

Notice and Agenda for Public Meeting of the Board of Respiratory Care Examiners

Regularly Scheduled Meeting of December 15, 2022

Board Members Present:

Vice Chair: Alan Crawford, RCP
Dr. Leslie Easley
Becky Brimhall, Public Member
James Love, RCP
Kimberlee Cota, RCP

Board Members Absent:

Board Chair: Tracy Cagan, RCP

Legal Council:

Elizabeth Campbell, AAG
Mark Harris, AAG

Staff Present:

Executive Director:
Dr. Charles Villafranca

Licensing Administrator:

Audrennia Duwyenie

Compliance:

Karri Hernandez

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, **December 15, 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.

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Notice and Agenda for Public Meeting of the Board of Respiratory Care Examiners

December 15, 2022 Regular Board Meeting
9:00AM
1740 W. Adams Street, Conference Room B, Phoenix, AZ 85007

I. CALL TO ORDER:

Vice Chairman Crawford called meeting to order at 9:01 am.

II. ROLL CALL:

Vice Chair Crawford

Board Member Dr. Easley

Board Member Brimhall

Board Member Love

Board Member Cota

III. DECLARATION OF CONFLICT OF INTERESTS:

IV. ESTABLISH DATE AND TIME OF NEXT BOARD MEETING:

A. NEXT SCHEDULED BOARD MEETING IS February 16, 2022

B. APPROVAL OF MINUTES

1. Regular Meeting Minutes October 20, 2021

Motion: Dr. Easley to approve meeting minutes

Seconded by Board Member Love.

Roll Call Vote: Motion passed (5-0)

V. REGULAR AGENDA

- A. REVIEW, 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. Vargas Acevedo, Enrique Case No. 2021-RCE-0197

Vice Chairman Crawford announced the case. RCP Vargas Acevedo was not present. Dr. Charles Villafranca reviewed the allegations for the Board Members.

MOTION: Vice Chairman Crawford to the revocation of respiratory license.
Seconded by Board Member Love.

Vote: Motion passed (5-0)

2. Watson, Jonathan Case No. 2020-RCE-0037

Vice Chairman Crawford announced the case. RCP Watson was not present. Dr. Charles Villafranca reviewed the allegations for the Board Members.

Motion: Vice Chairman Crawford to the revocation of respiratory license.

Seconded by Board Member Love.

Vote: Motion passed (5-0)

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

1. Pulido, Michelle Case No. 2022-RCE-0130

Vice Chairman Crawford announced the case. RCP Pulido was present. Dr. Charles Villafranca reviewed the allegations for the Board Members.

Motion: Board Member Love to Dismiss the case.

Seconded by Vice Chairman Crawford.

Vote: Motion passed (5-0)

C. DISCUSSION/ACTION ON APPLICATION INTERVIEW FOR LICENSURE

1. McMullen, Bryant

MOTION: Board Member Love to approve license upon the receipt of completion of treatment and a letter from counselor/Therapist. Seconded by Board Member Cota.

Vote: Motion passed (5-0).

2. Nuckles, Sarah

MOTION: Board Member Brimhall to approve license. Seconded by Board Member Cota.

Vote: Motion passed (5-0)

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 ORDER FOR CONTINUING EDUCATION. The Board will review, discuss, and may vote to take action on the following cases:

1. None

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

1. Arteaga, Ernesto Case No. 2022-RCE-0165

Vice Chair Crawford announced the case. RCP Arteaga was present. Dr. Charles Villafranca reviewed the allegations for the Board Members.

MOTION: Board Member Love to Dismiss. Seconded by Board Member Cota. Seconded by Board Member Cota.

VOTE: Motion passed (5-0).

1. Baker, Lawrence Case No. 2022-RCE-0149

Vice Chair Crawford announced the case. RCP Baker was not present. Dr. Charles Villafranca reviewed the allegations for the Board Members.

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

VOTE: Motion passed (5-0).

2. Gutierrez, Raqual Case No. 2022-RCE-0170

Vice Chair Crawford announced the case. RCP Gutierrez was not present. Dr. Charles Villafranca reviewed the allegations for the Board Members.

MOTION: Board Member Brimhall to Request further documents and table until next meeting. Seconded by Board Member Love.

VOTE: Motion passed (5-0).

3. Hall, Peggy Case No. 2022-RCE-0171

Vice Chair Crawford announced the case. RCP Hall was present. Dr. Charles Villafranca reviewed the allegations for the Board Members.

MOTION: Board Member Dr. Easley to Dismiss case. Seconded by Board Member Love.

VOTE: Motion passed (5-0).

4. Honeywell, Rachel Case No. 2022-RCE-0132

Board Member Love announced the case. RCP Honeywell was/was not present. Dr. Charles Villafranca reviewed the allegations for the Board Members.

Vice Chairman Crawford Recused himself from this case.

MOTION: Board Member Love to Dismiss case. Seconded by Board Member Brimhall
Seconded by Board Member Brimhall.

VOTE: Motion passed (4-0).

5. Johnston, Jeanne Case No. 2022-RCE-0168

Vice Chair Crawford announced the case. RCP Johnston was present. Dr. Charles Villafranca reviewed the allegations for the Board Members.

MOTION: Board Member Love to Issue Non-Disciplinary Letter of Concern Violation of HIPPA.
Seconded by Vice Chairman Crawford.

VOTE: Motion passed (5-0).

6. Walters, Ryan Case No. 2022-RCE-0169

Vice Chair Crawford announced the case. RCP Walters was present. Dr. Charles Villafranca reviewed the allegations for the Board Members.

MOTION: Vice Chairman Crawford to Dismiss case. Seconded by Board Member Dr. Easley.

VOTE: Motion passed (5-0).

F. REVIEW, CONSIDERATION AND POSSIBLE TERMINATION OF PRIOR ORDER

1. None

G. DISCUSSION/ACTION ON EXECUTIVE DIRECTOR'S REPORT

1. Application, Investigation & Probation Reports (Board Update & Status)
2. Financial Report

H. 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. None

I. CALL TO THE PUBLIC

Those wishing to address the Board do not need to request permission in advance. Each person wishing to address the Board will be given five (5) minutes to do so. The Board can only take action on matters listed on the agenda. Persons who wish to raise issues or concerns not on the noticed agenda should be aware that the only procedural action that can be taken is directing staff to study the matter or to schedule the matter for further discussion at a later date.

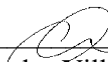
J. ITEMS TO BE PLACED ON A FUTURE AGENDA

K. ADJOURNMENT

Chairman Cagan adjourned the meeting at 10:25 AM.

DATED this 15 day of December 2022.





Dr. Charles Villafranca, Executive Director