

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of August 20, 2020

Board Members Present:

Vice Chairman: Alan Crawford, RCP
Kathy Rineer, RCP
Jose Gonzales, RCP
Michael Beller, Public Member
Leslie Easley, Dr.

Board Members Absent:

Board Chairman: Tracy
Cagan, RCP

Staff Present:

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

Legal Counsel Present:

Seamus Monaghan, AAG

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of August 20, 2020

I. CALL TO ORDER

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

A 5 minute break was taken at 10:39 AM

A 5 minute break was taken at 12:23 PM

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 Easley to approve items A – B. Seconded by Board Member Beller.

ROLL CALL VOTE: Motion passed (5-0).

A. APPROVAL OF MINUTES

1. Regular Session Minutes from June 18, 2020

B. ESTABLISH DATE AND TIME OF NEXT BOARD MEETING

Thursday, September 17, 2020 at 9:00AM.

III. REGULAR AGENDA

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

1. Barker, David

Case# 2019-RCE-0315

Vice Chairman Crawford announced the case and commenced the interview at 11:31AM.

RCP Barker was not present. Executive Director Confer presented a summary of the case.

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

ROLL CALL VOTE: Motion passed (5-0).

2. Braaksma, Robert Case# 2020-RCE-0001
Vice Chairman Crawford announced the case and commenced the interview at 11:39AM.
RCP Braaksma was not present. Vice Chairman Crawford presented a summary of the case.
Executive Director Confer recused himself from this matter.

MOTION: Vice Chairman Crawford to issue a Letter of Concern for establishing boundaries with co-workers. Seconded by Board Member Easley.

ROLL CALL VOTE: Motion passed (5-0).

3. Dempsay, Brandie Case# 2020-RCE-0027
Vice Chairman Crawford announced the case and commenced the interview at 11:45AM.
RCP Dempsay was not present. Executive Director Confer presented a summary of the case.

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

ROLL CALL VOTE: Motion passed (5-0).

4. Freeman, Brian Case# 2019-RCE-0316
Vice Chairman Crawford announced the case and commenced the interview at 9:09AM.
RCP Freeman was present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Beller to dismiss this matter. Seconded by Board Member Easley.

ROLL CALL VOTE: Motion passed (5-0).

5. Gates, Allen Case# 2020-RCE-0029
Vice Chairman Crawford announced the case and commenced the interview at 11:16AM.
RCP Gates was present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Easley to issue a standard probationary consent agreement. Seconded by Board Member Gonzales.

ROLL CALL VOTE: Motion passed (5-0).

6. German, Sergio Case# 2020-RCE-0003
Vice Chairman Crawford announced the case and commenced the interview at 11:51AM.
RCP German was not present. Executive Director Confer presented a summary of the case.

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

ROLL CALL VOTE: Motion passed (5-0).

7. Grenier, Joanne Case# 2020-RCE-0016
Vice Chairman Crawford announced the case and commenced the interview at 11:53AM.
RCP Grenier was not present. Executive Director Confer presented a summary of the case.

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

ROLL CALL VOTE: Motion passed (5-0).

8. Handwork, Lindsey Case# 2020-RCE-0017
Vice Chairman Crawford announced the case and commenced the interview at 11:55AM.
RCP Handwork was not present. Executive Director Confer presented a summary of the case.

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

ROLL CALL VOTE: Motion passed (5-0).

9. Hartin, Mitchell Case# 2020-RCE-0002
Vice Chairman Crawford announced the case and commenced the interview at 9:20AM.
RCP Hartin was present. Executive Director Confer presented a summary of the case.

MOTION: Vice Chairman Crawford to offer a non-disciplinary rehabilitative Consent Agreement. Seconded by Board Member Easley.

ROLL CALL VOTE: Motion passed (5-0).

10. Johnson, Erik Case# 2019-RCE-0272
Vice Chairman Crawford announced the case and commenced the interview at 11:56AM.
RCP Johnson was not present. Executive Director Confer presented a summary of the case.

MOTION: Vice Chairman Crawford to move this matter to a Formal Hearing. Seconded by Board Member Beller.

ROLL CALL VOTE: Motion passed (5-0).

11. Krot, Megan Case# 2019-RCE-0318
Vice Chairman Crawford announced the case and commenced the interview at 10:03AM.
RCP Krot was present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Beller to offer a disciplinary consent agreement with a \$500 civil penalty for working without a license. Seconded by Board Member Gonzales.

ROLL CALL VOTE: Motion passed (5-0).

12. Kurz, Sean Case# 2020-RCE-0008
Vice Chairman Crawford announced the case and commenced the interview at 10:14AM.
RCP Kurz was present. Executive Director Confer presented a summary of the case.

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

ROLL CALL VOTE: Motion passed (5-0).

13. Leinweber, Laura Case# 2019-RCE-0320
Vice Chairman Crawford announced the case and commenced the interview at 10:27AM.
RCP Leinweber was present. Executive Director Confer presented a summary of the case.

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

ROLL CALL VOTE: Motion passed (3-2). Board Members Gonzales and Beller voted nay.

14. Luna, Enrique Case# 2019-RCE-0314
Vice Chairman Crawford announced the case and commenced the interview at 11:58AM.
RCP Luna was not present. Executive Director Confer presented a summary of the case.

MOTION: Vice Chairman Crawford to continue this item to the next meeting. Seconded by Board Member Easley.

ROLL CALL VOTE: Motion passed (5-0).

15. Nickell, Michael Case# 2019-RCE-0296
Vice Chairman Crawford announced the case and commenced the interview at 12:01AM.
RCP Nickell was not present. Executive Director Confer presented a summary of the case.

MOTION: Vice Chairman Crawford to move this matter to a Formal Hearing and consolidate cases 2019-RCE-0296 and 2019-RCE-0322 into one case. Seconded by Board Member Easley.

ROLL CALL VOTE: Motion passed (5-0).

16. Nickell, Michael Case# 2019-RCE-0322
Vice Chairman Crawford announced the case and commenced the interview at 12:01AM.
RCP Nickell was not present. Executive Director Confer presented a summary of the case.

See agenda item III.A.15

17. Ruiz, Janet Case# 2019-RCE-0317

Vice Chairman Crawford announced the case and commenced the interview at 9:44AM.
RCP Ruiz was present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Easley to issue a non-disciplinary Letter of Concern for working without a license. Seconded by Board Member Beller.

ROLL CALL VOTE: Motion passed (4-1). Vice Chairman Crawford voted nay.

18. Sanchez, Rodolfo Case# 2019-RCE-0336
Vice Chairman Crawford announced the case and commenced the interview at 12:04AM. RCP Sanchez was not present. Executive Director Confer presented a summary of the case.

MOTION: Vice Chairman Crawford to move this matter to a Formal Hearing. Seconded by Board Member Beller.

ROLL CALL VOTE: Motion passed (5-0).

B. CONSIDERATION AND ACTION ON INVESTIGATIONS OF POSSIBLE UNPROFESSIONAL CONDUCT:

1. Jennings, Natalie Case# 2020-RCE-0064
Vice Chairman Crawford announced the case. RCP Jennings was present. Executive Director Confer reviewed the allegations for the Board Members

MOTION: Vice Chairman Crawford to move to executive session at 10:50AM. Seconded by Board Member Easley.

ROLL CALL VOTE: Motion passed (5-0).

Resumed to open session at 11:02AM.

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

ROLL CALL VOTE: Motion passed (4-1). Vice Chairman Crawford voted nay.

2. Blonde, Matthew Case# 2020-RCE-0080
Vice Chairman Crawford announced the case. RCP Blonde was not present. Executive Director Confer reviewed the allegations for the Board Members. Vice Chairman Crawford recused himself from this matter.

MOTION: Board Member Beller to offer Consent Agreement for voluntary surrender of his license and if not signed, summarily suspend. Seconded by Board Member Gonzales.

ROLL CALL VOTE: Motion passed (4-1).

C. 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
Vice Chairman Crawford announced the case. RCP Blonde was not present. Executive Director Confer presented a summary of the case. Vice Chairman Crawford recused himself

from this matter.

See agenda item III.B.2

D. DISCUSSION/ACTION ON APPLICATION INTERVIEW FOR LICENSURE

1. Jackson, Shacora Case# 2020-RCE-0083
Vice Chairman Crawford announced the case. RCP Jackson was present. Executive Director Confer reviewed the allegations for the Board Members. Vice Chairman Crawford recused himself from this matter.

RCP Jackson withdrew her application.

E. REVIEW, DISCUSSION AND POSSIBLE ROLL CALL VOTE ON COMPLIANCE OF PREVIOUSLY ISSUED ORDER(S) AND POSSIBLE REFERRAL FOR ADDITIONAL ACTION OR INVESTIGATION OR TERMINATION OF PRIOR ORDER:

1. Koch, Brianna Case# C003841-18-012202
Vice Chairman Crawford announced the case. RCP Koch was not present. Executive Director Confer presented a summary of the case.

MOTION: Vice Chairman Easley to move this matter to a Formal Hearing. Seconded by Board Member Gonzales.

ROLL CALL VOTE: Motion passed (5-0).

2. Lofthouse, Celeste Case# 2019-RCE-0321
Vice Chairman Crawford announced the case. RCP Lofthouse was not present. Executive Director Confer presented a summary of the case.

MOTION: Vice Chairman Crawford to continue until an evaluation from her treating physician is received. Seconded by Board Member Easley.

ROLL CALL VOTE: Motion passed (5-0).

3. Wilson, Christina Case# 2020-RCE-0044

Removed from agenda

F. DISCUSSION/ACTION ON EXECUTIVE DIRECTOR'S REPORT

Updates were given by John Confer, Executive Director.

1. Application, Investigation & Probation Reports (Board Update & Status)
2. FY20 Budget Status
3. Customer Satisfaction Survey Summary
4. Informal Interview Training, Seamus Monaghan, AAG

5. Review, Discussion & Possible Vote on Possible Legislation for a Student Respiratory Assistant definition or designation. Proposal from Tracey Schartz, RCP at Gateway Community College

G. 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).

H. CALL TO THE PUBLIC

Those wishing to address the Board do not need to request permission in advance. Each person wishing to address the Board will be given five (5) minutes to do so. The Board can only take action on matters listed on the agenda. Persons who wish to raise issues or concerns not on the noticed agenda should be aware that the only procedural action that can be taken is directing staff to study the matter or to schedule the matter for further discussion at a later date.

None

I. ITEMS TO BE PLACED ON A FUTURE AGENDA
- Live CEU's

J. ADJOURNMENT

Board Vice Chairman Crawford adjourned the meeting at 12:45PM.

DATED this 20th day of August 2020.

Jack Confer, Executive Director