

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of June 24, 2021

Board Members Present:

Board Chairman: Tracy Cagan, RCP
Vice Chairman: Alan Crawford, RCP
Kathy Rineer, RCP
Jose Gonzales, RCP

Board Members Absent:

Leslie Easley, Dr.
Michael Beller, Public
Member

Staff Present:

Executive Director:
Jack Confer
Licensing Coordinator:
Rachael Fowkes
Investigation & Compliance
Specialist:
Audrennia Felker

Legal Counsel Present:

Seamus Monaghan, AAG

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of June 24, 2021

I. CALL TO ORDER

The Meeting was called to order at 9:00AM by Board Chairman Cagan.

II. ROLL CALL:

III. DECLARATION OF CONFLICT OF INTERESTS:

None.

IV. CONSENT AGENDA

All items listed within "II" are considered to be routine or have been previously reviewed by the Board of Respiratory Care Examiners, and will be enacted by one motion. There will be no separate discussion of these items unless a Board member so requests; in which event the item will be removed from the Consent Agenda, and placed in the Regular Agenda under Item III.

MOTION: Vice Chairman Crawford to approve items A & B. Seconded by Board Member Gonzales.

VOTE: Motion passed (4-0).

A. APPROVAL OF MINUTES

1. Special Telephonic Board Meeting of June 9, 2021

B. ESTABLISH DATE AND TIME OF NEXT BOARD MEETING

1. Next scheduled Board meeting is July 15, 2021

V. REGULAR AGENDA

A. CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON INFORMAL INTERVIEWS:

1. Sandra L. Walker Case# 2021-RCE-0010
Board Chairman Cagan announced the case. RCP Walker was present with her attorney Cynthia Patane. Executive Director Confer reviewed the allegations for the Board Members

MOTION: Vice Chairman Crawford to dismiss this matter. Seconded by Board Member

Rineer.

VOTE: Motion passed (4-0).

2. Pearl E. Herrera

Case# 2021-RCE-0010

Board Chairman Cagan announced the case. RCP Herrera was present with her attorney Cynthia Patane. Executive Director Confer reviewed the allegations for the Board Members

MOTION: Vice Chairman Crawford to dismiss this matter. Seconded by Board Member Rineer.

VOTE: Motion passed (4-0).

B. REVIEW, CONSIDERATION AND POSSIBLE CONSOLIDATION OF CASES AND ACTION ON INVESTIGATION OF ALLEGATIONS OF UNPROFESSIONAL CONDUCT & POSSIBLE SUMMARY SUSPENSION PURSUANT TO A.R.S. § 32-3553 (E)

1. Blonde, Matthew

Case# 2020-RCE-0080

Board Chairman Cagan announced the case. RCP Blonde was not present. Executive Director Confer reviewed the allegations for the Board Members

MOTION: Vice Chairman Crawford to Summarily Suspend the license held by RCP Blonde and to move this matter to a Formal Hearing. Seconded by Board Member Gonzales.

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

C. DISCUSSION/ACTION ON APPLICATION INTERVIEW FOR LICENSURE

1. Holz, III., Howard

Case# 2021-RCE-0135

Board Chairman Cagan announced the case. RCP Holz was present. Executive Director Confer reviewed the allegations for the Board Members

MOTION: Vice Chairman Crawford to grant the emergency temporary license. Seconded by Board Member Rineer.

VOTE: Motion passed (3-1). Board Member Gonzales voted nay.

D. INITIAL REVIEW, CONSIDERATION AND ACTION ON INVESTIGATIONS OF POSSIBLE UNPROFESSIONAL CONDUCT (CONTINUING EDUCATION AUDITS)

MOTION: Vice Chairman Crawford to give staff the authority to block vote agenda items 1, 3-6, 8-18, 21-22, 24-37, 39-40, 43, 46-49, 51, 53-56, 58-59, and 62 and instruct board staff to issue a non-disciplinary Letter of Concern regarding completion of CEU requirements if the missing CEUs have already been submitted. Secondly, to issue an order for continuing education with the Findings of Fact to include concern that the Board did not receive the required CEUs at the time of renewal for any RCPs who have not already submitted the outlying continuing education. Seconded by Board Member Rineer.

VOTE: Motion Passed (4-0).

1. Aguilera, Anna Case# 2021-RCE-0104
Board Chairman Cagan announced the case. RCP Aguilera was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

2. Ballentine, Spencer Case# 2021-RCE-0137
Board Chairman Cagan announced the case. RCP Ballentine was present. Executive Director Confer reviewed the allegations for the Board Members

MOTION: Vice Chairman Crawford to issue a non-disciplinary Letter of Concern regarding the appropriate time frame for license renewal. Seconded by Board Chairman Cagan.

VOTE: Motion passed (4-0).

3. Bell, Ann Marie Case# 2020-RCE-0094
Board Chairman Cagan announced the case. RCP Bell was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

4. Biancala, Jean Case# 2021-RCE-0091
Board Chairman Cagan announced the case. RCP Biancala was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

5. Booth, Janice Case# 2021-RCE-0054
Board Chairman Cagan announced the case. RCP Booth was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

6. Bryan, Filip Case# 2021-RCE-0119
Board Chairman Cagan announced the case. RCP Bryan was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

7. Buchmann, Sherri Case# 2020-RCE-0096
Board Chairman Cagan announced the case. RCP Buchmann was present. Executive Director Confer reviewed the allegations for the Board Members

MOTION: Vice Chairman Crawford to issue a Non-Disciplinary Letter of Concern regarding the completion of required CEUs at the time of renewal, unless CEUs are received from within the renewal time frame. Seconded by Board Member Gonzales.

VOTE: Motion passed (4-0).

8. Burbank, Teri Case# 2021-RCE-0020
Board Chairman Cagan announced the case. RCP Burbank was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

9. Butler, Denise Case# 2021-RCE-0110
Board Chairman Cagan announced the case. RCP Butler was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

10. Campagne, Maria Case# 2020-RCE-0097
Board Chairman Cagan announced the case. RCP Campagne was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

11. Canchola, Stephanie Case# 2021-RCE-0077
Board Chairman Cagan announced the case. RCP Canchola was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

12. Cary, Karl Case# 2021-RCE-0055
Board Chairman Cagan announced the case. RCP Cary was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

13. Caudill, Sandra Case# 2021-RCE-0035
Board Chairman Cagan announced the case. RCP Caudill was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

14. Casper, Gabrielle Case# 2021-RCE-0045
Board Chairman Cagan announced the case. RCP Casper was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

15. Charest, Amy Case# 2020-RCE-0098
Board Chairman Cagan announced the case. RCP Charest was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

16. Clement, Thomas Case# 2020-RCE-0099
Board Chairman Cagan announced the case. RCP Clement was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

17. Corbett, Amber Case# 2021-RCE-0093
Board Chairman Cagan announced the case. RCP Corbett was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

18. Cornejo, Anthony Case# 2021-RCE-0123
Board Chairman Cagan announced the case. RCP Cornejo was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

19. Cross, Kindra Case# 2021-RCE-0046
Board Chairman Cagan announced the case. RCP Cross was not present. Executive Director Confer reviewed the allegations for the Board Members

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

VOTE: Motion passed (4-0).

20. Cruse-Finkle, Jessica Case# 2021-RCE-0133
Board Chairman Cagan announced the case. RCP Cruse-Finkle was present. Executive Director Confer reviewed the allegations for the Board Members

MOTION: Vice Chairman Crawford to dismiss this matter. Seconded by Board Member Rineer.

VOTE: Motion passed (4-0).

21. Czarsty, Ashley Case# 2020-RCE-0100
Board Chairman Cagan announced the case. RCP Czarsty was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

22. Deever, Diana Case# 2021-RCE-0094

Board Chairman Cagan announced the case. RCP Deever was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

23. Dicataldo, Jeshiva Case# 2021-RCE-0140

Board Chairman Cagan announced the case. RCP Dicataldo was not present. Executive Director Confer reviewed the allegations for the Board Members

MOTION: Vice Chairman Crawford to offer a letter of concern regarding working without a valid license. Seconded by Board Member Rineer.

VOTE: Motion passed (4-0).

24. DiRaimo, Isabella Case# 2021-RCE-0028

Board Chairman Cagan announced the case. RCP DiRaimo was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

25. Draper, William Case# 2021-RCE-0019

Board Chairman Cagan announced the case. RCP Draper was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

26. Eads, Carolyn Case# 2021-RCE-0025

Board Chairman Cagan announced the case. RCP Eads was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

27. Eberly, William Case# 2021-RCE-0124

Board Chairman Cagan announced the case. RCP Eberly was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

28. Ehrig, Stacey Case# 2021-RCE-0080

Board Chairman Cagan announced the case. RCP Ehrig was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

29. Enriquez, Paul Case# 2021-RCE-0069
Board Chairman Cagan announced the case. RCP Enriquez was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

30. Estopare, Aaron Case# 2021-RCE-0049
Board Chairman Cagan announced the case. RCP Estopare was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

31. Falcone, Christine Case# 2020-RCE-0102
Board Chairman Cagan announced the case. RCP Falcone was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

32. Fazelanvariuzdi, Mehdi Case# 2021-RCE-0056
Board Chairman Cagan announced the case. RCP Fazelanvariuzdi was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

33. Graham, Denna Case# 2021-RCE-0095
Board Chairman Cagan announced the case. RCP Graham was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

34. Griffith, Christine Case# 2021-RCE-0099
Board Chairman Cagan announced the case. RCP Griffith was not present. Executive Director Confer reviewed the allegations for the Board Members.

See beginning of this section.

35. Hansen, Tommie Case# 2021-RCE-0117
Board Chairman Cagan announced the case. RCP Hansen was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

36. Jernigan, Michael Case# 2021-RCE-0047

Board Chairman Cagan announced the case. RCP Jernigan was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

37. Kanios, Julie

Case# 2021-RCE-0111

Board Chairman Cagan announced the case. RCP Kanios was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

38. Kathan, Scott

Case# 2021-RCE-0136

Board Chairman Cagan announced the case. RCP Kathan was present. Executive Director Confer reviewed the allegations for the Board Members

MOTION: Vice Chairman Crawford to offer a Consent Agreement for Standard Order of Probation in compliance with court orders. If not signed, move this matter to an informal interview. Seconded by Board Member Gonzales.

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

39. Kellogg, Byron

Case# 2021-RCE-0022

Board Chairman Cagan announced the case. RCP Kellogg was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

40. Keul, Lisa

Case# 2021-RCE-0081

Board Chairman Cagan announced the case. RCP Keul was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

41. King, Donna

Case# 2021-RCE-0033

Board Chairman Cagan announced the case. RCP King was present. Executive Director Confer reviewed the allegations for the Board Members

MOTION: Vice Chairman Crawford to issue a Non-Disciplinary Letter of Concern regarding completion of CEUs and issue a Consent Agreement to submit the missing CEUs within 30 days. Seconded by Board Member Gonzales.

After some discussion, Vice Chairman Crawford retracted this motion.

MOTION: Vice Chairman Crawford to issue a consent agreement for completion of deficient CEUs to be submitted within 30 days and to include in the Findings of Fact that

RCP King was noncompliant in submitting CEUs at the time of renewal. Seconded by Board Member Gonzales.

VOTE: Motion passes (4-0).

42. Koester, Kimberly Case# 2021-RCE-0058
Board Chairman Cagan announced the case. RCP Koester was present. Executive Director Confer reviewed the allegations for the Board Members

MOTION: Vice Chairman Crawford to issue a Non-Disciplinary Letter of Concern regarding the completion of proper CEUs at the time of renewal. Seconded by Board Member Gonzalez.

VOTE: Motion passed (4-0).

43. Kotler, Melissa Case# 2021-RCE-0072
Board Chairman Cagan announced the case. RCP Kotler was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

44. Lamb, Thomas Case# 2021-RCE-0144
Board Chairman Cagan announced the case. RCP Lamb was not present. Executive Director Confer reviewed the allegations for the Board Members

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

VOTE: Motion passed (4-0).

45. Laxson, Leslie Case# 2021-RCE-0050
Board Chairman Cagan announced the case. RCP Laxson was present. Executive Director Confer reviewed the allegations for the Board Members

MOTION: Vice Chairman Crawford to issue a Non-Disciplinary Letter of Concern regarding the completion of proper CEUs at the time of renewal. Seconded by Board Member Gonzalez.

VOTE: Motion passed (4-0).

46. LeClaire, Gail Case# 2020-RCE-0106
Board Chairman Cagan announced the case. RCP LeClaire was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

47. Leon, Ricardo Case# 2021-RCE-0036
Board Chairman Cagan announced the case. RCP Leon was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

48. Lesneski, Deborah Case# 2020-RCE-0108
Board Chairman Cagan announced the case. RCP Lesneski was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

49. Lindeman, Tracy Case# 2020-RCE-0109
Board Chairman Cagan announced the case. RCP Lindeman was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

50. Marchan, Magda Case# 2021-RCE-0089
Board Chairman Cagan announced the case. RCP Magda was not present. Executive Director Confer reviewed the allegations for the Board Members

This matter was tabled to the next meeting.

51. Martinez, Robin Case# 2021-RCE-0113
Board Chairman Cagan announced the case. RCP Martinez was not present. Executive Director Confer reviewed the allegations for the Board Members.

See beginning of this section

52. Maryska, Robert Case# 2021-RCE-0092
Board Chairman Cagan announced the case. RCP Maryska was present. Executive Director Confer reviewed the allegations for the Board Members

MOTION: Vice Chairman Crawford to issue a consent agreement for completion of deficient CEUs to be submitted within 30 days and to include in the Findings of Fact that RCP Maryska was noncompliant in submitting CEUs at the time of renewal. Seconded by Rineer.

VOTE: Motion passes (4-0).

53. McCabe, Lindsay Case# 2021-RCE-0075
Board Chairman Cagan announced the case. RCP McCabe was not present.

Executive Director Confer reviewed the allegations for the Board Members.

See beginning of this section.

54. McElhaney, Ashley Case# 2021-RCE-0030
Board Chairman Cagan announced the case. RCP McElhaney was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

55. McGartland, Brenda Case# 2021-RCE-0114
Board Chairman Cagan announced the case. RCP McGartland was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

56. Mitchell, Travis Case# 2021-RCE-0037
Board Chairman Cagan announced the case. RCP Mitchell was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

57. Montoya, Gabrielle Case# 2021-RCE-0088
Board Chairman Cagan announced the case. RCP Montoya was present. Executive Director Confer reviewed the allegations for the Board Members

MOTION: Vice Chairman Crawford to issue a Non-Disciplinary Letter of Concern regarding the completion of proper CEUs at the time of renewal. Seconded by Board Member Rineer.

VOTE: Motion passed (4-0).

58. Morales, Lisa Case# 2021-RCE-0115
Board Chairman Cagan announced the case. RCP Morales was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

59. Moreno, Steven Case# 2021-RCE-0016
Board Chairman Cagan announced the case. RCP Moreno was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

60. Nebo-Csanyi, Michelle Case# 2020-RCE-0112

Board Chairman Cagan announced the case. RCP Nebo-Csanyi was present. Executive Director Confer reviewed the allegations for the Board Members

MOTION: Vice Chairman Crawford to accept the Live CEU previously submitted and dismiss this matter. Seconded by Board Member Rineer.

VOTE: Motion passed (4-0).

61. Niemiec, Michelle Case# 2021-RCE-0096
Board Chairman Cagan announced the case. RCP Niemiec was present.
Executive Director Confer reviewed the allegations for the Board Members

MOTION: Vice Chairman Crawford to issue a Non-Disciplinary Letter of Concern regarding the completion of proper CEUs at the time of renewal. Seconded by Board Member Gonzalez.

VOTE: Motion passed (4-0).

62. Norton, Shelby Case# 2021-RCE-0051
Board Chairman Cagan announced the case. RCP Norton was not present. Executive Director Confer reviewed the allegations for the Board Members

See beginning of this section.

E. DISCUSSION/ACTION ON EXECUTIVE DIRECTOR'S REPORT

1. Application, Investigation & Probation Reports (Board Update & Status)
2. FY21 Budget Status
3. Customer Satisfaction Survey Summary
4. Proposition 207 - Guidance for State Agencies
5. Legislation, HB2454, HB2067

I. 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 EVENTS AFFECTING THE BOARD)

None.

J. CALL TO THE PUBLIC

None.

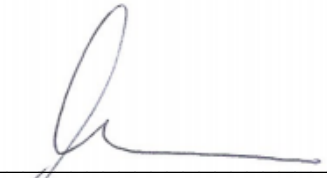
K. ITEMS TO BE PLACED ON A FUTURE AGENDA

None.

L. ADJOURNMENT

Board Chairman Cagan adjourned the meeting at 12:33PM.

DATED this 24th day June 2021.



Jack Confer, Executive Director

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