

# Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of November 17, 2016

**Board Members Present:**

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

**Board Members Absent:**

Kathy Rineer, RCP  
Nicholas Walters, Esq.

**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 November 17, 2016

## CALL TO ORDER

The Meeting was called to order at 9:08AM by Board Chairman Cagan.

## CONSENT AGENDA

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

**MOTION:** Vice Chairman Member Gonzales to approve C-1 thru C-7. Seconded by Board Member Crawford.

**VOTE:** Motion passed (4-0).

### C-1 APPROVAL OF MINUTES

Recommended for Approval

Regular Session Minutes from October 20, 2016 meeting.

### C-2 ACTION ON APPLICATIONS FOR LICENSURE

Recommended for approval by the Executive Director

Lyndsey Bailey  
Michele Brown  
Maricela Garcia  
Casey Harrison  
Laura Hickey  
Patricia Machuca  
Brendon Parfitt

John Barber  
Alexandria Cordova  
April Gilmore  
Balal Hasanzada  
Tracy Johnson  
Linda Mercer  
Evelin Toro

Robert Barnett II  
George Cowles  
Joseph Goll  
Ashley Hazelwood  
Erin Johnson  
Amanda Ortiz

Geoffrey Booth II  
Michael Evers  
Nicholas Gutierrez  
David Hess II  
Elizabeth Jones  
Priscilla Pantoja

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

Recommended for closing of application files

Augustina Campagne  
Danika Otero

Joshua Chavez

Howard Holz III

Sandra Howerton

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

### **Recommended for closing of inactive files**

Edith Bajlo	Shirley Burnett	Carrie Cooper	Brian Crick
Julie Daly	Patricia Diaz	Tommy Faulks	James Gilligan
Elena Granieri	John Harris	Miles Hartley	Luis Hernandez
Wendy Holmquist	Adam Johnson	Diane Joralmon	Travis Kitchin
Nuhman Manganangot	Monica Medina	Kirk Medlyn	Rosa Neely
Gordon Olson	Mona Rodriguez	Kellie Skeen	Kati Turner
Suzanna Villareal			

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

### **Recommend sending notice of license expirations to the following individuals:**

Michael Anderson	Kimberly Chambers	Darla Clapham	Robert Clonts
Peggy Daffron	Michael Dyet	Carolyn Ellis	Matthew Gervais
Crystal Gower	Michael Horn	Susan Lohse	Romana Malik
Shannon Mangum	Mary Palmer	Terresa Rodriquez	Lottie Rupp
Mary Rush	Kelly Schroeder	Ashley Stenger	Jason Tilley
Sylvia Vansickle-Stong	Cindy Vu	Tianna Williams	

## **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**

Edward Burnette                      Elizabeth Hoppis

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

None

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

Scheduled date of next two Board meetings for:

Thursday, December 15, 2016 at 9:00AM

January 19, 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)

None

### R-3 CONSIDERATION AND ACTION ON INFORMAL INTERVIEWS PURSUANT TO A.R.S. § 32-3553(G)

1. Shaw, Jaymes Case Number C003628-17-001425  
Chairman Cagan announced the case and commenced the interview at 9:10AM. RCP Shaw was present. Investigator Geriminsky presented a summary of the case.

**MOTION:** Board Member Crawford to issue a Non-Disciplinary Order to complete 4 additional hours of continuing education and to pay a civil penalty of \$100 within 90 days. Seconded by Vice Chairman Member Gonzales.

**VOTE:** Motion passed (4-0).

2. Daniel, Sheri Case Number C003615-17-007349  
Chairman Cagan announced the case and commenced the interview at 9:26AM. RCP Daniel was present. Investigator Geriminsky presented a summary of the case.

**MOTION:** Board Member Crawford to issue a Non-Disciplinary Order to pay a \$200 civil penalty within 6 months. In addition the 8 hours of continuing education already submitted may not be utilized for a future renewal time frame. Seconded by Vice Chairman Member Gonzales.

**VOTE:** Motion passed (4-0).

3. Esparza, Keysha Case Number C003617-17-009690  
Chairman Cagan announced the case and commenced the interview at 9:34AM. RCP Esparza was present. Investigator Geriminsky presented a summary of the case.

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

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

**MOTION:** Board Member Cagan to Executive Session 9:42AM – 10:01AM for legal advice. Seconded by Board Member Crawford.

The Board reconvened Regular Session at 10:02AM.

4. Felix, Julie Case Number C003618-17-009812  
Chairman Cagan announced the case and commenced the interview at 10:39AM. RCP Felix was not present. Investigator Geriminsky presented a summary of the case.

**MOTION:** Board Member Crawford to move this matter to a Formal Hearing. Seconded by Board Member O'Hair-Schattenberg.

**VOTE:** Motion passed (4-0).

5. Hernandez, Kimberly Case Number C003619-17-007586  
Chairman Cagan announced the case and commenced the interview at 10:41AM. RCP Hernandez was not present. Investigator Geriminsky presented a summary of the case.

**MOTION:** Vice Chairman Member Gonzales to move this matter to a Formal Hearing. Seconded by Board Member Crawford.

**VOTE:** Motion passed (4-0).

6. McLaughlin, Martha Case Number C003592-16-010105  
Chairman Cagan announced the case and commenced the interview at 10:44AM. RCP McLaughlin was not present. Investigator Geriminsky presented a summary of the case.

**MOTION:** Board Member O'Hair-Schattenberg to move this matter to a Formal Hearing. Seconded by Board Member Crawford.

**VOTE:** Motion passed (4-0).

7. Sanchez, Luis Case Number C003626-17-011074  
This matter was not held because RCP signed the consent agreement prior to the meeting, resolving the matter.

8. Seyller, Kendra Case Number C003627-17-006641  
Chairman Cagan announced the case and commenced the interview at 10:03AM. RCP Seyller was present. Investigator Geriminsky presented a summary of the case.

**MOTION:** Vice Chairman Member Gonzales to table this matter to allow staff to verify continuing education units are valid. Seconded by Board Member Crawford.

**VOTE:** Motion passed (4-0).

#### **R-4 CONSIDERATION AND ACTION ON INVESTIGATIONS OF POSSIBLE UNPROFESSIONAL CONDUCT**

1. Murphy, Susan Case Number C003543-16-003704  
Chairman Cagan announced the case. RCP Murphy was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

**MOTION:** Board Member Crawford to move this matter to a Formal Hearing with option of voluntary surrender. Seconded by Vice Chairman Member Gonzales.

**VOTE:** Motion passed (4-0).

2. Sanchez, Adela Case Number C003608-17-010127  
Chairman Cagan announced the case. RCP Sanchez was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Sanchez addressed the Board Members regarding the matter.

**MOTION:** Board Member Crawford to offer a non-disciplinary consent agreement with a civil penalty of \$250 for failure to disclose criminal charge to be paid within the required time frame. Seconded by Board Member O’Hair-Schattenberg.

**VOTE:** Motion passed (4-0).

3. Sibley, Brooke Case Number C003611-17-006872  
Chairman Cagan announced the case. RCP Sibley was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Sibley addressed the Board Members regarding the matter.

**MOTION:** Board Member Crawford to offer a non-disciplinary consent agreement with a civil penalty of \$250 for failure to disclose criminal charge within the required time frame. Seconded by Board Member O’Hair-Schattenberg.

**VOTE:** Motion passed (4-0).

4. Mena, Christina Case Number C003650-16-012113  
Chairman Cagan announced the case. RCP Mena was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

Postponed

5. Landavaso, Lydia Case Number C003572-16-010404  
Chairman Cagan announced the case. RCP Landavaso was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

Postponed

6. Rivera, Crystal Case Number C003655-17-012190  
Chairman Cagan announced the case. RCP Rivera was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

Postponed

7. Petkovic, Elma Case Number C003571-16-007395  
Chairman Cagan announced the case. RCP Petkovic was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

Postponed

### Cases Recommended for Dismissal/Referral

8. Valenzuela, Karin Case Number C003546-16-001624  
Chairman Cagan announced the case. RCP Valenzuela was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

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

**VOTE:** Motion passed (4-0).

### R-5 DISCUSSION/ACTION ON PROBATION COMPLIANCE/REQUEST TO LIFT

1. Curdo, Georgia Probationer P001121-16-008660  
Chairman Cagan announced the case. RCP Curdo was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Curdo addressed the Board Members regarding the matter.

**MOTION:** Board Member Crawford to lift suspension and place RCP Curdo on probation status. Seconded by Vice Chairman Member Gonzales.

**VOTE:** Motion passed (4-0).

2. Parrish, Genesis Probationer P001158-17-010063  
Chairman Cagan announced the case. RCP Parrish was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

**MOTION:** Board Member Crawford to open a new complaint for failure to comply with the Board's order. Seconded by Board Member O'Hair-Schattenberg.

**VOTE:** Motion passed (4-0).

### R-6 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. Survey Responses
3. Cash Flow Statement September FY2017
4. Legislation, A.R.S. 32-3501 (4) (Possible Discussion, Action & Vote)
5. Board Policy for Notification of Disciplinary Actions to Employers (Possible Discussion, Action & Vote)
6. Upcoming Legislative Schedule (Sunset hearing and Session)
7. Board Policy on Licensing Time Frames

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

**VOTE:** Motion passed (4-0).

8. Board Policy on Telephone License Verifications & Public Information

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

**VOTE:** Motion passed (4-0).

**R-7 CALL TO THE PUBLIC**

None

**R-8 ITEMS TO BE PLACED ON A FUTURE AGENDA**

None

**R-9 ADJOURNMENT**

Board Chairman Cagan adjourned the meeting at 11:50AM.

Dated this 18<sup>th</sup> day of JANUARY 2016



  
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Jack Confer  
Executive Director