

Board of Respiratory Care Minutes

Date: March 30, 2017

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

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

Members Present: Lisa Caldwell, RRT, Secretary
Winston Granville, RRT
Kimberly Christmon, RRT
Troy Hamm, RRT
L. Gail Braddock, Consumer Member

Members Absent: Anna Ambrose, Chair
Jeffrey P. McCartney, MD

Staff Present: Michael Sobowale, Unit Director
Jared Smith, Board Manager
Mary V. Webb, Board Administrator
Tracy Alcock, Assistant General Counsel
Nichelle Dorroh, Disciplinary Coordinator, Office of Investigations
Noranda French, Finance Officer

Guests Present: Jaclyn Gregg

A roll call vote of all the members present was taken. A quorum being present, Lisa Caldwell, Board Secretary, called the meeting to order at 9:06 A.M.

The election of officers on the agenda was tabled until the May 11, 2017 board meeting.

Approval of Minutes

A motion was made by Mr. Hamm, and seconded by Mr. Granville, to approve the minutes of the November 17, 2016 board meeting. The motion carried.

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Office of General Counsel

Tracy Alcock, Assistant General Counsel, presented the Office of General Counsel report to the Board as follows:

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 had an effective date of November 26, 2015, requiring twelve (12) hours annually of continuing education. The board will begin the monitoring process for the twelve (12) hours by the year end in December 2016, with audits starting on January 1, 2017.

Litigation

OGC currently has two (2) open cases pertaining to the Respiratory Care Board. There are two (2) Consent Orders to present.

ECMO Policy Statement

Ms. Alcock stated she has drafted a position statement for the Respiratory Care Board concerning Tennessee Licensed Registered Respiratory Therapists working as Extracorporeal Membrane Oxygenation (ECMO) Specialists. The Board will need to review this position statement and provide their input before a final draft can be adopted.

Consent Order

Phillip Tidwell, RRT #4532

Ms. Alcock presented a Consent Order on Phillip Tidwell, RRT, license number 4532. License was voluntarily surrendered with terms: assessed \$300 civil penalty, plus costs not to exceed \$800, for immoral, unethical, unprofessional or dishonorable conduct; violation or attempted violation, directly or indirectly, assisting in or abetting the violation of, or conspiring to violate, any lawful order of Board.

A motion was made by Mr. Hamm, and seconded by Ms. Christmon, to approve the Consent Order as presented. The motion carried.

Frank J. Peterson, CRT, #5867

Ms. Alcock presented a Consent Order on Frank J. Peterson, CRT, license number 5867. License voluntarily surrendered with terms; plus costs not to exceed \$500, for immoral, unethical, unprofessional or dishonorable conduct; violation or attempted violation, directly or indirectly, assisting in or abetting the violation of, or conspiring to violate, any provision of this chapter or any lawful order of the board; engaging in the practice of respiratory care when mentally or physically unable to safely do so.

A motion was made by Mr. Granville, and seconded by Ms. Braddock, to approve the Consent Order as presented. The motion carried.

Investigative/Disciplinary Report

Nichelle Dorroh, Disciplinary Coordinator in the Office of Investigations presented the Investigative and Disciplinary reports as follows: There are currently four (4) open complaints for Registered Respiratory Therapists and two (2) open investigations for Certified Registered Therapists in the Office of Investigations. Twenty-three (23) practitioners under Board Order are currently being monitored for compliance.

Financial Report

The financial statement for fiscal year ending June 30, 2016, for total direct expenditures was \$146,781.38. The total allocated expenditures were \$76,690.36 and the grand total expenditures were \$223,471.74. The Board fee revenue was \$311,845.00 and the current year net was \$88,373.26, with a total cumulative balance of \$994,109.56.

Tennessee Professional Assistance Program Report (TnPAP)

Statistics from July 1, 2015 through June 30, 2016

Monitoring	5
Monitoring Type - Involuntary	2
Monitoring Type - Referral Source - TDOH	3

Board Administrator Report

Ms. Webb presented the administrative report with the following statistical information as of March 28, 2017:

Active Respiratory Therapists

- RRT—3530
- CRT—1362
- RCA—9

Board licensure activity totals from August 22, 2016 through November 14, 2016:

RRT	CRT
New applications received- 84	New applications received-30
New licenses issued—72	New licenses issued—18
Number of renewals-paper-103	Number of renewals-paper-51
Number of renewals online-472	Number of renewals online-161
Reinstatements—8	Reinstatements—6
Number of licensees who retired—14	Number of licensees who retired—13
Expired—53	Expired—50
Closed Files -NA	Closed Files-NA

She reported that the number of RRTs renewals processed online during this period constituted a usage rate of 82%. For CRTs, the number of online renewals constituted a usage rate of 76%.

Mr. Hamm requested that the numbers from the previous two years be added to the chart so that the Board will be able to see the trend of new licensees from year to year.

TSAC Report

There was one (1) Tennessee Student Assistance Corporation (TSAC) license suspension to report due to student loan default as follows:

Joy Massingill, RRT # 5874

There was no license lifted from a TSAC suspension during this reporting period. Also, there was no license suspension for Child Support Default Order to report to the board during this period.

Board Members

Ms. Webb reported that Mr. John Schario has been replaced by Mr. Curtis Powell from Chattanooga. The Board would like to thank Mr. Schario for his dedicated services to the Board during his tenure, and also welcome Mr. Powell, who was not present at the meeting.

Applicant Interview/File Review

1. **Mary Kate Cepparulo, CRT #3560** - Ms. Cepparulo was not present. Ms. Cepparulo submitted an application with the intent of reinstating her Tennessee license. Ms. Cepparulo has violated many monitoring board orders and has not followed through with past TnPAP monitoring agreements. Ms. Cepparulo wrote a letter to TnPAP that she could not comply with her TnPAP agreement due to monetary hardships.

A motion was made by Mr. Granville, seconded by Ms. Christmon, to deny the reinstatement application for Ms. Cepparulo for failure to comply with board orders, violations of TnPAP ,

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and for failing drug tests. Ms. Alcock reminded the Board that the application denial is reportable to the National Practitioners Data Bank. The motion carried.

2. **Millicent Musselwhite** – Ms. Musselwhite was an applicant for a Registered Therapist license by reciprocity. Ms. Musselwhite’s application was brought presented to Board at the November 17, 2016 board meeting but she was not present to answer the board’s questions. Her application was presented to the board due to multiple past arrests and criminal convictions related to Driving under the Influence of Alcohol (DUI) which appeared on her criminal background check. Ms. Musselwhite submitted a letter to the board that she was no longer interested in obtaining a Tennessee license. No action was taken on Ms. Musselwhite’s application.
3. **Scitesha Knighton** – Ms. Knighton submitted an email notification that she was no longer seeking a license in Tennessee. Ms. Alcock advised the board that no action was needed.
4. **Jaclyn Gregg** – Ms. Gregg was present. Ms. Gregg’s reinstatement application file was presented to the Board due to a felony conviction for evading arrest in October 2012. Ms. Gregg explained to the board that she has diabetes and had eaten food and drinks that spiked her blood sugar the night in question. Ms. Gregg presented documentation that showed that she had completed her probation and complied with all court orders. A motion was made by Christmon, seconded by Mr. Hamm, to reinstate Ms. Gregg’s license. The motion carried.

Ratifications

Mr. Hamm made a motion, seconded by Mr. Granville, to approve the list of newly licensed, license reinstatements, and polysomnography endorsements, for certified and registered respiratory therapists:

REGISTERED RESPIRATORY THERAPISTS

New Licenses

Al Showkan, Aqeelah	Cody Epling	Kelley, Charles	Rapisarda, Krista
Alston, Megan	Evans, Denetara	Lee, Melissa	Robertson, William
Altidort, Guerda	Fernandez, Lila	Lewis, Tara	Ross, Elizabeth
Barjon, Magdala	Fordyce, Brendon	Long, Courtney	Rucker, Courtney
Bennett, Alicia	Fraire, Liliana	Lutzow, Katherine	Rush, Ashley
Bird, Eric	Garner, Summer	Marlow, Shasta	Shropshire, Ali Beth
Bishop, Kristina	Gary, Casey	Mckee, Emily	Skates, Claire
Bizzle, Terry	Gibson, Shannon	Mendoza, Hector	Smith, Jamie
Booth, Ann-Marie	Grabeel, Abigail	Miller, Jeffrey	Smith, Thomas
Boren, Natalie	Grams, David	Minnick, Christian	Spencer, III, William

Brown, Nathaniel
Cecil, Corinna
Courtney, Destiny
Daddato, Desirae
Dalis, Abigail
Davenport, Cieara
Dykes, Scott
Williams, Kashia
Wilson, Marla
Young, Jessalyn
Arnold, Brenda

Gregory, Paige
Grimes, Michael
Grimm, Danielle
Hebert, Michael
Jenkins, Kristen
Jones, Andrea
Jones, Caroline

Mullins, Bradley
Nations, Ashley
Noorani, Shabina
Peterson, Amanda
Powers, Tracie
Pratt, Samantha
Ramey, Leann

Sriram, Medhavin
Thorns, Melissa
Tilson, Paige
Tincher, Douglas
Travis, Margaret
Trollope, Kathryn
Wagers, Maude

Reinstatement (s)

Brown, Sharon
Knell, Vicki
Tran, Uyen
Trotter, Olivia
Pruitt, Kevin
Dempsey, Linda
Dodd, Jonathan
White, Lisa

Polysomnography Endorsement (s)

Stanley, Nadine – 3rd Pathway
Fabish, Kirk – BRPT exam

CERTIFIED RESPIRATORY THERAPISTS

New Licenses

Baker, Tempie
Bates, Natasha
Boyd, Kent
Brock, Jason
Daniels, Camille
Eckbloom, Kimberly
Fink, Ashley
Freeman, Bria
Hopkins, Kimberly
La, Angel Antuan
Lee, Bianca
Page, Ashley
Rushing, Sunny
Scarborough, Kristin
Simon Hawkins, Vkki

Smith, Jerica
Toussant, Joseph
Turner, Attaurius

Reinstatement (s)

Barker, Holly
Gable, Kathleen
Hipshire, Kasey
Housewright, Meredith
Jackson, William
Miller, Stephen

Polysomnography Endorsement (s)

Smith, Jana

The motion carried.

Legislation

There was no new legislation to report at this board meeting.

Conferences

A motion was made by Mr. Granville, seconded by Ms. Christmon, to approve board members and staff to attend the following conferences:

Ms. Caldwell and Mr. Sobowale were approved to attend the AARC 2017 Summer Forum in Tucson, AZ, on June 25-27, 2017.

Mr. Hamm, Mr. Granville, and Ms. Christmon were approved to attend the AARC Conference, October 4-7, 2017, in Indianapolis, IN.

Ms. Christmon, Mr. Hamm, and Mr. Sobowale, were approved to attend the NBRC Annual conference, in September, 2017, in Olathe, KS.

Ms. Alcock was approved to attend the FARB conference on October 5-8, 2017, in Savannah, GA.

Ms. Alcock was approved to attend the CLEAR conference on September 13-16, 2017, in Denver, CO.

The motion carried.

Discuss and take action if needed, regarding correspondence

Bronchoscopy slide prep and staining in reference to RT scope of practice –

After a lengthy discussion, a motion was made by Mr. Granville, seconded by Ms. Christmon, for Ms. Alcock to respond to this inquiry by directing the authors to the statutory language regarding a respiratory therapist's scope of practice and also referring the questions pertaining to medical laboratory procedures and lab personnel supervision to the Tennessee Board of Medical Laboratory. The motion carried.

Discuss Old and New Business

A. Surplus Reduction – The Board tabled the discussion on surplus reduction until the May 11th board meeting when a new financial statement will be made available for board review.

B. Scope of Practice – ECMO – Pursuant to discussion on this topic at the November 17, 2016 meeting, Ms. Alcock presented to the Board the finalized draft of the ECMO position statement for adoption. Ms. Alcock made clear to the Board that she had changed the language to state that only registered respiratory therapists can be trained as ECMO technologists. This position statement will be posted on the Board's website. A motion was made by Mr. Granville, seconded by Ms. Braddock, to approve the position statement as written. The motion carried.

C. CE Non Compliance policy statement – Mr. Sobowale presented an amended continuing education policy statement for the Board to ratify. Mr. Sobowale explained that the amended policy statement is being done across the entire Health Related Boards. The CE policy allows the licensee to become compliant within ninety (90) days when they are audited and found to be non-compliant. A motion was made by Mr. Granville, seconded by Ms. Christmon, to accept the amended position statement as written. The motion carried.

A motion was made by Mr. Granville, seconded by Ms. Braddock, to approve the 2018 board meeting dates as follows:

February 15th
May 24th
August 16th
November 15th

The motion carried.

Adjournment

There being no further business, the meeting was adjourned at 11:13 A.M.

Anna Ambrose, Chair

Date

These minutes were ratified at the May 11, 2017 board meeting.