BOARD OF RESPIRATORY CARE EXAMINERS 1740 W. Adams St., Suite 3406, Phoenix, AZ 85007

602-542-5995 Phone

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Katie Hobbs Governor



Jack Confer Interim Executive Director

Board Meeting Minutes

The regular meeting of the Board of Respiratory Care Examiners convened at __9:01___ am, Thursday, Oct 24, 2024 in Boardroom C, at 1740 W. Adams Street, Phoenix, Arizona, with Allen Crawford, RCP, Vice Board Chairman, presiding.

BOARD MEMBERS PRESENT:

Alan Crawford, RCP, Vice-Chariman Becky Renee Brimhall, Member Dr. Leslie Easley, D.O., Member Lauri Leadley, Member

BOARD MEMBERS PRESENT TELEPHONICALLY:

None* Teleconference equipment was inoperable and two (2) Board Members were unable to join the meeting

BOARD MEMBERS ABSENT:

Tracy Cagan, RCP Chairman Rayana Mariland, Member Kimberlee Cota, Member

LEGAL COUNSEL:

Elizabeth Campbell, Assistant Attorney General

STAFF PRESENT:

Jack Confer, Interim Executive Director Katja Garcia, Licensing Administrator Jossilen Stone, Administrative Assistant

I. CALL TO ORDER

The meeting was called to order at 9:01am, Thursday, Oct 24, 2024.

Vice Chairman Crawford welcomed members of the audience, explained the procedure for addressing the Board, and stated the mission of the Board.

II. ROLL CALL

The following Board members were present: Vice Chairman Crawford, Member Brimhall, Member Dr. Easley, Member Leadley

III. DECLARATION OF CONFLICTS OF INTEREST – A.R.S. § 38-503

None

IV. <u>DECLARATION OF RECUSAL(S)</u>

None

V. CALL TO THE PUBLIC

No one wished to speak

VI. REVIEW, DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF MINUTES

Review, consideration and action on approval of minutes was postponed to a future meeting

VII. <u>INITIAL REVIEW, CONSIDERATION AND POSSIBLE CONSOLIDATION OF CASES</u> AND ACTION ON INVESTIGATION OF ALLEGATIONS OF UNPROFESSIONAL CONDUCT

A. Meghan Foreman

2024-RCE-138

RCP Foreman was not present

Vice Chairman Crawford, RCP • motioned, Member Easley, DO • seconded, to issue a letter of concern for failing to complete the required continuing education during the 2-year period prior to renewal.

	VOTE YES NO		Cagan ChairmanCrawford Vice Chairman		<u>Brimhall</u> Member	<u>Cota</u> Member	<u>Easley</u> Member	<u>Leadley</u> Member	<u>Mariland</u> Member
				N	>		>	>	

ABSTAIN					
RECUSED					
ABSENT	\checkmark		✓		V

B. Maria Gremillion

2024-RCE-139

RCP Gremillion was not present

Member Brimhall • motioned, Member Easley, DO • seconded, to issue a letter of concern for failing to complete the required continuing education during the 2-year period prior to renewal.

VOTE (4-0)

VOTE	<u>.</u>	<u>Cagan</u> Chairman	Crawford Vice Chairman	Brimhall Member	<u>Cota</u> Member	Easley Member	<u>Leadley</u> Member	Mariland Member
YES			N	\		N	>	
NO								
ABSTAIN RECUSED ABSENT								
		N			V			N.

C. Sarah Murray

2024-RCE-143

RCP Murray was not present

Member Easley, DO • motioned, Member Brimhall • seconded, to issue a letter of concern for failing to complete the required continuing education during the 2-year period prior to renewal.

VOTE (4-0)

VOTE	<u>)</u>	<u>Cagan</u> Chairman	Crawford Vice Chairman	<u>Brimhall</u> Member	<u>Cota</u> Member	<u>Easley</u> Member	<u>Leadley</u> Member	<u>Mariland</u> Member
YES			N	N		N	N	
NO	NO							
ABSTAIN								
RECUSED								
ABSENT		✓			✓			\

D. Nicholas Wallace

2024-RCE-145

RCP Wallace was not present

Vice Chairman Crawford, RCP - motioned, Member Leadley - seconded, to issue a Decree of Censure for the repeated continuing education violation. If not signed, move the case to an Informal Hearing. **ROLL CALL VOTE (4-0)** Crawford Leadley Cagan Brimhall Cota Easley Mariland **VOTE** Vice Chairman Member Member Member Member Member Cha<u>irman</u> YES **/ / ✓** NO ABSTAIN RECUSED ABSENT \square **/** E. Jordan Krager 2024-RCE-178 RCP Krager was not present Member Brimhall - motioned, Vice Chairman Crawford, RCP - seconded, to issue a letter of concern for failing to complete the required continuing education during the 2-year period prior to renewal. **VOTE (4-0)** Crawford Cagan Brimhall Cota Easley Leadley Mariland VOTE Vice Member Member Member Chairman Member Member Chairman YES **/ / / |** NO ABSTAIN RECUSED **V** $\overline{}$ ABSENT F James Ruf 2024-RCE-181

RCP Ruf was not present

Member Brimhall • motioned, Member Cota, RCP • seconded, to issue a letter of concern for failing to complete the required continuing education during the 2-year period prior to renewal.

VOIE (10)									
<u>VOTE</u>	<u> </u>	Cagan ChairmanCrawford Vice Chairman		Brimhall Member			<u>Leadley</u> Member	<u>Mariland</u> Member	
YES NO ABSTAIN									

RECUSED					
ABSENT	V		K		K

G. Robert Gerlach 2024-RCE-185

RCP Gerlach was not present

Vice Chairman Crawford, RCP • motioned, Member Leadley • seconded, to issue a Decree of Censure for the repeated continuing education violation. If not signed, move the case to an Informal Hearing.

VOTE (4-0)

VOIE (4-0)									
VOTE	<u>2</u>	<u>Cagan</u> Chairman	Crawford Vice Chairman	Brimhall Member	<u>Cota</u> Member	<u>Easley</u> Member	<u>Leadley</u> Member	<u>Mariland</u> Member	
YES			N	N		N	N		
NO									
ABSTAIN									
RECUSED ABSENT									
		✓			Y			\checkmark	

H. Peggy Cruz 2024-RCE-192

RCP Cruz was not present

Member Brimhall • motioned, Vice Chairman Crawford, RCP • seconded, to issue a letter of concern for failing to complete the required continuing education during the 2-year period prior to renewal.

VOTE	<u>.</u>	<u>Cagan</u> Chairman	Crawford Vice Chairman	<u>Brimhall</u> Member	<u>Cota</u> Member	<u>Easley</u> Member	<u>Leadley</u> Member	Mariland Member
YES					>	N		
NO								
ABSTAIN								
RECUSED ABSENT								
		N			V			\

RCP Winkleman was not present

Member Brimhall • motioned, Member Easley, DO • seconded, to issue a letter of concern for failing to complete the required continuing education during the 2-year period prior to renewal.

VOTE (4-0)

VOTE	<u>.</u>	<u>Cagan</u> Chairman	Crawford Vice Chairman	Brimhall Member	<u>Cota</u> Member	<u>Easley</u> Member	<u>Leadley</u> Member	Mariland Member
YES			K	K		V	N	
NO								
ABSTAIN								
RECUSED ABSENT								
		✓			\			K

F. Ernest Estaban

2024-RCE-224

RCP Estaban was present and answered questions from the Board.

Member Brimhall • motioned, Member Leadley • seconded, to dismiss the complaint.

VOTE (4-0)

	<u>VOTE</u>		<u>Cagan</u> Chairman	Crawford Vice Chairman	Brimhall Member	<u>Cota</u> Member	<u>Easley</u> Member	<u>Leadley</u> Member	<u>Mariland</u> Member
	YES			N	N		N	>	
ſ	NO								
	ABSTAIN RECUSED ABSENT								
			✓			\			✓

F. Donald Hadley

2024-RCE-226

RCP Hadley was not present.

Member Easley, DO • motioned, Member Brimhall • seconded, to issue a letter of concern for failing to complete the required continuing education during the 2-year period prior to renewal.

VOTE	<u>;</u>	<u>Cagan</u> Chairman	Crawford Vice Chairman	Brimhall Member	<u>Cota</u> Member	<u>Easley</u> Member	<u>Leadley</u> Member	Mariland Member
YES			K	\		V	✓	
NO								

									_	
ABSTAIN										
RECUSED]	
ABSENT		\checkmark			\checkmark			\checkmark]	
F. Ty	ler S	alminen			2024-RCE	-234				
	Easley he rec	, DO •	motioned,		Brimhall • ing the 2-year				of concern f	for failing to
VOTE	<u>C</u>	<u>Cagan</u> Chairman	Crawford Vice Chairman	Brimhall Member	<u>Cota</u> Member	<u>Easley</u> Member	<u>Leadley</u> Member	Mariland Member		
YES			✓	✓		\checkmark	$\overline{\mathbf{V}}$			
NO										
ABSTAIN]	
RECUSED										
ABSENT		\checkmark			\square			\checkmark	<u> </u>	
		Kosta	vant	2024-	RCE-245					
	3rimh	all • mo	otioned, 1		sley, DO ·				of concern f	for failing to
VOTE (4	-0)		Crawford						1	
<u>VOTE</u>	<u>C</u>	<u>Cagan</u> Chairman	Vice Chairman	Brimhall Member	<u>Cota</u> Member	<u>Easley</u> Member	<u>Leadley</u> Member	<u>Mariland</u> Member		
YES				N		V	V			
NO										
ABSTAIN										
RECUSED									1	

F. Mackenzie Bergfeld

2024-RCE-248

RCP Bergfeld was not present.

Vice Chairman Crawford, RCP • motioned, Member Leadley • seconded, to issue a letter of concern for failing to complete the required continuing education during the 2-year period prior to renewal.

VOTE (4-0)

ABSENT

VOTE	Cagan	Crawford	Brimhall	<u>Cota</u>	Easley	Leadley	Mariland
VOIE	Chairman	Vice	Member	Member	Member	Member	Member

YES	
ABSTAIN	
RECUSED	
ABSENT	

F.	Shelby	Norton
L.	SHOLD	TIOTION

2024-RCE-251

RCP Norton was not present.

Member Brimhall • motioned, Member Easley, DO • seconded, to issue a letter of concern for failing to complete the required continuing education during the 2-year period prior to renewal.

VOTE (4-0)

VOIE (
<u>VOTE</u>	<u>Cagan</u> Chairman	<u>Crawford</u> Vice Chairman	<u>Brimhall</u> Member	<u>Cota</u> Member	<u>Easley</u> Member	<u>Leadley</u> Member	<u>Mariland</u> Member
YES		X	<		K	>	
NO							
ABSTAIN							
RECUSED							
ABSENT	N			V			V

F. Seiwoon Yoon

2024-RCE-257

RCP Yoon was not present.

Vice Chairman Crawford, RCP • motioned, Member Easley, DO • seconded, to issue a letter of concern for failing to complete the required continuing education during the 2-year period prior to renewal.

VOTE (4-0)

<u>VOTE</u>	<u>2</u>	<u>Cagan</u> Chairman	Crawford Vice Chairman	<u>Brimhall</u> Member	<u>Cota</u> Member	<u>Easley</u> Member	<u>Leadley</u> Member	<u>Mariland</u> Member
YES			>	>		>	>	
NO								
ABSTAIN								
RECUSED								
ABSENT		✓			\			V

F. Janell Cook

2024-RCE-262

RCP Cook was not present.

Vice Chairman Crawford, RCP • motioned, Member Easley, DO • seconded, to issue a letter of concern for failing to complete the required continuing education during the 2-year period prior to renewal.

VOTE (4-0)

VOTE	2	<u>Cagan</u> Chairman	Crawford Vice Chairman	<u>Brimhall</u> Member	<u>Cota</u> Member	<u>Easley</u> Member	<u>Leadley</u> Member	Mariland Member
YES			V	>		>	V	
NO								
ABSTAIN								
RECUSED								
ABSENT		V			>			>

VIII. INITIAL REVIEW, DISCUSSION OF AUDITOR GENERAL'S PERFORMANCE AUDIT, AGENCY RESPONSE AND REVIEW DISCUSSION AND POSSIBLE ACTION/VOTE ON PROPOSED STAFF PLAN TO ADDRESS AUDIT RECOMMENDATIONS:

Director Confer discussed the audit findings noted in the recently published Auditor General's report. Director Confer noted the Board would be provided with a plan to outline the staff management and the resolution of the audit findings. Director Confer explained the expected time frame that is needed to resolve the findings and what Board staff is currently doing to immediately address high-priority items.

IX. EXECUTIVE DIRECTOR REPORT:

A. Application, Investigation & Probation Reports (Board Update & Status)

Director Confer provided the Board a summary of the open applications. Director Confer explained the current tracking system staff uses for open applications and explained the staff roles in the application process.

B. Financial Report

Director Confer explained the Board is on track for operating within the appropriated limits and advised there could be penalties issued to the Board if the required licensing timeframes are not met.

C. ISA & Staffing (Discussion & Possible Vote)

Postponed to a future meeting

X. ADJOURMENT

Member Easley, DO motioned, Member Leadley to adjourn the meeting.

VOTE	$(4_{-}0)$	١
VOIL	(4-V)	,

VOTE	<u>.</u>	<u>Cagan</u> Chairman	Crawford Vice Chairman	<u>Brimhall</u> Member	<u>Cota</u> Member	<u>Easley</u> Member	<u>Leadley</u> Member	<u>Mariland</u> Member
YES			N	>		>	>	
NO								
ABSTAIN								
RECUSED								
ABSENT		✓			\ \			<u>S</u>

The meeting adjourned at	10:13	a.m. Thursday,	Oct 24, 2024	4.		
			ck Confer In	terim Evecu	tive Director	Data