

# Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of April 20, 2017

**Board Members Present:**

Board Chairman: Tracy Cagan, RCP  
Vice Chairman: Jose Gonzales, RCP  
Kathy Rineer, RCP  
Michelle O'Hair-Schattenberg, Esq.  
Alan Crawford, RCP

**Board Members Absent:**

**Staff Present:**

Executive Director:  
Jack Confer  
Investigator:  
David Geriminsky  
Licensing Specialist:  
Kathy Stone

**Legal Counsel Present:**

Frankie Shinn-Eckberg, AAG

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# Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of April 20, 2017

## CALL TO ORDER

The Meeting was called to order at 9:04AM by Board Chairman Cagan.  
A 8 minute break was taken at 10:07AM

## CONSENT AGENDA

There being no items requested to be removed, a motion was made to approve all items on the Consent Agenda.

**MOTION:** Board Vice Chairman Gonzales to approve with one change. Seconded by Board Member Crawford.

**VOTE:** Motion passed (5-0).

## C-1 APPROVAL OF MINUTES

Recommended for Approval

Regular Session Minutes from March 30, 2017 meeting.  
Executive Session Minutes from March 30, 2017 meeting.

## C-2 ACTION ON APPLICATIONS FOR LICENSURE

Recommended for approval by the Executive Director

Sike Azu-Ironi	Garrett Bennion	Dustin Britt	Jamie Chandra
Joshua Cunningham	Terrence Edgar	Jeremy Freeman	Andre Peterson, Jr.
Mario Salalila	Rachel Sampson	Billy Thompson	Josef Zerr

## C-3 ACTION ON ADMINISTRATIVE CLOSURE OF APPLICATION FILES

Recommended for closing of application files

Pam Redditt	Craig Wagner	Heidi Wilde
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#### **C-4 ACTION ON ADMINISTRATIVE CLOSURE OF 90-DAY INACTIVE FILES**

Recommended for closing of inactive files

Jean Graham  
Louise Muir  
Ladonna Wooliver

Rockey Keovorabouth  
Jennifer Muse

Patricia Lucas  
Julio Quintero

Adam Meyer  
Vanessa Simpson

#### **C-5 ACTION ON NOTICES OF LICENSE EXPIRATIONS**

Recommend sending notice of license expirations to the following individuals:

Tammy Buck  
Syd Nessary  
Brittanie Smith

Brandie Dempsay  
Mary Pallagi  
Margaret Storm

April Grice  
Ernest Parsons

Megan Jacobs  
Dana Scherff

#### **C-6 ACTION ON RATIFICATION OF RENEWAL OF LAPSED LICENSES**

Recommended to ratify licenses issued by the Executive Director to individuals who met requirements for renewal

Guadalupe Arnet

Brandon Burney

Ejro Obayomi

#### **C-7 DISCUSSION/ACTION ON RATIFICATION OF CONSENT AGREEMENTS**

#### **C-8 ESTABLISH DATE AND TIME OF NEXT BOARD MEETING**

Scheduled date of next Board meeting

Thursday, June 15, 2017 at 9:00AM.

## REGULAR AGENDA

### R-1 DISCUSSION/ACTION ON ITEMS REMOVED FROM THE CONSENT AGENDA

### R-2 CONSIDERATION AND ACTION ON FORMAL COMPLAINT HEARINGS PURSUANT TO A.R.S. § 32-3553(H)

1. Townsend, Jaiah Case Number C003717-17-009965 [9:45AM]  
Chairman Cagan announced the case and commenced the interview at 9:54AM. RCP Townsend was not present. Assistant Attorney General, Frankie Shinn-Eckberg represented the State of Arizona in this proceeding. Assistant Attorney General, Mary Williams appeared as the Independent Advisor to the Board.

**MOTION:** Board Member O’Hair-Schattenberg to deem the Factual Allegations. Seconded by Board Vice Chairman Gonzales.

**VOTE:** Motion passed (5-0).

**MOTION:** Board Member O’Hair-Schattenberg to adopt Findings of Fact and Conclusions of Law. Seconded by Board Vice Chairman Gonzales.

**VOTE:** Motion passed (5-0).

**MOTION:** Board Member Crawford to revoke license. Seconded by Board Vice Chairman Gonzales.

**ROLL CALL VOTE:** Motion passed (5-0).

### R-3 REVIEW, CONSIDERATION AND POSSIBLE ACTION ON A PRIOR BOARD DECISION

1. Petkovic, Elma Case Number C003571-16-007395  
Chairman Cagan announced the case. RCP Petkovic was present and represented by Michael J. Ryan, Esquire. Investigator Geriminsky presented a summary of the case.

**MOTION:** Board Member O’Hair-Schattenberg to Executive Session 9:25AM – 9:27AM to obtain legal advice. Seconded by Board Vice Chairman Gonzales.

**VOTE:** Motion passed (4-0). Board Member Cagan was recused.

The Board reconvened Regular Session at 9:28AM.

**MOTION:** Board Member O’Hair-Schattenberg to uphold the Board’s previous decision. Seconded by Board Member Rineer.

**ROLL CALL VOTE:** Motion passed (4-0). Board Member Cagan was recused.

**R-4 CONSIDERATION AND ACTION ON INFORMAL INTERVIEWS PURSUANT TO A.R.S. § 32-3553(G)**

1. Garcia Esquivel, Osvaldo Case Number C003692-17-011742  
Chairman Cagan announced the case and commenced the interview at 10:00AM. RCP Garcia Esquivel was present. Investigator Geriminsky presented a summary of the case.

**MOTION:** Board Member Rineer to dismiss. Seconded by Board Member O’Hair-Schattenberg.

**VOTE:** Motion passed (4-0). Board Member Crawford was recused.

**R-5 CONSIDERATION AND ACTION ON INVESTIGATIONS OF POSSIBLE UNPROFESSIONAL CONDUCT**

1. Ross, Shannon Case Number C003742-17-006632  
Chairman Cagan announced the case. RCP Ross was present. Investigator Geriminsky presented a summary of the case.

**MOTION:** Board Member O’Hair-Schattenberg to issue a non-disciplinary order with \$250.00 civil penalty for failure to report incident within statutory timeframe to be paid within 90 days. Seconded by Board Member Rineer.

**VOTE:** Motion passed (5-0).

2. Sedillos, Cynthia Case Number C003700-17-010228  
Chairman Cagan announced the case. RCP Sedillos was not present. Investigator Geriminsky presented a summary of the case.

**MOTION:** Board Member O’Hair-Schattenberg to issue a Letter of Concern for No Call/No Show on scheduled shifts. Seconded by Board Member Rineer.

**VOTE:** Motion passed (4-0). Board Member Crawford did not vote.

3. Peralta, Kim Case Number C003744-17-010689  
Chairman Cagan announced the case. RCP Peralta was present. Investigator Geriminsky presented a summary of the case.

**MOTION:** Board Member Crawford to issue a non-disciplinary Letter of Concern for failure to maintain a professional

conduct when communicating with a patient. Seconded by Board Vice Chairman Gonzales.

**VOTE:** Motion passed (4-0). Board Member Cagan was recused.

**Cases Recommended for Dismissal/Referral**

4. Young, Carol Case Number C003753-17-009822  
Chairman Cagan announced the case. RCP Young was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

**MOTION:** Board Member Crawford to dismiss. Seconded by Board Member Rineer.

**VOTE:** Motion passed (5-0).

5. Johnson, Mary Case Number C003733-17-007559  
Chairman Cagan announced the case. RCP Johnson was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

**MOTION:** Board Member O'Hair-Schattenberg to dismiss. Seconded by Board Member Rineer.

**VOTE:** Motion passed (5-0).

**R-6 CONSIDERATION, REVIEW, DISCUSSION AND POSSIBLE ACTION ON REQUEST TO REOPEN AN INVESTIGATION**

1. Tena, Daniel Case Number C003653-17-007226  
Chairman Cagan announced the case. RCP Tena was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

Close the file.

**R-7 DISCUSSION/ACTION ON EXECUTIVE DIRECTOR'S REPORT**

Updates were given by Jack Confer, Executive Director; David Geriminsky, Investigator and Kathy Stone, Licensing Specialist.

1. Application, Investigation & Probation Reports
2. Cash Flow Statement, March 2017
3. Fingerprinting Policy (Discussion, Action & Possible Vote)

**MOTION:** Board Member Crawford to approve policy. Seconded by Board Vice Chairman Gonzales.

**VOTE:** Motion passed (5-0).

4. Letter of Completion, Definition of Graduation (Discussion, Action & Possible Vote)
5. Confidential Rehabilitation Program Policy (Discussion, Action & Possible Vote)

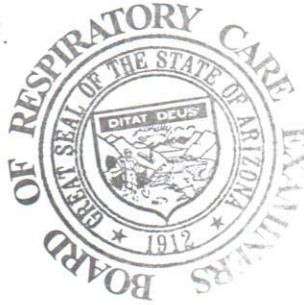
**R-8 CALL TO THE PUBLIC**

**R-9 ITEMS TO BE PLACED ON A FUTURE AGENDA**

**R-10 ADJOURNMENT**

Board Chairman Cagan adjourned the meeting at 11:14AM.

Dated this 20th day of April 2017.



A handwritten signature in blue ink, appearing to read "Jack Confer", written over a horizontal line.

Jack Confer  
Executive Director

FINAL