

Board of Respiratory Care Minutes

Date: November 12, 2015

Time: 9:00 a.m. C.S.T.

Location: Iris Conference Room
Ground Floor
665 Mainstream Drive
Nashville, TN 37243

Members Present: Anna Ambrose, RRT, Chair
Delmar Mack, RRT, Ed. D, Secretary
Troy Hamm, RRT
Lisa Caldwell, RRT
Winston A. Granville, RRT
L. Gail Braddock, Consumer Member

Members Absent: John Schario, Hospital Administrator
Jeffrey P. McCartney, MD

Staff Present: Michael Sobowale, Board Director
Lakita Taylor, Board Manager
Mary Webb, Board Administrator
Mary Katherine Bratton, Assistant General Counsel
Tracy Alcock, Assistant General Counsel
Nichelle Dorroh, Disciplinary Coordinator of Office of Investigations

Guests Present: Mike Harkreader, Representative, Tennessee Professional Assistance Program
John Williams, Attorney, Tennessee Society for Respiratory Care
Candace Partee, Board Consultant
Colleen Schabacker

A quorum being present, Madam Chair, Anna Ambrose, called the meeting to order at 9:00 a.m.

Office of General Counsel

Tracy Alcock, Assistant General Counsel, presented the office of General Counsel report to the Board.

Conflict of Interest

Ms. Alcock discussed the board's conflict of interest policy. She reminded members of their obligation to recuse themselves from any matter in which they might have a personal or financial interest, or from participating in any matter in which there might be an appearance of a conflict in any contested case, a rulemaking issue or any other board decision. Board members are required to disclose such existence or appearance of a conflict to the Board so that a decision may be made regarding the need for recusal.

Rules

The Board's rule changes regarding continuing education were brought before the Joint Government Operations Committee and were placed on the consent calendar. They have an effective date of November 26, 2015.

Meanwhile, the Board's rule changes regarding the proposed fee reduction are still being reviewed by the Attorney General's office, and after approval they should be brought before the Joint Government Operations Committee and given an effective date, if approved by that Committee, which will be communicated to the Board.

Litigation

OGC currently has five open cases pertaining to the Respiratory Care Board. There are no consent orders or trials today. Also, OGC will be presenting one Order of Compliance to the board today.

Appeals

The Board recently had one case on appeal in Chancery Court, which is the licensure denial appeal of Mr. Robert Neely. Oral argument was heard on the matter on June 26, 2015, and on September 8, 2015, the Chancellor upheld the Board's ruling and the denial of Mr. Neely's license.

Order of Compliance

Ms. Alcock presented the Order of Compliance on Penny Parish, RRT pursuant to a Consent Order issued by the Board on May 9, 2012 which required Ms. Parish to maintain one hundred percent (100%) compliance with the advocacy of the Tennessee Professional Assistance Program (TnPAP) for a period of not less than three (3) years. Based on the petition, the affidavit of the Board's Disciplinary Coordinator, and the letter from TnPAP dated September 10, 2015, the Board finds that Ms. Parish has satisfactorily complied with the requirements of the previous order such that the probation of her license should be lifted. A motion was made by Mr. Hamm and seconded by Ms. Caldwell to accept the Order of Compliance. The motion carried.

Approval of Minutes

A motion was made by Mr. Hamm, and seconded by Ms. Caldwell, to accept the August 27, 2015 minutes as written. The motion carried.

Administrator's Report

Mary V. Webb, Board Administrator, presented the administrator's report with the following statistical information as of November 4, 2015:

Active Respiratory Therapists

- RRT—3398
- CRT—1499
- RCA—11

Board licensure activity totals from August 22, 2015 through November 4, 2015:

RRT	CRT
New applications received-58	New applications received-16
New licenses issued—60	New licenses issued—12
Number of renewals-paper-64	Number of renewals-paper-33
Number of renewals online-256	Number of renewals online-89
Reinstatements—1	Reinstatements—2
Number of licensees who retired—6	Number of licensees who retired—3
Expired—27	Expired—31
Closed Files -0	Closed Files-0

Ms. Webb reported that the number of RRTs renewals processed online during this period constituted a usage rate of 80%. For CRTs the number of online renewals constituted a usage rate of 73%.

Ms. Webb reported the list of licenses suspended due to Tennessee Student Assistance Corporation (TSAC) student loan Default Orders to the board from 8/27/2015 through 11/12/2015:

Wendy Duron, RRT
Rebecca Johns, RRT

Lisa Whitaker, CRT
Lisa Walker, CRT

Ms. Webb reported the list of TSAC suspensions lifted from 5/28/2015 through 8/21/2015:

Benny Boggs, RRT
Rebecca Johns, RRT
Lisa Whitaker, CRT

Ms. Webb referred the Board to a report on their electronic tablets to show a chart of comparisons for the number of applications received and the number of licenses issued in 2013, 2014 and 2015. Ms. Ambrose stated that she was very pleased to be able to see the growth in the respiratory care profession from year to year.

Conferences

A motion was made by Ms. Caldwell, and seconded by Mr. Granville, to approve Ms. Braddock, Mr. Hamm, Mr. Granville, and Ms. Tracy Alcock to attend the Tennessee Society for Respiratory Care conference in Memphis, TN on April 7-8, 2016. The motion carried.

A motion was made by Mr. Hamm, and seconded by Mr. Granville, to approve Dr. Mack, Michael Sobowale, and Ms. Tracy Alcock to attend the FARB conference in Clearwater Beach, FL on January 28-31, 2016. The motion carried.

A motion was made by Mr. Granville, and seconded by Mr. Hamm, to approve Mrs. Mary Katherine Bratton, Ms. Tracy Alcock, and Dr. Mack to attend the Encore Health Care conference in Gatlinburg, TN on December 4, 2015. The motion carried.

Financial Report

Michael Sobowale, Unit Director, reported to the Board that the financial status of the board remains the same from the May board meeting and that a new report will be available at the February board meeting.

Investigative/Disciplinary Report

Nichelle Dorroh, Disciplinary Coordinator, in the Office of Investigations, presented the Investigative and Disciplinary reports as follows: There are currently three (3) active cases for registered respiratory therapists and three (3) active cases for certified therapists. Twenty-two (22) practitioners are currently being monitored.

Tennessee Professional Assistance Program Report (TnPAP)

Mike Harkreader, TnPAP Coordinator, gave the following report:

Statistics from July 1, 2015 through September 30, 2015

Monitoring	3
Referral Source - TDOH	1
Employer referral	1
Monitoring Type - TDOH	1
Non-voluntary	2
Declined services; evaluated; TDOH notified	1

Applicant Interview/File Review

1. Timothy Lawton – Mr. Lawton was present. Mr. Lawton’s application file was brought before the Board due to a record of fraudulent check conviction in 2009 appearing on his criminal background check. After review and discussion by the Board, a motion was made by Dr. Mack, and seconded by Mr. Hamm, to approve Mr. Lawton for a license. The motion carried.
2. Joani O’Connor – Ms. O’Connor was present. Ms. O’Connor’s application file was brought before the Board due to a record of adverse action report on her Oklahoma license in 2012 in her application file. After review and discussion, a motion was made by Dr. Mack, and seconded by Mr. Winston, to approve Ms. O’Connor for a license. The motion carried.

3. Misty McClain – Ms. McClain was present. Ms. McClain’s application file was brought before the Board due to a record of conviction for falsification to authorities in 2011 on her criminal background check. After review and discussion, a motion was made by Mr. Granville, and seconded by Mr. Hamm, to approve Ms. McClain for a license. The motion carried.
4. Tiffany Burson – Ms. Burson was present. Ms. Burson’s application file was brought before the Board due to a record of theft of property convictions in 2009 and 2011 on her criminal background check. After review and discussion by the Board, a motion was made by Dr. Mack, and seconded by Mr. Granville, to approve Ms. Burson for a license. The motion carried.
5. Diedra Bartzak – Ms. Bartzak was not present. Ms. Bartzak’s application file was brought before the Board due to a record of multiple misdemeanor convictions listed on her criminal background check. Mr. Granville recused himself. A motion was made by Mr. Hamm, and seconded by Dr. Mack, to defer the file until the February board meeting and request Ms. Bartzak to attend the meeting. The motion carried.

Ratifications

Ms. Caldwell made a motion, seconded by Dr. Mack, to approve the list for newly certified, and registered respiratory therapists, and reinstatements. The motion carried.

REGISTERED RESPIRATORY THERAPISTS

New Licenses

Adams, Akilah	Calabretta, Bolleros	Eilbracht, Lindsay
Batts, Brenda	Cervantes, Latesea	Estany, Michael
Black, Marquita	Cordell, Karen	Free, Michael
Bolte, Kaytlin	Cortesi, Tashiana	Gingrich, Robert
Borden, Kelley	Cox, Christopher	Gleason, Carolyn
Brack, Annette	Cunningham, Cassandra	Gosheleva, Alla
Brooking, Meredith	Cunningham, Katie	Haji, Vahin
Brown, Matthew	Dennis, Karen	Hall, Lauren
Hargrove, Angela	Lucas, Ian	Reed, Aaron
Harmon, Christopher	Marthaler, Lisa	Reed, Anna
Harmon, Tracy	Maynard, Kassy	Satterfield, Kirstie
Harris, Julie	McCracken, Samantha	Sharp, Tiffany
Holder, Ciera	McCurrie, Vernice	Sisco, Evelyn
Hotchkiss, Sarah	Mitchell, Bruce	Slack, Hannah
Jett, James	Moore, Paul	Smith, Ashley
Kibble, Dewayne	Nichols, Cory	Smith, Rita
Knight, Aiesha	Philson, Catherine	Steward, Tiffany
Lindley, Clarisa	Polanco, Zayly	Thurman, Philip
Lowe, Adam	Potter, Alexis	Tibbs, Teric
Townsend, Sarah	Wall, Chelsea	Williams, Tianna

Reinstatement(s)

Williams, Amanda

Polysomnography Endorsement (s)

Nicholson, Lashun

CERTIFIED RESPIRATORY THERAPISTS

New Licenses

Ayres, Johnson, Jennifer

Chism, Carol

Courtney, Destiny

Goode, Gretchen

Harris, Lucrecia

Hayden, Lauren

Lindley, Clarisa

McCowan, Amanda

Odijie, Ivan

Osman, Riham

Scott, Stephanie

Speegle, Julia

Reinstatement (s)

Holmes, Pamela

Scotfield, Tosha

Polysomnography Endorsements

Reese, Queen E.

Report on Conferences attended since last board meeting

Lisa Caldwell attended the American Association for Respiratory Care (AARC) conference in Tampa, FL and reported that she found the conference to be very beneficial. Ms. Caldwell stated that she is grateful that the Board allows its members to attend conferences to see how other Boards function daily compared to the Tennessee respiratory Board.

Michael Sobowale, Board Director, reported that he attended the National Board for Respiratory Care (NBRC) conference in Kansas. He informed the Board that NBRC has a repository in place for state boards to report and access disciplinary actions on respiratory care practitioners which Tennessee is not presently utilizing. He stated that he would like to see the Board begin to take advantage of this public protection tool by enrolling and fully participating in the database.

He also updated the Board on various changes being made by NBRC to the national examination systems in the areas of introduction of a new therapist multi-choice examination, number of questions tested, and higher cut-off scores for passage on the exam.

Surplus Funds

Dr. Mack suggested that some of the surplus funds can go toward the use of the conference room (s) to invite licensees to attend seminars after board meetings so that they may obtain the additional hour for the new continuing education requirement.

Other Board Business

The Board requested that newsletters and postcards be mailed to all licensees regarding the new rules for the fee decrease and for the two (2) additional continuing education hours.

The Board discussed delaying the requirement for obtaining the two (2) additional continuing education hours until calendar year 2016. A motion was made by Dr. Mack and seconded by Mr. Hamm. The motion carried.

Adjournment

There being no further business, the meeting was adjourned at 10:50 a.m.

These minutes were ratified at the February 11, 2016 Board meeting.