

# Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of November 15, 2018

**Board Members Present:**

Board Chairman: Tracy Cagan, RCP  
Michelle O'Hair-Schattenberg, Esq  
Kathy Rineer, RCP  
Alan Crawford, RCP  
Leslie Easley, Dr.

**Board Members Excused:**

Vice Chairman: Jose  
Gonzales, RCP  
Michael Beller, Public  
Member

**Staff Present:**

Executive Director:  
Jack Confer  
Licensing Administrator:  
Kathy Stone

**Legal Counsel Present:**

Frankie Shinn-Eckberg, AAG

# Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of November 15, 2018

## I. CALL TO ORDER

The Meeting was called to order at 9:02AM by Board Chairman Cagan.

## 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 Crawford to approve items A – H. Seconded by Board Member O’Hair-Schattenberg.

**VOTE:** Motion passed (5-0).

### A. APPROVAL OF MINUTES

Recommended for Approval

Regular Session Minutes from October 18, 2018 meeting.

Executive Session Minutes from October 18, 2018 meeting.

### B. ACTION ON APPLICATIONS FOR LICENSURE

Recommended for approval by the Executive Director

Bernard Agyeman	Pamela Bacon	Christian Bundy	Gabriella Chavez
Jennifer Delap	Robert Delgado	Janice Devine	Isabella DiRaimo
Ejiroghene Erhariefe	Kent Fairchild	Lyle Francis	Mark Gutierrez II
Ronnie Hall Jr.	Barbra Jones	Ashley Knoettgen	Jaymie Malcom
Alicia Matthews	Tara McCreery	Tammy Mercer	Amanda Pennington
Daniel Rugiero	Zachary Schultz	Reyna Soto	Lorleen June Stuart
Stefanie Tapia	Brandy Unfred	Rebecca Wahl	John Welsh
Angela Woods			

### C. ACTION ON ADMINISTRATIVE CLOSURE OF APPLICATION FILES

Recommended for closing of application files

Tammy Christensen	Natalia Correa	Eric Davis	Tammy Lemonds
Beth Milliken	Colette Robertson	Fermalena Segundo	

**D. ACTION ON ADMINISTRATIVE CLOSURE OF 90-DAY INACTIVE FILES**

Recommended for closing of inactive files

Gary Adamoli	Mark Alcott	Mary Bailey	Ray Banwart
Keith Denman	Debbie Fevurly	Christopher Fisher	Karen Goss
Nicole Homes	Patricia Judge	Diana McGowan-Hernandez	Yeni Moran
Andrea Noel	Tamara Perry	Frank Trevino	Greg Vance
John Voorhies			

**E. ACTION ON NOTICES OF LICENSE EXPIRATIONS**

Recommend sending notice of License Expirations to the following individuals:

Micaela Adkins-Weger	Melissa Anderson	Peter Apel	David Beckman
Kelly Bohart	Joseph Caravella	Rikki Card	Jeri Fouts
David Garrison	Thomas Geffken	Tami Houston	Dinah Jerido
Amanda Kennedy	Shauna Kiger	Junaid Lateef	Jeremiah Lee
Rhonda Lerma	Elisha Lett	Theresa Lubrica	Roger Luebke
Misty Martinez	Patrick McGraw	Linda Mercer	Hang Nguyen
Adrian Rodriguez	Bobbi Sargent	Karyn Schmidlapp	Samuel Taylor
Jeremy Van Wolferen	Jenny Walton		

**F. ACTION ON RATIFICATION OF RENEWAL OF LAPSED LICENSES**

Recommended to ratify licenses issued by the Executive Director to individuals who met requirements for renewal:

Laura Jarosz	Elizabeth Hoppis
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**G. DISCUSSION/ACTION DISCUSSION/ACTION ON RATIFICATION OF CONSENT AGREEMENTS**

- |     |                    |               |
|-----|--------------------|---------------|
| 1.  | Baker, Lawrence    | 2018-RCE-0065 |
| 2.  | Burgett, Sharen    | 2018-RCE-0045 |
| 3.  | Samaniego, Armando | 2018-RCE-0049 |
| 4.  | Cross, Kindra      | 2018-RCE-0055 |
| 5.  | Tripp, Vivian      | 2018-RCE-0061 |
| 6.  | Linehan, Elice     | 2018-RCE-0047 |
| 7.  | Patton, Sean       | 2018-RCE-0056 |
| 8.  | Senger, Meghan     | 2018-RCE-0058 |
| 9.  | Jaramillo, Joy     | 2018-RCE-0057 |
| 10. | Tefera, Mmilu      | 2018-RCE-0060 |

**H. ESTABLISH DATE AND TIME OF NEXT BOARD MEETING**

Scheduled date of next Board Meeting

Thursday, December 20, 2018 at 9:00AM.

### III. REGULAR AGENDA

#### A. DISCUSSION/ACTION ON ITEMS REMOVED FROM THE CONSENT AGENDA

#### B. EXECUTIVE SESSION FOR THE PURPOSE OF CONSIDERING AND REVIEWING RECORDS EXEMPT BY LAW FOR PUBLIC INSPECTION, INCLUDING THE RECEIPT AND DISCUSSION OF INFORMATION, TESTIMONY OR INVESTIGATIVE MATERIALS THAT IS SPECIFICALLY REQUIRED TO BE MAINTAINED AS CONFIDENTIAL BY STATE OR FEDERAL LAW PURSUANT TO A.R.S. § 38-431.03 (A)(2)

1. Garcia-Esquivel, Osvaldo 2018-RCE-0075 (Board did not go into Executive Session.)

#### C. CONSIDERATION AND ACTION ON INVESTIGATIONS OF POSSIBLE UNPROFESSIONAL CONDUCT

1. Garcia-Esquivel, Osvaldo 2018-RCE-0075  
Chairman Cagan announced the case. RCP Garcia-Esquivel 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 surrender his license. If not signed, move this matter to an Informal Interview. Seconded by Board Member Rineer.

**VOTE:** Motion passed (4-1). Board Chairman Cagan voted nay.

2. Anspach, Nicky 2018-RCE-0044  
Chairman Cagan announced the case. RCP Anspach was not present. Executive Director Confer reviewed the allegations for the Board Members.

**MOTION:** Board Member Crawford to issue a disciplinary consent agreement to surrender her license. If not signed, move this matter to an Informal Interview. Seconded by Board Member Rineer.

**VOTE:** Motion passed (5-0).

3. Bassett, John 2018-RCE-0054  
Chairman Cagan announced the case. RCP Bassett was 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 (5-0).

4. Grajeda, John 2018-RCE-0064  
Chairman Cagan announced the case. RCP Grajeda was not present. Executive Director Confer reviewed the allegations for the Board Members.

**MOTION:** Board Member Crawford to offer a Standard Non-Disciplinary Rehabilitation Order. If not signed, move this matter to an Informal Interview. Seconded by Board Member Easley.

**VOTE:** Motion passed (5-0).

5. Hazelwood, Ashley 2018-RCE-0066  
Chairman Cagan announced the case. RCP Hazelwood 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 Chairman Cagan.

**VOTE:** Motion passed (5-0).

**MOTION:** Board Member O’Hair-Schattenberg to offer a disciplinary Decree of Censure. Seconded by Board Member Crawford.

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

6. Heredia, Jr., Salvador 2018-RCE-0038  
Chairman Cagan announced the case. RCP Heredia was not present. Executive Director Confer reviewed the allegations for the Board Members.

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

**VOTE:** Motion passed (4-1). Board Member O’Hair- Schattenberg voted nay.

7. Johnson, Tracey 2018-RCE-0051  
Chairman Cagan announced the case. RCP Johnson 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 (5-0).

8. O’Leyar, Brandy 2018-RCE-0063  
Chairman Cagan announced the case. RCP O’Leyar was not present. Executive Director Confer reviewed the allegations for the Board Members.

**MOTION:** Board Member Crawford to issue a non-disciplinary order with a civil penalty of \$250 for failure to report an incident to be paid within 90 days. If not signed, move this matter to an Informal Interview. Seconded by Board Member Easley.

**VOTE:** Motion passed (5-0).

9. Rook, Emily 2018-RCE-0067  
Chairman Cagan announced the case. RCP Rook was 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 (5-0).

10. Taylor, Emily 2018-RCE-0053  
Chairman Cagan announced the case. RCP Taylor was not present. Executive Director Confer reviewed the allegations for the Board Members.

**MOTION:** Board Member Crawford to issue a disciplinary Decree of Censure order. If not signed, move this matter to an Informal Interview. Seconded by Board Member Rineer

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

11. Sproule, Garry 2018-RCE-0059  
Chairman Cagan announced the case. RCP Sproule was present. Executive Director Confer reviewed the allegations for the Board Members.

**MOTION:** Board Member Crawford to issue a non-disciplinary consent agreement. If not signed, move this matter to an Informal Interview.

Seconded by Board Member O-Hair- Schattenberg.

**VOTE:** Motion passed (5-0).

#### **D. DISCUSSION/ACTION ON EXECUTIVE DIRECTOR'S REPORT**

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

1. FY19 Budget & Update (Board Update & Status)
2. Application, Investigation & Probation Reports (Board Update & Status)
3. Customer Service Evaluations
4. Summary of current events that affect the Arizona Board of Respiratory Care Examiners (This is the time for the Board Chair, Board Members of Staff to give a brief summary of current events affecting the Board).

**E. CALL TO THE PUBLIC**

None

**F. ITEMS TO BE PLACED ON A FUTURE AGENDA**

Pursue Respiratory Therapists taking orders from a Nurse Practitioner.

**G. ADJOURNMENT**

Chairman Cagan adjourned the meeting at 11:17AM.

Dated this 20th day of November 2018.



A handwritten signature in black ink, appearing to read "Jack Confer", written over a solid horizontal line.

Jack Confer  
Executive Director