

Board of Respiratory Care Minutes

Date: May 14, 2020

Time: 9:00 AM Central Time

Location: Iris Conference Room/
WebEx Conference
665 Mainstream Drive
Nashville, TN 37243

Members Present: Curtis D. Powell, RRT, Board Chair
Jeffery Craig Rooks, RRT, Secretary
Robert E. Farmer, RRT
Lisa Caldwell, RRT
L. Gail Braddock, Consumer Member
Kimberly Christmon, RRT
Ray A. Davis, RRT

Member(s) Absent: Gary Keith Lovelady, MD

Staff Present: John Tidwell, Health Related Boards Director
Kimberly Wallace, Unit Director
Lyndsey Boone, Board Manager
Lacey Wilkerson, Board Administrator
Maria Johnston, Board Administrator
Samuel Moore, Senior Associate General Counsel

Guests Present: Mike Harkreader, TnPAP
Jamie Byerly, Director for Office of Investigations
Lori Leonard, Disciplinary Coordinator
Susan Parson, TSRC
Maria McCormick, Admin Services Manager

Call to Order

Mr. Powell called the WebEx meeting to order at 9:01 A.M, a role call was conducted of all present board members and staff. With a quorum being present Mr. Powell began the meeting.

Call for Comments

Mr. Powell made an announcement calling for any audience member with questions, or comments on this meeting's agenda, to raise their hand in the attendees section next to their name or send a message to all individuals present and they would be heard by the Board.

Approval of Minutes

February 20, 2020 minutes were presented to the Board for review and approval. Mr. Rooks made a motion to approve the minutes as written, Ms. Caldwell seconded. Motion carried.

Conflict of Interest

Mr. Moore reminded the Board about the Conflict of Interest Policy. He reminded members of their obligation to recuse themselves from any matter in which they might have a personal or financial interest, or from participating in any matter before the Board in which there might be an appearance of a conflict.

Office of General Counsel Report

Samuel Moore, Senior Associate General Counsel, presented the Office of General Counsel (OGC) report as follows:

There are currently 5 open cases in the Office of General Counsel under review from the recent continuing education audit. None of these cases have reached the stage of a contested case hearing yet.

There is currently a pending rule change; the Secretary of State has currently suspended all rule changes except in emergency situations.

Agreed Citations

Samuel Moore presented the Agreed Citations to the Board for approval:

David Phillips - Agreed Citation presented for practicing on a lapsed license from November 1, 2019 to February 18, 2020. Licensee agreed to have a disciplinary mark placed on their license to pay a fine in the amount of \$100.00 per month the license was lapsed for a total of \$400.00. Ms. Caldwell made a motion to accept. Ms. Christmon seconded. Motion Passed.

Robin May - Agreed Citation presented for practicing on a lapsed license from December 1, 2019 to February 19, 2020. Licensee agreed to have a disciplinary mark placed on their license to pay a fine in the amount of \$100.00 per month the license was lapsed for a total of \$300.00. Ms. Christmon made a motion to accept. Ms. Caldwell seconded. Motion Passed.

Ross Harper - Agreed Citation presented for practicing on a lapsed license from January 1, 2020 to March 10, 2020 Licensee agreed to have a disciplinary mark placed on their license to pay a fine in the

amount of \$100.00 per month the license was lapsed for a total of \$200.00. Ms. Caldwell made a motion to accept. Mr. Rooks seconded. Motion Passed.

Amber Dean - Agreed Citation presented for practicing on a lapsed license from February 1, 2020 to March 26, 2020. Licensee agreed to have a disciplinary mark placed on their license to pay a fine in the amount of \$100.00 per month the license was lapsed for a total of \$100.00. Ms. Caldwell made a motion to accept. Mr. Davis seconded. Motion Passed.

Briana Flores - Agreed Citation presented for practicing on a lapsed license from February 1, 2020 to March 23, 2020 Licensee agreed to have a disciplinary mark placed on their license to pay a fine in the amount of \$100.00 per month the license was lapsed for a total of \$100.00. Ms. Christmon made a motion to accept. Ms. Caldwell seconded. Motion Passed.

Lance Crotwell - Agreed Citation presented for non-compliance of continuing education for calendar year 2017. Licensee failed to complete 2 continuing education hours including patient safety and ethics in 2017. Licensee agreed to pay a fine of \$300.00 and requirements to complete the 12 missing hours and an additional 5 hours related to the practice of Respiratory Care. Licensee also agrees that this will appear as a disciplinary action against their license. Ms. Christmon made a motion to accept. Mr. Rooks seconded. Motion Passed.

Lauren Hayden - Agreed Citation presented for non-compliance of continuing education for calendar year 2018. Licensee failed to complete 10.5 continuing education hours including patient safety and ethics in 2018. Licensee agreed to pay a fine of \$300.00 and requirements to complete the 12 missing hours and an additional 5 hours related to the practice of Respiratory Care. Licensee also agrees that this will appear as a disciplinary action against their license. Mr. Davis made a motion to accept. Ms. Caldwell seconded. Motion Passed.

Robert Kibler - Agreed Citation presented for non-compliance of continuing education for calendar years 2016 and 2017. Licensee failed to complete 12 continuing education hours including patient safety and ethics in 2016 and 12 continuing education hours including patient safety and ethics in 2017. Licensee agreed to pay a fine of \$300.00 and requirements to complete the 12 missing hours and an additional 5 hours related to the practice of Respiratory Care. Licensee also agrees that this will appear as a disciplinary action against their license. Ms. Caldwell made a motion to accept. Mr. Davis seconded. Motion Passed.

Sammy Walker - Agreed Citation presented for non-compliance of continuing education for calendar years 2017. Licensee failed to complete 5 live/in-person continuing education hours including patient safety and ethics in 2017. Licensee agreed to pay a fine of \$300.00 and requirements to complete the 12 missing hours and an additional 5 hours related to the practice of Respiratory Care. Licensee also agrees that this will appear as a disciplinary action against their license. Ms. Caldwell made a motion to accept. Ms. Christmon seconded. Motion Passed.

Traci Heckerman - Agreed Citation presented for non-compliance of continuing education for calendar years 2017. Licensee failed to complete 5 continuing education hours including patient safety in 2017. Licensee agreed to pay a fine of \$300.00 and requirements to complete the 12 missing hours and an additional 5 hours related to the practice of Respiratory Care. Licensee also agrees that this will

appear as a disciplinary action against their license. Ms. Christmon recused herself. Ms. Caldwell made a motion to accept. Mr. Davis seconded. Motion Passed.

Investigative/Disciplinary Report

Lori Leonard, Disciplinary Coordinator, in the Office of Investigations, presented the investigative and monitored disciplined practitioners report as follows: For the monitored disciplined practitioners, there are four (4) practitioners under probation, three (3) under suspension, four (4) revocations, six (6) surrenders and one (1) child support order to report.

So far in the year 2020, the Office received four (4) RRT complaints; one (1) for lapsed license, one (1) for criminal convictions and two (2) continuing education violations. Investigations has closed zero (0) complaints, currently there are seven (7) open complaints under review at this time.

So far in the year 2020, the Office received two (2) CRT complaints; two (2) continuing education violations. Investigations has closed zero (0) complaints, currently there are two (2) open complaints under review at this time.

So far in the year 2020, for Respiratory Care Assistants, there is one (1) new complaint; one (1) continuing education violations. Investigations has closed zero (0) complaints, currently there are one (1) open complaints under review at this time.

Financial Report

Maria McCormick presented 2020 financial report as follows:

	<u>Projected thru June 2020</u>	<u>Actual July 2019-March 2020</u>
Total Payroll Expenditures:	\$95,144.65	\$53,613.93
Other Expenditures:	\$49,434.96	\$41,403.66
Total Direct Expenditures:	\$144,579.62	\$112,762.15
Total Allocated Expenditures:	\$103,829.36	\$77,872.02
Total Yearly Expenditures:	\$248,408.97	\$190,634.17
Board Fee Revenue:	\$235,047.20	\$168,545.00
Current Year Net:	(\$13,361.77)	(\$33,089.17)
Cumulative Carryover:	\$1,042,623.41	\$1,033,896.01

Applicant Interviews/File Review

Samuel Moore reminded the Board of the Fresh Start act.

Roy Stepp- Applicant was not present. File is appearing before the board for undisclosed criminal conviction on his application. Mr. Davis made a motion to proceed without applicant present, Ms.

Christmon seconded. After file review and discussion, Ms. Christmon made a motion to approve, Mr. Davis seconded. Motion passed.

Christopher Alexander- Applicant was present. File is appearing before the board due to surrender of license in North Carolina for unprofessional conduct, patient abandonment, and failure to report. After discussion with the applicant in regards to the events surrounding the surrender of the North Carolina license, Ms. Christmon made a motion to table the discussion until applicant provides full complaint documentation from North Carolina, a letter from employer at the time of the incident explaining what happened, an updated criminal background check with disposition papers for any incidents, a completed TnPAP evaluation for alcohol abuse and mental health evaluation, and a decision being made by the North Carolina board as to the reinstatement of his license in their state.

Tennessee Professional Assistance Program Report (TnPAP)

Mike Harkreader, TnPAP Representative, presented the Board's activity report from July 1, 2019, to March 31, 2020, as follows:

Monitoring- Non-regulatory	2
Monitoring Closed - Agreement Noncompliance	0
Referrals - from TNDH.	0
Agreements Activated	1
Closed Cases	0
Pending Evaluation Report	

Ratifications

Ms. Caldwell made a motion to approve and seconded by Mr. Davis, to ratify the list of New Licenses, License Reinstatements for Certified Respiratory Therapists and Registered Respiratory Therapists, and Closed Files, as follows:

New Licenses

RRT

Bowers Brittany
Brewer Jacob
Burns Michael RRT
Campbell Tanishia
Catterton Kaitlin Elizabeth
Cottrell Darien Chase
Dance Arika Patrece
Delacruz Dean Mark
Ferido Kathrine
Griffin Therese Marie Ms

Hall Sally Ann
Heard Tyler
June Jennifer Candace
Krug Alicia Ann Mrs.
La Anysten Thu
Lauderdale Whitney
McMahon Dylan Austin
Mumford Beverly Williams
Porter Karla R
Rich Amber
Richesin Lindsey Maryellen
Schrenk Mary
Smith Ashley Brooke
Stapleton Patrick
Swanson Karley Ms.
Thurmon Alli Rose
Walters Vicki Jean
Wiley Suzanne Elaine
Wynn Ternisha Renee
Yourik Shaina

CRT

Adkins Oliver Lee
Boshra Nancy
Collins Alicia Janelle
Ford Kenya
Halpin Pavanne M Mrs.
Jackson Roxanne Elaine
Kaur Harjinder
Parks Janza Rochelle
Perkins Alexis
Rich Amber
Swink David Howard
Young David Alan
Riley Brittney
Rogers Brandi
Dollar Jessica Paige Mrs.
Forguson Gabrielle Danielle Ms
Hunt Preston Jordon
Burnes Mikaela Leeann
McMahon Dylan Austin

Reinstatements

Adams Carol B

Britt Mandi Jane
Dean Amber Lynn RRT
Flores Briana
Harper Ross L
Kinneer Gabriel Joseph
McCain Cynthia Marie
Miracle Morgan N
Phillips David Dewayne
Washington Jeanette Young
Eckbloom Kimberly Lynn
Gudiel Rafael
Hunley Arnie Wayne
May Robin Cox
Nelson Brandi Lynn
Townes Talia Patrice
Hyatt Patricia A

Polysomnography Endorsement

Work Permit Issued

Bell Tevauna Lachelle
Brown Zachary
Chanin Rebecca Joy
Collins Austin
Goedde Rebecca Grace
Huey Tammy
Jimenez Krista
Mcbryar Haleigh Lace
Nguyen-Clark Jenny Chiem Mrs.
Rathgeber Jonathan William
Sandoval Claire Elizabeth
Sharpley Ashley
Vickery Ansleigh
Thies Christina Ann Mrs

Closed Files

Motion Passed

Administrative Report

Lacey N. Wilkerson, Board Administrator, presented the administrative report as follows:

Statistical Report

The following are the total active licensees as of April 27, 2020:

RRT	CRT	RCA
Active Licensees – 3758	Active Licensees – 1233	Active Licensees – 4

Licensing activities from February 14, 2020 through April 26, 2020:

RRT	CRT
New applications received – 49	New applications received - 16
New licenses issued – 30	New licenses issued – 19
Reinstated – 11	Reinstated – 6
Registered Poly Endorsement(s) – 0	Certified Poly Endorsement(s) – 0
Number of renewals – paper – 41	Number of renewals – paper – 24
Number of renewals on line – 253	Number of renewals on line – 72
Number of licensees who retired - 11	Number of licensees who retired – 3
Number of licenses that expired – 20	Number of Licenses that expired – 14
Closed Files – 0	Closed Files - 0
Upgrades from CRT to RRT- 0	NA
RRT Limited Permit to Full License – 3	CRT Limited Permit to Full License- 2

For RRTs, the number of renewals online during this period constituted a usage rate of 86%. For CRTs the number of online renewals constituted a usage rate of 75%

2020 Meeting Dates:

August 20, 2020, and November 12, 2020

As of October 1, 2019, maximum lodging for Davidson County increased to \$223.00, other reimbursements remain the same.

Upcoming Conferences

AARC Summer Forum Canceled	Snowbird, UT
Annual Clear Conference September 23-26, 2020	Seattle, WA
AARC Annual Congress November 14-17, 2020 FARB 2020 Regulatory Law Seminar	Orlando, FL

Administrative office requested clarification of the rules regarding licensees who fail to maintain the proper NBRC credentials. Questions were posed to the board regarding the downgrading of licenses from registered to certified respiratory therapist or refusal to renew licensees based on NBRC status. After discussion among the board members it was determined that should a Registered Respiratory Therapist fail to maintain RRT credentials but hold CRT, their license would be downgraded to reflect the credential held and the licensee would need to re-obtain RRT status with NBRC and provide proof to the administrative office in the form of an upgrade application with applicable fees and paperwork to reinstate their RRT status. It was also determined that in the event a Certified or Registered Respiratory Therapist fails to maintain either a CRT or RRT credential through NBRC, the license would not be renewed unless proof could be provided prior to the expiration date of their license. Failure to provide proof of an updated NBRC credential prior to the expiration date of their license would result in a lapse in active license. These licensees would need to submit all documentation required for the reinstatement of their license including applications, fees and proof of active NBRC. These licensees could also be subject to disciplinary action against their license should they continue to practice after the expiration date of their license in this manner.

The board requested that an email blast be sent to all current licensees as well as a statement to be placed on the Board's website informing licensees and applicants of the enforcement of denial/downgrade of their license should they fail to maintain the correct NBRC.

Correspondence

Kimberly Wallace presented information provided by the National Board of Respiratory Care regarding changes to their current testing practices. NBRC has begun allowing proctored exams for individuals in certain states due to the current COVID-19 situation. Ms. Wallace informed the Board that there is no action that needs to be taken due to this affecting the national scoring and not anything directly related to state licensure.

Policy Amendments

Samuel Moore, Senior Associate General Counsel presented a change to the policy statement for administering the Influenza Vaccine to include the administering of the Pneumococcal Vaccine per the Board's request at the February 20, 2020 meeting. After review of the changes made Ms. Christmon made a motion to accept the policy change to include the Pneumococcal Vaccine to the Position statement for administering the Influenza Vaccine as written, Ms. Caldwell seconded. Motion Passed.

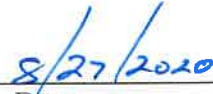
Discuss Old and New Business

Ms. Christmon and Mr. Powell requested the Administrative staff to obtain information on how the Nursing Board compact began for informational purposes.

Adjournment

There being no further business, Ms. Caldwell made to adjourn the meeting, Mr. Davis seconded. Motion passed. The meeting was adjourned at 11:35 AM.


Curtis Powell, Chair


Date