

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of October 17, 2019

Board Members Present:

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

Board Members Absent:

Board Chairman: Tracy
Cagan, RCP
Leslie Easley, Dr.

Staff Present:

Executive Director:
Jack Confer
Licensing Administrator:
Kathy Stone
Administrative Secretary:
Rachael Fowkes

Legal Counsel Present:

Frankie Shinn-Eckberg, AAG
Mary Williams, AAG

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of October 17, 2019

I. CALL TO ORDER

The Meeting was called to order at 9:01AM by Board Vice Chairman Gonzales. A 5 minute break was taken at 10:33AM.

II. CONSENT AGENDA

A. APPROVAL OF MINUTES

Recommended for Approval

Regular Session Minutes from September 19, 2019

MOTION: Board Member Crawford to approve item A. Seconded by Board Member Rineer.

VOTE: Motion passed (4-0).

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

MOTION: Board Member Crawford to approve items B – H. Seconded by Board Member Beller.

VOTE: Motion passed (4-0).

B. ACTION ON APPLICATIONS FOR LICENSURE

Recommended for approval by the Executive Director

Audrey Chavez
Victoria Foster
Suzan Herzig
Tina Long
Benjamin Miller
Kyle Rodis

Danielle Dayton
Socorro Galvan
Christopher Hoffman
Yuliise Lorentz
Denise Myers
Patricia Scott

Jasmine Fajardo
Maritha Garcia Escanuela
Vincent Jenness
David Main
April Ramirez
Alisa Trimble-Henderson

Sarahi Fernandez
Paul Hernandez III
Jacob Knudsen
Jessica Martin
Holly Richardson

C. ACTION ON ADMINISTRATIVE CLOSURE OF APPLICATION FILES

Recommended for closing of application files

Kelsey Bredehoeft	Melinda Newton	Joanna Parra	Patrick Wardwell
Stanley Wilder	Teresa Fewell		

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

Recommended for closing of inactive files

Peter Carter	Lucinda Howell	Eugene Notebaert	Vicki Stephenson
Karin Valenzuela			

E. ACTION ON NOTICES OF LICENSE EXPIRATIONS

Recommend sending notice of License Expirations to the following individuals:

Juan Banuelos	Valerie BlueEyes	Heather Boggs	Rebecca Dawson
Lenna Fletcher	Cherish Green	Edward Hoskins	Sharon McAllister
Joel Moreno	Alexandra Nguyen	Dania Oxley	Patricia Patton
Wesley Smith	Karen Thomas	Herbert Tom	Joseph Vogel
Carol White			

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:

Bonnie Mason

G. ACTION ON RATIFICATION OF CONSENT AGREEMENTS

- | | | |
|-----|--------------------|---------------------|
| 1. | Malloy, Bill | Case# 2019-RCE-0174 |
| 2. | Bravo, Jasmine | Case# 2019-RCE-0233 |
| 3. | Loving, Brianne | Case# 2019-RCE-0216 |
| 4. | Bischoffer, Jesse | Case# 2019-RCE-0232 |
| 5. | Hawkins, Randolph | Case# 2019-RCE-0238 |
| 6. | McIntosh, Miranda | Case# 2019-RCE-0259 |
| 7. | Haynes, David | Case# 2019-RCE-0239 |
| 8. | Lewis, Tara | Case# 2019-RCE-0159 |
| 9. | Laughlin, Robyn | Case# 2019-RCE-0256 |
| 10. | David, Natasha | Case# 2019-RCE-0241 |
| 11. | Czekaj, Ewa | Case# 2019-RCE-0240 |
| 12. | Jones, Richard | Case# 2019-RCE-0245 |
| 13. | Munlin, Tommy | Case# 2019-RCE-0221 |
| 14. | Gillespie, Nicole | Case# 2019-RCE-0251 |
| 15. | Parker, Joinka | Case# 2019-RCE-0260 |
| 16. | Hunsinger, Timothy | Case# 2019-RCE-0253 |

- | | | |
|-----|--------------------|---------------------|
| 17. | Robinson, James | Case# 2019-RCE-0168 |
| 18. | Lovato, Rachel | Case# 2019-RCE-0267 |
| 19. | Newendorp, Allison | Case# 2019-RCE-0224 |
| 20. | Tamondong, Edilmar | Case# 2019-RCE-0263 |
| 21. | Torres, Edward | Case# 2019-RCE-0235 |
| 22. | Dempsey, Brandie | Case# 2019-RCE-0130 |
| 23. | Demetros, Jacinda | Case# 2019-RCE-0138 |
| 24. | Soderberg, Lindsay | Case# 2019-RCE-0290 |
| 25. | Messer, Samantha | Case# 2019-RCE-0284 |
| 26. | Van Zile, Chad | Case# 2019-RCE-0237 |
| 27. | Shimel, Linda | Case# 2019-RCE-0227 |

H. ESTABLISH DATE AND TIME OF NEXT BOARD MEETING

Scheduled date of next Board Meeting

Thursday, November 21, 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. Evans, Monica Case# 2019-RCE-0148 [9:30AM]
Vice Chairman Gonzales announced the case and commenced the interview at 9:32AM. RCP Evans 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 (4-0).

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

VOTE: Motion passed (4-0).

MOTION: Board Member Crawford to revoke the license held by Monica Evans. Seconded by Board Member Beller.

ROLL CALL VOTE: Motion passed (4-0).

2. Koch, Brianna Case# C003841-18-012202 [9:45AM]
Vice Chairman Gonzales announced the case and commenced the interview at 9:51AM. RCP Koch was 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 deem the Parties, Jurisdictional Statements, and Factual Allegations contained in the Complaint and Notice of Hearing as the Findings of Fact. Also, to adopt the Alleged Violations as Conclusions of Law. Seconded by Board Member Rineer.

VOTE: Motion passed (4-0).

MOTION: Board Member Rineer to Executive Session 10:22AM - 10:33AM for legal advice. Seconded by Board Member Crawford.

The Board reconvened to Regular Session at 10:33AM.

MOTION: Board Member Crawford to issue a revocation-stay order effective immediately. Seconded by Board Member Rineer.

ROLL CALL VOTE: Motion passed (4-0).

C. CONSIDERATION AND ACTION ON INFORMAL INTERVIEWS

1. Maldonado, Raynalynn Case# 2019-RCE-0191
Vice Chairman Gonzales announced the case and commenced the interview at 11:06AM. RCP Maldonado was not present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Rineer to move this matter to an Administrative Hearing. Seconded by Board Member Crawford.

VOTE: Motion passed (4-0).

2. Schaeffer, Krista Case# 2019-RCE-0201
Vice Chairman Gonzales announced the case and commenced the interview at 11:08AM. RCP Schaeffer was not present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Rineer to move this matter to an Administrative Hearing. Seconded by Board Member Crawford.

VOTE: Motion passed (4-0).

D. CONSIDERATION AND ACTION ON INVESTIGATIONS OF POSSIBLE UNPROFESSIONAL CONDUCT AND POSSIBLE SUMMARY SUSPENSION PURSUANT TO A.R.S. § 32-3553(E)

1. Evander, Serena Case# 2019-RCE-0268
Vice Chairman Gonzales announced the case. RCP Evander was not present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to find that the public health, safety and welfare imperatively requires emergency action and Summarily Suspend the license held by RCP Evander. Seconded by Board Member Rineer.

ROLL CALL VOTE: Motion passed (4-0).

E. CONSIDERATION AND ACTION ON INVESTIGATIONS OF POSSIBLE UNPROFESSIONAL CONDUCT

1. Adkins, Katy Case# 2019-RCE-0173
Vice Chairman Gonzales announced the case. RCP Adkins was not present. Executive Director Confer reviewed the allegations for the Board Members.

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

VOTE: Motion passed (4-0).

2. Baitsell, Daniel Case# 2019-RCE-0141
Vice Chairman Gonzales announced the case. RCP Baitsell was present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to issue a non-disciplinary Letter of Concern regarding using a prescription drug prior to or during a work shift. Seconded by Board Member Beller.

VOTE: Motion passed (3-0). Board Vice Chairman Gonzales voted nay.

3. Clarke, John Case# 2019-RCE-0175
Vice Chairman Gonzales announced the case. RCP Clarke was not present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Rineer to move this matter to an Informal Interview. Staff to request a hair follicle test. Seconded by Board Member Crawford.

VOTE: Motion passed (4-0).

4. Croco, Michael Case# 2019-RCE-0079
Vice Chairman Gonzales announced the case. RCP Croco was not present. Executive Director Confer reviewed the allegations for the Board Members.

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

VOTE: Motion passed (3-0). Board Vice Chairman Gonzales voted nay.

5. Greff, Chad Case# 2019-RCE-0139
Vice Chairman Gonzales announced the case. RCP Greff was present with his attorney, Cameron Pickett. Executive Director Confer reviewed the allegations for the Board Members.

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

VOTE: Motion passed (4-0).

6. Kirker, April Case# 2019-RCE-0140
Vice Chairman Gonzales announced the case. RCP Kirker was present with her attorney, Emma Cholvems. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to issue a non-disciplinary Letter of Concern regarding using a prescription drug prior to or during a work shift. Seconded by Board Member Beller.

VOTE: Motion passed (4-0).

7. Mursean, Larissa Case# 2019-RCE-0223
Vice Chairman Gonzales announced the case. RCP Mursean was/was not present.
Executive Director Confer reviewed the allegations for the Board Members.

- Item removed from agenda due to compliance of audit.

8. Sedillos, Cynthia Case# 2019-RCE-0202
Vice Chairman Gonzales announced the case. RCP Sedillos was not present. Executive Director Confer reviewed the allegations for the Board Members.

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

VOTE: Motion passed (4-0).

9. Johnson, Kiara Case# 2019-RCE-0217
Vice Chairman Gonzales announced the case. RCP Johnson was not present. Executive Director Confer reviewed the allegations for the Board Members.

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

VOTE: Motion passed (4-0).

10. Melendrez, Karina Case# 2019-RCE-0220
Vice Chairman Gonzales announced the case. RCP Melendrez 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 (4-0).

11. Perez, Juan Case# 2019-RCE-0225
Vice Chairman Gonzales announced the case. RCP Perez 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 Rineer.

VOTE: Motion passed (4-0).

12. Teschner, Jamie Case# 2019-RCE-0229
Vice Chairman Gonzales announced the case. RCP Teschner 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 Rineer.

VOTE: Motion passed (4-0).

13. Espinoza, Angelee Case# 2019-RCE-0242
Vice Chairman Gonzales announced the case. RCP Espinoza 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 Rineer.

VOTE: Motion passed (4-0).

14. Brady, Jeremy Case# 2019-RCE-0247
Vice Chairman Gonzales announced the case. RCP Brady 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 Rineer.

VOTE: Motion passed (4-0).

15. Crozier, Terry Case# 2019-RCE-0248
Vice Chairman Gonzales announced the case. RCP Crozier 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 Rineer.

VOTE: Motion passed (4-0).

16. Kirker, April Case# 2019-RCE-0255
Vice Chairman Gonzales announced the case. RCP Kirker was present. Executive Director Confer reviewed the allegations for the Board Members.

- This matter was tabled.

17. Martin, Thomas Case# 2019-RCE-0258
Vice Chairman Gonzales announced the case. RCP Martin 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 Rineer.

VOTE: Motion passed (4-0).

F. 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
3. Customer Satisfaction Survey Summary
4. 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

None

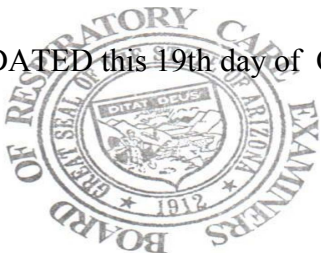
H. ITEMS TO BE PLACED ON A FUTURE AGENDA

- Retired status for licenses

I. ADJOURNMENT

Vice Chairman Gonzales adjourned the meeting at 11:55AM.

DATED this 19th day of October 2019.





Jack Confer, Executive Director