

Katie Hobbs
Governor



Jack Confer
Interim Executive Director

Board Meeting Minutes

The regular board meeting of the Board of Respiratory Care Examiners convened at 9:02AM, Thursday, May 15, 2025 at 1740 W. Adams Street, Boardroom C, Phoenix, AZ 85007 and via GoogleMeets link meet.google.com/pmb-qswt-hhg, Phone: (US) +1 484-816-5283 PIN: 941 290 919#, with Tracy Cagen, RCP, Board Chairman, presiding.

BOARD MEMBERS PRESENT:

Tracy Cagan, RCP Chairman, in person
Becky Renee Brimhall, Member, virtual
Kimberly Cota, RCP, Member, virtual
Lauri Leadley, Member, virtual
Rayana Mariland, Member, virtual

BOARD MEMBERS ABSENT:

Dr. Leslie Easley, D.O., Member
Alan Crawford, RCP, Vice-Chairman

LEGAL COUNSEL PRESENT:

Charles Hover, III, Assistant Attorney General

STAFF PRESENT:

Jack Confer, Interim Executive Director
Donita McGlasson, Interim Deputy Director
Katja Garcia, Licensing Administrator
Brian Thomas, Investigator

I. CALL TO ORDER

The meeting was called to order at 9:02 AM Thursday, May 15, 2025 by Chairman Cagan.

II. ROLL CALL

The following Board members were present: Chairman Cagan, in person, Member Brimhall, virtual, Member Cota, virtual, Member Leadley, virtual, and Member Mariland, virtual.

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

No Conflict of Interests were declared

IV. DECLARATION OF RECUSAL(S):

No Recusals were declared

V. CALL TO THE PUBLIC:

No one wished to speak

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

- A. Regular Board Meeting Minutes, February 20, 2025
- B. Regular Board Meeting Minutes, April 24, 2025
- C. Executive Session Meeting Minutes, April 24, 2025

Member Cota, RCP motioned, Member Brimhall seconded, to approve the February 20, 2025 and the April 24, 2025 regular board meeting minutes.

The approval of the February 20, 2025 minutes was postponed to the next meeting.

ROLL CALL VOTE (5-0)

<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		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
NO		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ABSTAIN		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RECUSED		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ABSENT		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VII. REVIEW, DISCUSSION AND POSSIBLE ACTION ON INTERIM INVESTIGATIVE CONSENT AGREEMENT

A. James Aldridge 2025-RCE-0012

RCP, James Aldridge was present with counsel, Kelsey Whalen. Interim Director Confer provided a brief overview of the reason for request of the Board to review the Interim Investigative Consent Agreement. Interim Director Confer explained Board staff believes it is appropriate to continue the Interim Investigative Consent Agreement, in which RCP Aldridge has agreed not to practice while the investigation is taking place. RCP Aldridge and counsel answered questions of the Board and after discussion, a motion was made.

Member Brimhall ▾ motioned, Member Leadley ▾ seconded, to continue the Interim Consent Agreement not to practice until the investigation is complete and RCP Aldridge has been invited back to a meeting to speak to the Board.

ROLL CALL VOTE (5-0)

<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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
NO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ABSTAIN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RECUSED	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ABSENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

A. Shannon Kaze 2025-RCE-0027

Applicant Kaze was present by GoogleMeets and counsel for applicant Kaze, Sara Stark, was present in person. Interim Director Confer provided a brief overview of the reasons for requesting a Board review of Mr. Kaze's application for licensure. Applicant Kaze and Counsel Stark answered questions of the Board and after a brief discussion, a motion was made.

Chairman Cagan, RCP ▾ motioned, Member Cota, RCP ▾ seconded, to grant the application for licensure with a non-disciplinary standard 3-year Order of Probation with the standard terms, with the option to come off probation with compliance after 1 year.

ROLL CALL VOTE (5-0)

<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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ABSTAIN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RECUSED	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ABSENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

B. Scott Gerlach 2025-RCE-0028

Applicant Gerlach was not present. Interim Director Confer provided a brief overview of the reasons for requesting a Board review of Mr. Gerlach's application for licensure. The Board discussed the answers Mr. Gerlach provided in his application and the disclosures provided about his background. AAG Hoover provided clarification on questions the Board had and after discussion, a motion was made.

Member Leadley ▾ motioned, Member Brimhall ▾ seconded, to deny the application for licensure for material misrepresentation and unprofessional conduct.

ROLL CALL VOTE (4-1)

<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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ABSTAIN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RECUSED	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ABSENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

C. Misti Green 2025-RCE-0049

Applicant Green was present without counsel. Interim Director Confer provided a brief overview of the reasons for requesting a Board review of Ms. Greens' application for licensure. Applicant Green addressed the Board about her background and answered questions from the Board. After discussions, a motion was made.

Chairman Cagan, RCP ▾ motioned, Member Cota, RCP ▾ seconded, to grant the application for licensure with a non-disciplinary standard 3-year Order of Probation with the standard terms, with the option to come off probation with compliance after 1 year.

ROLL CALL VOTE (4-1)

<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
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NO		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ABSTAIN		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RECUSED		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ABSENT		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

A. Staff Recommendation for Non-Disciplinary Order of Probation.

- | | |
|-----------------------|---------------|
| 1. Dora Robertson | 2025-RCE-0021 |
| 2. Rhonda Erskine | 2025-RCE-0029 |
| 3. Maceo Johnson | 2025-RCE-0031 |
| 4. Pamela Darschewski | 2025-RCE-0032 |
| 5. Erika Romero | 2025-RCE-0035 |
| 6. Susan Davis | 2025-RCE-0036 |
| 7. Elizabeth Herrera | 2025-RCE-0040 |
| 8. Penny Henry | 2025-RCE-0044 |

Interim Executive Director Confer advised the Board the cases recommended for non-disciplinary Order of Probation are for continuing education audits where staff did not receive 20 hours of appropriate continuing education and the RCP signed an affidavit on a renewal application that they had completed 20 hours in the right areas but we did not receive it.

Member Cota, RCP ▾ motioned, Member Leadley ▾ seconded, to accept the staff recommendation to issue a non-disciplinary Order of Probation.

ROLL CALL VOTE (5-0)

<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		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
NO		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ABSTAIN		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RECUSED		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ABSENT		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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B. Staff Recommendation for Non-Disciplinary Letter of Concern(s)

- | | |
|--------------------------|---------------|
| 1. Edward Napoli-Morales | 2025-RCE-0009 |
| 2. Victoria Mercado | 2025-RCE-0017 |
| 3. Stanford Higa | 2025-RCE-0018 |
| 4. Martin Segura | 2025-RCE-0019 |
| 5. Edward Ortiz | 2025-RCE-0020 |
| 6. Werner Zander | 2025-RCE-0022 |
| 7. David Cameron | 2025-RCE-0023 |
| 8. Keophaythoune Mack | 2024-RCE-0153 |
| 9. Edward Woodward | 2025-RCE-0030 |
| 10. Carlee Apfel | 2025-RCE-0034 |
| 11. Heather Gross | 2025-RCE-0036 |
| 12. Ronesah Cleare | 2025-RCE-0043 |
| 13. Shelby Rogers | 2025-RCE-0046 |

Interim Executive Director Confer advised the Board the cases recommended for non-disciplinary Letter of Concerns are all related to failed continuing education audits with renewal applications. For cases recommended for a non-disciplinary Letter of Concern, the renewal applications were short the 20 required hours at submission, but once the RCP was notified of the failed audit, the RCP was able to send the certificate of completion.

Chairman Cagan, RCP ▾ motioned, Member Cota, RCP ▾ seconded, to accept the staff recommendation to issue a non-disciplinary Letter of Concern.

ROLL CALL VOTE (5-0)

<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
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ABSTAIN		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RECUSED		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ABSENT		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

C. Staff Recommendation for Dismissal(s).

- | | |
|---------------------------|---------------|
| 1. Casey Witherell | 2024-RCE-0028 |
| 2. Kristin Vercnocke | 2024-RCE-0067 |
| 3. Michael Valdez | 2024-RCE-0284 |
| 4. Mehdi Fazelanvariyaazi | 2025-RCE-0007 |
| 5. Carleasa Myles | 2025-RCE-0008 |
| 6. Nureddin Elgutaa | 2025-RCE-0010 |
| 7. Doreen Pablo | 2025-RCE-0011 |
| 8. Jane Karumba | 2025-RCE-0033 |

9. Lauren Stewart 2025-RCE-0039
10. Karlynn Lee-Vale 2025-RCE-0041
11. Annie Ramos 2025-RCE-0042
12. Jorge Zuniga-Hernandez 2025-RCE-0047

Interim Executive Director Confer advised the Board the cases recommended for dismissal are all related to failed continuing education audits with renewal applications. For cases recommended for a dismissal, are cases where the certificates didn't come through with the application or there were questions about the certificates. After review, staff determined the certificates were acceptable.

Member Brimhall motioned, Member Cota, RCP seconded, to accept the staff recommendation for dismissal.

ROLL CALL VOTE (5-0)

<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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
NO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ABSTAIN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RECUSED	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ABSENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IX. REVIEW, DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING CURRENT ARRANGEMENT TO RECEIVE EXECUTIVE DIRECTOR SERVICES.

Interim Executive Director Confer and the Board discussed the ISA agreement that was signed in September 2024, but was unable to be implemented per the direction of the ADOA HR and legal teams. Interim Director Confer requested the Board increase his current ISA compensation, retroactive to September 2024 while he continues to serve in the Interim Director role. After discussion, Board members directed AG, Charlie Hoover to take the request back to the Section for specific legal advice and particularly whether there's any procedure that the Board must follow or implement for the request.

XII. EXECUTIVE DIRECTOR REPORT

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

Interim Executive Director Confer advised the Board there are 107 applications opened and current average processing time is 38 days. He advised investigations back to 2021 are still being reconciled and there are some cases open from late 2022 and 2023.

B. Financial Report

Interim Deputy Director McGlasson reported the agency is working with an appropriation surplus around \$80,856 and the Board is in a healthy financial position for FY25.

D. Legislation

Interim Executive Director Confer updated the Board on current legislation and advised the Sunset Bills are still in process and not finalized.

E. Audit Follow-Reporting

Interim Executive Director Confer advised te Board that he replied to the audit 6-month followup and had outstanding questions to answer for the auditors for additional requested information.

XIII. ADJOURNMENT

The meeting adjourned at __10:24 a.m. Thursday, May 15, 2025 .

Jack Confer, Interim Executive Director |
Date