

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of October 20, 2016

Board Members Present:

Board Chairman: Tracy Cagan, RCP
Kathy Rineer, RCP
Alan Crawford, RCP
Michelle O’Hair –Schattenberg,
Esq.

Board Members Absent:

Vice Chairman: Jose
Gonzales, 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 October 20, 2016

CALL TO ORDER

The Meeting was called to order at 9:04AM by Board Chairman Cagan.
A 5 minute break was taken at 10:21AM.

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. Seconded by Board Member Crawford.

VOTE: Motion passed (4-0).

C-1 APPROVAL OF MINUTES

Recommended for Approval

Regular Session Minutes from August 18, 2016 meeting

C-2 ACTION ON APPLICATIONS FOR LICENSURE

Recommended for approval by the Executive Director

Stephanie Alarcon	Terri Alkire	Jose Alvarez	Arlene Arias
Deborah Aucker	Kari Baumiller	Christina Beckman	Julie Bilyeu
Susanne Blanks	Matthew Boyer	Michelle Brady	Mycah Brewster
Ashley Brugma	Sukhjinder Chawla	Deidre Childress	Noelle Coats
Anna Mae Courtney	Nam Dang	Adolpho Davila	Timothy Eagar
Jason Fetters	Paul Gordon Jr.	Brenda Hale	Elizabeth Hendrix
Johnny Henson	Nancy Hinojos	Charles Holley	Erinn Kahler
Kristy Kleine	Steven Kramer	Cindy Lane	Justin Lewis
Yvonne Martinez	Amanda Meuwly	Rosa Morales	Kimberly Oakden
Elizabeth O’Lena	John Olsen	Saddi Perez	Margaret Person
Ngoc Pham	Sarah Pingree	Kalin Quigley	Jeffrey Rasco
David Rayo	Maritza Rodriguez	Peter Russ	Britney Schafer
Meghan Senger	Steven Sharp	Amberlyn Swihart	Emily Taylor
Tiffany Taylor	Stacy Thacker	Amanda Thurman	Ellen Tudor
Norma Uptain	Sarah Vesperman	Brian Weiner	Brittany Westenburg
Meaghan Windler	Christopher Witham	Joshua Yockey	Joshua Zabala
Marja Bystry	Alan de la Cruz		

C-3 ACTION ON ADMINISTRATIVE CLOSURE OF APPLICATION FILES**Recommended for closing of application files**

Susan Block	Jenni Blood	Catherine Broadwater	Patti Foley
Michael Hotchkiss	Beau Howard	Ryan Larrivee	Willis Manley
Edward Mendez	Krista Scanlon		

C-4 ACTION ON ADMINISTRATIVE CLOSURE OF TWO-YEAR INACTIVE FILES**Recommended for closing of inactive files**

Isaac Alcaraz	Rasheed Ali	Jeanne Allen	Edward Aneshansley
Tiffany Apache	Shilah Arnold	Andrea Ashley	Jason Bonchis
Domanique Brown	Tanya Brown	James Campbell	Jennifer Celardo
Joann Clemons	Teddy Crowther	Nicholas D'Amelio	Mark Davis
Shirley Difuntorum	Tabitha Dixon	David Du Vall	Marsha Dubeau
Sabrina Espinoza	Issac Foster	Sheila Frobuccino	Alan Graham
Donna Hargrove	Geoffrey Harris	Priscilla Hawkins	Cleotis Henry
Elizabeth Hilker	Kelly Hixon	Clay Hohs	Vail Holdman
Deanna Huber	Kathleen Huck	Olivia Jacobson	Miki Katcher
Larry Kellerhouse	Marlene Krencius	Yvonne Lamme	Carl Lintner
Amanda Lopez	Kathy McVay	Darryl Melton	Sylvia Montejano
Frank Najera	Robert Oder	Andrea Parks	Teena Patten
Patricia Patton	Catherine Peterson	Helen Phillips	Vicki Pounders
Brittany Quintana	Annette Ramos	Susan Resetar	Kismet Rhodes
Michael Ryan	Joseph Scardaci	Richard Schireman	Michael Shirey
Lisa Shivery	Tina Smith	Sharon Summerford	Janice Summers
Jacquelyn Tanganelli	Kenneth Thalhammer	Carol Walter	Rosemary Weese
Sheila White			

C-5 ACTION ON NOTICES OF LICENSE EXPIRATIONS**Recommend sending notice of License Expirations to the following individuals:**

Jojuana Allen	Tami Argo-Ray	Sharon Bellville	Kimberly Benya
Mary Bigley	Daniel Blair	Curtis Blakley	Mark Blythe
Amy Branen	Jeneiveve Buelna	Jason Burruel	Laura Davis
Anthony Diaz	Joy Eckley	Kenneth Grates	Terry Hapala
Elizabeth Harman	Bryan Henderson	Mark Hibbert	Nancy Hibbert
Gladys Hillebrand	Samantha Hoffman	Lucas Howell	Laura Hulse
Catherine Kelly	Roy Kerns	Nancy Kuykendall	Ryan Langston
Jennifer Leahy	Nghia Ly	James Manus	Michael Martino
Donathan Ortega	Elizabeth Page	Kimberlee Parks	Michael Primus
Daniel Ramos	Monica Reese	Susan Reily	Yvonne Renee
Ralph Rivera	Laura Rivera	John Robles	David Rolando
Jill Sane	Sandra Santilli	Breanna Sayers	Tyler Schnepf
Zorana Sipos	Cynthia Smathers	John Spahr	Patricia Stadaker

Colleen Sternberg
Remigius Uzor

Esther Szmutki
Noemi Velasco

Zekrollah Taghizadeh
Shannen Walsh

Mark Tucker
Daniel Wesnitzer

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

Tiffany Evans
Elvis Mustafic
Michelle Stephenson

Monica Holmes
Veronica Telon

Tracy Lindeman
Michael Weith

Enrique Lune
Teresa Wright

C-7 DISCUSSION/ACTION ON RATIFICATION OF CONSENT AGREEMENTS

- | | |
|-------------------------|-------------------------------|
| 1. Lane, Tracey | Case Number C003612-17-004640 |
| 2. Navarrette, Nicholas | Case Number C003458-16-007402 |
| 3. Reed, Aeson | Case Number C003625-17-011412 |
| 4. Kwarteng, Selina | Case Number C003588-16-007384 |
| 5. Luna, Maria | Case Number C003622-17-010731 |
| 6. Munoz, Ricardo | Case Number C003542-16-007888 |
| 7. Furno, Christine | Case Number C003579-16-010772 |
| 8. Davis, Galena | Case Number C003616-17-009889 |
| 9. Slabaugh, Justin | Case Number C003629-17-009259 |
| 10. Swaim, Kimberly | Case Number C003428-16-005151 |
| 11. Martell, Alyssa | Case Number C003605-17-011583 |
| 12. McLaughlin, Martha | Case Number C003592-16-010105 |

C-8 ESTABLISH DATE AND TIME OF NEXT BOARD MEETING

Scheduled date of next Board Meeting

Thursday, November 17, 2016 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. Slusser, John Case Number C003577-16-011609 (9:15AM)
Chairman Cagan announced the case and commenced the interview at 9:18AM. RCP Slusser was not present. Assistant Attorney General, Frankie Shinn-Eckberg represented the State of Arizona in this proceeding. Assistant Attorney General John Tellier appeared as the Independent Advisor to the Board. Investigator Geriminsky was called as a witness and testified in this matter.

MOTION: Board Member O’Hair-Schattenberg to deem the alleged factual allegations in the Complaint and Notice of Hearing. Seconded by Board Member Crawford.

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

MOTION: Board Member Crawford to revoke license. Seconded by Board Member O’Hair-Schattenberg.

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

2. Scripture, Colleen Case Number C003445-16-003222 (9:45AM)
Chairman Cagan announced the case and commenced the interview at 9:46AM. RCP Scripture was not present. Assistant Attorney General, Frankie Shinn-Eckberg represented the State of Arizona in this proceeding. Assistant Attorney General John Tellier appeared as the Independent Advisor to the Board. Investigator Geriminsky was called as a witness and testified in this matter.

MOTION: Board Member O’Hair-Schattenberg to deem the alleged factual allegations in the Complaint and Notice of Hearing. Seconded by Board Member Crawford.

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

MOTION: Board Member Crawford to revoke license. Seconded by Board Member O’Hair-Schattenberg.

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

3. Garibay, Victor Case Number C003559-16-010629 (11:30AM)
Chairman Cagan announced the case and commenced the interview at 11:35AM. RCP Garibay was not present. Assistant Attorney General, Frankie Shinn-Eckberg represented the

State of Arizona in this proceeding. Assistant Attorney General John Tellier appeared as the Independent Advisor to the Board. Investigator Geriminsky was called as a witness and testified in this matter.

MOTION: Board Member O’Hair-Schattenberg to deem the alleged factual allegations in the Complaint and Notice of Hearing. Seconded by Board Member Crawford.

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

MOTION: Board Member Crawford to revoke license. Seconded by Board Member O’Hair-Schattenberg.

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

4. Lofton, Timmy Case Number C003462-16-009694 (11:00AM)
Chairman Cagan announced the case and commenced the interview at 11:00AM. RCP Lofton was not present. Assistant Attorney General, Frankie Shinn-Eckberg represented the State of Arizona in this proceeding. Assistant Attorney General John Tellier appeared as the Independent Advisor to the Board. Investigator Geriminsky was called as a witness and testified in this matter.

MOTION: Board Member O’Hair-Schattenberg to deem the alleged factual allegations in the Complaint and Notice of Hearing. Seconded by Board Member Crawford.

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

MOTION: Board Member Crawford to revoke license. Seconded by Board Member O’Hair-Schattenberg.

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

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

1. Huckey, Brian Case Number C003585-16-011066
Chairman Cagan announced the case and commenced the interview at 10:33AM. RCP Huckey 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 Cagan.

VOTE: Motion passed (4-0).

2. Bermudez, Christopher Case Number C003613-17-004614
Chairman Cagan announced the case and commenced the interview at 10:35AM. RCP Bermudez 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).

3. Hall, Cameron Case Number C003487-16-007962
Chairman Cagan announced the case and commenced the interview at 10:37AM. RCP Hall 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).

4. Shaw, Jaymes Case Number C003628-17-001425
Chairman Cagan announced the case and commenced the interview at 9:27AM. RCP Shaw was present. Investigator Geriminsky presented a summary of the case.

MOTION: Board Member Crawford to table this matter until next month’s meeting to allow RCP time to obtain confirmation of NRP course from AARC or AzSRC. Seconded by Board Member Rineer.

VOTE: Motion passed (4-0).

5. Trigg, Shila Case Number C003568-16-011446
Chairman Cagan announced the case and commenced the interview at 10:55AM. RCP Trigg was not present. Investigator Geriminsky presented a summary of the case.

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

VOTE: Motion passed (4-0).

6. Price, Amon Probationer P001103-16-009825
Chairman Cagan announced the case and commenced the interview at 9:42AM. RCP Price was present. Investigator Geriminsky presented a summary of the case.

This item taken in conjunction with R-5.

7. Pupillo, Roxana Probationer P001135-16-007221
Chairman Cagan announced the case and commenced the interview at 9:57AM. RCP Pupillo was present. Investigator Geriminsky presented a summary of the case.

This item taken in conjunction with R-5.

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

1. German, Sergio Case Number C003600-16-011269
Chairman Cagan announced the case. RCP German was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

MOTION: Board Member Rineer to move this matter to an Informal Interview. Staff to obtain a job description and 5 patient records prior to renewal.

Seconded by Board Member Crawford.

VOTE: Motion passed (4-0).

2. Mustafic, Elvis Case Number C003639-17-008866
Chairman Cagan announced the case. RCP Mustafic was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Mustafic addressed the Board Members regarding the matter.

MOTION: Board Member O’Hair-Schattenberg to offer a non-disciplinary consent agreement for working without a license \$100 per shift (\$200) to be paid within 60 days.

Seconded by Board Member Crawford.

VOTE: Motion passed (4-0).

3. Purcell, Adam Case Number C003581-16-010336
Chairman Cagan announced the case. RCP Purcell was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to issue a non-disciplinary consent agreement with a civil penalty of \$250 for failure to disclose criminal charge within 10 days to be paid within 60 days. Seconded by Board Member O’Hair-Schattenberg.

VOTE: Motion passed (4-0).

Cases Recommended for Dismissal/Referral

4. Ramirez, Robin Case Number C003612-17-008909
Chairman Cagan announced the case. RCP Ramirez 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 (4-0).

5. Tafoya, Natalia Case Number C003630-17-006580
Chairman Cagan announced the case. RCP Tafoya 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 (4-0).

6. Pollard, Kathleen Case Number C003623-17-011441
Chairman Cagan announced the case. RCP Pollard 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 (4-0).

7. Crisostomo, Alan Case Number C003614-17-009758
Chairman Cagan announced the case. RCP Crisostomo 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 (4-0).

8. Town, Lisa Case Number C003631-17-010241
Chairman Cagan announced the case. RCP Town 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 (4-0).

9. Kentner, James Case Number C003586-16-001307
Chairman Cagan announced the case. RCP Kentner was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to dismiss. Seconded by

VOTE: Board Member Rineer.
Motion passed (4-0).

10. Schaaf, Paul Case Number C003596-16-010349
Chairman Cagan announced the case. RCP Schaaf 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 (4-0).

11. Torres, Edward Case Number C003602-16-009816
Chairman Cagan announced the case. RCP Torres 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 (4-0).

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

1. Price, Amon Probationer P001103-16-009825
Chairman Cagan announced the case. RCP Price was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Price addressed the Board Members regarding the matter.

MOTION: Board Member O’Hair-Schattenberg to grant request to remove probation. Seconded by Board Member Rineer.

VOTE: Motion passed (4-0).

2. Pupillo, Roxana Probationer P001135-16-007221
Chairman Cagan announced the case. RCP Pupillo was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Pupillo addressed the Board Members regarding the matter.

Put on January 2017 meeting agenda for update.

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. Arizona Ombudsman Recommendation (Possible Discussion, Action & Vote)
5. Professional Licensing Report Newsletter
6. Board Member Compensation Report (SB1421)
7. 1740 W. Adams Renovation and Co-location
8. Upcoming Legislative Schedule (Sunset hearing and Session)
9. Update on Rules (5-year rule review and SB1300)

R-7 CALL TO THE PUBLIC

None

R-8 ITEMS TO BE PLACED ON A FUTURE AGENDA

- RCP's taking orders from Mid-level Health Practitioners (PA's & NP's)
- Contacting employers on RCP revocations/probation
- Continuing Education: type and classes
- Model Act

R-9 ADJOURNMENT

Board Chairman Cagan adjourned the meeting at 11:48AM.

Dated this 18TH day of NOVEMBER 2016





Jack Confer
Executive Director