

Office of General Counsel

Ms. Martin reminded the committee that they all signed conflict of interest agreements and asked that if anyone needs to recuse themselves, please do so.

Tracy Alcock, Advisory Attorney, informed the Committee that the Office of General Counsel currently has two open cases. There is one Consent Order and a contested case. The contested case was originally scheduled for today but it has been continued, possibly to the August meeting.

Rule Amendments

At the last two meetings, the Committee discussed two different amendments to the rules. One has to do with continuing education and the other has to do with the consultant. The rulemaking process has commenced though it will be a while before the rulemaking hearing is scheduled. Once rulemaking is authorized by the Committee, the proposed rule is subject to internal review.

Consent Orders

Natalie Burge – Ms. Burge was not present nor was an attorney present on her behalf. Ms. Alcock presented the order. Ms. Burge is alleged to have practiced with a lapsed license. She was unlicensed for a little over 16 months, as reflected on Page 3 of the Consent Order. She was granted a license as a polysomnographic technologist in July, 2010. Her license expired on April 30, 2014. She continued to work on an expired license as a RPSGT on a prorated schedule at Cookeville Regional Medical Center from the expired date of April 30, 2014 through at least August 31, 2015, for a total of at least 16 months. When she applied for reinstatement to the Committee on August 31, 2015, she was notified that her application for reinstatement had been preapproved. In accordance with new policy recently adopted by the Committee Ms. Burge will receive a reprimand which will be reported to the NPDB and she will be assessed a penalty which the policy states have to be over \$50/mo. She has agreed to pay \$60/mo for each of the 16 months of unlicensed practice which is a total of \$960 civil penalty. Ms. Alcock asked that the Board pass this consent order. Mr. Donaldson made a motion to ratify the consent order. Mr. Brown seconded the motion, which passed.

Alan Hogue – At the last meeting, an agreed citation was presented for Mr. Alan Hogue who engaged in the unlicensed practice of polysomnography for a period of seventeen months. As the minutes reflect, this was signed by Dr. Valentino. Mr. Hogue was hereto answer questions about his unlicensed practice. The Committee is being asked to formally approve the agreed citation that was presented at the last meeting as there was no motion to approve at that time. Mr. Clark made the motion to approve the citation. Mr. Brown seconded the motion. The motion was approved.

Alexandra Phillips – Ms. Martin presented Ms. Phillips' agreed citation for practicing on a lapsed license. Ms. Phillips was not present. Ms. Phillips practiced without a license from May 27, 2015 through March of this year. This agreed citation was prepared in accordance with the

Committee's unlicensed practice policy and assesses Ms. Phillips a penalty of \$1,100. Ms. Martin asked to Committee to consider ratification of this agreed citation so that it may be presented to the BME for ratification next week. Mr. Clark made a motion to approve this agreed citation. Mr. Donaldson seconded the motion. The motion was approved.

Manager's Report

Ms. Stacy Tarr reported that between February 1, 2016 and April 30, 2016, 5 technologist (full license), 14 technician (temporary permit), 9 Trainee/Student, and 3 reinstatement applications were received by the administrative office.

Total New Licenses Issued

Technologist (Full)	10
Technicians (Temporary)	8
Trainee	9
Number of Renewals	61
Online Renewals	47
Percentage of renewals on-line	77

The total number of active licensees as of April 30, 2016 is 548.

Discuss Information to Be Included In Correspondence to Programs

At the Committee's last meeting, the need to correspond with the programs and identify some knowledge deficiencies to their students and potential licensees was discussed. Ms. Martin asked that Committee to share its ideas with her so that they may be included in the correspondence. Unlicensed practice is one of the recurring issues with this profession, so Ms. Martin will be sure to emphasize the need for a license and also circulate the link to the rules that are contained on our website.

The letter will go to the Program Directors for each of the Committee's accredited programs. If there are any others associations that the Committee thinks would be helpful in disseminating the information to either supervisors or licensees, the Committee was asked to let Ms. Martin know.

Reports From The Office of Investigations and Disciplinary Coordinator

Ms. Nichelle Dorroh reported that there is one (1) complaint in the Office of Investigations as of May 10, 2016. There are three (3) polysomnography technologists currently being monitored by the disciplinary coordinator.

Legislative Update(s)

Public Chapter 763 was summarized for the Committee. That legislation amended prior law required a person who had allowed their license lapse to pay all past due renewal fees as a condition of reinstatement. That resulted in some inequities between licensees because the administrative office would collect much more from someone that had been out of practice for

ten years versus someone who had been out of practice for two years. In some cases, someone may have purposely allowed their license to lapse because they were, for example, practicing in another state. Public Chapter 763 caps the assessment of past due renewal fees.

That legislation states that anyone who allows their license to lapse for whatever purpose has to pay a single past due renewal fee plus a late renewal fee. Pursuant to this legislative development, one hundred and eighty dollars is the most someone would have to pay to reinstate their lapsed license for this committee.

There being no other Committee business, the meeting was adjourned.