

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of April 19, 2018

Board Members Present:

Board Chairman: Tracy Cagan, RCP
Vice Chairman: Jose Gonzales, RCP
Kathy Rineer, RCP
Alan Crawford, RCP
Michelle O'Hair-Schattenberg, Esq.,
Public Member
Michael Beller, Public Member

Board Members Absent:

None

Staff Present:

Executive Director:
Jack Confer
Licensing Administrator:
Kathy Stone
Administrative Assistant:
Charlotte Muhammad

Legal Counsel Present:

Frankie Shinn-Eckberg, AAG

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of April 19, 2018

CALL TO ORDER

The Meeting was called to order at 9:00AM by Board Chairman Cagan.
A 5 minute break was taken at 10:40AM and a 10 minute break at 12:21PM.

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 Crawford to approve items C1 – C8. Seconded by Board Member Rineer.

VOTE: Motion passed (6-0).

C-1 APPROVAL OF MINUTES

Recommended for Approval
Regular Session Minutes from March 15, 2018 meeting.

C-2 ACTION ON APPLICATIONS FOR LICENSURE

Recommended for approval by the Executive Director

Cristal Barraza
Tiffany Cleveland
Melanie Fields
Michael Hotchkiss
Anna-Maria Lopez
James Martel
Melinda Nunn
Daniel Rushford
Jeannifer Solorzano

Karla Caperon
Anne Dewey
Dominic Filardi
Richar Jimenez
Bianca Lopez Lagunas
Melissa Medina
Joseph Pal
Claudette Saleh
Beau Troesch

Nilesh Chand
Stephanie Duarte
Jessica Garcia
Gabisa Kebeto
Manuel Malone
David Meng
Patricia Patton
Samantha Schwartz
Travis Vigileos

Kimberly Clere
Lisa Edwards
Michael Grogitsky
Jessica Lakey
Meredith Marlett
Alexandra Nguyen
Nancy Pimentel
Michael Shanahan
Raven Wortmann

C-3 ACTION ON ADMINISTRATIVE CLOSURE OF APPLICATION FILES**Recommended for closing of application files**

Samantha Castro	Alberto De La Torre	Brugt Douwes	Candy Gray
Saundra Harris-Edge	Louise Lavallee	Tyler Salminen	Frederick Shadracks
Michelle Valenzuela	Adolpho Davila	Anna Marie Kennedy	

C-4 ACTION ON ADMINISTRATIVE CLOSURE OF 90-DAY INACTIVE FILES**Recommended for closing of inactive files**

Christian Baker	Christine Carver	Julie Gumm	Ronda Huffman
Stephanie Johnson	Barbara Neary	Jennifer Phelps	Jennifer Riecke
Diana Sanchez	Kimberly Sleeper	Renee Walker	

C-5 ACTION ON NOTICES OF LICENSE EXPIRATIONS**Recommend sending notice of License Expirations to the following individuals:**

Lonnie Alexander	Daniel Boone	Andrea Burker	Kimberly Camp
Erin Carter	Dennis Charney	Edward Clement	Tressler Davis
Kent Fairchild	Karen Ferrara	J'von Fields	Eunice Garcia
Steven Geiger	Anatoliy Gurevich	Jenny Hancock	Nancy Hinojos
Michael James	Sonalee Jechort	James Jorgensen	Lisa Kaufman
Linda Kleinheinz	Robert Ladd	Julie Makin	Leslee Marstella
Janice McCulley	Anita Nichols	Theresa Padberg	Mary Parks
Marilyn Pena	Roberto Picazo	John Rauch	Adrienne Reid
Sonya Rivas	Debbie Rose	Robert Roth	Todd Rutter
Daniel Salcido	Timothy Sanders	Brian Schnarr	Scott Shultz
Heather Skaggs	Emily Smith	Mark Starr	Kimmi Sterk
Matt Sturtevant	Leslie Tucker		

C-6 ACTION ON RATIFICATION OF RENEWAL OF LAPSED LICENSES**Recommended to ratify licenses issued by the Executive Director to individuals who met requirements for renewal:**

LaDona Hoyt

C-7 DISCUSSION/ACTION ON RATIFICATION OF CONSENT AGREEMENTS

- | | | |
|----|------------------|-------------------------------|
| 1. | Rodriguez, Julio | Case Number C003834-18-006695 |
| 2. | Lloyd, Ashley | Case Number C003830-18-008435 |
| 3. | Rauch, Kathrine | Case Number C003874-18-005691 |
| 4. | Sawyer, Clay | Case Number C003876-18-011992 |
| 5. | Thomas, Robert | Case Number C003839-18-011885 |
| 6. | Barge, Tina | Case Number C003825-18-006394 |
| 7. | Salas, Reyna | Case Number C003837-18-011879 |
| 8. | Cannefax, Ellen | Case Number C003855-18-006035 |
| 9. | Alex, Amy | Case Number C003853-18-012330 |

C -8 ESTABLISH DATE AND TIME OF NEXT BOARD MEETING

Scheduled date of next Board meeting

Thursday, May 17, 2018 at 9:00AM.

DRAFT

REGULAR AGENDA

R-1 DISCUSSION/ACTION ON ITEMS REMOVED FROM THE CONSENT AGENDA

R-2 CONSIDERATION AND ACTION ON INFORMAL INTERVIEWS PURSUANT TO A.R.S. § 32-3553(G)

1. Teran, Karla Case Number C003835-18-008074
Chairman Cagan announced the case and commenced the interview at 12:15PM. RCP Teran was not present. Executive Director Confer presented a summary of the case.

MOTION: Board Vice Chairman Gonzales to issue a non-disciplinary consent agreement to complete 15 hours of continuing education and to pay a civil penalty of \$375 within 90 days. If not signed, move this matter to a Formal Hearing. Seconded by Board Member O’Hair-Schattenberg.

VOTE: Motion passed (6-0).

2. McMinn, Laura Case Number C003831-18-011243
Chairman Cagan announced the case and commenced the interview at 9:56AM. RCP McMinn was present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Crawford to dismiss. Seconded by Board Member Rineer.

VOTE: Motion passed (6-0).

3. Hobley, Andrew Case Number C003829-18-002592
Chairman Cagan announced the case and commenced the interview at 12:19PM. RCP Hobley was not present. Executive Director Confer presented a summary of the case.

MOTION: Board Vice Chairman Gonzales to issue a non-disciplinary consent agreement to complete 20 hours of continuing education and to pay a civil penalty of \$500 within 90 days. If not signed, move this matter to a Formal Hearing. Seconded by Board Member O’Hair-Schattenberg.

VOTE: Motion passed (6-0).

4. Adams, Ashley Case Number C003802-18-010397
Chairman Cagan announced the case and commenced the interview at 10:12AM. RCP Adams was present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Crawford to issue a Decree of Censure with two years of probation and require bi-monthly reports from her employer such as performance evaluations, patient care incidents, etc. Seconded by Board Member Rineer.

ROLL CALL VOTE: Motion passed (4-2). Board Vice Chairman Gonzales and Board Chairman Cagan voted nay.

5. Tellez, Debra Case Number C003849-18-006158
Chairman Cagan announced the case and commenced the interview at 10:48AM. RCP Tellez was present. Executive Director Confer presented a summary of the case.

MOTION: Board Member O'Hair Schattenberg to dismiss. Seconded by Board Vice Chairman Gonzales.

VOTE: Motion passed (6-0).

6. Stewart, Kimberly Case Number C003823-18-007914
Chairman Cagan announced the case and commenced the interview at 11:00AM. RCP Stewart was present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Crawford to issue a non-disciplinary rehabilitative probation order. Seconded by Board Vice Chairman Gonzales.

VOTE: Motion passed (6-0).

R-3 CONSIDERATION AND ACTION ON INVESTIGATIONS OF POSSIBLE UNPROFESSIONAL CONDUCT

1. Blatchford, Catherine Case Number C003865-18-000482
Chairman Cagan announced the case. RCP Blatchford was not present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to move this matter to an Informal Interview. Seconded by Board Member Rineer.

VOTE: Motion passed (6-0).

2. Daniel, Shiny Case Number C003868-18-010458
Chairman Cagan announced the case. RCP Daniel was present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to issue a non-disciplinary consent agreement to complete 20 hours of continuing

education and to pay a civil penalty of \$500 within 90 days or offer a non-disciplinary voluntary surrender of her license. If neither one is accepted, move this matter to an Informal Interview. Seconded by Board Member O’Hair-Schattenberg.

VOTE: Motion passed (6-0).

3. Gorman, Erin Case Number C003854-18-011327
Chairman Cagan announced the case. RCP Gorman was present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Vice Chairman Gonzales to dismiss. Seconded by Board Member O’Hair Schattenberg.

VOTE: Motion passed (5-0). Board Member Crawford was recused.

4. Guerrero, Ruth Case Number C003858-18-010976
Chairman Cagan announced the case. RCP Guerrero was present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member O’Hair Schattenberg to dismiss. Seconded by Board Member Crawford.

VOTE: Motion passed (6-0).

5. Judge, Patricia Case Number C003862-18-001604
Chairman Cagan announced the case. RCP Judge was not present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to move this matter to an Informal Interview. Seconded by Board Member O’Hair-Schattenberg.

VOTE: Motion passed (6-0).

6. Mangano, Anthony Case Number C003856-18-000386
Chairman Cagan announced the case. RCP Mangano was present. Executive Director Confer reviewed the allegations for the Board Members.

See agenda item R-4.

7. Mitchell, Travis Case Number C003851-18-007957
Chairman Cagan announced the case. RCP Mitchell was present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member O’Hair-Schattenberg to dismiss.

Seconded by Board Member Rineer.

VOTE: Motion passed (6-0).

8. Perlstein, Katherine Case Number C003873-18-001638
Chairman Cagan announced the case. RCP Perlstein was not present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member O’Hair-Schattenberg to issue a non-disciplinary consent agreement to complete 20 hours of continuing education and to pay a civil penalty of \$500 within 90 days. If not signed, move this matter to an Informal Interview. Seconded by Board Member Rineer.

VOTE: Motion passed (6-0).

9. Regis, Barbara Case Number C003875-18-001300
Chairman Cagan announced the case. RCP Regis was not present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to issue a non-disciplinary consent agreement to complete 20 hours of continuing education and to pay a civil penalty of \$500 within 90 days. If not signed, move this matter to an Informal Interview. Seconded by Board Member O’Hair-Schattenberg.

VOTE: Motion passed (6-0).

10. Schoen, Joseph Case Number C003860-18-009893
Chairman Cagan announced the case. RCP Schoen was present. Executive Director Confer reviewed the allegations for the Board Members.

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

VOTE: Motion passed (6-0).

11. Stress, Sharline Case Number C003857-18-008998
Chairman Cagan announced the case. RCP Stress was present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to dismiss. Seconded by Board Member Rineer.

VOTE: Motion passed (6-0).

12. Wintergerst, Kathy Case Number C003859-18-010821
Chairman Cagan announced the case. RCP Wintergerst was not present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to move this matter to an Informal Interview. Seconded by Board Member Rineer.

VOTE: Motion passed (6-0).

R-4 CONSIDERATION AND ACTION ON INVESTIGATION OF POSSIBLE UNPROFESSIONAL CONDUCT POSSIBLE SUMMARY SUSPENSION PURSUANT TO A.R.S. § 32-3553(E)

1. Mangano, Anthony Case Number C003856-18-000386
Chairman Cagan announced the case. RCP Mangano was present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to issue a Summary Suspension of license because it is imperative that the Board protects the publics' health, safety and welfare. RCP Mangano must submit a hair follicle test. Seconded by Board Vice Chairman Gonzales.

ROLL CALL VOTE: Motion passed (6-0).

R-5 REVIEW, CONSIDERATION AND POSSIBLE ACTION ON A PRIOR BOARD DECISION

1. Zimpelman, Clayton Case Number P001244-17-008694
Chairman Cagan announced the case. RCP Zimpelman was present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to lift order on April 27, 2018 if no other incidents occur. Seconded by Board Member O'Hair-Schattenberg.

VOTE: Motion passed (6-0).

R-6 BOARD MEMBER TRAINING

Presentation by Frankie Shinn-Eckberg, Assistant Attorney General

Presentation was given to Board members by Frankie Shinn-Eckberg, Assistant Attorney General.

R-7 DISCUSSION/ACTION ON EXECUTIVE DIRECTOR'S REPORT

Updates were given by Jack Confer, Executive Director and Kathy Stone, Licensing Administrator.

1. FY18 Budget & Update (Board Update & Status)
2. Review Draft Policy/Enforcement Matrix pursuant to A.R.S. § 32-3553 (C)
3. Application, Investigation & Probation Reports (Board Update & Status)
4. E-Licensing Update

R-8 CALL TO THE PUBLIC

None

R-9 ITEMS TO BE PLACED ON A FUTURE AGENDA

None

R-10 ADJOURNMENT

Board Chairman Cagan adjourned the meeting at 2:22PM.

Dated this 19th day of April 2018.

Jack Confer
Executive Director