

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of January 15, 2015

Board Members Present:

Board Chairman: Tracy Cagan,
RCP

Vice Chairman: Jose Gonzales,
RCP

Michelle O'Hair –Schattenberg,
Esquire

Nicholas Walters, Esquire

Board Members Absent:

Chuck Ramirez, RCP

Robert Altman, M. D.

Jeannette Kieffer, RCP

Staff Present:

Executive Director:
Jack Confer

David Geriminsky

Susan Mathein

Legal Counsel Present:

Nancy Beck, AAG

Frankie Shinn-Eckberg, AAG

WWW.RB.AZ.GOV

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of January 15, 2015

CALL TO ORDER

The Meeting was called to order at 9:05AM by Chairman Cagan.
A five minute break was taken at 10:20AM; 11:38AM and 1:30PM.

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. Seconded by Board Member O’Hair-Schattenberg.

VOTE: Motion passed (4-0).

C-1 APPROVAL OF MINUTES

Recommended for approval

December 18, 2015 Regular & Executive Session

C-2 ACTION ON APPLICATIONS FOR LICENSURE

i. Initial License

Recommended for approval by the Executive Director

Susanna Daniel	Courtney Roberts	Lyla Abrams	Sherri Farra
Rachelle Garcia	Michael Rebel	Mary Palmer	Matthew Simoncavage
Myriah Jordan	Linda Love	Gianina Leyva	Scott Hansen
Emmy Nguyen	Tracy Medeiros	Kristine Sizemore	Donathan Ortega
Shila Trigg	Steven Moreno	Kathy Teng	

ii. Re-Applications

Recommended for approval by the Executive Director

Christopher Fitton Sheree Tope

iii. Temporary License

Recommended for approval by the Executive Director

Joan Bryant-Kennedy	Mario Cazales	Enrico DeBlois	Louis Flores
---------------------	---------------	----------------	--------------

Aaron Lai
Colby Reddell
Pascale Victor

Stephanie Luong
Courtney Roberts
Michael Willis

James Manus
Jill Sande

Stephen Mitchell
Matthew

C- 3 ACTION ON ADMINISTRATIVE CLOSURE OF APPLICATION FILES

Recommended for closing of application files

Laura Wagstaff

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

Recommended for closing of inactive files

Elvia Stump

Sherry Hechler

James Mattison

Stephen Musee

Judy Locke

Jessica Middaugh

Luis Chavez

Florinda Mazer

Bethany Lohmeyer

Jeffrey Skiba

Idil Gureeye

Johnny Sandoval

Sheryl Wilson

James Craig

Charles Broderick

Mark Burrow

Dionne Mazurek

Jeff Pettit

Paula Monter

Patricia Cook

Sean Walsh

Cynthia Bernsten

Janice Starkey

Monica De Anda

Julie Anderson

Dylinda McCart

Colleen Anger

Wendy Gonzalez

Elizabeth Rivera

Dustin Wagner

Arsalan Eghbali

C- 5 ACTION ON NOTICES OF LICENSE EXPIRATIONS

Recommend sending notice of license expirations to the following individuals:

Byanca Salazar

Christina Griffeth

Clay Patterson

Craig Strickler

Daniel Small

David Gallant

Denee Baxter

Juan Ruiz

Kourtney Biggs

Linda Rozema

Lyudmila Shishkina

Margaret Rosenkrans

Nicole King

Oswaldo Demesa

Rebekah Thompson

Susan Wilcox

Vince Sanders

Vincent Butler

Recommend sending notice of temporary license expirations to the following individuals:

Robert White

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

Janet Tucker

Gorett Valenzuela

Britney Bryant

Leslie Steinbeck

Jennifer Wright

Jerry White

Emil Richardson

Leila Ward

C -7 ESTABLISH DATE AND TIME OF NEXT BOARD MEETING

Scheduled date of next Board Meeting

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

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. Begay, Charlene Case Number C003250-14-007133
Chairman Cagan announced the case and commenced the interview at 1:00 PM. RCP Begay was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

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

VOTE: Motion passed (3-1). Chairman Cagan voted nay.

2. Goguen, Kimberly Case Number C003216-14-009535
Chairman Cagan announced the case and commenced the interview at 9:10 AM. RCP Goguen was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Goguen addressed the Board and responded to questions.

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

VOTE: Motion passed (4-0).

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

1. Dominice, Nicholas Case Number C003280-15-001860
Chairman Cagan announced the case. RCP Dominice was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

MOTION FOR EXECUTIVE SESSION: Chairman Cagan to go into Executive Session to obtain advice from the Board’s attorney. Seconded by Board Member O’Hair-Schattenberg.

VOTE: Motion passed (4-0).

After holding the Executive Session the Board reconvened regular session at 1:03PM.

The Board discussed the allegations contained in this matter.

MOTION: Vice Chairman Gonzales to move this matter to a Formal Hearing. Seconded by Board Member Walters.

After further discussion; Board Member Gonzales withdrew his motion. Board Member Walters withdrew his second.

SECOND MOTION: Board Member Walters to move this matter to an informal interview. Seconded by Chairman Cagan.

VOTE: Motion passed (4-0).

2. Moneymaker, Sheryl Case Number C003251-14-002340
Chairman Cagan announced the case. RCP Moneymaker was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Moneymaker addressed the Board Members regarding the matter.

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

VOTE: Motion passed (4-0).

3. Norton, Lydia Case Number C003276-15-007156
Chairman Cagan announced the case. RCP Norton was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Norton addressed the Board Members and provided further documentation regarding the matter.

MOTION: Board Member Walters to table this matter and review at the July 2015 meeting. Seconded by Vice Chairman Gonzales.

VOTE: Motion passed (4-0).

4. Rodriguez, Terresa Case Number C003281-14-009875
Chairman Cagan announced the case. RCP Rodriguez was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Rodriguez addressed the Board Members regarding the matter.

MOTION: Board Member Walters to move this matter to an informal interview. Seconded by Vice Chairman Gonzales.

VOTE: Motion passed (3-1). Board Member O’Hair-Schattenberg voted nay.

5. Walsh, Raymond Case Number C003277-15-010803
Chairman Cagan announced the case. RCP Walsh was present telephonically. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Walsh addressed the Board Members regarding the matter.

MOTION: Vice Chairman Gonzales to dismiss. Seconded by Chairman Cagan.

VOTE: Motion passed (4-0).

6. Watts, Andrea Case Number C003266-15-007771
Chairman Cagan announced the case. RCP Watts was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

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

VOTE: Motion passed (4-0).

7. Gilmore, Erica Case Number C003313-15-007683
This case was heard in conjunction with the Probation Compliance review in Section, R-5, #1.
8. Price, Amon Case Number C003318-15-009825
Chairman Cagan announced the case. RCP Price was not present. Executive Director Confer updated the Board regarding this matter.

This matter was closed pursuant to A.R.S. § 32-3506 et seq.

9. Cameron, Sirena Case Number C003154-14-007255
Chairman Cagan announced the case. RCP Cameron was not present. Executive Director Confer updated the Board regarding this matter.

This matter was closed pursuant to A.R.S. § 32-3506 et seq.

Cases Recommended for Dismissal/Referral

1. Fernandez, Debra Case Number C003201-14-008351
Chairman Cagan announced the case. RCP Fernandez 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 (4-0).

2. Chapman, Lana Case Number C003279-15-008662
Chairman Cagan announced the case. RCP Chapman was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

MOTION: Vice Chairman Gonzales to dismiss. Seconded by Chairman Cagan.

VOTE: Motion passed (4-0).

3. Gray, George Case Number C003195-14-009793
Chairman Cagan announced the case. RCP Gray was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

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

VOTE: Motion passed (4-0).

4. Klimczak, Craig Case Number C003200-14-000000
Chairman Cagan announced the case. RCP Klimczak was not present. Investigator

Geriminsky reviewed the allegations for the Board Members.

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

VOTE: Motion passed (4-0).

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

1. Benek, Jeff Case Number C003290-15-007078
RCP Benek was not present. This matter was reviewed in a block vote with item 7 & 10.

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 CEU’s within 60 days. Seconded by Vice Chairman Gonzales.

VOTE: Motion passed (4-0).

2. Contreras, David Case Number C003296-15-008174
Chairman Cagan announced the case. RCP Contreras was present. Executive Director Confer reviewed the allegations for the Board Members. RCP Contreras addressed the Board Members regarding the matter.

MOTION: Board Member O’Hair-Schattenberg to issue a non-disciplinary consent agreement with a fine of \$10.00 per missing CEU hour (\$200.00) and to complete the required 20 CEU within 60 days. Seconded by Vice Chairman Gonzales.

VOTE: Motion passed (4-0).

3. Gibbons, Angela Case Number C003297-15-007021
Chairman Cagan announced the case. RCP Gibbons was present. Executive Director Confer reviewed the allegations for the Board Members. RCP Gibbons 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 (\$55.00) and to complete the required 5.5 CEU within 60 days. Seconded by Vice Chairman Gonzales.

VOTE: Motion passed (4-0).

4. Gonzales, David Case Number C003308-15-006105
Chairman Cagan announced the case. RCP Gonzales was present. Executive Director Confer reviewed the allegations for the Board Members. RCP Gonzales addressed the Board Members regarding the matter.

MOTION: Vice Chairman Gonzales to issue a non-disciplinary consent agreement with a fine of \$10.00 per missing CEU hour (\$95.00) and to

complete the required 9.5 CEU within 60 days. Seconded by Board Member O'Hair-Schattenberg.

VOTE: Motion passed (4-0).

5. King, Gayle Case Number C003295-15-008878
Chairman Cagan announced the case. RCP King was present. Executive Director Confer reviewed the allegations for the Board Members. RCP King addressed the Board Members regarding the matter.

MOTION: Board Member O'Hair-Schattenberg to issue a non-disciplinary consent agreement with a fine of \$10.00 per missing CEU hour (\$200.00) and to complete the required 20 CEU within 60 days. Seconded by Vice Chairman Gonzales.

VOTE: Motion passed (4-0).

6. Maldonado, Christina Case Number C003298-15-008314
Chairman Cagan announced the case. RCP Maldonado was present. Executive Director Confer reviewed the allegations for the Board Members. RCP Maldonado addressed the Board Members regarding the matter.

MOTION: Board Member Gonzales to issue a non-disciplinary consent agreement for \$10.00 per missing CEU hour (\$80.00) and to complete the required 8 hours within 60 days. Seconded by Board Member O'Hair-Schattenberg.

VOTE: Motion passed (4-0).

7. Mason-Taylor, Erin Case Number C003305-15-008098
RCP Mason-Taylor was not present. This matter was reviewed in a block vote with item 1 & 10.

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 CEU's within 60 days. Seconded by Vice Chairman Gonzales.

VOTE: Motion passed (4-0).

8. Maturo, Catherine Case Number C003299-15-005985
Chairman Cagan announced the case. RCP Maturo was present. Executive Director Confer reviewed the allegations for the Board Members. RCP Maturo addressed the Board Members regarding the matter.

MOTION: Board Member Gonzales to issue a non-disciplinary consent agreement for \$10.00 per missing CEU hour (\$50.00) and to complete the required 5 CEU within 60 days. Seconded by Board Member Walters.

VOTE: Motion passed (4-0).

9. Mullenix, Eugene Case Number C003301-15-005774
Chairman Cagan announced the case. RCP Mullenix was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Mullenix addressed the Board Members regarding the matter.

MOTION: Board Member Walters to accept the ACLS class for 5 CEU hours and to issue a non-disciplinary consent agreement for \$10.00 per missing CEU hour (\$150.00) and to complete the required 15 CEU within 60 days. Seconded by Chairman Cagan.

VOTE: Motion passed (4-0).

10. Perry, Valen Case Number C003309-15-007272
RCP Perry was not present. This matter was reviewed in a block vote with item 1 & 7.

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 CEU's within 60 days. Seconded by Vice Chairman Gonzales.

VOTE: Motion passed (4-0).

11. Sabin, Kimberly Case Number C003304-15-005329
Chairman Cagan announced the case. RCP Sabin was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Sabin addressed the Board Members regarding the matter.

MOTION: Board Member Walters to issue a non-disciplinary consent agreement for \$10.00 per missing CEU hour (\$15.00) and to complete the required 1.5 CEU within 60 days. Seconded by Board Member O'Hair-Schattenberg.

VOTE: Motion passed (4-0).

12. Vega, Victor Case Number C003310-15-000984
Chairman Cagan announced the case. RCP Vega was present. Executive Director Confer reviewed the allegations for the Board Members. RCP Vega addressed the Board Members regarding the matter.

MOTION: Board Member O'Hair-Schattenberg to issue a non-disciplinary consent agreement for \$10.00 per missing CEU hour (\$200.00) and to complete the required 20 CEU within 60 days. Seconded by Vice Chairman Gonzales.

VOTE: Motion passed (4-0).

13. Nunez, Joseph Case Number C003300-15-001145
Chairman Cagan announced the case. RCP Nunez was present. Executive Director Confer reviewed the allegations for the Board Members. RCP Nunez addressed the Board

Members regarding the matter.

MOTION: Board Member Walters to issue a non-disciplinary consent agreement for \$10.00 per missing CEU hour (\$95.00) and to complete the required 9.5 CEU within 60 days. Seconded by Board Member O’Hair-Schattenberg.

VOTE: Motion passed (4-0).

14. Washington, Christopher Case Number C003306-15-008152
Chairman Cagan announced the case. RCP Washington was present Executive Director reviewed the allegations for the Board Members. RCP Washington addressed the Board Members regarding the matter.

MOTION: Board Member Walters to issue a non-disciplinary consent agreement for \$10.00 per missing CEU hour (\$10.00) and to complete the required 1 CEU within 60 days. Seconded by Board Member O’Hair-Schattenberg.

VOTE: Motion passed (4-0).

15. Waweru, Eddie Case Number C003307-15-010441
Chairman Cagan announced the case. RCP Waweru, was present Executive Director Confer reviewed the allegations for the Board Members. RCP Waweru addressed the Board Members regarding the matter.

MOTION: Vice Chairman Gonzales to issue a non-disciplinary consent agreement for \$10.00 per missing CEU hour (\$200.00) and to complete the required 20 CEU within 60 days. Seconded by Board Member Walters.

VOTE: Motion passed (4-0).

R-5 CONSIDERATION AND POSSIBLE ACTION ON PROBATION COMPLIANCE/STATUS/REVIEW AND/OR TERMINATION REQUEST

1. Gilmore, Erica Probationer Number P001036-13
Chairman Cagan announced the case. RCP Gilmore was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Gilmore addressed the Board Members regarding the matter.

Board Members directed staff to obtain patient records/Pyxis reports for 10/22 @ 8:30 am regarding this case.

MOTION: Vice Chairman Gonzales to invite RCP Gilmore to an informal interview and to include the probation compliance case. Seconded by Board Member Walters.

VOTE: Motion passed (4-0).

R-6 DISCUSSION/ACTION ON APPLICATIONS FOR LICENSURE OR RENEWAL

1. Brown, Sabastian Case Number C003288-15-011422
Chairman Cagan announced the case. RCP Brown was not present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Walters to grant the license. Seconded by Vice Chairman Gonzales.

VOTE: Motion passed (4-0).

2. Johnson, Jan Case Number C003317-15-011444
Chairman Cagan announced the case. RCP Johnson was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

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

VOTE: Motion passed (4-0).

3. Wallace, Roxann Case Number C003316-15-011418
Chairman Cagan announced the case. RCP Wallace was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Wallace addressed the Board Members regarding the matter.

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

VOTE: Motion passed (3-1). Vice Chairman Gonzales voted nay.

MOTION: Board Member O’Hair-Schattenberg to refer the case to DHS. Seconded by Board Member Walters.

VOTE: Motion failed (2-2). Vice Chairman Gonzales and Board Member Walters voted nay

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

1. FY 2014 Cash Flow Projection (December 2014)
2. FY 2014 Revenue, Expenditure, Financial Trends Report (December 2014)
3. Executive Order 2015-01
4. Customer Satisfaction Results
5. Investigation & Probation Status Report (January 2015)
6. Licensing Status Report (January 2015)

R-8 CALL TO THE PUBLIC

RCP Jaymes Shaw inquired about the Board’s request for legislation regarding the RRT requirement for licensure. Executive Director Confer responded to the questions.

R-9 ITEMS TO BE PLACED ON A FUTURE AGENDA

NONE

**R-10 DISCUSSION/ACTION ON ELECTION OF OFFICERS PURSUANT TO
A.R.S. § 32-3503**

Election of the Board Chairman:

MOTION: Board Member Walters to nominate Tracy Cagan for Chairman.
Seconded by Board Member O’Hair-Schattenberg.

VOTE: Motion passed (3-0).

Election of the Vice Chairman:

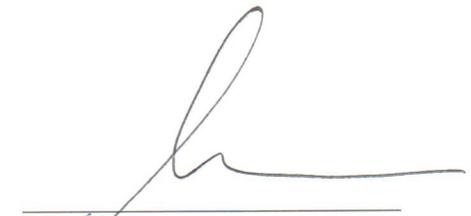
MOTION: Board Member Walters to nominate Jose Gonzales for Vice Chairman.
Seconded by Board Member O’Hair-Schattenberg .

VOTE: Motion passed (3-0).

R-11 ADJOURNMENT

Board Chairman Cagan adjourned the meeting at 2:04PM.

Dated this 25TH day of FEBRUARY 2015



Jack Confer
Executive Director