLE UNPROFESSIONAL CONDUCT**

1. Ballentine, Alycia Case Number C003468-16-009043  
Chairman Cagan announced the case. RCP Ballentine was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Ballentine addressed the Board Members regarding the matter.

**MOTION:** Board Member O’Hair-Schattenberg to table this item until next month. Seconded by Board Member Walters.

**VOTE:** Motion passed (4-0).

2. Henderson, Bryan Case Number C003444-16-009722  
Chairman Cagan announced the case. RCP Henderson was not present. Investigator Geriminsky reviewed the allegations for the Board Members.  
  
**MOTION:** Board Member Gonzales to move this matter to an Informal Interview. Seconded by Board Member O’Hair-Schattenberg.  
**VOTE:** Motion passed (4-0).
3. Kogerup, Jeffery Case Number C003480-16-007930  
Chairman Cagan announced the case. RCP Kogerup was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Kogerup addressed the Board Members regarding the matter.  
  
**MOTION:** Board Member Gonzales to dismiss. Seconded by Board Member O’Hair-Schattenberg.  
**VOTE:** Motion passed (4-0).
4. Navarro, Adrian Case Number C003477-16-010197  
Chairman Cagan announced the case. RCP Navarro was not present. Investigator Geriminsky reviewed the allegations for the Board Members.  
  
**MOTION:** Board Member O’Hair-Schattenberg to offer a non-disciplinary consent agreement to pay \$50 per shift worked (one) with an expired license within 30 days. Seconded by Board Member Gonzales.  
**VOTE:** Motion passed (4-0).
5. Nguyen, Thang Case Number C003478-16-011323  
Chairman Cagan announced the case. RCP Nguyen was not present. Investigator Geriminsky reviewed the allegations for the Board Members.  
  
**MOTION:** Board Member O’Hair-Schattenberg to offer a non-disciplinary consent agreement to pay \$50 per shift worked (six) with an expired license within 90 days. Seconded by Board Member Walters.  
**VOTE:** Motion passed (4-0).
6. Petkovic, Elma Case Number C003411-16-007395  
Chairman Cagan announced the case. RCP Petkovic was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Petkovic addressed the Board Members regarding the matter.  
  
**MOTION:** Board Member O’Hair-Schattenberg to dismiss. Seconded by Board Member Gonzales.  
**VOTE:** Motion passed (4-0).
7. Johnson, Carmen Case Number C003479-16-007218  
Chairman Cagan announced the case. RCP Johnson was not present. Investigator

Geriminsky reviewed the allegations for the Board Members.

**MOTION:** Board Member Walters to offer a non-disciplinary consent agreement to pay \$10 per missing continuing education credit (CE) and complete 20 CE's within 90 days. Seconded by Board Member O'Hair-Schattenberg.

**VOTE:** Motion passed (4-0).

### **Cases Recommended for Dismissal/Referral**

8. Dingie, Samantha Case Number C003460-16-010061  
Chairman Cagan announced the case. RCP Dingie was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

**MOTION:** Board Member O'Hair-Schattenberg to dismiss. Seconded by Board Member Gonzales.

**VOTE:** Motion passed (4-0).

9. Unknown Case Number C003406-16-000000  
Chairman Cagan announced the case. RCP Unknown was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

**MOTION:** Board Member Walters to dismiss. Seconded by Board Member O'Hair-Schattenberg.

**VOTE:** Motion passed (4-0).

### **R-4 DISCUSSION/ACTION ON APPLICATION INTERVIEW FOR LICENSURE**

1. Abina, Iliana Case Number C003486-16-011755  
Chairman Cagan announced the case. RCP Abina was present. Executive Director Confer reviewed the allegations for the Board Members.

**MOTION:** Board Member O'Hair-Schattenberg to grant license. Seconded by Board Member Walters.

**VOTE:** Motion passed (4-0).

2. Fierro, Rocio Case Number C003490-16-011816  
Chairman Cagan announced the case. RCP Fiero was present. Executive Director Confer reviewed the allegations for the Board Members.

**MOTION:** Board Member O'Hair-Schattenberg to grant license. Seconded by Board Member Walters.

**VOTE:** Motion passed (4-0).

### **R-5 DISCUSSION/ACTION ON EXECUTIVE DIRECTOR'S REPORT**

1. Application, Investigation & Probation Reports  
David Geriminsky, Investigator gave the Board an update on cases.
2. Cash Flow Statement December 2015
3. Board Policy (Possible Discussion, Action & Vote)
  - a. Licensing Fee Refunds Procedure  
Board Member Gonzales to approve Licensing Fee Refund Procedure. Seconded by Board Member Walters. Vote: (4-0).
  - b. Proposed Changes to Continuing Education Program  
Board Member Gonzales to have board staff seek amendment of pending bill, to include proposed continuing education programs (with removal of program "N"). If current bill cannot be amended, staff should proceed to rulemaking. Seconded by Board Member O'Hair-Schattenberg. Vote: (4-0).
  - c. Discussion of Enforcement Matrix for Continuing Education Violations & Board Sanction  
Board Member Walters to have board staff create an enforcement matrix for RCP's who fail Continuing Education Audits as follows:  
RCP's who have completed only their first licensure period and who have had no other board action against their license, would be offered a consent agreement by Board Staff in which they pay \$25 for each CE missed and complete any missing CE within 90 days.  
RCPs who have renewed their license more than one time or who have any prior board action, would be offered a consent agreement by Board Staff in which they would pay a civil penalty of \$50.00 per CE missed and complete any missing CE's within 90 days.  
Consent agreements would be placed on the consent section of the agenda for ratification by the Board.  
If the RCP declines to enter into the consent agreement they would be invited to appear before the Board at the next available regularly scheduled Board Meeting.  
Seconded by Board Member Gonzales. Vote: (4-0).
  - d. Acceptable Proof for Continuing Education
4. 2016 Legislation Update
  - a. SB1300; HB2501; SB1443; SB1421; SB1445  
Jack Confer, Executive Director gave the Board an update on all bills.

#### **R-6 CALL TO THE PUBLIC**

Michael Zahab, RCP addressed the Board.

#### **R-7 ITEMS TO BE PLACED ON A FUTURE AGENDA**

#### **R-8 ADJOURNMENT**

Board Chairman Cagan adjourned the meeting at 12:09PM.

Dated this 21<sup>ST</sup> day of MARCH 2016.



  
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Jack Confer  
Executive Director