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Governor

Board of Respiratory Care Examiners  
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Jack Confer  
Executive Director

## BOARD MEETING NOTICE AND AGENDA February 20, 2025

The Board's mission is to protect the health, welfare, and safety of the public who seek and use the services of nursing care institution administrators and assisted living facility managers.

Pursuant to A.R.S. § 38-431.02, NOTICE IS HEREBY GIVEN to the members of the State of Arizona Board of Respiratory Care Examiners ("Board") and to the general public that the Board will hold a Virtual Board meeting, which is open to the public on: Thursday, February 20, 2025, the meeting will be held at 1740 W. Adams Street, Board Meeting Room C, Phoenix, Arizona 85007 at 9:00AM and via Google Meets: [meet.google.com/nzk-jwgt-agz](https://meet.google.com/nzk-jwgt-agz) or Join by phone (US) +1 806-410-3714 PIN: 473 731 712#

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Jack Confer at 602-542-5995 (or through the Arizona Relay Service at 711). Please make your request as early as possible to allow time to arrange the accommodation.

The Board Chair reserves the right to change the order of the items listed on the Agenda. Board members may be present by telephone.

During the course of the meeting, the Board, upon a majority vote of a quorum of the members, may hold an executive session for the purposes of obtaining legal advice from the Board's attorney on any matter listed on the Agenda pursuant to A.R.S. § 38-431.03(A)(3), and for the purpose of discussion or consideration of confidential material pursuant to A.R.S. § 38-431.03(A)(2). The executive session will be held immediately after the vote and will not be open to the public. As a reminder, the resident's name is confidential. You must refer to a patient by their initials or "patient."

Items that are referenced as a "Consent Agenda" may be considered as a single action unless a Board Member removes a specific item for review, discussion, and action separately from the other Consent Agenda items.

The Board will review, discuss, and may take action on the following matters listed on the agenda. The Agenda February 20, 2025, Regular Board Meeting is as follows:

- I. **CALL TO ORDER:**
- II. **ROLL CALL:**
- III. **DECLARATION OF CONFLICT OF INTERESTS:**
- IV. **DECLARATION OF RECUSAL(S):**

**V. 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.

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

The Board may vote to go into Executive Session pursuant to A.R.S. § 38-431.03(A)(2) (to discuss confidential information), A.R.S. § 38-431.03(A)(3) (to receive legal advice). Board Review, Consideration and Action on Approval of Minutes

- A. Regular Board Meeting Minutes, January 16, 2025
- C. Executive Session Meeting Minutes, January 16, 2025

**VII. REVIEW, DISCUSSION AND POSSIBLE ACTION ON FORMAL ADMINISTRATIVE HEARING(S) PURSUANT TO A.R.S. § 32-3553(H)**

The Board may vote to go into Executive Session pursuant to A.R.S. § 38-431.03(A)(2) (to discuss confidential information), A.R.S. § 38-431.03(A)(3) (to receive legal advice).

- A. Erik Holman, 2023-RCE-0065

**VIII. REVIEW, DISCUSSION AND POSSIBLE ACTION ON PROPOSED CONSENT AGREEMENT FOR SUMMARY SUSPENSION PURSUANT TO A.R.S. § 32-3553 (E)**

The Board may vote to go into Executive Session pursuant to A.R.S. § 38-431.03(A)(2) (to discuss confidential information), A.R.S. § 38-431.03(A)(3) (to receive legal advice).

- A. Debra Gutierrez, 2023-RCE-0053

**IX. REVIEW, DISCUSSION AND POSSIBLE ACTION ON APPLICATION FOR LICENSURE PURSUANT TO A.R.S. § 32-3552 (A)**

The Board may vote to go into Executive Session pursuant to A.R.S. § 38-431.03(A)(2) (to discuss confidential information), A.R.S. § 38-431.03(A)(3) (to receive legal advice).

- A. Andrew Ramirez, 2024-RCE-0279
- B. Mark Wilson, 2025-RCE-0001

**X. INITIAL REVIEW, CONSIDERATION AND POSSIBLE CONSOLIDATION OF CASES AND ACTION ON INVESTIGATION OF ALLEGATIONS OF UNPROFESSIONAL CONDUCT**

The Board may vote to go into Executive Session pursuant to A.R.S. § 38-431.03(A)(2) (to discuss confidential information), A.R.S. § 38-431.03(A)(3) (to receive legal advice). The name of a Patient is confidential information. In public session, the Board members, staff, and the licensee should refer to the Patient or use the Patients' initials. The Board may block vote as desired.

Consent agenda items may be considered as a single action or block vote. The Board may remove an item from this consent agenda for discussion. For items in this, Board may review, discuss and take possible action on the below listed matter(s). Action may also include the request to appear at a future meeting. Items in this section may also be considered as a single action or block vote.

- A. Initial Review, Discussion and Consideration on Investigations alleging Unprofessional Conduct without a Staff Recommendation
1. Michelle Niemiec, 2025-RCE-0002
  2. Grace Gainor 2025-RCE-0005
  3. Tia Perry 2025-RCE-0006
- B. Staff Recommendation for Non-Disciplinary Order of Probation. Action may include rejection of the recommendation and/or Offer of a Disciplinary Consent Agreement, issuance of a Letter of Concern, Dismissal, referral to Administrative Hearing or referral to Staff for further investigation of the following cases: [Possible Block/Consent Vote]
1. Sandra Klein 2024-RCE-0098
  2. Judy Franklin 2024-RCE-0101
  3. Nathan Smith 2024-RCE-0104
  4. Shanice Williams 2024-RCE-0303
- C. Staff Recommendation for Non-Disciplinary Letter of Concern(s). Action may include rejection of the recommendation and/or Offer of a Disciplinary or Non-Disciplinary Consent Agreement, Dismissal, referral to Administrative Hearing or referral to Staff for further investigation of the following cases: [Possible Block/Consent Vote]
1. Amanda Ortiz 2024-RCE-0100
  2. Richard Bryant 2024-RCE-0285
  3. Shawn Madnick 2024-RCE-0289
  4. Joseph Miller 2024-RCE-0290
  5. Danny Miller 2024-RCE-0292
  6. Brenda Carter 2024-RCE-0298
  7. Vanessa Trevizo 2024-RCE-0300
  8. Israel Ixcot 2024-RCE-0305
  9. Snjezana Malinovic 2024-RCE-0307
- D. Staff Recommendation for Dismissal(s). Action may include rejection of the recommendation and/or Offer of a Disciplinary or Non-Disciplinary Consent Agreement, Non-Disciplinary Letter of Concern, referral to Administrative Hearing or referral to Staff for further investigation of the following cases: [Possible Block/Consent Vote]
1. Manuel Torres Mercado 2024-RCE-0096
  2. Stephanie Duarte 2024-RCE-0219
  3. Jane Dean 2024-RCE-0283
  4. Holly Cechvala 2024-RCE-0287
  5. Denise Jackson 2024-RCE-0288
  6. Nancy Naumann 2024-RCE-0291
  7. Sharion Stock 2024-RCE-0293
  8. Jonathan Summey 2024-RCE-0294
  9. Snow Light 2024-RCE-0295
  10. Jose Tulao 2024-RCE-0297
  11. Adele Barger 2024-RCE-0299
  12. Nicholas Hart 2024-RCE-0301
  13. Sheila Hills 2024-RCE-0302
  14. Caprice Lucas 2024-RCE-0306

**XI. EXECUTIVE DIRECTOR REPORT:**

- A. Application, Investigation & Probation Reports (Board Update & Status)
- B. Financial Report
- C. Status, Possible Discussion, Executive Director Position
- D. Legislation
- E. Audit Follow-Reporting

**XII. FUTURE ITEMS AND MEETING DATES**

- A. March 20, 2025; April 17, 2025; May, 15, 2025

**XIII. ADJOURNMENT**

DATED this 18th day of February 2025

  
Jack Confer  
Executive Director

