

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of July 18, 2019

Board Members Present:

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

Board Members Absent:

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 July 18, 2019

I. CALL TO ORDER

The Meeting was called to order at 9:00AM by Board Chairman Cagan.
A 5 minute break was taken at 10:36AM.

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 Member Crawford to approve items A – H. Seconded by Dr. Easley.

VOTE: Motion passed (6-0).

A. APPROVAL OF MINUTES

Recommended for Approval

Regular Session Minutes from May 16, 2019

Special Telephonic Minutes from June 28, 2019

B. ACTION ON APPLICATIONS FOR LICENSURE

Recommended for approval by the Executive Director

Oscar Aguilera
Naomi Barrios
Damien Correa
Tyson Edwards
Erin McDaniel
Kendall Rieck
Erin Rosepapa
Bradley St. James
Nicole Teso
Celia Williams

Alyssa Andazola
Marla Bradley
Sarah Crow
Cynthia Fernandez
Kyle Morris
Maria Rios Ramirez
Erica Schlote
Ana Stoughton
David Thomas
Paul Williamson, Jr.

Francisco Avila, III
Alan Buchmiller
Qualon Darby
Diamond Mares
Eleni Peterson
Janet Robinson
Megan Sealy
Amanda Strebeck
James Tith

Harlee Bailey-Stephens
Joshua Castillo
Stevie Downs
Kenneth McCollum
Alexandra Redding
Shelby Rogers
Jennifer Simmons
Jacquelyn Tanganelli
Alisha Willey

C. ACTION ON ADMINISTRATIVE CLOSURE OF APPLICATION FILES

Recommended for closing of application files

Jeffrey Appel	Ruth Dean	Brooke Peters	Amanda Renteria
Ayron Suazo	Grace Thomas	Brittany Williams	Susana Ruybalid

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

Recommended for closing of inactive files

T-Sabine Cast	Lisa Cochrane	Joann Graham	Maria Hernandez
Kathryn Hughes	William Markley	Aislinn Reyes	Norman Vanderwall
Michael Zangrillo			

E. ACTION ON NOTICES OF LICENSE EXPIRATIONS

Recommend sending notice of License Expirations to the following individuals:

Jeanette Arredondo	Rhonda Barnett	Peter Carter	Anne Dewey
Sara Estrada	Karlene Gaul	Ellen Hernandez	Valente Hernandez
Leslie Hicks	Lucinda Howell	Gabisa Kebeto	Ashley Lay
Melissa McGrath	Robert Moreno	Kay Mugford	Eugene Notebaert
Gail Reust	Emily Rook	Danny Salas	Samantha Schwartz
Nicholas Slattery	Vicki Stephenson	Shawn Tate	D'Angelo Tinsley
Karin Valenzuela			

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:

Michael Watkins	Jean Higginbotham
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G. DISCUSSION/ACTION ON RATIFICATION OF CONSENT AGREEMENTS

- | | | |
|-----|---------------------------|---------------------|
| 1. | Sharma, Seema | Case# 2019-RCE-0144 |
| 2. | McGowan, Seth | Case# 2019-RCE-0106 |
| 3. | Valenzuela-Clontz, Alyssa | Case# 2019-RCE-0146 |
| 4. | Freuden, Nicole | Case# 2019-RCE-0075 |
| 5. | Cannizzo, Christopher | Case# 2019-RCE-0129 |
| 6. | Whittaker, Judd | Case# 2019-RCE-0165 |
| 7. | Henkel, Trevor | Case# 2019-RCE-0092 |
| 8. | Woods, Joseph | Case# 2019-RCE-0166 |
| 9. | McGartland, Brenda | Case# 2019-RCE-0013 |
| 10. | Lopez, Anna-Maria | Case# 2019-RCE-0152 |
| 11. | Phillips, Mark | Case# 2019-RCE-0054 |
| 12. | Griffin, Sandra | Case# 2019-RCE-0155 |
| 13. | Stewart, Christine | Case# 2019-RCE-0164 |
| 14. | Carroll, Rachel | Case# 2019-RCE-0145 |

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|-----|----------------------|---------------------|
| 15. | Blonde, Matthew | Case# 2019-RCE-0149 |
| 16. | Daniel, Jamie | Case# 2019-RCE-0150 |
| 17. | Garica, Adaine | Case# 2019-RCE-0153 |
| 18. | Huston, Jennifer | Case# 2019-RCE-0086 |
| 19. | Meyer, Barbara | Case# 2019-RCE-0160 |
| 20. | Nesbitt, Prudencia | Case# 2019-RCE-0163 |
| 21. | McKnight, Diane | Case# 2019-RCE-0161 |
| 22. | Pelayo, Edgar | Case# 2019-RCE-0051 |
| 23. | Flicklinger, Latasha | Case# 2019-RCE-0085 |
| 24. | Lewis, Tara | Case# 2019-RCE-0159 |
| 25. | Allen, Jessica | Case# 2019-RCE-0147 |

H. ESTABLISH DATE AND TIME OF NEXT BOARD MEETING

Scheduled date of next Board Meeting

Thursday, August 15, 2019 at 9:00AM.

III. REGULAR AGENDA

A. BOARD RECOGNITION PRESENTATION

1. Michelle O’Hair-Schattenberg, Esq.

The Board presented Retired Public Board Member O’Hair-Schattenberg with a recognition award for her past service on the Board.

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

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

1. McBee, Marc Case# 2019-RCE-0044
Case# 2019-RCE-0104

Chairman Cagan announced the case and commenced the interview at 9:15AM. RCP McBee 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 Member Rineer.

VOTE: Motion passed (6-0).

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

VOTE: Motion passed (6-0).

MOTION: Board Member Crawford to revoke the license held by Marc McBee. Seconded by Board Member Rineer.

ROLL CALL VOTE: Motion passed (6-0).

2. Ottaway, Roween Case# 2019-RCE-0048

Chairman Cagan announced the case and commenced the interview at 9:32AM. RCP Ottaway was not present. Assistant Attorney General, Frankie Shinn-Eckberg represented the State of Arizona in this proceeding. Executive Director Confer was called as a witness and testified in this matter. Assistant Attorney General, Mary Williams appeared as the Independent Advisor to the Board.

MOTION: Board Member Crawford to accept Parties, Jurisdictional Statements and Factual Allegations contained in the Complaint and Notice of Hearing as the Findings of Fact and Conclusions of Law. Seconded by Board Member Rineer.

VOTE: Motion passed 6-0.

MOTION: Board Member Crawford to revoke the license held by Roween Ottaway. Seconded by Board Member Rineer.

ROLL CALL VOTE: Motion passed (6-0).

3. Parson, Amanda Case# 2019-RCE-0050
Chairman Cagan announced the case and commenced the interview at 9:46AM. RCP Parson 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 Member Rineer.

VOTE: Motion passed (6-0).

MOTION: Board Member Crawford to adopt the Alleged Violations as Conclusions of Law. Seconded by Dr. Easley.

VOTE: Motion passed (6-0).

MOTION: Board Member Crawford to revoke the license held by Amanda Parson. Seconded by Dr. Easley.

ROLL CALL VOTE: Motion passed (6-0).

4. Ricchetti, Joseph Case# 2019-RCE-0057 [10:30AM]
Chairman Cagan announced the case and commenced the interview at 10:32AM. RCP Ricchetti was 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 offer a non-disciplinary consent order with a civil penalty of \$175 and 5 live CEU hours to be paid and completed within 6 months. Seconded by Board Member Rineer.

ROLL CALL VOTE: Motion passed (6-0).

D. CONSIDERATION AND ACTION ON INVESTIGATIONS OF POSSIBLE UNPROFESSIONAL CONDUCT

1. Foster, Debbie Case# 2019-RCE-0151
Chairman Cagan announced the case. RCP Foster was not present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to move this matter to an Informal Interview if consent order is not signed. Seconded by Board Member Rineer.

VOTE: Motion passed (6-0).

2. Evans, Monica Case# 2018-RCE-0148
Chairman Cagan announced the case. RCP Evans was not present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to move this matter to an Informal Interview. Seconded by Board Member Beller.

VOTE: Motion passed (6-0).

3. Allen, Melissa Case# 2019-RCE-0080
Chairman Cagan announced the case. RCP Allen was present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to move this matter to an Informal Interview. Seconded by Dr. Easley. Staff to obtain grading and staffing policies from PMI.

VOTE: Motion passed (5-0). Board Member Rineer was recused.

4. Watson, Johnathan Case# 2019-RCE-0125
Chairman Cagan announced the case. RCP Watson was not present. Executive Director Confer reviewed the allegations for the Board Members.

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

VOTE: Motion passed (6-0).

E. REVIEW, CONSIDERATION AND POSSIBLE ACTION ON A PRIOR BOARD DECISION

1. Hortman, Ashley N. Case# P003802-18-010397
Chairman Cagan announced the case. RCP Hortman was present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to grant request to terminate probation early. Seconded by Board Member Rineer.

VOTE: Motion passed (6-0).

F. DISCUSSION/ACTION ON EXECUTIVE DIRECTOR'S REPORT

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

1. Application, Investigation & Probation Reports (Board Update & Status)
2. 2019 Legislation (Discussion & Possible Vote) HB2118
3. HB2569, Confidential Legal Advice from the Office of the Attorney General. Discussion & review will take place in Executive Session.
4. Executive Order, 2019-01 Agency Plan
5. FY19 Budget & Update (Board Update & Status)
6. FY20 Budget Status
7. Customer Satisfaction Survey Summary
8. 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)

G. CALL TO THE PUBLIC

6 RCP's came forward.

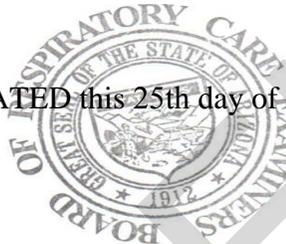
H. ITEMS TO BE PLACED ON A FUTURE AGENDA

None

I. ADJOURNMENT

Chairman Cagan adjourned the meeting at 11:20AM.

DATED this 25th day of July 2019.





Jack Confer, Executive Director