

# Respiratory Care Examiners Meeting Minutes

Regularly Scheduled Meeting of May 19, 2022

**Board Members Present:**

Board Chair: Tracy Cagan, RCP

Dr. Leslie Easley, D.O. (present 9:43 – 11:34am)

Becky Brimhall, Public Member

James Love, RCP

Vice Chair: Alan Crawford, RCP

**Board Members Absent:**

Michael Beller, Public Member

**Legal Council:**

Justin Larson, AAG

**Staff Present:**

**Executive Director:**

Dr. Charles Villafranca

**Licensing Administrator:**

Kathy Stone

**Investigations/Compliance:**

Audrennia Duwyenie

**Administrative Assistant**

Falguni Tailor

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Board of Respiratory Care Examiners and to the public that the Board of Respiratory Care Examiners will hold a meeting open to the public on Thursday, **May 19, 2022 at 9:00AM at 1740 West Adams Street, Conference Room B in Phoenix, AZ 85007**. The Board may vote to go into Executive Session for any matter on the agenda to obtain legal advice from counsel pursuant to A.R.S. § 38-431.03(A)(3). In addition, the Board may vote to go into Executive Session to consider or review records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law pursuant to A.R.S. § 38-431.03 (A)(2) and may be convened on item numbers II (A thru C), and III (A thru I). Executive Sessions will not be open to the public.

The Board may address the agenda items in any order within the timeframe indicated, and may carry over matters to a later time when necessary. The Board reserves the right to change the order of items on the agenda, except for matters set for a specific time.

**Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Executive Director, Dr. Charles Villafranca, at (602) 542-5995. Requests should be made as early as possible to allow time to arrange the accommodation. This document can be made available in alternative formats.**

**[WWW.RB.AZ.GOV](http://WWW.RB.AZ.GOV)**

# Respiratory Care Examiners Meeting Minutes

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May 19, 2022 Regular Board Meeting  
9:00AM  
1740 W. Adams Street, Conference Room B, Phoenix, AZ 85007

## I. CALL TO ORDER

The Meeting was called to order at 9:00 A.M by Tracy Cagan, Board Chairman.

## II. ROLL CALL

## III. DECLARATION OF CONFLICT OF INTERESTS: None

## IV. ESTABLISH DATE AND TIME OF NEXT BOARD MEETING:

A. NEXT SCHEDULED BOARD MEETING IS 06/16/2022

### B. APPROVAL OF MINUTES

1. Regular Meeting Minutes March 17, 2022

**MOTION:** Board Vice Chairman Crawford to approve meeting minutes. Seconded by Board Member Love.

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

## V. REGULAR AGENDA

### A. REVIEW, CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON FORMAL ADMINISTRATIVE HEARING PURSUANT TO A.R.S. § 32-3553(H) OR ALTERNATIVELY, CONSIDERATION AND POSSIBLE ACTION ON PROPOSED CONSENT AGREEMENTS IN LIEU OF ADMINISTRATIVE HEARINGS:

1. None

### B. REVIEW, DISCUSSION AND POSSIBLE ACTION ON INFORMAL INTERVIEWS:

1. Vargas Acevedo, Enriquez Case# 2021-RCE-0197  
Board Chairman Cagan announced the case. RCP Vargas Acevedo was not present. Executive Director Villafranca reviewed the allegations for the Board Members

**MOTION:** Board Vice Chairman Crawford to move this matter to a Formal Hearing. Seconded by Board Member Love. Motion also included opening a complaint on Shelly Norton, Supervisor.

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

**C. DISCUSSION/ACTION ON APPLICATION INTERVIEW FOR LICENSURE**

1. Lofthouse, Celeste Case# 2019-RCE-0321

**MOTION:** Board Vice Chairman Crawford to grant license. Seconded by Board Member Love.

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

**D. CONSENT AGENDA**

Consent agenda items may be considered for approval as a single action unless a Board member or interested party wishes to remove an item for discussion.

1. **CASES RECOMMENDED FOR ISSUING NON-DISCIPLINARY LETTER OF CONCERN. The Board will review, discuss, and may vote to take action on the following cases:**

A. None

2. **CASES RECOMMENDED FOR ISSUING NON-DISCIPLINARY ORDER FOR CONTINUING EDUCATION. The Board will review, discuss, and may vote to take action on the following cases:**

1. Amor, Luis Case# 2022-RCE-0006

Chairman Cagan announced the case. RCP Amor was not present. Charles Villafranca reviewed the allegations for the Board Members

**MOTION:** Board Member Brimhall to issue a non-disciplinary order for continuing education. Seconded by Board Member Love.

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

2. Goldner, Jourdan Case# 2022-RCE-0004

Chairman Cagan announced the case. RCP Goldner was not present. Charles Villafranca reviewed the allegations for the Board Members

**MOTION:** Board Member Brimhall to issue a non-disciplinary order for continuing education. Seconded by Board Member Love.

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

3. Gonzales, David Case# 2022-RCE-0005

Chairman Cagan announced the case. RCP Gonzales was present. Charles Villafranca reviewed the allegations for the Board Members

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

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

4. Gregory, John Case# 2022-RCE-0012  
Chairman Cagan announced the case. RCP Gregory was not present. Charles Villafranca reviewed the allegations for the Board Members

**MOTION:** Board Member Brimhall to issue a non-disciplinary order for continuing education. Seconded by Board Member Love.

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

5. Johnson, Shaneequa Case# 2022-RCE-0022  
Chairman Cagan announced the case. RCP Johnson was not present. Charles Villafranca reviewed the allegations for the Board Members

**MOTION:** Board Member Brimhall to issue a non-disciplinary order for continuing education. Seconded by Board Member Love.

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

6. King, Camile Case# 2022-RCE-0010  
Chairman Cagan announced the case. RCP King was not present. Charles Villafranca reviewed the allegations for the Board Members

**MOTION:** Board Member Brimhall to issue a non-disciplinary order for continuing education. Seconded by Board Member Love.

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

7. Rogers, Heather Case# 2022-RCE-0014  
Chairman Cagan announced the case. RCP Rogers was present. Charles Villafranca reviewed the allegations for the Board Members

**MOTION:** Board Vice Chairman Crawford to issue a non-disciplinary Letter of Concern for not meeting the CEU requirements at time of renewal. Seconded by Board Member Love.

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

**3. INITIAL REVIEW, CONSIDERATION AND ACTION ON INVESTIGATIONS OF POSSIBLE UNPROFESSIONAL CONDUCT:**

1. Radina, Carol Case# 2021-RCE-0224  
Chairman Cagan announced the case. RCP Radina was present with legal counsel, David Klink. Charles Villafranca reviewed the allegations for the Board Members

**MOTION:** Board Member Love to dismiss. Seconded by Board Vice Chairman Crawford.  
**VOTE:** Motion passed (4-0).

2. Bush, Molly Case# 2021-RCE-0253  
Chairman Cagan announced the case. RCP Bush was not present. Charles Villafranca reviewed the allegations for the Board Members

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

**ROLL CALL VOTE:** Motion passed (4-0). Board Member Love was recused.

3. Acosta, Otilia Case# 2022-RCE-0027  
Chairman Cagan announced the case. RCP Acosta was not present. Charles Villafranca reviewed the allegations for the Board Members

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

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

4. Messacar, Clay Case# 2022-RCE-0002  
Chairman Cagan announced the case. RCP Messacar was present. Charles Villafranca reviewed the allegations for the Board Members

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

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

5. Roberts, Alisha Case# 2021-RCE-0256  
Chairman Cagan announced the case. RCP Roberts was present telephonically. Charles Villafranca reviewed the allegations for the Board Members

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

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

6. Espinoza, Angelee Case# 2022-RCE-0031  
Chairman Cagan announced the case. RCP Espinoza was not present. Charles Villafranca reviewed the allegations for the Board Members

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

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

7. Fregoso, Sergio Case# 2022-RCE-0029  
Chairman Cagan announced the case. RCP Fregoso was not present. Charles Villafranca reviewed the allegations for the Board Members

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

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

8. Kies, Ian Case# 2022-RCE-0030  
Chairman Cagan announced the case. RCP Kies was present telephonically. Charles Villafranca reviewed the allegations for the Board Members

**MOTION:** Board Member Brimhall to dismiss. Seconded by Board Member Love.

**ROLL CALL VOTE:** Motion passed (3-2). Chairman Cagan and Vice Chairman Crawford voted nay.

9. Graham, Susana Case# 2022-RCE-0032  
Chairman Cagan announced the case. RCP Graham was present. Charles Villafranca reviewed the allegations for the Board Members

**MOTION:** Board Vice Chairman Crawford to issue a non-disciplinary Letter of Concern for scheduling unlicensed licensees. Seconded by Board Member Love.

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

10. Schramm, Hans Case# 2021-RCE-0001  
Chairman Cagan announced the case. RCP Schramm was present with legal counsel, Flynn Carey. Charles Villafranca reviewed the allegations for the Board Members

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

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

**E. REVIEW, CONSIDERATION AND POSSIBLE TERMINATION OF PRIOR ORDER**

None

**F. DISCUSSION/ACTION ON EXECUTIVE DIRECTOR'S REPORT**

Updates were given by Dr. Charles Villafranca Executive Director.

1. Application, Investigation & Probation Reports (Board Update & Status)
2. FY22 Budget Status
3. Customer Satisfaction Survey Summary
4. Discussion on the Requirement for Continuing Education  
Dr. Villafranca to create a questionnaire on continuing education for members to review for distribution to licensed respiratory therapists.

**G. 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 UPDATES AFFECTING THE BOARD)**

1. SB 1309 Extends Temporary Licenses
2. HB 2587 Extends Public Record Law
3. Conflicts of Interest Training  
Justin Larson, AAG gave an update.

**H. CALL TO THE PUBLIC**

One person addressed the Board with regards to continuing education.

**I. ITEMS TO BE PLACED ON A FUTURE AGENDA**

None

**J. ADJOURNMENT**

Chairman Cagan adjourned the meeting at 11:34 AM

DATED this 20<sup>th</sup> day of May 2022



A handwritten signature in black ink, appearing to be "C. Villafranca", written over a horizontal line.

Dr. Charles Villafranca, Executive Director