

Board of Respiratory Care Minutes

Date: August 16, 2018

Time: 9:00 AM Central Time

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

Members Present: Winston Granville, RRT, Chair
Lisa Caldwell, RRT
Gary Keith Lovelady, MD
Jeffery Craig Rooks, RRT
Robert E. Farmer, RRT
Curtis D. Powell, RRT
Kimberly Christmon, RRT, Secretary

Member(s) Absent: L. Gail Braddock, Consumer Member

Staff Present: Michael Sobowale, Unit Director
Mary V. Webb, Board Manager
Teresa A. Benitez, Board Administrator
Tracy Alcock, Assistant General Counsel

Guests Present: David Johnson, Representative, Tennessee Society for Respiratory Care
Susan Parsons, Representative, Tennessee Society for Respiratory Care
Rachel Thomas, Business Owner

Call to Order:

After the roll call and with a quorum being present, Mr. Granville called the meeting to order at 9:05 A.M.

Approval of Minutes

After a review by the board, a motion was made by Mr. Farmer, seconded by Ms. Caldwell, to approve the minutes of the May 24, 2018 board meeting. The motion carried.

Office of General Counsel Report

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

Rules

Ms. Alcock reminded the Board about the board's rule amendment regarding the license renewal fee decrease from \$100 to \$75 that went into effect on May 15, 2018.

Litigation

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

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.

Legislation

Ms. Alcock reminded the board about the overview presented by the Department of Health Legislative Liaison at the Board's May board meeting regarding the 2018 legislative update and the Public Chapters affecting the Respiratory Care Board.

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 seven (7) practitioners under probation, four (4) are suspended, and three (3) under a board order. Also, there were ten (10) revocations, two (2) Tennessee Student Assistance Corporation (TSAC) suspensions, and one (1) child support suspension to report.

For the investigations report, the Office has received four (4) new complaints in 2018. These complaints consist of one (1) drug violation allegation, one (1) for a lapsed license, and two (2) for criminal convictions. The total closed complaints for the year in 2018 are eight (8); three (3) of those complaints were closed in investigation and sent to the Office of General Counsel for discipline, three (3) were closed without sufficient evidence of discipline, one (1) was closed with a Letter of Concern, and one (1) was closed with a Letter of Warning. Currently there are three (3) RRT complaints that are pending investigation.

So far in 2018, the Office received two (2) CRT complaints; one (1) is for drug diversion and one (1) for criminal charges. Currently, there are two (2) open complaints under investigation. For Respiratory Care Assistants, there are no new complaints and no complaints pending investigation at this time.

Financial Report

There was no new report to present at this meeting.

Applicant Interviews/File Review

Lindsey McCoy, CRT- Ms. McCoy was present. Ms. McCoy's criminal background check revealed past criminal convictions for Driving While Impaired (DWI) in 2017 and Reckless Driving in October 2017 in Knox Co., Tennessee. Ms. McCoy addressed the board about the circumstances related to her convictions.

After review and a discussion by the board, a motion was made by Ms. Caldwell, seconded by Mr. Powell, to approve Ms. McCoy for licensure. The motion carried.

Shemeka O. Winters, CRT- Ms. Winters was present. Her application was presented to the board due to her failure to report multiple convictions that were listed in her criminal background check. Ms. Winters marked "No" to questions related to any past criminal conviction. Her criminal background check revealed multiple driving offenses and contempt of court convictions in McCracken Co., Kentucky and Montgomery Co., Tennessee. Ms. Winters addressed the board concerning the circumstances related to her convictions.

After review and a discussion by the board, Mr. Farmer made a motion, seconded by Ms. Christmon, to approve Ms. Winters for licensure as a Certified Respiratory Therapist. The motion carried.

Brittany Leeann Vanhoozer, RRT- Ms. Vanhoozer was not present. Her application was presented to the board due to a criminal conviction for Driving under the Influence (DUI) in 2013 that was reported on her background check in Fayette Co., Tennessee. Ms. Vanhoozer answered "No" to the question of any past criminal conviction.

After a review of her file by the board, Mr. Powell made a motion, seconded by Mr. Rooks, to table a decision on Ms. Vanhoozer's application until the next meeting on November 15, 2018 in order to allow her to make an appearance to answer additional questions from the Board. The motion carried.

Tennessee Professional Assistance Program Report (TnPAP)

Elaine Eaton, TnPAP Administrator Director, presented the board's activity report from July 1, 2017 to June 30, 2018 as follows:

Monitoring- Non-regulatory	1
Monitoring Closed - Agreement Noncompliance	1
Referrals - from TNDH.	2
Pending Treatment	1
Closed Cases	1
Pending Evaluation Report	1

Ratifications

Ms. Christmon made a motion, seconded by Mr. Farmer, to approve the list of newly licensed, license reinstatements for Certified, Registered Respiratory Therapists, and list of closed files as follows:

New Licenses

Registered Respiratory Therapists - Licensed

Taylor, Cristen Brianna
Abdullah, Nirgez Sabri
Arnold Joseph David Mr.
Avditskiy, Vladislav
Baban, Hojeen Bazirki
Babb, Autumn Shae
Ballard, Kassandra Rose
Barrows, Elizabeth
Berman, Emily Jean
Blair, Tomika Ann
Bourassa , Jessica Leann
Braddock, Jessica Renee
Cohen, Brittney AnnmarieRose
Cole, Amy
Contescu, Corneliu Daniel
Cuthbertson, Andrew Brickell
Dahal, Bishnu Maya
Damron, Samantha
Day, Taylor Anne Miss
Dean, Amber Lynn RRT
Doby, Darielle
Elliott, Tiffany Morgan
Evans, Lauren Nicole
Fanning, Jamie
Foukia, Mirhan
Fryman, Sarah Nicole
Garner, Lydia
Garrett , Gregory Earl
Gilley, Eric Hunter
Goodner, Jessie
Haji, Hawar
Hayes, Eric R
Haywood, Katelyn
Hendrix, Todd Alexander
Higdon, Cayla
Hitt, Clinton
Holt, Megan R
Huard, Lilianne L.
Hurst, Ashlea
Johnson, Eric Anthony
Jones, Christina

Jones, Sieria
Kawinzi, Isaac Muiva
Kelley, Korey Mrs.
Kennedy, Jon Derek
Kenyon, Amber
Kumbhani, Harshida
La, Angel Antuan
Laffey, Nakesha Rae
Laster, Melinda Annette
Leonard, Molly Kristin
Lyons, Joshua
Mabery, Alison Nickie Ms
Mc Carter, Megan Brittany
Mcafee, Narda
Mcmurry, Stacey Leann
Miner, Joanna
Nguyen, Nam
Ormston, Steven
Parker, Melissa
Pascual, Josephine Divina
Peterson, Taylor Lynn
Pitts, Marie Louise
Price, Cassidy
Riley, Kelly Annette
Robinson, Djuance Jaquez
Rusinek, Miranda Jean
Sadler, Mackenzie Kirsten
Scott, Ira Chad
Short, Danette J.
Singh, Vivek Mr.
Smith, Dakota
Smith, Logan Samuel
Stamper, Shaina Danielle
Stubblefield, Allison Renee
Tally, Jasmyne Kiara
Usher, Megan
Valimattathil, Samson Symon
Vanmeter, Melanie Hope
Wallace, Terrica D
Ward, Anthony Franklin
Ward, Cassandra Jean
Webb, Catherine
Wedd, Lonnie Russell Mr.
West, Cody
Whitaker, Sophie Gwenda
Wilmeth, Joshua Ryan
Wood, Kayla Dawn

Certified Respiratory Therapists - Licensed

Abdulla, Nehat

Akins, Carrington Scott
Bowers, Carey Lynn
Collins, Sara
Cordell, Louie Aubrey
Croxdale, Emily Jane
Davis, Emily Reanne
Estes, Christopher Wayne
Gardner, Kacie Renee
Gilley, Eric Hunter
Goodman, Jaime E.
Grooms, Brittany Nicole
Harrison, Hunter Andrew
Hendrix, Todd Alexander
Hoaglan, Chelsey Desarae
Johnson, Eric Anthony
Jones, Antionette
Knight, Megan Mrs
Le, Vells Mi Leah
Lunn, Caytlin
Mccue, Jordan
Morris, Angelia
Oakley, Natalie Marie
Pittman, Stephanie Marie
Roberts, Leah Beth
Scott, Ira Chad
Smith, Mariah
Maximilliona
Vanmeter, Melanie Hope

Reinstatement(s)

RRTs

Bennett, Timothy Craig
Cervantes, Latesea
Farmer, Alisha Marie
Hauldren, Kelli Ann
Jacobs, Casandra Nicole
Kimberlin, Lisa Annette
Lucas, Charlotte Burnette
Randle, Amy Elizabeth
Sanford , Aja Gordon

CRTs

Cotner, Tamara Charlene

Closed Files

Cash Donald Larry

Collins Rachael RRT
 Lockwood Serrina
 Lowrie David Michael
 Cassell Joann Louise
 Cusic Timothy Jr
 Giller Todd Martin

The motion carried.

Administrative Report

Teresa Benitez, Board Administrator, presented the administrative report as follows:

Statistical Report

Total active licensees as of August 13, 2018

RRT	CRT	RCA
Active Licensees –3,641	Active Licensees – 1284	Active Licensees – 7

Licensing activities from March 8, 2018 Through May 17, 2018:

RRT	CRT
New applications received - 91	New applications received – 34
New licenses issued – 99	New licenses issued –29
Reinstated -13	Reinstated - 2
Registered Poly Endorsement(s) - 0	Certified Poly Endorsement(s) - 0
Number of renewals – paper - 71	Number of renewals – paper - 27
Number of renewals on line - 0	Number of renewals on line - 0
Number of licensees who retired - 5	Number of licensees who retired - 7
Expired - 35	Expired – 33
Closed Files - 12	Closed Files - 3
Upgrades from CRT to RRT- 22	NA
RRT Limited Permit to Full License-22	CRT Limited Permit to Full License- 4

Ms. Benitez reported that due to a coding error when the online renewals went live on May 22, 2018, the system to calculate the percentages of online renewals are incorrect and not available at this time.

Conferences

There were no amendments to make to the list of previous nominees to attend listed conferences.

Correspondence

Pamela Burroughs, CRT #4003 – Ms. Burroughs requested in writing that her “fees” be waived due to being totally disabled. Ms. Burroughs attached to her request, a letter from Dr. Pau Huu Dang at Memphis Internal Medicine which stated that Ms. Burroughs has not worked since 2014 due to her health issues. Ms. Alcock advised the Board that the law pertinent to application fee waivers is only applicable to new licenses with low income. Moreover, Ms. Burroughs did not specify what exactly she was requesting a fee waiver for. The administrative office speculated that she was referring to her license reinstatement fees, but it is not clear what specifically she requested a waiver for.

After a discussion, Mr. Powell made a motion, seconded by Dr. Lovelady, to deny Ms. Burroughs’ waiver request. The motion carried.

New Legislation

There was not new legislation to discuss.

Rulemaking Hearings, Rule Amendments, and Policies

There was no Rulemaking Hearings, Rule Amendments, and Policies to discuss.

Discuss Old and New Business

David Johnson, representative of the Tennessee Society for Respiratory Care (TSRC) was present to address the board about concerns that have arisen about complaints that some home health care technicians have been performing practices that should in fact be executed by a licensed respiratory care therapist. Mr. Johnson stated that the state association is in the process of writing suggestive changes to the Practice Act to address this issue. He requested that the Respiratory Care board add a presentation from the TSRC that would provide additional details on this issue to the agenda for the next board meeting on November 15, 2018.

Rachael Thomas, owner of a Clinical Home Care company located in Nashville TN was present to address the board on behalf of respiratory equipment installment technicians. She reported that some technicians feel confident to perform some acts necessary which can be done by LRCTs in the application of respiratory equipment.

Susan Parsons, President, Tennessee Society for Respiratory Care (TSRC) Director of the Respiratory Care Department at St. Francis Hospital, Memphis was also present. She requested the support of the Board for coming up with ideas to ensure that standards of practice are being upheld in the profession, and that individuals who are assisting the patients are working in a safe manner. Ms. Alcock stated that unlicensed practice is a violation and violators, even if unlicensed, might be required to pay a fine. Ms. Parsons also enquired whether Directors of healthcare facilities are required to report disciplined individuals to the board and whether there are any specific rules that apply to this. It was discussed that any malpractice or report of bad behavior by employees are to be reported to the board. The consequence of not reporting such incidences can jeopardize the safety of patients and any future employer can be exposed to additional liability.

Dr. Lovelady made a motion, seconded by Ms. Caldwell, to add to the agenda for the next scheduled meeting a presentation and discussion from TSRC. The motion carried.

Adjournment

There being no further business, Mr. Farmer made a motion, seconded by Ms. Caldwell, to adjourn the meeting. The meeting was adjourned at 10:55 AM.

Winston Granville, Chair

Date

These minutes were ratified at the November 15, 2018 Board Meeting