

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of June 18, 2015

Board Members Present:

Board Chairman: Tracy Cagan, RCP

Vice Chairman: Jose Gonzales, RCP

Chuck Ramirez, RCP

Jeannette Kieffer, RCP

Michelle O'Hair –Schattenberg, Esq

Board Members Absent:

Nicholas Walters, Esq

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 June 18, 2015

CALL TO ORDER

The Meeting was called to order at 9:00AM by Board Chairman Cagan.
A break was taken at 10:45AM.

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 Ramirez to approve. Seconded by Vice Chairman Gonzales.

VOTE: Motion passed (5-0).

C-1 APPROVAL OF MINUTES
Recommended for approval
Regular Minutes for May 21, 2015.

C-2 ACTION ON APPLICATIONS FOR LICENSURE
i. Initial License

Recommended for approval by the Executive Director

Marsha Sherrod	April Grice	Jasmine Kern	Meghan Eisner
Menard Thach	Tara Alvarado	Lori Caldwell	Michael Nielander
Jaclyn Price	Alyssa Martell	Sylvia Stone	Michael Williams
Victoria Altman	Jamie Sindle	Joanna Loranc-Watkins	

ii. Re-Application for Professional License

Recommended for Ratification by the Executive Director

Mariella Martinez Michael Weith

ii. Temporary License

Recommended for approval by the Executive Director

Brenda McGartland	Chelsea Alexander	Cheyenne Hasick	Cory McCarley
Guadalupe Saenz	Jaclyn Price	John Slusser	Leah Justice
Lizzeth Gil	Thomas Geffken	Zorana Sipos	

C- 3 ACTION ON ADMINISTRATIVE CLOSURE OF APPLICATION FILES

Recommended for closing of application files

Robert Cheever Sarah Williams

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

Recommended for closing of inactive files

Andrea Bertoldo	B. Shawn Bright	Dabney Ashburn	Daniel Moore
David Clinton	Ernest Grover	Ernie Angwin	Gina Franklin
Kara Adams	Kirk Shim	Leeann Forsythe	Maher Jordan
Maria Dominguez	Michael Clancy	Rachel Holte	Scott Farnworth
Vanessa Kingsfield	William McCullough		

C- 5 ACTION ON NOTICES OF LICENSE EXPIRATIONS

i. Recommend sending notice of license expirations to the following individuals:

Lisa Drexler	Eric Magofna	Jean Palumbo	Toni Pattison-Krein
Jessica Gavriilidis	Brandon Faris	Katie Rambo	Ronald Davidson
Kevin Miller	Desiree Sifuentes	Melanie Icard	Joan Loewen
Douglas Krawiec	Janice Burns	Deborah Roy	James Sederstrom
Todd Phelan			

ii. Recommend sending notice of Temporary license expirations

Jeffery Fitzgibbons

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

Jessica Allen	Cleveland Claridge	Jessica Gavriilidis	Michael Iskandar
Georgina Plante			

C -7 ESTABLISH DATE AND TIME OF NEXT BOARD MEETING

Scheduled date of next Board Meeting

Thursday, July 16th, 2015 at 9:00 AM.

REGULAR AGENDA

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

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

1. Blankinship, Heather Case Number C003292-15-008881
Chairman Cagan announced the case and commenced the Hearing at 9:15AM. RCP Blankinship was not present. Assistant Attorney General Frankie Shinn-Eckberg represented the State of Arizona in this proceeding. Investigator Geriminsky was called as a witness and sworn in by Board Chairman Cagan. At the conclusion of the testimony AAG Shinn-Eckberg entered Exhibits 1-5 into the record. RCP Blankinship arrived at 9:40AM and was given time to address the Board.

MOTION: Board Member O'Hair-Schattenberg to adopt Findings of Fact 1, 3, 4 and 5. Seconded by Board Member Kieffer.

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

MOTION: Board Member O'Hair-Schattenberg to adopt Conclusions of Law 2, 3, 4, 5, 7 and 10. Seconded by Vice Chairman Gonzales.

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

MOTION: Board Member O'Hair-Schattenberg to issue a Decree of Censure. Seconded by Vice Chairman Gonzales.

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

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

1. Holmes, Heather Case Number C003286-15-009959
Chairman Cagan announced the case and commenced the interview. RCP Holmes was present. Investigator Geriminsky presented a summary of the matter. RCP Holmes addressed the Board Members regarding the matter.

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

VOTE: Motion passed (5-0).

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

1. Fullylove, Charles Case Number C003278-15-003195
Chairman Cagan announced the case. RCP Fullylove was present and was represented

by his legal counsel Erica Robert, Esq. Investigator Geriminsky 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).

2. Gilmore, Erica Case Number C003354-15-007683
Chairman Cagan announced the case. RCP Gilmore was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

MOTION: Board Member Kieffer to offer a consent agreement to include a civil penalty of \$50.00 per shift to be payable in 30 days. Seconded by Vice Chairman Gonzales.

VOTE: Motion passed (5-0).

3. Petersen, Heather Case Number C003344-15-010654
Chairman Cagan announced the case. RCP Petersen was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Petersen addressed the Board Members regarding the matter.

MOTION: Board Member O'Hair-Schattenberg to issue a consent agreement with a civil penalty of \$50.00 per shift worked payable within 6 months. Seconded by Board Member Kieffer.

VOTE: Motion passed (5-0).

4. Wheeler, Beniah Case Number C003361-15-009877
Chairman Cagan announced the case. RCP Wheeler was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Wheeler addressed the Board Members regarding the matter.

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

VOTE: Motion passed (5-0).

5. Koningsor, Barry Case Number C003368-15-007884
Chairman Cagan announced the case. RCP Koningsor was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

MOTION: Board Member Ramirez to move to an Informal Interview. Seconded by Board Member Kieffer.

The motion and second were withdrawn after further discussion.

SECOND MOTION: Vice Chairman Gonzales to Summarily Suspend the license of RCP Koningsor whose actions present an

imminent and immediate danger to the public health safety and welfare. Seconded by Board Member Ramirez.

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

6. Lindenstruth, Kay Case Number C003330-15-009254
Chairman Cagan announced the case. RCP Lindenstruth was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Lindenstruth addressed the Board Members regarding the matter.

MOTION: Board Member O'Hair-Schattenberg to offer a consent agreement with a civil penalty of \$50.00 per shift payable within 60 days. Seconded by Board Member Kieffer.

VOTE: Motion passed (5-0).

7. Zaibunnisa, Ali Case Number C003390-15-001732
Chairman Cagan announced the case. RCP Zaibunnisa was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

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

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

8. Reynaga, Zaida Case Number C003385-15-008690
Chairman Cagan announced the case. RCP Reynaga was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Reynaga addressed the Board Members regarding the matter.

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

VOTE: Motion passed (4-1).

Cases Recommended for Dismissal/Referral

1. Quick, Steven Case Number C003369-15-009639
Chairman Cagan announced the case. RCP Quick was present. Investigator Geriminsky reviewed the allegations for the Board Members.

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

VOTE: Motion passed (5-0).

2. Richman, Zeanee Case Number C003285-15-010950
Chairman Cagan announced the case. RCP Richman was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

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

VOTE: Motion passed (5-0).

R-5 DISCUSSION/ACTION ON APPLICATIONS FOR LICENSURE OR RENEWAL

1. Yazzie, Nicoletta Case Number C003389-15-011579
Chairman Cagan announced the case. RCP Yazzie was not present. Executive Director Confer reviewed the allegations for the Board Members. Chairman Cagan recused herself from this matter.

MOTION: Board Member Ramirez to offer a consent agreement for license approval, requiring compliance with any outstanding court obligations. Seconded by Board Member Kieffer.

VOTE: Motion passed (4-0).

2. Rice, Mason Case Number C003331-15-011453
Chairman Cagan announced the case. RCP Rice was present. Executive Director Confer reviewed the allegations for the Board Members. RCP Rice addressed the Board Members regarding the matter.

MOTION: Vice Chairman Gonzales to grant the license.
Seconded by Board Member O'Hair-Schattenberg.

VOTE: Motion passed (5-0).

3. Hoppis, Elizabeth Case Number C003387-15-011616
Chairman Cagan announced the case. RCP Hoppis was present. Executive Director Confer reviewed the allegations for the Board Members. RCP Hoppis addressed the Board Members regarding the matter.

MOTION: Board Member Kieffer to grant the license. Seconded by Board Member O'Hair-Schattenberg.

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

R-6 DISCUSSION/ACTION ON EXECUTIVE DIRECTOR'S REPORT

1. Open Meeting Law Training, Frankie Shinn-Eckberg, AAG
2. FY 2014 Cash Flow Projection (May 2015)
3. FY 2014 Revenue, Expenditure, Financial Trends Report (May 2015)
4. Legislation & Rule Update
5. Customer Satisfaction Results
6. Investigation & Probation Status Report (June 2015)
7. Licensing Status Report (June 2015)
8. Office of the Auditor General, Sunset Review

9. Board Member Appointments being reviewed

R-7 CALL TO THE PUBLIC

No appearance.

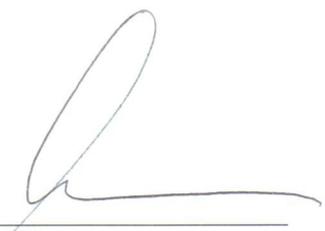
R-8 ITEMS TO BE PLACED ON A FUTURE AGENDA

1. Open Meeting Law Training, Frankie Shinn-Eckberg, AAG
2. Case for Emily Schunk

R-9 ADJOURNMENT

Board Chairman Cagan adjourned the meeting at 12:25PM.

Dated this 18th day of June 2015



Jack Confer
Executive Director

7-20-15

FINAL