

The Florida

Board of Respiratory Care

Minutes

**March 3, 2015
General Business Meeting
GENERAL RULES REVIEW**

**Conference Call
Call in Number: 1-888-670-3525
Conference Code: 7811783909**



**Joy Nunez, CRT
Chair**

**Bayyinah Sherrod, RRT
Vice Chair**

**DEPARTMENT OF HEALTH
BOARD OF RESPIRATORY CARE
GENERAL BUSINESS MEETING
GENERAL RULES REVIEW
March 3, 2015**

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Participants in this public meeting should be aware that these proceedings are being recorded and that an audio file of the meeting will be posted to the board's website.

Call the Meeting to Order and Roll Call:

Joy Nunez, RRT, Chair, called the general business meeting to order at 10:00 a.m. Those present for the meeting, included the following:

Members Present

Morfia (Joy) Nunez, CRT, Chair
Bayyinah Sherrod, RRT, Vice Chair
Peter Hendriksen, RRT
Dick Fields, RRT

Consumer Member

Shawnta Friday-Stroud, Ph.D.,

Staff Present

Allen Hall, Executive Director
Jessica Sapp, Program Operations Administrator

Board Counsel

Douglas Dolan, Board Counsel
Office of the Attorney General
Donna Oxford, Paralegal

RULE DISCUSSION

TAB 1 Continuing Education Requirements

During the July board meeting, discussion was had to clarify continuing education requirements. The following questions were answered:

- Is it the Board's intention to require the Laws and Rules course for the first renewal for licensees licensed in the second half of the biennium?

The Board's intent is yes

- Are licensees restricted to only two hours of Laws and Rules?

The Board's intent is yes

- Are licensees allowed credit for the same course taken twice on different dates within the same biennium?

The Board agreed that credit should not be allowed for the same course taken more than once.

- Are the excess hours of HIV/AIDS considered non-direct or direct hours?

Excess hours are considered direct and the Board's intent is to make the excess hours received for HIV/AIDS language consistent with the other mandatory hours.

- Can attendance at a respiratory care board meeting hours earned count towards the two hours of Florida Laws and Rules?

The intent of the Board's is yes.

Board Counsel has drafted the included language to provide clarification.

64B32-6.001 Continuing Education Requirement.

(1) – (2) No Change

(3) Those persons initially licensed during the second year of a biennium who do not currently hold a respiratory care license are exempt from the continuing education requirements, except for the Medical Errors course and HIV/AIDS course pursuant to subsection (5) of this rule and Section 456.033, F.S., and the Florida laws and rules course, for their first renewal. Continuing education requirements must be met for each biennium thereafter.

(4) No Change

(5) Beginning with the biennium ending May 31, 2015, a licensee needs twenty-four (24) hours per biennium in order to renew the license, of which (2) credit hours must include Florida laws and rules to bring the licensee up to date on laws and rules of the Board and the regulatory agency under which the Board operates.

The hours can be obtained in the following manner:

(a) Florida laws and rules

Mandatory for all licensees: 2 credit hours pursuant to Rule 64B32-6.001(5), F.A.C. Licensees may earn up to 8 contact hours per biennium by attending meetings of the Board of Respiratory Care, but no more than 2 of those hours will be credited to satisfying the Florida laws and rules requirement.

(b) Direct Delivery of Respiratory Care Services

Mandatory for all licensees: A minimum of 16 hours each biennium must be obtained by each licensee in the approved offerings pursuant to subsection 64B32-6.004(3), F.A.C.

1. Medical Errors

Mandatory part of Direct Delivery Services Requirements for all licensees: 2 hours in a board-approved continuing education course pursuant to Rule 64B32-6.006, F.A.C.

2. HIV/AIDS

Mandatory part of Direct Delivery Services Requirements for the initial renewal of all licensees, Optional for subsequent renewals: At least 3 hours but no more than 5 hours pursuant to Rule 64B32-6.006, F.A.C. The course must be taken within the last five (5) years prior to either initial licensure or first renewal. Licensees may complete up to 5 hours of continuing education credited to AIDS education, although any completed hours in excess of the required 3 hours will be counted as direct delivery continuing education credits.

3. Emergency Preparedness

Mandatory part of Direct Delivery Services Requirements for all licensees 2 hour course offered by a board approved CE provider.

(c) Non-Direct Respiratory Patient Care (i.e. management, risk management, personal growth, and educational techniques)

No more than 8 hours in this area will be acceptable for the purpose of biennial renewal of a license pursuant to subsection 64B32-6.004(3), F.A.C.

(d) Home Study Courses

Limitation applicable to all licensees: No more than 12 hours per biennium pursuant to subsection 64B32-6.004(3), F.A.C.

(e) Other requirements that satisfy continuing education are listed in Rule 64B32-6.004, F.A.C.

(6) No Change

(7) No licensee will be given more than the credited hours of completion of any continuing education course, as credited for completion of the course once, per biennium, regardless of the number of times a licensee registers for and completes a course.

MOTION: After discussion, Ms. Nunez made a motion to open the rule for development. The motion was seconded by Ms. Sherrod and carried 5/0.

MOTION: After discussion, Ms. Nunez made a motion to approve the proposed draft and directed counsel to move forward with rule promulgation. The motion was seconded by Ms. Sherrod and carried 5/0.

MOTION: Ms. Sherrod made a motion to find the proposed revisions do not have an adverse impact on small businesses and will not be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within 1 year after the implementation of the rule. The motion was seconded by Ms. Nunez and carried 5/0.

64B32-6.004 Procedures for Approval of Attendance at Continuing Education Courses.

(1) No Change

(2) Excluding any recertification, review, refresher, or preparatory courses, all licensees shall be awarded contact hours for:

(a) – (f) No Change

(g) Attendance at scheduled public meetings of the Board of Respiratory Care, up to a maximum of 8 continuing education direct ~~delivery~~ patient care hours per biennium.

(3) A minimum of 16 hours each biennium must be obtained by each licensee in approved offerings related to the direct delivery of respiratory care services. No more than 8 hours of nondirect patient care continuing education in the areas of management, risk management, personal growth, and educational techniques will be acceptable for the purpose of biennial renewal of a license. Up to 12 hours per biennium may be home study courses.

~~(a) Beginning with the biennium ending May 31, 2009, each licensee will be required to have taken a continuing education course in emergency preparedness. This course shall count as two (2) hours of direct patient care credit. This course shall be taken each biennium thereafter and the two (2) hours credit shall count towards the minimum sixteen (16) hours needed to renew the license.~~

~~(a)(b)~~ Credit for two (2) hours of direct patient care shall be awarded for completion of a FEMA Emergency Management/ Preparedness continuing education course that complies with the requirements set forth in rule paragraph (3)(c).

~~(b)(e)~~ Continuing education courses in emergency preparedness, at a minimum, must cover the following topics: natural disasters, manmade disasters and bioterrorism, pandemic flu, and respiratory care disaster response.

(4) – (6) No Change

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64B32-6.006 AIDS Education and Medical Error Prevention Education.

Pursuant to Section 456.033, F.S., any Category I, American Medical Association (AMA) continuing medical education course, any Category I or Category III, American Association for Respiratory Care (AARC) continuing education course offered by an AMA approved respiratory therapy program and any courses approved by any board within the Division of Medical Quality Assurance of the Department of Health pursuant to Section 456.033, F.S., which includes topics on the transmission, infection control procedures, clinical management and prevention of Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome, shall satisfy the requirements of Section 456.033, F.S., as part of the first renewal of the license. Such course shall include information on current Florida law on acquired immune deficiency syndrome and its impact on testing, confidentiality of test results, treatment of patients, and any protocols and procedures applicable to human immunodeficiency virus counseling and testing, reporting, the offering of HIV testing to pregnant women, and partner notification issues pursuant to Sections 381.004 and 384.25, F.S.

(1) The required AIDS education can be completed with one course divided in incremental blocks of time, as long as each increment is at least one contact hour in length and the cumulative total equals a minimum of 3 contact hours, and all of the topics stated above are covered; or by one course which is at least 3 contact hours in length and covers all of the topics stated above; or by multiple courses which are each at least 1 contact hour in length and each cover all of the topics stated above. Licensees may complete up to 5 hours of continuing education credited to AIDS education, and any completed hours in excess of the required 3 hours will be counted as direct delivery continuing education credits. New licensees must complete three contact hours taken within the last five years prior to either initial licensure or first renewal.

(2) – (4) No Change

MOTION: After discussion, Ms. Nunez made a motion to open the rule for development. The motion was seconded by Ms. Sherrod and carried 5/0.

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There being no further business, the meeting adjourned at 10:13 a.m.