

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of February 16, 2017

Board Members Present:

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

Board Members Absent:

Alan Crawford, RCP

Staff Present:

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

Legal Counsel Present:

Frankie Shinn-Eckberg, AAG

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of February 16, 2017

CALL TO ORDER

The Meeting was called to order at 9:00AM by Board Chairman Cagan.
A 5 minute break was taken at 10:17AM.

CONSENT AGENDA

There being no items requested to be removed, a motion was made to approve items C1 – C7 on the Consent Agenda.

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

VOTE: Motion passed (4-0).

C-1 APPROVAL OF MINUTES

Recommended for Approval
Regular Session Minutes from January 19, 2017 meeting.

C-2 ACTION ON APPLICATIONS FOR LICENSURE

Recommended for approval by the Executive Director

Anna Aguilera	Kaylyn Atene	Henry Brew	Terri Burbank
Erin Carter	Allison Chiardio	Tara Chung	Gary Cortez
Dereck Faull	Laura Garrity	Brayam Guereca Vega	Diana Hale
Theda Hale	Taylor Houlihan	Orlando Jimenez	Anthony Labriola
Theresa Lubrica	Jaime Mattos	Kelley Quella	Caitlyn Shepherd
Joshua Smith	Samuel Taylor	Tiffany Trout	Evelyn Ward
Tiara Washington	Kathy Weber	Dennis Wilson	Christina Wilson

C-3 ACTION ON ADMINISTRATIVE CLOSURE OF APPLICATION FILES

Recommended for closing of application files

Britney Bryant	Anthony Diaz	Gina Herchenhahn	Nikole Hulsey
Tyler Schnepf	Bradley Sorenson		

C-4 ACTION ON ADMINISTRATIVE CLOSURE OF TWO-YEAR INACTIVE FILES

Recommended for closing of inactive files

Joseph Abney	Jojuana Allen	Ali Amanat	Susan Anderson
Joe Anderson	Larry Anderson	Mark Anderson	Michael Anderson
Katalina Aregullin	Tami Argo-Ray	David Aries	MARY Arrison
David Ascencio	David Bacon	Matthew Barnes	Jeanne Bartfai
Iralee Basile-Beck	Kerrin Beaufeaux	Nancy Becker	Michael Beckham
Andrea Bedker	Bernice Benally	Cheryl Benally	Kimberly Benya
Mary Bigley	Yvette Binns	Daniel Blair	Curtis Blakley
Mark Blythe	Catherine Bobik	John Bond	Christine Bonipart- Johnson
Frank Bostwick	Catherine Bowen	Jason Bradford	Lyndon Bradshaw
James Bradshaw	Amy Branen	Jodi Brigola	Aniceto Brigola
Chester Brock	Deanna Brooks	Deborah Brower	Adam Brown
Anne Brown	Debbie Brown	Janice Brown	Robert Brown
Amanda Brownlee	Kristina Buck	Jeneiveve Buelna	Alvin Buenaventura
Carmelita Burdick	Janice Burns	Tiffany Burriss	Jeremy Busche
Christopher Butts	Veronica Campuzano	Jay Cantiberos	Casey Carter
James Carwile	Devin Casto	Robert Cathey	Albert Cerullo
Carolyn Chacon	Marcus Chavez	Alexandria Cheek	Robert Cheever
Adriana Christensen	Margaret Christman	Filip Chudziak	Betsy Cisson
Karrie Clark	Emily Cline	Robert Clonts	Troy Coates
William Cohagen	Christina Collins	John Conniff	Karalyn Corder
Charles Cox	Ronald Crandell	Steven Crismon	Leslie Croy
Darick Curls	Robin Cypress	Paul Daniels	Christina Davidson
Ronald Davidson	Charles Davis	Timothy Davis	Laura Davis
Alex Day	Shannon De Laney	Lorinda De Long	Lori Dehass
Tatia Depass	Suchanart DePaul	Tammy Detwiler	Dara Diamond
Jesse Diaz	Michael DiGregorio	Lawrence Dobbins	Susan Donovan
Lisa Drexler	John Durbano	Michael Dvet	Joy Eckley
Dolores Edmonds	Kevyn Elkins	Christopher Ellis	Janice Elmore
Marisela Escobar	Yasmin Etebar	Lisa Fagerberg-Duschl	Brandon Faris
Cody Feldman	Cecilia Ferguson	Michael Field	Juana Flores
Leonard Flores	Lily Jean Flowers	Jenna Forsythe	Kathleen Freeman
Veronica Gassmann	Stephanie Gayden	Eric George	Matthew Gervais
Daryl Gillette	April Gilmore	Paula Gipson	Corie Goetzenberger
Anna Gonzales	Brian Gosney	Crystal Gower	Kenneth Grates
Douglas Grigsby	Josephine Guevarra	Raquel Gutierrez	Laura Hadley
Deborah Hale	Laree Hall	Michael Hall	Joel Hansen
Robert Hanson	Thomas Hanson	Terry Hapala	Elizabeth Harman
Shauna Harris	Bryce Hawkes	Holly Hellin	Bryan Henderson
Richard Henigan	William Henning	Dale Hewin	Nancy Hibbert
Mark Hibbert	Harold Hibner	Gladys Hillebrand	H. Elizabeth Hinton
Samantha Hoffman	Charles Hughes	Laura Hulse	Teresa Hunt
Kyle Hurst	Frasha Hussain	Elizabeth Ibarra	Melanie Icard
Ryan Ireland	Amy Jackson	Jonathan Jacob	Darryl Jakes
Elizabeth Jansen	David Jimenez	Kim Johson	Frances Jones
Anastacia Joyce	Kelly Kastner	Catherine Kelly	Richard Kitzberger
Fredrick Knarr	Douglas Krawiec	Sharon Kristick	Richard Kruszewski

Mikel Kuhn	Donald Kuhnz	Nancy Kuykendall	Jennifer LaBelle
Susan Lambrelli-Carter	Andrea Larson	Michelle Lattie	Anna Lee
Craig Lee	Brittany Lehrman	Robert Leitz	Keith Lenox
Ruth Limes-Jimenez	Melissa Lindgren	Laura Lizarraga Ruiz	Joan Loewen
Susan Lohse	Rachel Luca	Nghia Ly	Gary Lynch
Christine MacGlashan	Enok Madrigal	Eric Magofna	Jeovana Malpica Garcia
Shannon Mangum	Margaret Mansfield	Gary Marker	Tina Marler
Larry Martel	Ace Martin	Aurelian Matei	Kimberly Maurer
Beverly Maynard	Harold McAlpine	Marcia McCutchen	Robert McKay
Kristin McKee	David McManamen	Anna McMurtry	Heather McNorton
Mark Meins	Tina Mejia	Cynthia Mercado	Mindy Merritt
Genesis Meyer	Kellee Mikac	Kevin Miller	Amanda Miron
John Mitchell	Cynthia Molle	Sheryl Moneymaker	Nancy Moore
Grace Morales	Lynn Morhardt	Anthony Morina	Cecil Morrison
Elizabeth Morton	Rebecca Moysey	Cindy Munoz	Frank Munoz
Linda Myers	Dustin Napier	Leticia Napoles	Marc Nardone
Lupita Neustaedter	Mia Nolen	Rachel Nunez	Vivian Oden
Melissa Offutt	Winford O'Gorman	Marilyn Olson	Gwendolyn O'Neil
Laura Oney	Linda Ozarhevcici	Charles Padgett	Elizabeth Page
Shawn Pattie	Toni Pattison-Krein	John Peart	Francisco Pena
Kami Perry	John Perschino	Sandy Phan	Todd Phelan
Kathleen Pierce	Abraham Pimentel	Rhonda Plait	Katie Rambo
Daniel Ramos	Madeline Ramsey	Robert Rapp	Ashley Ray
Bunny Rayburn	Dawn Reaves	Rita Reichelt	Susan Reily
Douglas Reinertson	Jori Rex	Jamie Riddle	Kevin Rippey
Ralph Rivera	Jami Roberts	Erin Robertson	John Robles
Terresa Rodriquez	Christine Rogers	David Rolando	Michael Rossi
Harold Roush	Deborah Rov	Jody Rubin	Lottie Rupp
Mary Rush	Karen Saige	Sandra Santilli	Steven Saunders
William Sayers	Cynthia Schilt	Rachelle Schrader	Matthew Schubert
Trevor Searls	James Sederstrom	Lindsey Seilinger	Penny Shafer
Scott Sharick	Loran Sherman	Richard Sierras	Desiree Sifuentes
Hinde Silver	Casey Simon	Amarjit Singh	J.L. Skelton
Cynthia Smathers	Bobby Smith	Justin Smith	Stefan Snyder
Shahab Sobhanian	Elise Soza	John Spahr	Laura Spencer
Tammy Spivey	Daniel Sponagle	Korine St. George	John Stanchfield
Allen Stanton	Stephanie Starzl	Ivy Stawderman	Jessica Steed
Paul Stoehr	Lisa Stoller	Samantha Strickland	Michelle Sweeney
Esther Szmutki	Pramod Tailor	Craig Tambatamba	Samuel Tetrault
Jinelle Thatcher	Lana Therio	Billy Thompson	Darlene Thompson
Misty Thompson	Mary Trevizo	Jason Trinklein	Mark Tucker
Betty Tyree	Kathy Usry	Joe Valles	Brianne Van Der Griend
Jeremy Van Wolferen	Sylvia Vansickle-Stong	Felix Vasquez	Victor Vega
Noemi Velasco	Michael Verardi	Joanie Vrbanic	Cindy Vu
Steven Walker	Rebel Wallace	Shannen Walsh	April Ward
Leila Ward	Patricia Ward	Brittany Washington	Dan Watson
Kathy Weber	Jill Weeks	Regina Wegman	Cynthia Weidner
Melissa Wells	Otto Werner	Brenda Whiting	Randy Whitsitt
Erica Williford	Derik Wooddell	Jonathan Worley	Dale Wright
Daniel Wright	Shirl Yergler	Rebecca Yonamine	Jeffrey Young
Eugene Zarzecki			

C- 5 ACTION ON NOTICES OF LICENSE EXPIRATIONS

Recommend sending notice of license expirations to the following individuals:

Misty Black	Sabastian Brown	Jodi Dickson	Donald Drummond
Romel Fortich	Samantha Gadesaude	Leland Hall	Marisa Keeley
David McGhee	Nicholas Navarrette	Elizabeth Shah	Stacey Smith
John-Mark Steubing	Calvin Thomas	Oskar Velazquez	Jessica Yackle
Carol Young			

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

Sarah Sanchez	Breanna Sayers	Sheree Tope	Randall Wolfe
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C-7 DISCUSSION/ACTION ON RATIFICATION OF CONSENT AGREEMENTS

1. Jensen, Paige Case Number C003620-17-005328
2. Hernandez, Kim Case Number C003619-17-007586

C - 8 ESTABLISH DATE AND TIME OF NEXT BOARD MEETING

Due to lack of quorum, the meeting date will need to be changed.

Scheduled date of next Board meeting

Thursday, March 30, 2017 at 9:00AM.

REGULAR AGENDA

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

R-2 CONSIDERATION, REVIEW, DISCUSSION AND POSSIBLE ACTION ON PROPOSED CONSENT AGREEMENT

1. Reed, Parker Case Number C003704-17-010812
P001094-15-010812

Chairman Cagan announced the case. RCP Reed was present and represented by Robert Chelle, Esquire. Frankie Shinn-Eckberg, Assistant Attorney General presented a summary of the case.

MOTION: Board Member O'Hair-Schattenberg to approve the proposed consent agreement. Seconded by Board Vice Chairman Gonzales.

VOTE: Motion passed (4-0).

R-3 CONSIDERATION AND ACTION ON APPLICATION INTERVIEWS

1. Menard, Barry Case Number C003702-17-012171

Chairman Cagan announced the case and commenced the interview at 10:20AM. RCP Menard was present. Investigator Geriminsky presented a summary of the case. RCP Menard addressed the Board members regarding the matter.

MOTION: Board Vice Chairman Gonzales to deny the license.

VOTE: Motion withdrawn.

MOTION: Board Member O'Hair-Schattenberg to grant the license. Seconded by Board Member Rineer.

VOTE: Motion tied (2-2). Board Chairman Cagan and Board Vice Chairman Gonzales voted nay.

MOTION: Board Member Rineer to grant the license. Seconded by Board Member O'Hair-Schattenberg.

VOTE: Motion passed (3-1). Board Vice Chairman Gonzales voted nay.

R-4 CONSIDERATION AND ACTION ON INVESTIGATION OF POSSIBLE UNPROFESSIONAL CONDUCT AND PROBATION VIOLATION & POSSIBLE SUMMARY SUSPENSION PURSUANT TO A.R.S. 32-3553(E)

1. Caravella, Joseph Case Number C003697-17-009796

Chairman Cagan announced the case. RCP Caravella was not present. Investigator Geriminsky presented a summary of the case.

MOTION: Board Member O'Hair-Schattenberg to issue an emergency Summary Suspension of License because it

is imperative that Board protects the publics' health safety and welfare. Seconded by Board Vice Chairman Gonzales.

ROLL CALL VOTE: Motion passed (4-0).

2. Hernandez, Lindsey Case Number C003657-17-008150
Chairman Cagan announced the case. RCP Hernandez was not present. Investigator Geriminsky presented a summary of the case.

MOTION: Board Member O'Hair-Schattenberg to issue an emergency Summary Suspension of License because it is imperative that Board protects the publics' health safety and welfare. Seconded by Board Vice Chairman Gonzales.

ROLL CALL VOTE: Motion passed (4-0).

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

1. Garcia-Esquivel, Osvaldo Case Number C003692-17-011742
Chairman Cagan announced the case. RCP Garcia Esquivel was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

MOTION: Board Vice Chairman Gonzales to Summarily Suspend the license.

VOTE: Motion withdrawn.

MOTION: Board Member O'Hair-Schattenberg to move this matter to an Informal Interview. Staff to request a BFT/Hair test from RCP. Seconded by Board Chairman Cagan.

VOTE: Motion passed (4-0).

2. Malone, Jennifer Case Number C003688-17-009829
Chairman Cagan announced the case. RCP Malone was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

MOTION: Board Member O'Hair-Schattenberg to dismiss. Seconded by Board Vice Chairman Gonzales.

VOTE: Motion passed (4-0).

3. Hall, Cameron Case Number C003487-16-007962
Chairman Cagan announced the case. RCP Hall was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

MOTION: Board Member O’Hair-Schattenberg to rescind order for Formal Hearing. Seconded by Board Member Rineer.
VOTE: Motion passed (4-0).

MOTION: Board Member O’Hair-Schattenberg to Executive Session 11:40AM – 11:45AM for legal advice. Seconded by Board Member Rineer.

The Board reconvened Regular Session at 11:46AM.

MOTION: Board Member O’Hair-Schattenberg to dismiss. Seconded by Board Member Rineer.
VOTE: Motion passed (4-0).

4. Lesperance, Jobe Case Number C003689-17-005626
Chairman Cagan announced the case. RCP Lesperance was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Lesperance addressed the Board Members regarding the matter.

MOTION: Board Member O’Hair-Schattenberg to dismiss. Seconded by Board Vice Chairman Gonzales.
VOTE: Motion passed (4-0).

5. Lopez, Henry Case Number C003660-17-010303
Chairman Cagan announced the case. RCP Lopez was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Lopez addressed the Board Members regarding the matter.

MOTION: Board Vice Chairman Gonzales to dismiss. Seconded by Board Member O’Hair-Schattenberg.
VOTE: Motion passed (4-0).

6. Hughey, Renee Case Number C003699-17-007084
Chairman Cagan announced the case. RCP Hughey was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Hughey addressed the Board Members regarding the matter.

MOTION: Board Member O’Hair-Schattenberg to issue non-disciplinary Letter of Concern for delivering medication to a patient without a doctor’s order. Seconded by Board Member Rineer.

VOTE: Motion passed (3-1). Board Vice Chairman Gonzales voted nay.

7. Lowe, Andrew Case Number C003651-17-007354
Chairman Cagan announced the case. RCP Lowe was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Lowe addressed the Board Members regarding the matter.

MOTION: Board Member Board Vice Chairman Gonzales to dismiss. Seconded by Board Member Rineer.

VOTE: Motion passed (4-0).

Cases Recommended for Dismissal

8. Smith, Brad Case Number C003658-17-002919
Chairman Cagan announced the case. RCP Smith was 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 (4-0).

R-6 CONSIDERATION AND ACTION ON INVESTIGATION OF POSSIBLE UNPROFESSIONAL CONDUCT AND PROBATION VIOLATION

1. Baker, Christian Case Number C003712-17-009522 & P001174-17-009522
Chairman Cagan announced the case. RCP Baker was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

MOTION: Board Member O'Hair-Schattenberg to move this matter to a Formal Hearing and authorize staff to enter into a consent agreement for Decree of Censure in lieu of an administrative hearing. Seconded by Board Vice Chairman Gonzales.

VOTE: Motion passed (4-0).

2. Carter, Peter Case Number C003713-17-002445 & P001152-17-002445
Chairman Cagan announced the case. RCP Carter was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

MOTION: Board Member O'Hair-Schattenberg to move this matter to a Formal Hearing and authorize staff to enter into a consent agreement for Decree of Censure in lieu of an administrative hearing. Seconded by Board Vice Chairman Gonzales.

VOTE: Motion passed (4-0).

3. Leifried, Christina Case Number C003719-17-011003 & P001164-17-011003
Chairman Cagan announced the case. RCP Leifried was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

MOTION: Board Member O’Hair-Schattenberg to move this matter to a Formal Hearing and authorize staff to enter into a consent agreement for Decree of Censure in lieu of an administrative hearing. Seconded by Board Vice Chairman Gonzales.

VOTE: Motion passed (4-0).

4. Limon, James Case Number C003720-17-001205 & P001134-16-001205
Chairman Cagan announced the case. RCP Limon was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

MOTION: Board Member O’Hair-Schattenberg to move this matter to a Formal Hearing and authorize staff to enter into a consent agreement for Decree of Censure in lieu of an administrative hearing. Seconded by Board Vice Chairman Gonzales.

VOTE: Motion passed (4-0).

5. McMinn, Laura Case Number C003715-17-011243 & P001149-17-011243
Chairman Cagan announced the case. RCP McMinn was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

MOTION: Board Member O’Hair-Schattenberg to dismiss. Seconded by Board Vice Chairman Gonzales.

VOTE: Motion passed (4-0).

6. Navarette, Nicholas Case Number C003716-17-007402 & P001183-17-007402
Chairman Cagan announced the case. RCP Navarette was present. Investigator Geriminsky reviewed the allegations for the Board Members.

MOTION: Board Member Vice Chairman Gonzales to move this matter to a Formal Hearing and authorize staff to issue a Letter of Concern. Seconded by Board Member O’Hair-Schattenberg.

VOTE: Motion withdrawn.

MOTION: Board Member O’Hair-Schattenberg move this matter to a Formal Hearing, authorize staff to settle payment of fine and enter into a consent agreement for Decree of Censure in lieu of an administrative hearing. Seconded by Board Member Rineer.

VOTE: Motion passed (3-1). Board Member Vice Chairman Gonzales voted nay.

7. Townsend, Jaiah Case Number C003717-17-009965 & P001181-17-009965
Chairman Cagan announced the case. RCP Townsend was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

MOTION: Board Member O'Hair-Schattenberg to move this matter to a Formal Hearing and authorize staff to enter into a consent agreement for Decree of Censure in lieu of an administrative hearing. Seconded by Board Vice Chairman Gonzales.

VOTE: Motion passed (4-0).

8. Watson, Jonathan Case Number C003718-17-009939 & P001172-17-009939
Chairman Cagan announced the case. RCP Watson was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

MOTION: Board Member O'Hair-Schattenberg to move this matter to a Formal Hearing and authorize staff to enter into a consent agreement for Decree of Censure in lieu of an administrative hearing. Seconded by Board Vice Chairman Gonzales.

VOTE: Motion passed (4-0).

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 September & Appropriation Summary January FY2017
3. Legislation Update (Possible Discussion, Action & Vote)
4. Board Policy for Notification of Disciplinary Actions to Employers (Possible Discussion, Action & Vote)

R-8 CALL TO THE PUBLIC

None

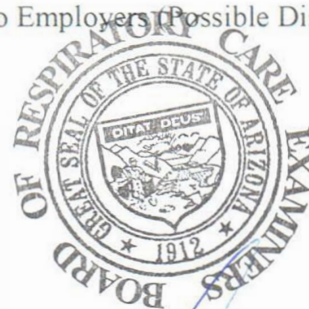
R-9 ITEMS TO BE PLACED ON A FUTURE AGENDA

None

R-10 ADJOURNMENT

Board Chairman Cagan adjourned the meeting at 12:14PM.

Dated this 21st day of February 2017.



[Handwritten signature]

 Jack Confer, Executive Director