

The Florida

Board of Respiratory Care

MINUTES

February 10, 2017

Hilton Daytona Beach/Ocean Walk Village
100 North Atlantic Avenue
Daytona Beach, FL 32118
(386) 254-8200



Ruben Colon, CRT
Chair

Joseph Frey, RRT
Vice Chair

**DEPARTMENT OF HEALTH
BOARD OF RESPIRATORY CARE
GENERAL BUSINESS MEETING
GENERAL RULES REVIEW**

February 10, 2017

Minutes

**Hilton Daytona Beach/Ocean Walk Village
100 North Atlantic Avenue
Daytona Beach, FL 32118
(386) 254-8200**

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

Call the Meeting to Order and Roll Call:

Mr. Ruben Colon, CRT, Chair, called the general business meeting to order at 8:33 a.m. Those present for the meeting, included the following:

Members Present

Ruben Colon, CRT, Chair
Joseph Frey, RRT, Vice Chair
Shawnta Friday-Stroud, Ph., D.
Craig Broeker, RRT
Roberto Garcia, RRT
Ronald Eric Mitchell, CRT

Staff Present

Allen Hall, Executive Director
Traci Zeh, Program Operations Administrator

Board Counsel

Lawrence Harris, Board Counsel
Office of the Attorney General
Rachelle Munson, Board Counsel
Office of the Attorney General

Court Reporter:

Volusia Reporting Company
Blythe Riggs, RPR, Court Reporter
432 South Beach Street
Daytona Beach, Florida 32114
Ph. (385) 255-2150
Fax: (386) 258-1171
Email: vrc@bellsouth.net

Prosecuting Attorney

Cecilie Sykes, DOH
Assistant General Counsel

Dr. Ziegler and Dr. Polles were present on behalf of the Professionals Resource Network, Inc. (PRN).

To accommodate individuals wishing to address the Board, the Board Chair may adjust the sequence of the agenda items. The minutes reflect the actual sequence of events rather than the original agenda order.

Due to participation in the Probable Cause Panel, Mr. Garcia was recused from tab 1 and Mr. Frey was recused from tab 2.

DISCIPLINARY PROCEEDINGS

MOTION FOR BOARD'S FINAL ORDER BY SETTLEMENT AGREEMENT

1. Levelt Joseph Senatus, R.R.T., Case No: 2016-13366 (PCP, Garcia & Fields)

Respondent was not present nor represented by legal Counsel.

Ms. Sykes summarized the case for the Board. Respondent was charged with the following violation: Section 468.365 (1)(x), Florida Statutes (2015), through a violation Section 456.072(1)(hh), Florida Statutes (2015), by violating any provision of this chapter or chapter 456, being terminated from a treatment program for impaired practitioners, which is overseen by an impaired practitioner consultant as described in s.456.076, for failure to comply, without good cause, with the terms of the monitoring or treatment contract entered into by the licensee.

The case was presented as a Settlement Agreement that would impose the following penalties:

- Appearance
- Reprimand
- Fine of \$250.00 to be paid within one (1) year of the filing of the Final Order
- Costs of \$885.95 to be paid within one (1) year of the filing of the Final Order
- The Respondent's license to practice respiratory care in the State of Florida shall be **SUSPENDED** until such time as he demonstrates the ability to practice respiratory care with reasonable skill and safety. Such demonstration of skill and safety shall include an evaluation by the Professionals Resource Network (PRN). The Respondent's license shall remain suspended until she is in compliance with all terms and conditions of PRN recommendations and the Board shall make the determination of whether Respondent is safe to practice respiratory care with reasonable skill and safety.

MOTION: Dr. Friday-Stroud made a to deny request for continuance and waive his appearance allowing the Board to proceed with the Settlement Agreement. The motion was seconded by Mr. Mitchell and carried 5/0.

MOTION: Dr. Friday-Stroud made a motion to accept the amended Settlement Agreement that would impose the following penalties:

- Reprimand
- Fine of \$250.00 to be paid within one (1) year of the filing of the Final Order
- Costs of \$885.95 to be paid within one (1) year of the filing of the Final Order
- The Respondent's license to practice respiratory care in the State of Florida shall be **SUSPENDED** until such time as he demonstrates the ability to practice respiratory care with reasonable skill and safety. Such demonstration of skill and safety shall include an evaluation by the Professionals Resource Network (PRN). The Respondent's license shall remain suspended until he is in compliance with all terms and conditions of PRN recommendations and the Board shall make the determination of whether Respondent is safe to practice respiratory care with reasonable skill and safety. Respondent must appear before the Board before being determined safe to practice.

The motion was seconded by Mr. Mitchell and carried 5/0.

2. Sherry Araujo, R.R.T., Case No: 2016-16056 (PCP, Frey & Fields)

Respondent was present and sworn in by the court reporter.

Respondent was represented by Tullio E. Lacono, Esquire.

Ms. Sykes summarized the case for the Board. Respondent was charged with the following violation: Section 468.365 (1)(x), Florida Statutes (2015), through a violation of Rule 64B32.5-003(c), Florida Administrative Code (2015), by violating any provision of this chapter or chapter 456, by leaving a respiratory assignment without notifying the supervisor.

The case was presented as a Settlement Agreement that would impose the following penalties:

- Appearance
- Reprimand
- Fine of \$300.00 to be paid within one (1) year of the filing of the Final Order
- Costs to be paid within one (1) year of the filing of the Final Order

MOTION: Dr. Friday-Stroud made a motion to accept the Settlement Agreement. The motion was not seconded. Motion failed.

MOTION: Mr. Colon made a motion to reject the Settlement Agreement. The motion was seconded by Mr. Broeker and carried 4/1. Dr. Friday-Stroud opposed.

After a brief break, the Board allowed prosecution services and the Respondent to communicate and present an amended Settlement Agreement that would impose the following penalties:

- Fine of \$300.00 to be paid within one (1) year of the filing of the Final Order
- Cost
- Board approved laws and rules course.
- Probation for one year. Quarterly reports stating updates on performance.

MOTION: After discussion, Mr. Broeker made a motion to counter offer a Settlement Agreement that would impose the following penalties:

- Fine of \$1,000.00 to be paid within two (2) years of the filing of the Final Order
- Costs of \$1,500.00 to be paid within two (2) years of the filing of the Final Order
- Probation for one (1) year by the Respondents' direct supervisor. Quarterly reports stating updates on performance. Probation and reporting shall be tolled while Respondent is unemployed.
- Eight (8) hour Board approved continuing education course in Risk Management. The course shall be submitted to Mr. Broeker for approval. To be completed within ninety days of the filing of the Final Order.

The motion was seconded by Dr. Friday-Stroud and carried 5/0.

Ms. Araujo accepted the amended Settlement Agreement.

DISCIPLINARY VOLUNTARY RELINQUISHMENT

3. Thomas H. Mahon, R.R.T., Case No: 2016-14740 (PCP, N/A)

Respondent was not present nor represented by Counsel.

Ms. Sykes summarized the case for the Board. Respondent was charged with the following violation: Section 456.072(1)(k)(z)(dd), 468.365(1)(l)(w)(x), Florida Statutes.

The case was presented as a motion of Board's Final Order by Voluntary Relinquishment.

MOTION: After discussion, Dr. Friday-Stroud moved to accept the Voluntary Relinquishment. The motion was seconded by Mr. Frey and carried 6/0.

4. Relaine Gail Hartley, C.R.T., Case No: 2012-17419 (PCP, N/A)

Respondent was not present nor represented by Counsel.

Ms. Sykes summarized the case for the Board. Respondent was charged with the following violation: Section 456.072(1)(z)(dd)(hh)(z) and Section 468.365 (1)(w)(x), Florida Statutes, by violating any provision of this chapter or chapter 456, or any rules adopted.

The case was presented as a motion of Board's Final Order by Voluntary Relinquishment.

MOTION: After discussion, Dr. Friday-Stroud moved to accept the Voluntary Relinquishment. The motion was seconded by Mr. Frey and carried 6/0.

PROSECUTOR'S REPORT

5. Cecilie Sykes, Prosecuting Attorney

- PSU Inventory Reports

As of January 17, 2017, there were **24 open disciplinary cases** in the PSU Detailed Inventory.

- Under Legal Review: 6
- PC recommendation made or no PC found and not yet closed: 5
- Probable cause found: 10
- Agendaed for Board 4
- EAU: 6
- **Cases Older Than One Year:**
 - 2012: 1 (On current Board agenda)
 - 2015: 3 (1 under legal review awaiting supplemental

information, 1 in settlement negotiations, 1
in EAU)

2016: 1 (awaiting proper service)

Total: 5

MOTION: Mr. Colon made a motion to allow prosecution to continue prosecuting year old cases. The motion was seconded by Mr. Mitchell and carried 6/0.

ADMINISTRATIVE PROCEEDINGS

PERSONAL APPEARANCE PURSUANT TO §456.013(3)(c), F.S.

6. Walter Edwards Childs III, Certified Respiratory Therapist

Mr. Childs III was not present nor represented by Counsel.

He was requested to appear before the board due to the “yes” answer in the criminal history section of his application.

Mr. Childs was noticed to appear at the October 14, 2016 general board meeting to discuss his application. He failed to appear, therefore, the board issued an order requiring Mr. Childs’ appearance at the next regularly scheduled board meeting. The meeting was February 10, 2017 and Mr. Childs was noticed to appear.

MOTION: After discussion, Dr. Friday-Stroud made a motion to deny licensure due to failure to appear and comply with a Board Order.

The motion was seconded by Mr. Frey and carried 6/0.

7. Chadrick Herrin, Certified Respiratory Therapist

Mr. Herrin was not present nor represented by Counsel.

He was requested to appear before the board due to the “yes” answer in the disciplinary history section of his application.

MOTION: After discussion, Mr. Colon made a motion to require Mr. Herrin make a personal appearance at the next scheduled Board meeting, if non-appearance, the application will be denied. Mr. Herrin has the option to withdraw his application any time before the next meeting.

The motion was seconded by Mr. Frey and carried 6/0.

8. George Erwin, Jr, Registered Respiratory Therapist

Mr. Erwin was not present nor represented by Counsel.

He was requested to appear before the board due to the “yes” answer in the disciplinary history section of his application.

MOTION: After discussion, Mr. Colon made a motion to require Mr. Erwin make a personal appearance at the next scheduled Board meeting, if non-appearance, the application will be denied. Mr. Erwin has the option to withdraw his application any time before the next meeting.

The motion was seconded by Mr. Frey and carried 6/0.

9. Karen Ohi Ohe, Registered Respiratory Therapist

Mr. Ohe was present and sworn in by the court reporter.

She was requested to appear before the board due to the “yes” answer in the criminal and disciplinary history sections of her application.

MOTION: After discussion, Mr. Colon made a motion to grant licensure with no conditions. The motion was seconded by Mr. Mitchell and carried 6/0.

10. Karim Rothwell, Registered Respiratory Therapist

Mr. Rothwell was present and sworn in by the court reporter.

He was requested to appear before the board due to the “yes” answer in the criminal history section of his application.

MOTION: After discussion, Dr. Friday-Stroud made a motion to grant licensure with no conditions. The motion was seconded by Mr. Colon and carried 6/0.

11. Douglas Edward Wilkinson, Registered Respiratory Therapist

Mr. Wilkinson was not present nor represented by Counsel.

He was requested to appear before the board due to the “yes” answer in the disciplinary history section of his application.

MOTION: After discussion, Mr. Colon made a motion to require Mr. Erwin make a personal appearance at the next scheduled Board meeting, or he may withdraw his application any time before the next meeting.

The motion was seconded by Mr. Frey and carried 6/0.

12. Juan S. Taylor, Registered Respiratory Therapist

Mr. Taylor was present and sworn in by the court reporter.

He was requested to appear before the board due to the “yes” answer in the disciplinary history section of her application.

MOTION: After discussion, Dr. Friday-Stroud made a motion to grant licensure with no conditions. The motion was seconded by Mr. Frey and carried 5/0. Mr. Colon opposed.

13. Stanley Eugene Holland Jr., Certified Respiratory Therapist

Mr. Holland Jr. was present and sworn in by the court reporter.

He was requested to appear before the board due to the “yes” answer in the disciplinary history section of his application.

MOTION: After discussion, Mr. Frey made a motion to grant licensure with no conditions. The motion was seconded by Mr. Colon and carried 6/0.

APPLICANT RATIFICATION LISTS

14. Certified Respiratory Therapists

MOTION: Mr. Colon made a motion to ratify the list of 34 names, beginning with Matthew Colter Hamilton and ending with Ana Esperanza Agular, for CRT licensure by endorsement (Exhibit A). The motion was seconded by Mr. Frey and carried 6/0.

15. Registered Respiratory Therapists

MOTION: Mr. Frey made a motion to ratify the list of 168 names, beginning with Pam Ann Redditt, and ending with Tawnya Laree Manning, for RRT licensure by endorsement (Exhibit B). The motion was seconded by Mr. Garcia and carried 6/0.

16. New Continuing Education Providers

MOTION: Mr. Broeker made a motion to ratify the one names, Concierge Nursing Services LLC, for continuing education provider-ship for respiratory care (Exhibit C). The motion was seconded by Mr. Frey and carried 6/0.

17. Exemption From Disqualification Ratification List

MOTION: Mr. Colon made a motion to ratify the two names, Donald Hill and Sherry Crowder, for exemption for disqualification from employment by delegation of authority from the Board for staff to administratively review and approve exemption applications (Exhibit D). The motion was seconded by Mr. Garica and carried 6/0.

NEW BUSINESS

18. 2017 Conviction Record Guidelines

The Board was invited to review, make changes if needed, and approve the 2017 Conviction Record Guidelines.

MOTION: Mr. Colon made a motion to accept the Conviction Record Guidelines as presented. The motion was seconded by Dr. Shawnta Friday-Stroud and carried 6/0.

19. 2017 Election of Board Officers and Assignment of Liaisons

Position	Current Assignments	New Assignments
Board Chair	Mr. Ruben Colon	Mr. Joseph Frey
Vice Chair	Mr. Joseph Frey	Mr. Roberto Garcia
Education Liaison	Mr. Craig Broeker	Mr. Craig Broeker
Legislative Liaison	Mr. Ron Mitchell	Mr. Ron Mitchell
Budget Liaison	Mr. Roberto Garcia	Mr. Ron Mitchell
Unlicensed Activity Liaison	Mr. Joseph Frey	Mr. Ruben Colon
Enforcement Liaison	Mr. Joseph Frey	Dr. Shawnta Friday-Stroud
Healthiest Weight Liaison	Dr. Shawnta Friday-Stroud	Mr. Ruben Colon

Motion: After Discussion, Dr. Shawnta Friday-Stroud made a motion to approve the 2017 Election of Officers and Assignment of Liaisons as listed above. The motion was seconded by Mr. Mitchell and carried 6/0.

20. 2017 Delegation of Authority

Board staff prepared a Delegation of Authority matrix to be approved by the board for the year 2017.

MOTION: Dr. Friday-Stroud made a motion to approve the delegation of authority as presented. The motion was seconded by Mr. Frey and carried 6/0.

RULE DISCUSSION AND/OR DEVELOPMENT

25. Reduction in Lines of Regulation Discussion

Each profession has been tasked with reducing lines of regulation. While the intention is not to remove language that is productive to effective regulation, rules often can be combined or streamlined.

The Board advised they would review the rules set forth in the Florida Administrative Code and advise Mr. Hall and Board Counsel of any suggestions.

21. Rule 64B32-5.001, F.A.C., Disciplinary Guidelines

Mr. Harris provided a brief discussion for the proposed language presented for the mentioned rule, Chapter 64B32-5.001, Florida Administrative Code.

Rule 64B32-5.001, F.A.C., Disciplinary Guidelines

(1) The Board may impose disciplinary penalties upon a determination that an applicant or licensee:
 (a) Has violated any provision of Chapter 468, Part V, F.S., or any rules promulgated thereunder;
 (b) Has violated any provision of Chapter 456, F.S., or any rules promulgated thereunder;
 Section 456.0635, F.S., outlines specific offenses for which the Board is prohibited from issuing or renewing a license, certificate, or registration to any applicant if the candidate has been convicted of, pled nolo contendere, or guilty to, regardless of adjudication, a felony under Chapter 409, Chapter 817, Chapter 893, 21 U.S.C. ss. 801-970, or 42 U.S.C. ss 1395-1396, unless the sentence and any subsequent period of probation for such conviction or pleas ended more than 15 years prior to the date of the application.

(c) Has committed an act defined as “unprofessional conduct” in this rule chapter; or

~~(d) Has violated the Code of Ethics set forth in this rule chapter.~~

(2) No change

(3) Violations and Range of Penalties. In imposing discipline upon applicants and licensees, in proceedings pursuant to Sections 120.57(1) and (2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the severity and repetition of the violations as set forth below. The mitigating or aggravating circumstances used to justify any deviation from the specified guidelines must be enunciated in the final order. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included. For applicants, any and all offenses listed herein are sufficient for refusal to certify an application for licensure. In addition to the penalty imposed, pursuant to section 456.072(4), F.S., the Board shall recover the costs of the investigation and prosecution of the case. Additionally, if the Board makes a finding of pecuniary benefit or self-gain related to the violation, then the Board shall require refund of fees billed and collected from the patient or a third party on behalf of the patient.

(3)(a) - (ii) No change

<u>(jj) Willfully failing to comply with s. 627.64194 or s. 641.513 with such frequency as to indicate a general business practice. (Section 456.072(1)(oo), F.S.)</u>	<u>First Offense</u>	<u>From refund of fees billed and a minimum of one year probation with conditions, to two years suspension and an administrative fine from \$500 to \$3,000.</u>
	<u>Second Offense</u>	<u>From refund of fees billed and two years probation with conditions to revocation and a fine from \$2,000 to \$10,000.</u>
	<u>Third Offense</u>	<u>Refund of fees billed, revocation with no ability to reapply and a fine from \$3,000 to \$10,000.</u>

However, if the offense is for fraud, the fine is increased to \$10,000 per count or offense.

(4) No change

(5) No change

(6) No change

The Board allowed Amanda Stubbs from the public to address the Board regarding topic.

MOTION: After discussion, Mr. Frey made a motion to approve the proposed language as amended and directed counsel to move forward with rulemaking procedures. The motion was seconded by Mr. Mitchell and carried 6/0.

MOTION: Dr. Friday-Stroud 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 Mr. Frey and carried 6/0.

22. Rule 64B32-6.001, F.A.C., Continuing Education Requirement

- Tobacco Treatment

64B32-6.001 Continuing Education Requirement.

(1) The Legislature and the Board have determined that competency in delivery of respiratory care services is enhanced by continuous updating of knowledge and skills. To this end, continuing education is required as a condition for renewal of licensure of all respiratory care licensees.

(2) Each licensee shall submit proof satisfactory to the Board of participation in appropriate continuing education. During each biennium, as established by the Department, each licensee must earn 24 hours of continuing education credit including those earned as provided in this rule. None of these hours can be obtained by taking Basic Life Support (BLS) training. No more than five (5) hours per biennium shall be awarded for completion of courses focusing on risk management.

(3) Those persons initially licensed during the second year of a biennium are exempt from the continuing education requirements, except for the Medical Errors course and HIV/AIDS course and the Florida laws and rules course, pursuant to subsection (5) of this rule, for their first renewal. Continuing education requirements must be met for each biennium thereafter.

(4) A licensee who holds a current license as a Certified Respiratory Therapist (CRT) or holds a current license in another health care profession may satisfy the continuing education requirement for issuance of the Registered Respiratory Therapist (RRT) or renewal of the CRT license with hours counted toward renewal of another license as long as the hours meet all the requirements of this rule chapter.

(5) A licensee may be required to earn continuing education credit hours which include the following:

- | | |
|----------------------------------|---|
| (a) Florida laws and rules | Mandatory for all licensees: 2 credit hours pursuant to subsection 64B32-6.001(5), F.A.C. Licensees may earn up to 8 continuing education hours per biennium by attending meetings of the Board of Respiration Care, but no more than 2 of those hours will be credited to satisfying the Florida laws and rules requirement. |
| (b) Prevention of Medical Errors | Mandatory for all licensees: 2 hours in a board-approved continuing education course pursuant to Rule 64B32-6.006, F.A.C. |
| (c) HIV/AIDS | Mandatory 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 HIV/AIDS education, although any completed hours in excess of the required 3 hours will be counted as continuing education credits. |

(d) Tobacco Treatment	<u>Mandatory for all licensees: 1 hour per biennium, beginning with the biennium ending May 31, 2019.</u>
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~~(e)(d)~~ Other requirements that satisfy continuing education are listed in Rule 64B32-6.004, F.A.C.

(6) 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.

Mr. Harris addressed the Board with concerns from the Joint Administrative Procedures Committee (JAPC) and the Office of Fiscal Accountability and Regulatory Reform (OFFAR) regarding the requirement of a Tobacco Treatment course.

As discussion continued regarding this topic, the Board allowed members of the public to address the Board.

MOTION: After discussion, Dr. Friday-Stroud made a motion to change the course title to, Smoking Cessation and Tobacco Treatment. The motion was seconded by Mr. Broeker and the motion failed with a 3/3 vote. Mr. Mitchell, Mr. Frey, and Mr. Colon opposed.

MOTION: Mr. Frey made a motion to withdraw the proposed rule language. The motion was seconded by Mr. Mitchell and carried 6/0.

- Direct Delivery of Respiratory Care Services

Mr. Dennis Willerth, Executive Director of the Florida Society of Respiratory Care addressed the Board with concerns coming from the Florida Society regarding the direct delivery of respiratory care services and expressing to the Board for consideration of adding the topic back in the regulation for respiratory continuing education renewal requirement.

Ms. Sandra Smith from the Florida Medical Educational Services addressed the Board regarding the direct delivery of respiratory care services and her views to consider adding the topic back in the regulation for respiratory continuing education renewal requirement.

The Board did not move forward with rule making.

23. Rule 64B32-6.005. F.A.C., Provider Approval and Renewal Procedures

During the July and October meetings, the Board has reviewed the approval and renewal processes of continuing education providers.

Board staff previously provided a review of the process.

During the October meeting it was requested Board staff retrieve further information from CEBroker regarding the number of board approved providers and courses being provided.

This was placed on the agenda for informational purposes only.

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

The board office received a request from a Probable Cause Panel member, regarding the amount of CE's earned for PCP participation.

MOTION: After discussion, Mr. Colon made a motion to open Rule 64B21-6.004 Florida Administrative Code, for development. The motion was seconded by Mr. Broeker and carried 6/0.

MOTION: After discussion, Dr. Friday-Stroud made a motion to move forward with the proposed language for Rule 64B21-6.004, Florida Administrative Code, as followed:

(1) - (4) No change

(5) Members of the Board's Probable Cause Panel shall receive two (2) hours of medical errors and six (6) ~~3~~ hours of general continuing education credit per biennium for their service on the Panel.

(6) No change

The motion was seconded by Mr. Broeker and carried 6/0.

MOTION: Mr. Frey made a motion to find the proposed revisions do not have an adverse impact on small businesses and will not be likely to increase regulatory costs directly or indirectly 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 Mr. Colon and carried 6/0.

RULE STATUS REPORT

26. Assistant Attorney General, Lawrence Harris

- 64B32-2.001, F.A.C., License by Endorsement
- 64B32-5.001, F.A.C., Disciplinary Guidelines
- 64B32-5.004, F.A.C., Code of Ethics
- 64B32-5.005, F.A.C., HIV/AIDS: Knowledge of Antibody Status, Action to Be Taken
- 64B32-6.001, F.A.C., Continuing Education Requirements
- 64B32-6.006, F.A.C., AIDS Education and Medical Error Prevention Education

	Rule Title	Date Rule Language Approved by Board	Date Sent to OFARR	Rule Development Published	Notice Published	Adopted	Effective
64B32-2.001	License by Endorsement	04/08/16	06/07/16	06/29/16	07/14/16 07/21/16 Letter from JAPC 07/28/16 JAPC Response 08/01/16 Letter from JAPC 08/08/16 JAPC Response 08/10/16 Letter from JAPC 09/06/16 JAPC Response	09/27/16	10/17/16
64B32-5.001	Disciplinary Guidelines		10/25/16	11/02/16			
64B32-5.004 64B32-5.005	Code of Ethics HIV/AIDS: Knowledge of Antibody Status, Action to Be Taken (Repeal)		10/31/16		11/09/16		
64B32-6.001	Continuing Education Requirements	07/15/16	08/01/16	08/11/16	08/29/16 09/09/16 JAPC Letter 09/26/16 JAPC Response 10/14/16 Public Hearing 10/27/16 TOLLED 10/28/16 Letter from JAPC 11/02/16 Letter from JAPC 01/06/17 Public Hearing		
64B32-6.001	Continuing Education Requirement	04/16/26	01/28/16	02/03/16	06/02/16	07/14/16	08/03/16
64B32-6.006	AIDS Education and Medical Error Prevention Education	04/08/16	06/07/16	06/15/16	6/30/16 08/2/16 NOC 08/16/16 NOW 08/16/16 - Renoticed	09/27/16	10/17/16

No action taken.

REPORTS, IF ANY

27. Board Member Reports, if any

The Board members were provided this space for opportunity to discuss or provide information from the designated liaisons.

- Board Chair, Mr. Colon

No report.

- Healthiest Weight Liaison, Dr. Friday – Stroud

No Report.

- Education Liaison, Mr. Broeker

No Report.

- Legislative Liaison, Mr. Mitchell

No Report.

- Budget Liaison, Mr. Garcia

No Report.

- Unlicensed Activity Liaison, Mr. Frey

Mr. Frey addressed the Board and staff regarding his concerns with unlicensed activity and facilities being notified of an individual's licensure status.

28. Professional Association Update, if any

No report.

OLD BUSINESS

29. Board of Respiratory Care Minutes

- October 14, 2016 General Business Meeting

Motion: After Discussion, Mr. Frey made a motion to approve the October 14, 2016 General Business minutes as presented. The motion was seconded by Mr. Mitchell and carried 6/0.

OTHER BUSINESS AND INFORMATION

30. Anti-Trust

Mr. Hall and Board Counsel provided further information regarding Anti-Trust.

At this time, the Board expressed their interest for conducting a Thursday evening meeting to be held at the next scheduled Board meeting in April. Staff will reach out the Departments meeting planning unit and request the meeting and confirm availability.

With no further discussion, the meeting was adjourned at 1:42 p.m.

**CERTIFIED RESPIRATORY THERAPISTS
LIST FOR RATIFICATION**

1. Hamilton, Matthew Colter	TT	16214
2. Canot, Christopher	TT	16215
3. Stukes, Katie	TT	16216
4. Wolf, Clint Rhodes	TT	16217
5. Watkins, Therese H	TT	16218
6. Ogletree, Shynessa Yavette	TT	16219
7. Borja, Jessica	TT	16220
8. Clark, Willsheana L	TT	16221
9. Moreau, Jessica	TT	16222
10. Farias-Rios, Diana	TT	16223
11. Pierson, Angel	TT	16224
12. Echevarria, Amy	TT	16225
13. Marchese, Laura Diane	TT	16226
14. Miller, Tammy L	TT	16227
15. Rainey, Deanna	TT	16228
16. Nin Martinez, Pedro	TT	16229
17. D'Meza, Evens Cliff	TT	16230
18. Cruz, Edgar	TT	16231
19. Martinez, Jesus I	TT	16232
20. Hill-Williams, Ashley Nicole	TT	16233
21. Morales Cotto, Adamel	TT	16234
22. Link, Jason	TT	16235
23. Waxman, Jonathan J	TT	16236
24. Buchanan, James Wesley	TT	16237
25. Serrano, Milena Patricia	TT	16238
26. Eidel, Timothy Dean	TT	16239
27. Mccann, Schaeffer Kowalska	TT	16240
28. Perrault, Alain	TT	16241
29. Barona, Aracelis A	TT	16242
30. Oliver, Alex Lee	TT	16243
31. Johnson, Destiny	TT	16244
32. Parker, Patrice Nicole	TT	16245
33. Rivera, Adalberto	TT	16246
34. Agular, Ana Esperanza	TT	16247

**REGISTERED RESPIRATORY THERAPISTS
LIST FOR RATIFICATION**

1. Redditt, Pam Ann	RT	15525
2. Leal, Royce Jason	RT	15528
3. Laird, Kathryn Marie	RT	15529
4. Perez, Joseph	RT	15530
5. Workman, Joanna	RT	15531
6. Jones, Kanasha	RT	15532
7. Kikhia, Maleha Mohamed	RT	15533
8. Langer, Mona	RT	15534
9. Villela, Rafael Lopes	RT	15535
10. Spicer, Abigail M	RT	15536
11. Mathew, Saly	RT	15537
12. Schenstrom, Julie Christine	RT	15538
13. Tannis, Alicia	RT	15539
14. Gentry, Joshua David	RT	15540
15. Adams, Joshua Nathaniel	RT	15542
16. Branch, Joy Lanette	RT	15543
17. Buchanon, Ayla	RT	15544
18. Hull, Clarence	RT	15545
19. Matos Rodriguez, Valery Elysse	RT	15546
20. Leyton, Lizbeth	RT	15547
21. Springer, Whitney Hope	RT	15548
22. Hood, Derrick Lowell	RT	15549
23. Wiggins, Carla Gautney	RT	15550
24. Garcia, Alvaro Javier	RT	15551
25. Odom, Ciara Love	RT	15552
26. Smith, Carol	RT	15553
27. Estrada, Gloria	RT	15554
28. Anderson, Eva	RT	15555
29. Owens, Venus	RT	15556
30. Waheed, Qaid Ibnnajee	RT	15557
31. Douglas, Mary Ann	RT	15558
32. Blanchard, Kacee Lee	RT	15559
33. Thernelus, Samuel	RT	15560
34. Trinh, Oanh	RT	15561
35. Brown, Lovetta	RT	15562
36. Yonker, Amber Marie	RT	15563
37. Smith, John Kurt	RT	15565
38. Dees, Amy Jo	RT	15566
39. Dschaak, Travis Howard	RT	15568
40. Jean, Marc Andre	RT	15569
41. Dooley, Stephen Paul	RT	15570
42. Rosales, Edgar	RT	15571
43. Colon, Eddie A	RT	15572
44. Wehling, Lisa Marie	RT	15573
45. Fields, Mallorie	RT	15574

46. Chooquan, Anthony	RT	15575
47. Brazzell, James Kenneth	RT	15576
48. Hildreth, Jennifer	RT	15577
49. Link, Lisa Kerr	RT	15578
50. Phillips, Jacqueline Marie	RT	15579
51. Davis, Trey Allen	RT	15580
52. Stevens, Laquinta	RT	15581
53. Kriete, Jennifer D	RT	15582
54. Ruggio, James M	RT	15583
55. Steiner, Joseph Roby	RT	15584
56. Spearman, Kawanis	RT	15585
57. Moore, Rayna Nicole	RT	15586
58. Hudson, Melinda	RT	15587
59. Kraponick, Derek	RT	15588
60. Dejesus, Lisa	RT	15589
61. Swan, Amber	RT	15590
62. Hoffman, Eleanor Marie	RT	15591
63. Carrillo, Andrew	RT	15592
64. Herz, Paul	RT	15593
65. Louis-Charles, Jean-David	RT	15594
66. Hyatt, Samuel Dale	RT	15595
67. Vedrine, Regina	RT	15596
68. Finch, Timothy	RT	15597
69. Long, William	RT	15598
70. Tillman, Kaitlin Adina	RT	15599
71. Armour, Erica Hayleigh	RT	15600
72. Krueger, Tammy K	RT	15601
73. Zaky, Brahim	RT	15602
74. Burgess, Civi S	RT	15603
75. Butler, Christina A	RT	15604
76. Rehmsmeyer, Daniel R	RT	15605
77. Sanders, Tracy	RT	15606
78. Singh, Iqbal	RT	15607
79. Wandstrat, Theresa Kay	RT	15608
80. Belew, Suzanne Lacroix	RT	15609
81. Ziner, Jennifer	RT	15610
82. Cole, Kelly	RT	15611
83. Dull, Sarah Marie	RT	15612
84. Wallace, Katie	RT	15613
85. Rios, Ryan Lee	RT	15614
86. Hippolyte, Lessinor	RT	15615
87. Evans, Brandon	RT	15616
88. Gibbs, Lauren	RT	15617
89. Irvine, Anne M	RT	15618
90. Dykens, Sandra Jean	RT	15619
91. Aranda, Mary Beth	RT	15620
92. Gonyea, Rodney	RT	15621
93. Pilla, Jeffrey V	RT	15622
94. Scott, Jacob	RT	15623
95. Chevannes, Asher Antonio	RT	15624

96. Hernandez, Alexander Rolando	RT	15625
97. Winter, Tricia Jane	RT	15626
98. Shelby, Haley	RT	15627
99. Saintlouis, Doris	RT	15628
100. Ens, Robin Glynnelle	RT	15629
101. Howerton, Ashley	RT	15630
102. Vilaire, John Raymond	RT	15631
103. Weldon, Terry Lee	RT	15632
104. Reeves, Todd Curtis	RT	15633
105. Ford, Kraig Patrick	RT	15634
106. Dixon, Amber	RT	15635
107. Harris, Maryann	RT	15636
108. Trappio, Kevin	RT	15637
109. Khan-Westlund, Kathleen	RT	15638
110. Nguyen, Shaun Quy	RT	15639
111. Mahony, Lourdes M	RT	15640
112. Bailey, Darian Jamal	RT	15641
113. Smith, Megan Jennifer	RT	15642
114. Esposito, Mark Anthony	RT	15643
115. Lopez, Eraldo	RT	15644
116. Rivers, Deborah Eileen	RT	15645
117. Rose, Julie Anne	RT	15646
118. Milfort, Oksana	RT	15647
119. Johnson, Jan	RT	15648
120. Rodriguez, Eric	RT	15649
121. Beaston, Zachary Patrick	RT	15650
122. Castignoli, Megan	RT	15651
123. Johnson, Stephanie Denise	RT	15652
124. Caras, Sara E	RT	15653
125. Picou-Wilder, Joline Nicole	RT	15654
126. Bravo, Vivian Natalia	RT	15655
127. Roberts, Kelli Courtney	RT	15656
128. McCormick, Aaron Thomas	RT	15657
129. Otto, Theresa	RT	15658
130. Flores, Maria G	RT	15659
131. James, Alexis	RT	15660
132. Randle, Porsha Nashay	RT	15661
133. Falcon, Katherine	RT	15662
134. Gloster, Debrisha	RT	15663
135. Stennett, Garrett Tucker	RT	15664
136. Opela, Jean M	RT	15665
137. Ramsey, Tiarra	RT	15666
138. Hilaire, Jean Paul	RT	15667
139. Nichols, Edward	RT	15668
140. Zerr, Josef Patrick	RT	15669
141. Bloedorn, Daniel Louis	RT	15670
142. Toothman Iii, Robert L	RT	15671
143. Lloyd, Paul Orion	RT	15672
144. Watson, Nicole Elaine	RT	15673
145. Thies, Stephanie Anne	RT	15674

146.	Mendicino-Daly, Michele Rose	RT	15675
147.	Rivers, Tonya Brookins	RT	15676
148.	Vrablic, Hugh Martin	RT	15677
149.	Donahue, Maureen Nicola	RT	15678
150.	Coe, Michael Allen	RT	15679
151.	Paba, Claudia	RT	15680
152.	Ruiz, Joshua Allen	RT	15681
153.	Bennett, Alicia Denise	RT	15682
154.	Davies, Hannah Eloise	RT	15683
155.	Reimer, Elca	RT	15684
156.	Surges, Thomas Joseph	RT	15685
157.	Hand, Nicholas P	RT	15686
158.	Suddeth-Moh, Holly Kay	RT	15687
159.	Mu, Ying	RT	15688
160.	Culey, Bridget Veronica	RT	15689
161.	Rivera, Carmen Gloria	RT	15690
162.	Murray, Sarah	RT	15691
163.	Joseph, Taquisha	RT	15692
164.	Kucharas, Chastity Ann	RT	15693
165.	Kuhl, Patricia E	RT	15694
166.	Henriquez, Raul Fernando	RT	15695
167.	Frazier, Meredith Rene	RT	15696
168.	Manning, Tawnya Laree	RT	15697

**EXEMPTIONS FOR DISQUALIFICATION FROM EMPLOYMENT
FOR RATIFICATION**

The board has delegated authority to staff to administratively review and approve exemption applications that meet certain criteria. The list of administratively approved exemptions is included for ratification.

- | | |
|-------------------|---------|
| 1. Donald Hill | RT9815 |
| 2. Sherry Crowder | TT12715 |

**NEW BOARD APPROVED CONTINUING EDUCATION PROVIDERS
FOR RATIFICATION**

<u>Provider name</u>	<u>Provider number</u>
1. Concierge Nursing Services LLC	50-17866