

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of January 17, 2019

Board Members Present:

Board Chairman: Tracy Cagan, RCP
Vice Chairman: Jose Gonzales, RCP
Michelle O’Hair-Schattenberg, Esq.
Alan Crawford, RCP
Michael Beller, Public Member
Leslie Easley, Dr.
Kathy Rineer, RCP - Arrived @
9:05AM

Board Members Absent:

Staff Present:

Executive Director:
Jack Confer
Licensing Administrator:
Kathy Stone

Legal Counsel Present:

Frankie Shinn-Eckberg, AAG

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of January 17, 2019

I. CALL TO ORDER

The Meeting was called to order at 9:02AM by Board Chairman Cagan.
A 5 minute break was taken at 10:58AM.

II. CONSENT AGENDA

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

MOTION: Board Member O’Hair-Schattenberg to approve items A – H. Seconded by Board Member Crawford.

VOTE: Motion passed (6-0).

A. APPROVAL OF MINUTES

Recommended for Approval
Regular Session Minutes from December 20, 2018 meeting.

B. ACTION ON APPLICATIONS FOR LICENSURE

Recommended for approval by the Executive Director

Michelle Acosta	Michael Baker	Eric Birch	Ashley Conrad
James DeWilde	Donald Drummond	Paul Garcia	Eugenia Jallayu
DeLynn Johnston	Sarahi Lauterio-Martinez	Shawn Madnick	Joshua Marquez
Tracy McCloud	Mike McKelly	Jessica Mendoza	Luis Reyes
Megan Schimmelman	Beth Schwartz	John Sehl	Sally Shea
Heather Wingo			

C. ACTION ON ADMINISTRATIVE CLOSURE OF APPLICATION FILES

Recommended for closing of application files

William Hilse	Crystal Kennon	Aaron Rogalski	Ebony Dunlap
---------------	----------------	----------------	--------------

D. ACTION ON ADMINISTRATIVE CLOSURE OF 90-DAY INACTIVE FILES

Recommended for closing of inactive files

Sharon Bellville	Danielle Bowers	Amber Castro	Jose Cervantes
Sheena Cummings	David Davidson	Franda Graves	Robert Higginson
Mark Maiers	Jennifer Malone	Michael Reeves	Richard Segovia
Tracy Walker	Shirley Walker	Wendy Williams	

E. ACTION ON NOTICES OF LICENSE EXPIRATIONS

Recommend sending notice of License Expirations to the following individuals:

Rebecca Alfaro	Robyn Anderson	Helen Bowers	Zita Deahl
Jeffry Doucet	Esther Hall	Patricia Hesprich	Heather Holmes
Morgan Kula	Cyndee Kuttler	Laura Letowt	Stefanie Lizarraga
Samuel Lopez	Suzanne MacColl	Jessica Malott	Sandra Mann
Ashli Marlow	Adele Merrell	Amanda Middlebrooks	Brandy Mock
Adriana Redondo	Jodi Rodgers	Eric Testa	Billy Thompson
Randall Wolfe	Cole Woodard-Barratt	Kristen Ziegenbein	

F. ACTION ON RATIFICATION OF RENEWAL OF LAPSED LICENSES

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

Juan Arias	Michael Jernigan	Rhonda Lerma	Gorett Valenzuela
------------	------------------	--------------	-------------------

G. DISCUSSION/ACTION ON RATIFICATION OF CONSENT AGREEMENTS

- 1. Tang, Xiaojum Case# 2018-RCE-0068

H. ESTABLISH DATE AND TIME OF NEXT BOARD MEETING

Scheduled date of next Board Meeting

Thursday, February 21, 2019 at 9:00AM.

III. REGULAR AGENDA

A. DISCUSSION/ACTION ON ITEMS REMOVED FROM THE CONSENT AGENDA

B. REVIEW & RECONSIDERATION AND POSSIBLE VOTE TO RESCIND PRIOR DECISION TO HOLD AN ADMINISTRATIVE HEARING

1. Heredia, Jr., Salvador Case Number 2018-RCE-0038
Chairman Cagan announced the case. RCP Heredia was not present. AAG Frankie Shinn-Eckberg presented a summary of the case.

MOTION: Board Member Crawford to ratify signed consent order. Seconded by Board Member Rineer.

VOTE: Motion passed (7-0).

C. CONSIDERATION AND ACTION ON INFORMAL INTERVIEWS

1. Heredia, Jr., Salvador Case Number 2018-RCE-0038
See III(B).

D. CONSIDERATION AND ACTION ON INVESTIGATIONS OF POSSIBLE UNPROFESSIONAL CONDUCT

1. Adams, Ashley Case# 2018-RCE-0086
Chairman Cagan announced the case. RCP Adams was present. Executive Director Confer reviewed the allegations for the Board Members.

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

VOTE: Motion passed (7-0).

2. Aquino, Troy Case# 2018-RCE-0076
Chairman Cagan announced the case. RCP Aquino was present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member O’Hair-Schattenberg to issue a rehabilitative consent order. Seconded by Board Vice Chairman Gonzales.

VOTE: Motion passed (7-0).

3. Boggs, Robert Case# 2018-RCE-0079
Chairman Cagan announced the case. RCP Boggs was present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to move this matter to an Informal Interview. Seconded by Board Member Beller.

VOTE: Motion passed (7-0).

4. Cervantes, Cindi Case# 2018-RCE-0080
Chairman Cagan announced the case. RCP Cervantes was present. Executive Director Confer reviewed the allegations for the Board Members.

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

VOTE: Motion passed (7-0).

5. Cox, Douglas Case# 2018-RCE-0077
Chairman Cagan announced the case. RCP Cox was present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member O’Hair-Schattenberg to issue a non-disciplinary order with a civil penalty of \$250 for failure to report an incident within the designated timeframe to be paid within 90 days. Seconded by Board Member Crawford.

VOTE: Motion passed (7-0).

6. Ehrig, Stacey Case# 2018-RCE-0078
Chairman Cagan announced the case. RCP Ehrig was present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to move into Executive Session 9:28AM – 9:32AM for legal advice. Seconded by Board Member Rineer.

The Board reconvened Regular Session at 9:33AM.

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

VOTE: Motion passed (7-0).

7. Escobedo, Maritza Case# 2018-RCE-0037
Chairman Cagan announced the case. RCP Escobedo was present. Executive Director Confer reviewed the allegations for the Board Members.

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

VOTE: Motion passed (7-0).

8. Gordon, Paul Case# 2018-RCE-0085
Chairman Cagan announced the case. RCP Gordon was present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to move this matter to an Informal Interview. Seconded by Board Member Rineer.

VOTE: Motion passed (7-0).

9. Hamdorf, Kelly Case# 2018-RCE-0070
Chairman Cagan announced the case. RCP Hamdorf was not present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Easley to issue a disciplinary Decree of Censure order. If not signed, move this matter to an Informal Interview. Seconded by Board Member Beller.

ROLL CALL VOTE: Motion passed (7-0).

10. Jones, Victoria Case# 2018-RCE-0084
Chairman Cagan announced the case. RCP Jones was present. Executive Director Confer reviewed the allegations for the Board Members.

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

VOTE: Motion passed (7-0).

11. London, Matthew Case# 2018-RCE-0082
Chairman Cagan announced the case. RCP London was not present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Beller to move this matter to an Informal Interview. Seconded by Board Member Crawford.

VOTE: Motion passed (7-0).

12. Olson, James Case# 2018-RCE-0081
Chairman Cagan announced the case. RCP Olson was present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to issue a non-disciplinary order with a civil penalty of \$250 for failure to report an incident within the designated timeframe to be paid within 90 days. Seconded by Board Member Rineer.

VOTE: Motion passed (7-0).

13. Radina, Carol Case# 2018-RCE-0062
Chairman Cagan announced the case. RCP Radina was not present. Executive Director Confer reviewed the allegations for the Board Members.

Item pulled from agenda, matter resolved by consent agreement.

14. Rub, Mary Case# 2018-RCE-0073
Chairman Cagan announced the case. RCP Rub was present. Executive Director Confer reviewed the allegations for the Board Members.

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

VOTE: Motion passed (6-1). Board Vice Chairman Gonzales voted nay.

15. Trigg, Shila Case# 2018-RCE-0074
Chairman Cagan announced the case. RCP Trigg was not present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to move this matter to an Informal Interview. Seconded by Board Vice Chairman Gonzales.

VOTE: Motion passed (7-0).

16. Underwood, Richard Case# 2018-RCE-0083
Chairman Cagan announced the case. RCP Underwood was present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to issue a non-disciplinary order with a civil penalty of \$250 for failure to report an incident within the designated timeframe to be paid within 90 days. Seconded by Board Vice Chairman Gonzales.

VOTE: Motion passed (7-0).

17. Verdugo, Luis Case# 2018-RCE-0041
Chairman Cagan announced the case. RCP Verdugo was not present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to issue a non-disciplinary order with a civil penalty of \$250 for failure to report an incident within the designated timeframe to be paid within 90 days. Seconded by Board Member Rineer.

VOTE: Motion passed (7-0).

E. DISCUSSION/ACTION ON EXECUTIVE DIRECTOR'S REPORT

Updates were given by Jack Confer, Executive Director and Kathy Stone, Licensing Administrator.

1. Application, Investigation & Probation Reports (Board Update & Status)
2. 2019 Legislation (Discussion & Possible Vote)
3. FY19 Budget & Update (Board Update & Status)
4. Mandatory Board Member Training
5. Summary of current events that affect the Arizona Board of Respiratory Care Examiners (This is the time for the Board Chair, Board Members or Staff to give a brief summary of current affecting the Board)

F. BOARD ELECTIONS PURSUANT TO A.R.S. § 32-3503

MOTION: Board Member Crawford nominated Tracy Cagan for Chairman. Seconded by Board Member Rineer.

VOTE: Motion passed (6-1). Chairman Cagan abstained.

MOTION: Board Member Crawford nominated Jose Gonzales for Vice Chairman. Seconded by Board Member O'Hair-Schattenberg.

VOTE: Motion passed (6-1). Board Vice Chairman Gonzales abstained.

G. CALL TO THE PUBLIC

None

H. ITEMS TO BE PLACED ON A FUTURE AGENDA

None

I. ADJOURNMENT

Chairman Cagan adjourned the meeting at 12:00PM.

DATED this 18th day of January 2019.





Jack Confer, Executive Director

FINAL