

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of October 18, 2018

Board Members Present:

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

Board Members Absent:

Board Vice-Chairman: Jose
Gonzales, RCP
Dr. Leslie Easley

Staff Present:

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

Legal Counsel Present:

Frankie Shinn-Eckberg, AAG
Michael Raine, AAG

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of October 18, 2018

I. CALL TO ORDER

The Meeting was called to order at 9:12AM by Board Chairman Cagan.
A 5 minute break was taken at 10:15AM.

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 Rineer.

VOTE: Motion passed (5 - 0).

A. APPROVAL OF MINUTES

Recommended for Approval
Regular Session Minutes from September 20, 2018 meeting.

B. ACTION ON APPLICATIONS FOR LICENSURE

Recommended for approval by the Executive Director

Leobardo Barrett Jr.	Steven Beltran	Michael Brockhoff	Emily Brown
Brianna Bryant	Sandra Caudill	Sarah Cross	Brent deLeon
Catherine Devine	Erica Ebanks	John Ebanks II	Jodi Fisher
Patricia Gillen	Alyssa Hoffman	Katrina Johnson	Joe Lambert
Gabrielle Lee	Christopher Lockett	Benjamin Love	Emily Marrs
Derrick Mosley	Lauren Murphy	Alden Mustard	Chrys Obot-Akata
Michelle Pulido	Raymond Romero	Alyssa Romero	Jennifer Russell
Kimberly Saw	Adam Scheurich	Yvette Serafin	Amanda Snyder
Holly Webb	Timothy Weber	Michael Wood	Ryan Wubker
Derek Buckley			

C. ACTION ON ADMINISTRATIVE CLOSURE OF APPLICATION FILES

Recommended for closing of application files

Brian Adams	Mary Churchill	Sang Hutchinson	Heidi Maas
Angel McArthur	Andrew Rowe	Tara South	Natasha Tognoni

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

Recommended for closing of inactive files

Vanessa Bustin	Christina Chesnut	Tim Colby	Teri Davis
Marlene Dixon	Jared Dunn	Edgar Fix	Clarissa Hubbard
Philip Hutton	Cindy Luera	Denise Malkou	Dorothy Mazzi
Donald Overbee	Samuel Peters	Lucinda Peterson	Chrissy Phelps
Dawn Rich	Brenda Romero	David Smalley	Ky Stodolak
Jacqueline Susie			

E. ACTION ON NOTICES OF LICENSE EXPIRATIONS

Recommend sending notice of License Expirations to the following individuals:

Lawrence Baker	Kerri Banks	Stevens Bautista	Sharon Bellville
Christopher Brawner	Margaret Brown	Amber Castro	Jose Cervantes
Sheena Cummings	David Davidson	Franda Graves	Margaret Hausmanis
Robert Higginson	Michael Jernigan	Liza Jones	Kinjal Joshi
John Kemp	Scott Llewellyn	Stephanie Luong	Mark Maiers
Jennifer Malone	Amburlee Mier	Heidi Polson	Tina Samuel
Richard Segovia	Shirley Walker	Tracy Walker	Wendy Williams

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:

Riely Blankinship	Denise Butler	Shila Trigg	Bethany Vierra
Alma Webb	Margaret Lapusan		

G. DISCUSSION/ACTION ON RATIFICATION OF CONSENT AGREEMENTS

1. Dale, Jason 2018-RCE-0034

H. ESTABLISH DATE AND TIME OF NEXT BOARD MEETING

Scheduled date of next Board Meeting

Thursday, November 15, 2018 at 9:00AM.

III. REGULAR AGENDA

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

B. CONSIDERATION AND ACTION ON FORMAL COMPLAINT HEARINGS PURSUANT TO A.R.S. § 32-3553(H)

1. Leeson, Jared 2018-RCE-0015 (9:15AM)

Chairman Cagan announced the case and commenced the interview at 9:15AM. RCP Leeson was not present. Assistant Attorney General, Frankie Shinn-Eckberg represented the State of Arizona in this proceeding. Executive Director Confer was called as a witness and testified in this matter. Assistant Attorney General, Michael Raine appeared as the Independent Advisor to the Board.

MOTION: Board Member O’Hair-Schattenberg to deem the Parties, Jurisdictional Statements and Factual Allegations contained in the Complaint and Notice of Hearing as the Findings of Fact. Seconded by Board Member Crawford.

VOTE: Motion passed (5 - 0).

MOTION: Board Member O’Hair-Schattenberg to adopt the Alleged Violations as Conclusions of Law. Seconded by Board Member Rineer.

VOTE: Motion passed (5 - 0).

MOTION: Board Member Crawford to revoke the license held by Jared Leeson. Seconded by Board Member Rineer.

ROLL CALL VOTE: Motion passed (5 – 0).

C. CONSIDERATION AND ACTION ON APPLICATION INTERVIEWS

1. Johnson, Rondalee 2018-RCE-0069

Chairman Cagan announced the case and commenced the interview at 10:39AM. Applicant Johnson was present telephonically. Executive Director Confer presented a summary of the case.

MOTION: Board Member Crawford to grant license. Seconded by Board Member O’Hair-Schattenberg.

VOTE: Motion passed (5 - 0).

D. CONSIDERATION AND ACTION ON INFORMAL INTERVIEWS

1. Avery, Katarina 2018-RCE-0033

Chairman Cagan announced the case and commenced the interview at 9:23AM. RCP Avery was present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Crawford to issue a non-disciplinary Letter of Concern. Seconded by Board Member Beller.

VOTE: Motion passed (5 – 0).

2. Shaw, Jaymes 2018-RCE-0036

Chairman Cagan announced the case and commenced the interview at 9:41AM. RCP Shaw was present. Executive Director Confer presented a summary of the case.

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

VOTE: Motion passed (5 – 0).

3. Gann, James 2018-RCE-0030

Chairman Cagan announced the case and commenced the interview at 10:03AM. RCP Gann was present. Executive Director Confer presented a summary of the case.

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

VOTE: Motion passed (4 - 0). Board Member Rineer was recused.

E. 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. Baker, Lawrence 2018-RCE-0065
2. Sande, Dale 2018-RCE-0072

MOTION: Board Member O’Hair-Schattenberg to Executive Session 10:26AM – 10:38AM for legal advice. Seconded by Board Member Crawford.

VOTE: Motion passed (5 - 0).

The Board reconvened Regular Session at 10:38AM.

F. CONSIDERATION AND ACTION ON INVESTIGATIONS OF POSSIBLE UNPROFESSIONAL CONDUCT

1. Baker, Lawrence 2018-RCE-0065
Chairman Cagan announced the case. RCP Baker was not present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Rineer to move this matter to a Formal Hearing. Seconded by Board Member Crawford.

VOTE: Motion passed (5 - 0).

2. Sande, Dale 2018-RCE-0072
Chairman Cagan announced the case. RCP Sande was not present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to move this matter to a Formal Hearing. Seconded by Board Member O’Hair-Schattenberg.

VOTE: Motion passed (5 – 0).

3. Doe, John/Jane 2018-RCE-0039
Chairman Cagan announced the case.

Tabled by Executive Director Request.

G. DISCUSSION/ACTION ON EXECUTIVE DIRECTOR'S REPORT

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

1. FY19 Budget & Update (Board Update & Status)
2. Application, Investigation & Probation Reports (Board Update & Status)
3. E-Licensing Update
4. Customer Service Evaluations
5. 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).

H. CALL TO THE PUBLIC

None

I. ITEMS TO BE PLACED ON A FUTURE AGENDA

None

J. ADJOURNMENT

Chairman Cagan adjourned the meeting at 11:16AM.

Dated this 19th day of October 2018.

Jack Confer
Executive Director

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