

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of September 21, 2017

Board Members Present:

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

Board Member Rineer left at
11:53AM.

Board Members Absent:

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 September 21, 2017

CALL TO ORDER

The Meeting was called to order at 9:00AM by Board Chairman Cagan.
A 5 minute break was taken at 11:50AM.

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 C1 – C8. Seconded by Board Vice Chairman Gonzales.

VOTE: Motion passed (5-0).

C-1 APPROVAL OF MINUTES

Recommended for Approval

Regular Session Minutes from August 17, 2017 meeting.
Executive Session Minutes from August 17, 2017 meeting.

C-2 ACTION ON APPLICATIONS FOR LICENSURE

Recommended for approval by the Executive Director

Ignacio Aguilar III	Rebecca Alfaro	Joshua Andreica	Bryan Bence
Howard Blasingame IV	Patricia Brasher	Felicia Calles	Nicole Cassidy
Nancy Celix-Campos	Jaime Daniel	Virginia Dotson	Desiree Frederick-Hepworth
Jennifer Fronek	Julie Gaynor	Terrance Gonia-Turner	Lisa Huerta
Julie Kelly	Michael Kline	Briana Kramer	Megan Krot
Ryan Larrivee	Rhonda Lerma	Suzanne Mansker	Ashley McElhane
Michelle Niemiec	Anahi Ponce Olea	Kathleen Renner	Lisa Scarbrough Isaacs
Delaney Shriman	Angelina Simmon	Sharon Stoltz	Carolyn Tate
Rori Taylor	Nasiba Tedorova	George Travis	Patrick Trujillo Jr.

C-3 ACTION ON ADMINISTRATIVE CLOSURE OF APPLICATION FILES

Recommended for closing of application files

Elizabeth Agro	Cinthia Alaniz	Clarissa Barela	Shayne Howard
Maliwan McIvor	Rubuen Rivera	Claudette Saleh	Janette Taylor
Jorene Thompson	Carlos Virgen Precichi	Shanesa Morris	

C-4 ACTION ON ADMINISTRATIVE CLOSURE OF 90-DAY INACTIVE FILES

Recommended for closing of inactive files

Katie Byrum	Dianna Chmielecki-Anderson	William Cunningham	Mary Daoud
Robin Felton	Gary Johnson	Jonathan Norris	Robert Rachowiecki
William Ruschmeyer	Travis Simpkins		

C-5 ACTION ON NOTICES OF LICENSE EXPIRATIONS

Recommend sending notice of license expirations to the following individuals:

Tammy Aldrich	Steven Beltran	Brian Curdo	Cheryl Eisner
Michelle Erickson	Kori Fierro	Adrian Fontan	John Foresee
Stephanie Fulton	Lynn Grunden	Philip Holcombe	Tom Huddleston
Robin Kaiser	Taylor Lipsey	Mayra Lomba	Elizabeth Mandolesi
Margot Meissner	Richard Mellinger	Latasha Murray	Sharon Newman-Matt
Staci Quincey	Sandra Rector	Jerry Robles	Azalea Ross
Richard Tattrie	R. Michelle Terrell	Zachary Trost	James Tuohy

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

Morgana Bevins	Brandie Dempsay	Zeke Eide	Raquel Laxamana
Elli Lopez	Franklin Miller	Jill Parres-Gold	Janet Ruiz
Edilmar Tamondong	D'Angelo Tinsley	Brent Wheeler	

C-7 DISCUSSION/ACTION ON RATIFICATION OF CONSENT AGREEMENTS

- | | |
|-----------------------|-------------------------------|
| 1. Walker, Michelle | Case Number C003799-18-011663 |
| 2. Sindle, Jamie | Case Number C003800-18-011604 |
| 3. Vander Wall, David | Case Number C003798-18-005780 |
| 4. Sedillos, Cynthia | Case Number C003794-18-010228 |
| 5. Hanson, Bailey | Case Number C003782-17-011819 |
| 6. Gray, Laura | Case Number C003801-18-006015 |
| 7. Durazo, Nicole | Case Number C003767-17-011561 |
| 8. Wheeler, Brent | Case Number C003809-18-010170 |

C -8 ESTABLISH DATE AND TIME OF NEXT BOARD MEETING

Scheduled date of next Board meeting

Thursday, October 19, 2017 at 9:00AM.

FINAL

REGULAR AGENDA

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

R-2 CONSIDERATION AND ACTION ON INFORMAL INTERVIEWS PURSUANT TO A.R.S. § 32-3553(G)

1. McBee, Marc Case Number C003780-17-011031
Chairman Cagan announced the case and commenced the interview at 11:00AM. RCP McBee was not present. Investigator Geriminsky presented a summary of the case.

Rescheduled for future meeting.

2. Aitken, Kyle Case Number C003762-17-009519
Chairman Cagan announced the case and commenced the interview at 9:03AM. RCP Aitken was present. Investigator Geriminsky presented a summary of the case.

MOTION: Board Member O'Hair-Schattenberg to issue non-disciplinary Letter of Concern for lack of care in documenting ventilator settings. Seconded by Board Member Crawford.

VOTE: Motion passed (5-0).

3. Filip, Bryan Case Number C003786-17-012090
Chairman Cagan announced the case and commenced the interview at 9:50AM. RCP Filip was present. Investigator Geriminsky presented a summary of the case.

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

VOTE: Motion passed (4-1). Board Vice Chairman Gonzales voted nay.

4. Siler, Dean Case Number C003775-17-002355
Chairman Cagan announced the case and commenced the interview at 11:02AM. RCP Siler was not present. Investigator Geriminsky presented a summary of the case.

MOTION: Board Vice Chairman Gonzales to accept non-disciplinary consent agreement to voluntarily surrender his license. If he reapplies, he must pay the civil penalty (\$500) and complete the required (20) continuing education units. Seconded by Board Member Crawford.

VOTE: Motion passed (5-0).

R-3 CONSIDERATION AND ACTION ON INVESTIGATIONS OF POSSIBLE UNPROFESSIONAL CONDUCT

1. Rutter, Todd Case Number C003788-17-001765
Chairman Cagan announced the case. RCP Rutter was present. Investigator Geriminsky presented a summary of the case.

MOTION: Board Member Crawford to issue a non-disciplinary order with \$250.00 civil penalty for failure to report his termination of employment within statutory timeframe to be paid within 90 days. If not signed, move this matter to an Informal Interview. Seconded by Board Member O'Hair-Schattenberg.

VOTE: Motion passed (5-0).

MOTION: Board Member Crawford to Executive Session 10:09 – 10:15AM for legal advice. Seconded by Board Member Rineer.

Board reconvened Regular Session at 10:16AM.

2. Al-Rafiq, Cameo Case Number C003791-18-007393
Chairman Cagan announced the case. RCP Al-Rafiq was present. Investigator Geriminsky presented a summary of the case.

MOTION: Board Member O'Hair-Schattenberg to issue a non-disciplinary Letter of Concern for not fully complying with a Board order. Seconded by Board Member Rineer.

VOTE: Motion passed (3-2). Board Vice Chairman Gonzales and Board Member Crawford voted nay.

3. McClendon, William Case Number C003783-17-011181
Chairman Cagan announced the case. RCP McClendon was present. Investigator Geriminsky presented a summary of the case.

MOTION: Board Member O'Hair-Schattenberg to move this matter to an Informal Interview. Seconded by Board Member Crawford.

VOTE: Motion passed (5-0).

4. Shelley, Brian Case Number C003163-14-007113
Chairman Cagan announced the case. RCP Shelley was not present. Board Member Rineer recused herself from this matter. Investigator Geriminsky presented a summary of the case.

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

VOTE: Motion passed (4-1).

5. Hunsinger, Timothy Case Number C003805-18-010269
Chairman Cagan announced the case. RCP Hunsinger was not present. Investigator Geriminsky presented a summary of the case.

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

VOTE: Motion passed (5-0).

6. Roach, Dena Case Number C003803-18-009785
Chairman Cagan announced the case. RCP Roach 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 an incident within statutory timeframe to be paid within 90 days. If not signed, move this matter to an Informal Interview. Seconded by Board Member Crawford.

VOTE: Motion passed (5-0).

MOTION: Board Member Crawford to enter into a consent agreement for Decree of Censure. If not signed, move this matter to an Informal Interview. Seconded by Board Member O'Hair-Schattenberg.

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

7. Kanios, Julie Case Number C003811-18-010618
Chairman Cagan announced the case. RCP Kanios was not present. Investigator Geriminsky presented a summary of the case.

MOTION: Board Member Crawford enter into a consent agreement for Decree of Censure. If not signed, move this matter to an Informal Interview. Seconded by Board Member Rineer.

VOTE: Motion passed (5-0).

Cases Recommended for Dismissal/Referral

8. Birts, Vanessa Case Number C003785-18-008739
Chairman Cagan announced the case. RCP Birts was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

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

VOTE: Motion passed (4-0).

9. Marvin, Arthur Case Number C003793-18-006039
Chairman Cagan announced the case. RCP Marvin was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

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

VOTE: Motion passed (4-0).

R-4 REVIEW, CONSIDERATION AND POSSIBLE ACTION ON A PRIOR BOARD DECISION

1. McGowan, Bridget (Probationer) Case Number P001161-17-006713
Chairman Cagan announced the case. RCP McGowan was present. Investigator Geriminsky reviewed the allegations for the Board Members.

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

VOTE: Motion passed (5-0).

2. Newman-Matt, Sharon (Probationer) Case Number P001160-17-001169
Chairman Cagan announced the case. RCP Newman-Matt was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to close and dismiss. Seconded by Board Member Cagan.

VOTE: Motion withdrawn.

MOTION: Board Member O'Hair-Schattenberg to open new case for violation of order. Seconded by Board Vice Chairman Gonzales.

VOTE: Motion passed (4-0).

R-5 DISCUSSION/ACTION ON EXECUTIVE DIRECTOR'S REPORT

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

1. Application, Investigation & Probation Reports(Board Update & Status)
2. Volunteer Health Services Registration App. (Information & Possible Discussion)
3. License Application Fee Waiver & Application (Information & Discussion)
4. FY18 Budget & Update (Discussion)
5. Annual State Licensure Liaison Group Meeting, NBRC (Information & Discussion)

R-6 CALL TO THE PUBLIC

None

R-7 ITEMS TO BE PLACED ON A FUTURE AGENDA

R-8 ADJOURNMENT

Board Chairman Cagan adjourned the meeting at 1:02PM.

Dated this 19th day of March 2017.





Jack Confer
Executive Director