

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of February 19, 2015

Board Members Present:

Board Chairman: Tracy Cagan, RCP
Jeannette Kieffer, RCP
Michelle O’Hair–Schattenberg, Esq.
Nicholas Walters, Esq.
Robert Altman, M. D.

Board Members Absent:

Vice Chairman:
Jose Gonzales, RCP
Chuck Ramirez, RCP

Staff Present:

Executive Director:
Jack Confer
David Geriminsky
Susan Mathein

Legal Counsel Present:

Frankie Shinn-Eckberg, AAG

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Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of February 19, 2015

CALL TO ORDER

The Meeting was called to order at 9:04AM by Board Chairman Cagan.
A five minute break was taken at 10:05 and 10:50AM.

Dr. Robert Altman announced that this would be his last meeting and that he is resigning at the conclusion of today's meeting. Dr. Altman expressed his gratitude and appreciation for this opportunity to serve the State of Arizona and the Boards' public protection mandate over the last two years.

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 Walters to approve with two (2) corrections in the regular session minutes. Seconded by Board Member O'Hair-Schattenberg.

VOTE: Motion passed (5-0).

C-1 APPROVAL OF MINUTES

Recommended for approval

January 15, 2015 Regular & Executive Session

C-2 ACTION ON APPLICATIONS FOR LICENSURE

i. Initial License

Recommended for approval by the Executive Director

Kristy Brown	Mario Cazales	Yvonne Crumley	Enrico De Blois
Cesar Escobar	Rebecca Graham	Stephanie Luong	James Manus
Stephan Mitchell	Mitchell Perez	Kathleen Pollard	Jill Sande
Melissa Smith	Pascale Victor	Michael Willis	

ii. Temporary License

Recommended for approval by the Executive Director

Diana Andrade	Monica Aragon	Diamond Brooks	Carlos Camacho
Martin Gaither	Shirley Godfrey	Mark Henderson	Mary Jiacoma

James Martel
Karen Miller
Marcus Sumbler

Michael Maxwell
Kenneth Reed

Joya McElroy
Laurie Rogers

David McGhee
Ashley Stenger

C-3 ACTION ON ADMINISTRATIVE CLOSURE OF APPLICATION FILES

Recommended for closing of application files

Mark Booth

Clay Hohs

Deanna Huber

C-4 ACTION ON ADMINISTRATIVE CLOSURE OF TWO-YEAR INACTIVE FILES

Recommended for closing of inactive files

Cynthia Alaniz

Michelle Beagle

Daron Bear

Jessica Buckholz

Michael Burk

Philip Celardo

Dena Dallenbach

Ronald Eggleston

Malek Fakhouri

Christine Frankovitch

Brent Grundstrom

Jon Heake

Sharon Kirkey

Murphies Law

Hermann Makoubi

Shawn Maness

Steven Martin

Roseann McKeithan

Kathryn Meier

William Nems

Brian Payabyab

Brian Rosene

Sara Rubio

Royale Schulze

Mia Terry

Rebecca Vancina

Emily Wallace

Thomas Wells

C-5 ACTION ON NOTICES OF LICENSE EXPIRATIONS

Recommend sending notice of license expirations to the following individuals:

Donna Kruger

Bruce Lunn

Arthur Schicatano

Carleasa Myles

Shelley Bianchi York

Theresa Wagner

Curtis Clayton

Lora Tittle

Brian Ballentine II

April Osborn

Lynda Layton-Hanson

Iyana La'borin

Cheryl Kingsley-Radvan

Terrence Wartell

Vivian Oden

Melissa Lindgren

Beverly Maynard

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

Renaë Guess

Amani Jarrar

Rockey Keovorabouth

Bridget Koenen

James Koerschner

Kathleen Pierce

Corinne Rodriguez

Rebekah Thompson

Sylvia Wallace

C-7 ESTABLISH DATE AND TIME OF NEXT BOARD MEETING

Scheduled date of next Board Meeting

Thursday, March 19, 2015 at 9:00 AM.

REGULAR AGENDA

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

NONE

R-2 CONSIDERATION AND ACTION ON FORMAL COMPLAINT HEARINGS PURSUANT TO A.R.S. § 32-3553(H)

1. Tripp, Kristin Case Number C003236-15-008646
Chairman Cagan announced the case and commenced the interview at 10:56AM. RCP Tripp was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

MOTION: Board Member Altman to postpone this matter to the April 16, 2015 Board meeting. Seconded by Board Member Walters.

VOTE: Motion passed (5-0).

R-3 CONSIDERATION AND ACTION ON INFORMAL INTERVIEWS PURSUANT TO A.R.S. § 32-3553(G)

1. Fischer, Tanachia Case Number C003273-15-010264
Chairman Cagan announced the case at 11:21AM. RCP Fischer was not present. Investigator Geriminsky presented a summary of the case.

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

VOTE: Motion passed (5-0).

2. Gilmore, Erica Case Number C003313-15-007683
Chairman Cagan announced the case and commenced the interview at 9:50AM. RCP Gilmore was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Gilmore addressed the Board and responded to questions.

MOTION: Board Member Altman to dismiss. Seconded by Board Member Walters.

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

3. Rodriquez, Teresa Case Number C003281-14-009875
Chairman Cagan announced the case and commenced the interview at 9:32 AM. RCP Rodriquez was present. Board Member Kieffer recused herself. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Rodriquez addressed the Board and responded to questions.

MOTION: Board Member O'Hair-Schattenberg to dismiss. Seconded by Board Member Altman.

VOTE: Motion passed (4-0).

R-4 CONSIDERATION AND ACTION ON INVESTIGATIONS OF POSSIBLE UNPROFESSIONAL CONDUCT

1. Almasan, George Case Number C003198-14-009596
Chairman Cagan announced the case. RCP Almasan was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Almasan addressed the Board Members regarding the matter.

MOTION: Board Member Altman to dismiss. Seconded by Board Member Walters.

VOTE: Motion passed (5-0).

2. Blankinship, Heather Case Number C003292-15-008881
Chairman Cagan announced the case. RCP Blankinship was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

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

VOTE: Motion passed (4-1). Board Member Altman voted nay.

3. Crain, Jolene Case Number C003203-14-008548
Chairman Cagan announced the case. RCP Crain was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Crain addressed the Board Members regarding the matter.

MOTION: Board Member Walters to dismiss. Seconded by Board Member Altman.

VOTE: Motion passed (5-0).

4. Hurst, Kyle Case Number C003248-14-008421
Chairman Cagan announced the case. RCP Hurst was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

MOTION: Board Member O’Hair-Schattenberg to move this matter to Informal Interview but, not to schedule until patient records & charting is received. Seconded by Board Member Walters.

VOTE: Motion passed (5-0).

5. Klabbatz, Jordan Case Number C003258-15-010707
Chairman Cagan announced the case. RCP Klabbatz was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

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

VOTE: Motion passed (5-0).

6. Larson, David Case Number C003270-15-005583
Chairman Cagan announced the case. RCP Larson was not present. Board Member Kieffer recused herself. Investigator Geriminsky reviewed the allegations for the Board Members.

MOTION: Board Member Altman to move this matter to an Informal Interview. Seconded by Board Member Walters.

VOTE: Motion passed (4-0).

7. Leslie, Deborah Case Number C003197-15-001503
Chairman Cagan announced the case. RCP Leslie was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Leslie addressed the Board Members regarding the matter.

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

VOTE: Motion passed (5 - 0).

Cases Recommended for Dismissal/Referral

8. Jarrar, Amani Case Number C003315-15-005970
Chairman Cagan announced the case. RCP Jarrar was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

MOTION: Board Member Kieffer to dismiss. Seconded by Board Member Altman.

VOTE: Motion passed (5-0).

9. Tillett, Chris Case Number C003293-15-010224
Chairman Cagan announced the case. RCP Tillett was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

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

VOTE: Motion passed (5-0)

10. Freiberg, Sarah Case Number C003294-15-007611
Chairman Cagan announced the case. RCP Freiberg was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

MOTION: Board Member Walters to dismiss. Seconded by Board Member Altman.

VOTE: Motion passed (5-0).

11. Guerrero, Gregory Case Number C003324-15-001456
Chairman Cagan announced the case. RCP Guerrero was not present. Frankie Shinn-Eckberg addressed the matter for the Board Members.

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

VOTE: Motion passed (5-0).

R-4 CONSIDERATION AND ACTION ON POSSIBLE UNPROFESSIONAL CONDUCT PURSUANT TO A.A.C. R4-45-211

1. Ascencio, David Case Number C003319-15-007447
Chairman Cagan announced the case. RCP Ascencio was not present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Walters to issue a non-disciplinary consent agreement with a civil penalty of \$10.00 per missing CEU hour and to complete all missing (10) CEUs within 90 days. Seconded by Board Member O’Hair-Schattenberg.

VOTE: Motion passed (5-0).

2. Barker, Bret Case Number C003322-15-009609
Chairman Cagan announced the case. RCP Barker was present. Executive Director Confer reviewed the allegations for the Board Members. RCP Barker addressed the Board Members regarding the matter.

MOTION: Board Member O’Hair-Schattenberg to issue a non-disciplinary consent agreement with a civil penalty of \$10.00 per missing CEU hour and to complete all missing (20) CEUs within 60 days. Seconded by Board Member Walters.

VOTE: Motion passed (5-0).

3. Bernardo, Margie Case Number C003321-15-008637
Chairman Cagan announced the case. RCP Bernardo was present. Executive Director Confer reviewed the allegations for the Board Members. RCP Bernardo addressed the Board Members regarding the matter.

MOTION: Board Member O’Hair-Schattenberg to issue a non-disciplinary consent agreement with a civil penalty of \$10.00 per missing CEU hour (2) and to complete all missing CEU’s within 60 days. Seconded by Board Member Altman.

VOTE: Motion passed (5-0).

4. Blanco, Girlie Case Number C003320-15-008798
Chairman Cagan announced the case. RCP Blanco was present. Executive Director Confer reviewed the allegations for the Board Members. RCP Blanco addressed the Board Members regarding the matter.

MOTION: Board Member Walters to issue a non-disciplinary consent agreement with a civil penalty of \$10.00 per missing CEU hour and to complete all 5 missing CEU's within 60 days. Seconded by Board Member O'Hair-Schattenberg.
VOTE: Motion passed (5-0).

5. Byrd, Juliana Case Number C003323-15-010352
Chairman Cagan announced the case. RCP Byrd was present. Executive Director Confer reviewed the allegations for the Board Members. RCP Byrd addressed the Board Members regarding the matter.

MOTION: Board Member Walters to issue a non-disciplinary consent agreement with a civil penalty of \$10.00 per missing CEU hour and to complete all (17) missing CEU's within 90 days. Seconded by Board Member O'Hair-Schattenberg.
VOTE: Motion passed (5-0).

R-6 CONSIDERATION AND POSSIBLE ACTION ON PROBATION COMPLIANCE/STATUS/REVIEW AND/OR TERMINATION REQUEST
NONE

R-7 DISCUSSION/ACTION ON APPLICATIONS FOR LICENSURE OR RENEWAL

1. Rice, Mason Case Number C003331-15-011453
Chairman Cagan announced the case. RCP Rice was not present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Walters to grant a license with the Standard non-disciplinary Probation to include providing copies of drug tests and proof of attending AA meetings. Seconded by Board Member O'Hair-Schattenberg.
VOTE: Motion passed (5-0).

2. Tapia, Omar Unissued License Number 011246
Chairman Cagan announced the case. RCP Tapia was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Tapia addressed the Board regarding the matter.

Due to the fact that the Board has no statutory allowance for waiver of fees or re-opening a closed application; no action was taken.

R-8 DISCUSSION/ACTION ON EXECUTIVE DIRECTOR'S REPORT

- 1. FY 2014 Cash Flow Projection (January 2015)
- 2. FY 2014 Revenue, Expenditure, Financial Trends Report (January 2015)

3. Legislation Update
4. Customer Satisfaction Results
5. Investigation & Probation Status Report (February 2015)
6. Licensing Status Report (February 2015)

R-9 CALL TO THE PUBLIC

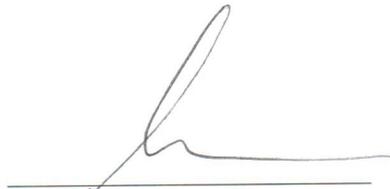
R-10 ITEMS TO BE PLACED ON A FUTURE AGENDA

Board Member O'Hair-Schattenberg requested further information from staff regarding problems being encountered when attempting to obtain subpoena responses and the entities involved.

R-11 ADJOURNMENT

Board Chairman Cagan adjourned the meeting at 12:17PM.

Dated this 19th day of February, 2015.



Jack Confer
Executive Director

3-30-15