



POLYSOMNOGRAPHY PROFESSIONAL STANDARDS COMMITTEE

Regular Board Meeting

Tuesday, February 20, 2018

MINUTES

A regular meeting of The Tennessee Board of Medical Examiners' Polysomnography Professional Standards Committee was held in the Division of Health Related Boards, 665 Mainstream Drive, Poplar Room, Nashville, TN 37243.

Members Present: Roxanne Valentino, M.D.
 Jim O. Donaldson, PSGP
 Scott Vogt, PSGP
 Charity Worrick, PSGP

Absent Members: Theresa Hill, Consumer Member
 Dan Brown, PSGP

Staff Present: Maegan Carr Martin, JD, Executive Director
 Rene Saunders, MD, Medical Consultant
 Tracy Alcock, JD, Advisory Attorney
 Tammy Davis, Administrator
 Stacy Tarr, Administrative Director
 Candyce Waszmer, Administrative Director

The committee convened at 9:02 a.m. A quorum was present and Dr. Valentino, Committee Chair, called the meeting to order with a roll call.

Election of Officers

This committee is statutorily required to hold committee elections annually for a chair and a secretary. Those elections were currently due.

Mr. Jim Donaldson motioned to nominate Dr. Roxanne Valentino to continue to serve as the chair. Dr. Valentino accepted the nomination. Mr. Scott Vogt seconded and it passed unanimously.

Mr. Donaldson nominated Mr. Vogt for secretary. Mr. Vogt declined the nomination. Ms. Charity Worrick motioned to nominate Mr. Donaldson and he accepted the nomination. Mr. Vogt seconded the motion. The motion passed unanimously.

Approval of Minutes

After review of the minutes, Mr. Donaldson made a motion to approve the minutes. The motion was seconded by Ms. Worrick. The minutes were approved unanimously.

Applicant Interviews

Sharon Robinson – Ms. Robinson appeared before the Committee due to an incorrect interpretation of T.C.A. 63-1-106(c), the relevant part of which states that “any person who is engaged in the practice of polysomnography on July 1, 2007, shall be eligible for licensure under this chapter without meeting the educational requirement of subdivision (b)(1)...” An email was sent to Ms. Robinson on Friday, February 2, 2018 stating that she could be licensed since she practiced prior to July 1, 2007. The Committee’s consultant, Dr. Rene Saunders, may only issue temporary authorizations which must be ratified by the Committee. Since it appeared that the temporary authorization was issued in error, the temporary license was rescinded and Ms. Robinson was asked to appear before the Committee for consideration for licensure.

Mr. Donaldson recused himself due to the fact that he and Ms. Robinson work for the same organization. The committee reviewed the correspondence between Ms. Martin and Ms. Robinson relating to the rescission of her license. Ms. Tracy Alcock advised the Committee regarding their motion options.

After review of her application and supporting materials and discussion with Ms. Robinson, Mr. Vogt made a motion to approve her licensure application based on her being currently BRPT certified and having maintained all continuing education with no contingency. Ms. Worrick seconded the motion. The motion carried.

Marsha Grinnell – Ms. Grinnell appeared before the Committee today as a result of unlicensed practice from July 1, 2010 through June, 2017, a total of eighty-four (84) months. She reported that her employer assisted her in identifying and obtaining all the requisite education required for polysomnography, but did not inform her of the requirement to be licensed and she did not seek to confirm independently whether a license is required. An Agreed Citation, citing her for

this unlicensed practice, was prepared and forwarded to Ms. Grinnell prior to today's meeting. She has not signed and returned the Agreed Citation. Ms. Alcock stated that unlicensed practice is a violation of the law. Dr. Saunders added that in addition to the consequences of the unlicensed practitioner, the employer is punishable. However, Ms. Grinnell has refused to provide the names of her employer(s) during the period of unlicensed practice. Ms. Alcock explained the options the Committee has regarding licensure as well as discipline. After discussion with Ms. Grinnell and review of all pertinent information, Mr. Vogt made a motion to approve Ms. Grinnell's licensure contingent upon her signature on the Agreed Citation and receipt of monthly payments in the amount of \$350 per month beginning in April, 2018. Mr. Donaldson seconded the motion and it carried.

Financial Report

Ms. Noranda French, with the Department's financial office, reviewed the financial report with the Committee. Ms. French reported the following data from the fiscal year ending June 30, 2017:

Direct Expenditures – \$16,287.17

Allocated Expenditures – \$14,650.51

Total Expenditures – \$30,937.68

Net Revenue – \$13,447.32

LARS (licensing and regulation system) – \$3,674.62 (whereas costs are charged to the Committees cumulative carryover)

2017 Cumulative Carryover – \$-2,934.634

Ms. French reviewed the Committee's five-year expenditure trend. There was a small spike in professional services and dues but that has resolved itself. The Bureau of Health Licensure and Regulation is tracking growth of all the Boards/Committees. There has been some recent fluctuations in this Committee, but since 2010, the Committee has grown 27% overall. She reviewed the Board's revenue sources:

Revenue from renewals – 66%

Revenue from application fees – 5%

Revenue from permits – 15%

There is one additional year of LARS improvements and the anticipated expenses will be very similar to the Fiscal Year 2017 numbers. It was originally anticipated the FY2017 would be the highest LARS expenditure year due to the number of improvements made this year. It is anticipated that by fiscal year end 2018, the Committee will have a positive carryover amount.

Ratification of New Licenses & Reinstatements

Mr. Donaldson made a motion to approve new licenses, temporary permits, and expired licenses. Mr. Vogt seconded the motion and it carried.

Office of General Counsel Report

Ms. Alcock stated there are no open cases pertaining to the Polysomnography Professional Standards Committee.

Ms. Alcock reminded the Committee of the Conflict of Interest Policy.

Manager's Report

Ms. Stacy Tarr reported the activities that have transpired in the administrative office between August 1, 2017 and January 31, 2018 concerning Polysomnography professionals:

New Applications Received:

Full Technician – 10
Technician/Temp – 19
Trainee/Student – 4
Reinstatements – 4

Total New Licenses Issued:

Full Technician – 11
Technician /Temp – 24
Trainee/Student – 5

Number of Renewals – 111
Online Renewals – 95 or 86%

Total number of active licensees as of January 31, 2018 is 534.

Office of Investigations

Lori Leonard, Disciplinary Coordinator, appeared before the Committee and reported the following:

There are currently four (4) practitioners under Board Order and one (1) under suspension. Three (3) of the four (4) under Board order have been forwarded to the Attorney General's office for collections. The Office of Investigations received one (1) complaint in 2017. No new complaints have been received in 2018.

There being no further committee business, the meeting was adjourned at 10:10 am.