

## **Board of Respiratory Care Minutes**

**Date:** March 08, 2018

**Time:** 9:00 A.M. C.S.T.

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

**Members Present:** Winston Granville, RRT, Board Chair  
Kimberly Christmon, RRT, Secretary  
Anna Ambrose, RRT  
Lisa Caldwell, RRT  
Curtis D. Powell, RRT, Hospital Administrator  
L. Gail Braddock, Consumer Member  
Gary Keith Lovelady, MD, Physician Member

**Member(s) Absent:** Troy Hamm, RRT

**Staff Present:** Michael Sobowale, Unit Director  
Mary V. Webb, Board Manager  
Teresa A. Benitez, Board Administrator  
Tracy Alcock, Assistant General Counsel  
Lori Leonard, Office of Investigations  
Noranda French, Finance Officer

**Guests Present:** Mike Harkreader, TnPAP Executive Director

### **Call to Order:**

After the roll call and with a quorum being present, Mr. Granville called the meeting to order at 9:10 A.M.

### **Approval of Minutes**

A motion was made by Ms. Ambrose, seconded by Ms. Caldwell, to approve the minutes of the November 30, 2017 board meeting. The motion carried.

### **Office of General Counsel**

Tracy Alcock, Assistant General Counsel, presented the Office of General Counsel (OGC) Report as follows:

### Conflict of Interest

Ms. Alcock reminded the Board about the 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 before the board in which there might be an appearance of a conflict.

### Rules

Ms. Alcock reminded the board about the rule change regarding license renewal fee decrease from \$100.00 to \$75.00 that will take effect on May 15, 2018.

### New Board Member

Ms. Alcock welcomed new board member, Gary Keith Lovelady, MD to the Board of Respiratory Care.

### Litigation

Ms. Alcock reported that there are no open cases in the office of General Counsel.

### Agreed Citation

**Ashley Nicole Smith, RRT License #6282** - Ms. Alcock presented an Agreed Citation on Ashley N. Smith. Ms. Smith failed to timely renew her license and practiced on her expired License for three (3) months, which is a violation of the rules and regulations the Respiratory Care Board. She agreed to sign the citation and also agreed to the contingencies. Ms. Smith was required to pay a Civil Penalty fee of \$ 100 per month for three months during which she practiced without a license, for a total of three hundred (\$300) dollars. She also agreed that this citation will be reported on the Disciplinary Action Report.

After review, a motion was made by Mr. Powell, and seconded by Ms. Caldwell, to approve the Consent Order as presented. The motion carried.

### Investigative/Disciplinary Report

Lori Leonard, Disciplinary Coordinator in the Office of Investigations presented the investigative and monitored disciplined practitioners report as follows: For the monitored disciplined practitioners, there are twenty (20) disciplined CRTs currently being monitored and fourteen (14) RRTs. There are seven (7) licensed Respiratory Therapists on probation and four (4) suspended licenses consisting of three (3) CRTs and one (1) RRT. Also, there are four (4) TSAC suspensions consisting of one (1) RRT and three (3) CRTs. There are five (5) under board orders consisting of four (4) RRTs and one (1) CRT. Also, there are ten (10) with revoked licenses consisting of six (6) RRTs and four (4) CRTs.

For the investigations report, there are four (4) new complaints for Registered Respiratory Therapists. There are zero (0) closed complaints. In total, there are eleven (11) open complaints for RRTs pending

review. There was one (1) new complaint reported for a CRT. In total, there are currently two (2) opened complaints for CRTs.

### **Financial Report**

Noranda French, Finance Officer, gave the financial report for Mid-Year 2018 Fiscal Year. Total expenditures were \$62,432.840 and the board generated revenue fees in the amount of \$147,685, leaving a current year net total of \$26,214.72. The board's portion of the LARS Improvement project totaled \$15,597.03, leaving the board with a cumulative carryover balance of \$1,043,923.89.

### **Applicant Interviews/File Review**

**Kimberly Ann Bezuidenhout, CRT #3746** - Ms. Bezuidenhout was present. Ms. Bezuidenhout is a CRT who is requesting an upgrade to RRT license. Dr. Lovelady recused himself from hearing the matter due to a conflict. Multiple convictions were reported on her criminal background check for which she provided a written explanation to the board. Ms. Bezuidenhout also did not disclose her convictions to the Board when she submitted her CRT license renewal in 2012. Ms. Bezuidenhout explained to the board that she is currently still enrolled in a monitoring program and she takes a drug test monthly.

After interviewing Ms. Bezuidenhout, a motion was made by Ms. Ambrose, and seconded by Ms. Caldwell, to grant Ms. Benzuidnhout an unencumbered RRT license. The motion carried.

**Charles Bowens - Mr.** Bowens was present. Mr. Bowens is applying for an initial CRT license. His application was presented to the board due to history of multiple convictions reported on his criminal background check. Mr. Bowens provided a written explanation to the board. He stated he has accepted responsibility for his mistakes and is currently compliant with the terms of his probation. Ms. Alcock read into the records a letter from Mr. Bowens' Probation Officer, Jennifer Bible.

After interviewing Mr. Bowens, Dr. Lovelady made a motion, seconded by Ms. Christmon, to grant Mr. Bowens an unencumbered CRT license. Also, at the suggestion of Ms. Alcock, Mr. Bowens was ordered to submit records of the final disposition on his case to the Board to which he agreed.

**Kayla Belk, CRT Applicant-** Ms. Belk was not present. Ms. Belk failed to report multiple misdemeanor convictions from 2013 which included Simple Domestic Violence, and Disorderly Conduct. Due to Ms. Belk's absence for an interview, Dr. Lovelady made a motion, seconded by Ms. Caldwell, to table Ms. Belk's application file and request her appearance at the next board meeting, or she may withdraw her application. The motion carried.

### **Tennessee Professional Assistance Program Report (TnPAP)**

Mike Harkreader, TnPAP Executive Director gave the following report:

Statistics from last quarter of 2017

Monitoring	1
Monitoring Closed - Agreement Noncompliance	1

Referral - from TNDH, Non-regulatory	1
Treatment	1
Closed Cases	1

### **Ratifications**

Ms. Ambrose made a motion, seconded by Mr. Powell, to approve the list of newly licensed, and license reinstatements for certified, registered respiratory therapists, and list of closed files as follows:

### **New Licenses**

#### **Registered Respiratory Therapists - Licensed**

Abdulrahman Samera Kamal  
 Alsadah Taherah M  
 Ange Fabiola Herrera  
 Bartholomew Angi Leena  
 Blankenbecler Samantha Blaire  
 Boktor Mera George  
 Bradshaw April Dawn  
 Brown Corssila Rena  
 Browning Meagan Daniel  
 Burton Helena L  
 Bush Lakendra  
 Campbell Tara Brooke  
 Carver Augusta Maddlyn  
 Clark Miranda Shelaine  
 Clere Kimberly Inserra  
 Cofer Benjamin Lee  
 Coleman Jasmin Annwan  
 Conway Shatoria Lorene  
 Cooke Hannah Emiley Ms.  
 Curnell Lori  
 Cyrus Paula L  
 Davis Cindy  
 Edwards Tiffany  
 Fitzgerald Frances  
 Frazier Kayla Alyse  
 Harp Benjamin Jesse  
 Hoy Latina D Mrs  
 Hunley Shinerica Farmer  
 Hurlock Katelyn  
 Jessee Juliette Nichole  
 Johnson Alexandra Pendleton  
 Jones William Lee

Justice Kristina Reschel  
Kendall Stephanie D. Ms.  
Kiser Briana Jade  
Lee Racheal Mozzell  
Lee Tonya Denise  
Loney Michelle Rae Miss  
Maclin Carla Delise Ms.  
Maness Ashley Marie  
Montgomery Amanda Gale Mrs.  
Moody Melissa  
Nelson Casey M  
Norman Charity Ruth  
Norris Bradley Allen Mr.  
Parker Kirby Lee Mr  
Pleasants Stephanie Michelle  
Powers Jamy Jordan  
Rosicky Amanda Neuman RRT  
Salib Eman M RRT  
Satterfield Renee Michelle Mrs.  
Sayd Fatma Sharif  
Shanks Latrina Cherelle Mrs.  
Simpson Haley Elizabeth  
Smith Ashley Nicole  
Speer Leslie Lynn  
Stanton Rebekah  
Stapleton Chelsey  
Swanson Cody Ryan  
Tellin Dorothy Madison RRT  
Turk April Weaver  
Wallace Eric E. RRT  
Webber Latony Sanchez RRT  
Williams Melissa Sue

### **Certified Respiratory Therapists - Licensed**

Abuaun Jaber Hanna  
Adow Fadumo Ibrahim  
Bone Brenna Nicole  
Brewer Keyonna  
Dozier Kylie D  
Estus Taylor  
Grisham Angela Denise  
Hill Angel Lynette

Kessler Tammy Kay  
Klenk Aleshia A.  
Malone Jennifer Lee  
Mcdaniel Gerald Douglas  
Monaghan Kimberly Leticia  
Mooney Miranda Marie  
Nash Alicia  
Salib Eman M RRT  
Sheffield Daniel Cody  
Short Tierra  
Strickland Kendra Lanee Ms.  
Sturgill Kandace  
Toole Jacey

### **Reinstatement (s)**

#### **RRTs**

Adams-Trejo Melissa  
Alexander Tommy Ray  
Browning Meagan Daniel  
Cahill Regena Dennette  
Combs Judy Marlea  
Hignight Sara Graham  
Hatfield-Adams Patricia Ann  
Hunley Shinerica Farmer  
Jones William Lee  
Powers Jamy Jordan  
Smith Ashley Nicole  
Tatum Joanna Marie  
Taylor Mary Nicole

#### **CRTs**

Fletcher Laura Elizabeth  
Klenk Aleshia A.  
Parker Kirby Lee Mr  
Watson Charles W JR

The motion carried.

### **Administrative Report**

Mary V. Webb, Board Administrator, presented the administrative report as follows:

#### **Statistical Report**

Total active licensees as of March 5, 2018

RRT	CRT	RCA
Active Licensees –3,608	Active Licensees – 1307	Active Licensees – 8

Licensing activities from November 23, 2017 through March 5, 2018:

RRT	CRT
New applications received - 70	New applications received – 23
New licenses issued – 54	New licenses issued – 19
Reinstated -8	Reinstated - 5
Registered Poly Endorsement(s) - 0	Certified Poly Endorsement(s) - 0
Number of renewals – paper - 71	Number of renewals – paper - 30
Number of renewals on line - 354	Number of renewals on line - 178
Number of licensees who retired - 12	Number of licensees who retired - 6
Expired - 34	Expired – 32
Closed Files - 7	Closed Files - 3

For RRTs, the number of renewals online during this period constituted a usage rate of 83% and for CRTs 83%.

Ms. Ambrose has requested a way to allocate number of upgrade applications from CRT to RRT, to be included in the ongoing statistical report presented at the board meetings. The Administrative Office stated that they would include such totals in the administrative report.

## **TSAC Report**

### **TSAC Orders of Default Suspensions**

#### **TSAC Orders of Default**

1. Mary Ewing , CRT # 4953 on 01/14/17
2. Marilyn Reynolds, RRT#1843 on 02/23/2018

#### **TSAC Suspensions Lifted**

1. Jenee Lister Bovee, RRT # 4995 on 01/18/18
2. Pamela Holmes, CRT #3135 on 12/28/17

## **Correspondence**

**A. Administration of Pharmacologic Agents and Medical Gasses** - James A. Dixon, RRT, AEMT submitted correspondence seeking the opinion of the Board on the question of whether the practice of respiratory care includes the administration of Advanced Cardiac Life Support (ACLS) Medications and whether the practice of respiratory care includes the initiation of intravenous and/or Intraosseous access of

a patient during the course of Cardiopulmonary resuscitation for the purposes of administering ACLS medications.

Ms. Alcock, board advisory attorney, advised that it is not the responsibility of the Board or the Office of General Counsel to provide legal or personal interpretations or guidance on scope of practice to licensees. She stated that though the board has authority to write an authority opinion solely to an enquiring licensee only, a lot of the questions asked in Mr. Dixon's correspondence should actually be dictated by the employer.

After discussion, Ms. Ambrose made a motion, seconded by Ms. Caldwell, to request Ms. Alcock to respond to the correspondence. The motion carried.

**B. Durable Medical Equipment Supplier** - Mr. Zachary A. Portin of the Reed Smith law firm submitted correspondence inquiring whether certain employees or contractors ("personnel") of a durable medical equipment supplier ("supplier") may provide remote instruction to residents of Tennessee regarding certain of supplier's respiratory care products if such personnel are licensed by the respiratory therapy board in the state in which such personnel are located or meet an applicable licensure exemption in such state.

Ms. Alcock, board advisory attorney, suggested that these are very specific questions and it is up to the Board to determine if these will qualify for an advisory ruling that will apply to one specific individual. Also, Ms. Alcock advised that the nature of the correspondence will require for the enquirer to obtain independent legal counsel.

After discussion, Mr. Powell made a motion, seconded by Dr. Lovelady, to request Ms. Alcock to respond with a letter addressing the options to obtain further information about the questions raised in the correspondence. The motion carried.

### **Conferences for 2018**

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

AARC Summer Forum, July 17-19, 2018 in San Hill County, TX – Mr. Powell, Ms. Christmon, and Ms. Caldwell.

AARC Congress December, 2018 – Ms. Caldwell, Mr. Granville, and Mr. Sobowale.

CLEAR 38<sup>TH</sup> Annual Educational Conference September 26-29, 2018 in Philadelphia, PA - Mr. Sobowale, Mr. Granville, Ms. Caldwell, Ms. Christmon, Dr. Lovelady, Ms. Braddock, and Ms. Alcock.

Federal Association of Regulatory Boards (FARB) in Portland, Oregon from September 27-29, 2018 - Ms. Alcock, Mr. Sobowale, and Ms. Braddock

TSRC Annual Convention in Gatlinburg on April 9-10, 2018 - Ms. Ambrose, and Mr. Granville.

The motion carried.



**Election of Officers**

A motion made by Ms. Ambrose, and seconded by Mr. Powell, to approve the following members to continue in their roles in the following positions on the board:

Board Chair- Mr. Winston A. Granville, RRT  
Secretary- Ms. Kimberly Christmon, RRT

The motion carried.

**Adjournment**

There being no further business, Ms. Braddock made a motion, seconded by Ms. Christmon, to adjourn the meeting. The meeting was adjourned at 11:45 A.M.

\_\_\_\_\_  
Winston Granville, Chair

\_\_\_\_\_  
Date

**These minutes were ratified at the May 24, 2018 Board Meeting.**