

Board of Respiratory Care Minutes

Date: February 21, 2019

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
Jeffery Craig Rooks, RRT
Robert E. Farmer, RRT
Curtis D. Powell, RRT
L. Gail Braddock, Consumer Member
Kimberly Christmon, RRT, Secretary

Member(s) Absent: Gary Keith Lovelady, MD

Staff Present: Michael Sobowale, Unit Director
Mary V. Webb, Board Manager
Lacey N. Wilkerson, Board Administrator
Andrea Huddleston, Deputy General Counsel
Lori Leonard, Office of Investigations
Noranda French, Finance Officer

Guests Present: Mike Harkreader, TnPAP Executive Director
Colleen Schabacker, Tennessee Society for Respiratory Care

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. Rooks, seconded by Mr. Farmer, to approve the minutes of the November 15, 2018 board meeting. The motion carried.

Office of General Counsel Report

Andrea Huddleston, Assistant General Counsel, presented the Office of General Counsel (OGC) report as follows:

Conflict of Interest

Ms. Huddleston 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. Huddleston advised the board will need to review the rules regarding reinstatement and fees. Recent changes in the statute require revision on rules relating to license reinstatement fees. Also, there will be a discussion of draft revisions to the home equipment delivery rule.

Litigation

Ms. Huddleston reports no current cases with OGC.

Legislation

Ms. Huddleston stated legislation is currently in session and, so far, she is not aware of any pending legislation which affects the Board of Respiratory Care.

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 six (6) practitioners under probation, four (4) are suspended, and two (2) under a board order. Also, there were eleven (11) revocations, two (2) Tennessee Student Assistance Corporation (TSAC) suspensions to be removed, and one (1) child support suspension to report.

For the investigations report, the Office received six (6) new complaints in 2018. These complaints consisted of one (1) drug violation allegation, one (1) for criminal charges, one (1) for unprofessional conduct, one (1) for lapsed license practice, and two (2) for criminal convictions. The total number of closed complaints for the year 2018 are twelve (12); three (3) complaints were closed in the Office of Investigations and sent to the Office of General Counsel for discipline, five (5) were closed with no action, three (3) were closed with a Letter of Concern, and one (1) was closed with a Letter of Warning.

For the year 2018, the Office received four (4) CRT complaints; one (1) for falsification of records, one (1) for criminal charges, one (1) for unprofessional conduct, and one (1) is for drug diversion. In 2018, the Office of Investigations closed two CRT (2) complaints, one (1) was closed without

sufficient evidence of discipline, and one (1) was closed with no action. As of December 2018, there are three (3) open complaints under review. For Respiratory Care Assistants, there were no new complaints received in 2018 and no complaints are pending investigation at this time.

Financial Report

Noranda French presented the mid-year report for Fiscal Year (FY) 2019. As of December 31, 2018, total expenditures amounted to \$113, 22 and board fee revenue was \$118, 005, leaving the board with a current year net of \$4, 776. The board is currently performing as it has in past years. There is a slight increase to grants and subsidies which is not causing a concern at this time.

The Board is projected to incur total expenditures for FY2019 in the amount of \$231,555 and has the potential to generate revenue in the amount of \$236, 010. The Board is projected to close at the end of the fiscal period with a current year net of \$4,455 which will add to the board's cumulative balance.

Applicant Interviews/File Review

There was no applicant file to review.

Tennessee Professional Assistance Program Report (TnPAP)

Mike Harkreader, TnPAP Executive Director, presented the board's activity report from July 1, 2018 to December 31, 2018 as follows:

Monitoring- Non-regulatory	1
Monitoring Closed - Agreement Noncompliance	
Referrals - from TNDH.	1
Pending Treatment	
Closed Cases	3
Pending Evaluation Report	

Of the closed cases, one (1) completed monitoring and two (2) declined TnPAP's recommendations and were referred back to the Department of Health.

Ratifications

Mr. Powell made a motion, seconded by Ms. Caldwell, 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

Adams Amber Rose

Akins Carrington Scott

Arnold Diva
Austin Laken Karissa-Lee
Baker Brittany Lee
Bell Monica Ann
Blanton Crystal
Bledsoe Earnest W., JR.
Blevins Carrie Michelle
Boland Daniel Joseph
Bolton Marlyna Dormique
Brawner Destiny Kay
Burnette Tempie Alyssa
Charlton Carey
Cloaninger Elizabeth
Cook David Ryan
Del Bianco Anthony Stephen
Dover Bettina Annette
Dunivan Kayla Marie
Durham Latonya Rena
Ellenburg Rachel
Flores Briana
Graham Julianne Marie
Harrison Hunter Andrew
Hayes Amber Lee
Holland Miranda Marie
Hooper Caycee Nichole
Jackson Nicole Lynn
Jenkins Tia
Keefer Chrystal Spring
Kyne Devin Karis
Lowrie David Michael
Lujano Janae Leann
Matheson James Cody
Morris Angelia
Murai Danielle
Rice Samantha Ryan
Rominger Brooke
Scibek Stefanie Bullock
Sexton Alexa
Shelton Katina
Smith Candace Carol
Stacey Jocie
Stockard Amelia
Suroviak Paige
Vanhoozer Brittany Leeann
Wilson Naradia Watley
Young Tuleea
Zumeta Marialaura

Certified Respiratory Therapists- Licensed

Arnold Diva
Berry Joslyn Estel
Dawson Bruce Dewayne
Dixon Chantakiah
Garcia Doris G
Garvin Tara Brooke
Giller Todd Martin
Hayes Amber Lee
Lawrence Maisie D
Lewis Sandra K.
Pearce Christina Joyce
Rose Robert Wood
Van Winkle Tyler Steven

Reinstatement(s)

RRTs

Brackett Shirley A
Eanes Whitney Lee Ann
Joyner Patti A
Sullivan Charm Donielle
Williams Teresa Clark

CRTs

Moss Trease Ann
Rice Samantha Ryan
Skeen Kimberly West
Solecki Edmund A

Closed Files

Berry Tamie Thomas Roy
Mr. Brake Allison
Dorin Jennifer
Cassell Joann Louise
Findley Julie Kay
Daniel Leslie Ann
Parks Brooke
Holmes Mallory Elizabeth
Wilson Mikayla
Jennings John Jennings

Matheson James Cody
 Mckinney Jennifer Denise
 Minton Marcia Louella Sue
 Radcliff Jamie
 Rhodenbaugh Courtney
 Robustelli Jason

Mr. Powell moved to approve the list as presented; motion was seconded by Ms. Caldwell. The motion carried.

Administrative Report

Lacey N. Wilkerson, Board Administrator, presented the administrative report as follows:

Statistical Report

Total active licensees as of February 12, 2019:

RRT	CRT	RCA
Active Licensees – 3,671	Active Licensees – 1,256	Active Licensees – 7

Licensing activities from November 9, 2018 Through February 12, 2019:

RRT	CRT
New applications received – 55	New applications received – 19
New licenses issued – 38	New licenses issued – 13
Reinstated -5	Reinstated – 4
Registered Poly Endorsement(s) - 0	Certified Poly Endorsement(s) - 0
Number of renewals – paper – 61	Number of renewals – paper – 38
Number of renewals on line – 323	Number of renewals on line – 87
Number of licensees who retired - 10	Number of licensees who retired – 3
Expired – 34	Expired – 18
Closed Files – 13	Closed Files – 4
Upgrades from CRT to RRT- 12	NA
RRT Limited Permit to Full License-5	CRT Limited Permit to Full License- 2

Ms. Wilkerson reported that the average number of applicants applying is balancing out to the average number of applicants retiring/expiring.

Correspondence

There was no correspondence to discuss.

New Legislation

There was no new legislation to discuss.

Rulemaking Hearings, Rule Amendments, and Policies

The Board discussed a proposal received from the Tennessee Society for Respiratory Care regarding revisions to the General Rules and Regulations Governing Respiratory Care Practitioners, Rule 1330-01-.03 regarding delivery of respiratory equipment to a patient's place of residence. Revisions in draft proposal discussed by the board would instead contain rule changes reflecting respiratory equipment used by a patient in the patient's place of residence. A final draft will be submitted at the May 16, 2019 board meeting.

Conference Report

Mr. Rooks reported on the AARC Congress that he attended in December 2018. Topics discussed by Dr. Zuban entitled Healthcare 3.0 and how a disconnect has developed between the patient and the professional due to the increase to the amount of technology used in everyday diagnosis. There was discussion at the conference on the growth and changes in current Respiratory Care, with discussions focused on how to measure the amount of productivity in the terms of billable hours. Mr. Rooks participated in a COPD advisory board at the conference and he reported that a new company has emerged in the new inhaled nitric oxide market. He shared information received from AARC in regards to ongoing discussion around requiring a bachelor's degree or RRT credentials through the NBRC as a minimum requirement for licensing.

Colleen Shabacker, representative for Tennessee Society for Respiratory Care who was in attendance informed the board that she was also in attendance at the AARC conference and that Tonya Laughton from Livingston, Tennessee won the prestigious Patient Advocate Award.

Discuss Old and New Business

Ratification of 2020 Meeting Dates

A motion was made by Ms. Caldwell, seconded by Mr. Farmer to ratify the dates presented for board meetings in the year 2020 as follows: February 20, May 14, August 20, and November 12. The motion carried.

Election of New Officers

Secretary – Ms. Caldwell made a motion for Mr. Rooks to be nominated for this position. Motion was seconded by Mr. Powell. The board did not receive any other nomination. Upon a vote by the board, the motion carried. Mr. Rooks accepted to serve as board secretary.

Board Chair- Ms. Christmon made a motion for Mr. Powell to be nominated for this position. Motion was seconded by Ms. Caldwell. The board received a second motion from Mr. Powell for Ms. Christmon to be nominated for this position. There was no second to this motion and the motion died. The board did not receive any other nominations. Upon a vote by the board on Ms. Christmon's motion, the Board voted 5-2 in favor of Mr. Powell serving as board chairperson. The motion passed. Mr. Powell accepted to serve as board chairperson.

Adjournment

There being no further business, Mr. Grandville made a motion, seconded by Ms. Braddock, to adjourn the meeting. The motion carried. The meeting was adjourned at 10:53 AM.

Curtis Powell, Chair

Date

These minutes were ratified at the May 16, 2019 board meeting.