

KENTUCKY BOARD OF RESPIRATORY CARE

MINUTES

June 17, 2010

A meeting of the Kentucky Board of Respiratory Care was held at 5:30 p.m., on Thursday, June 17, 2010 at 2624 Research Park Drive, Suite 304, Lexington, KY.

MEMBERS PRESENT

Tamara G. McDaniel, Chair
Jeff W. Knight, Vice-Chair
James P. Bronson, Jr.
Janet R. Vogt
Dr. David Hasselbacher
Dr. Robert W. Powell

KBRC STAFF

Peggy Lacy Moore, Executive Director
Rick L. Rose, Administrative Assistant

OTHER

Cheryl Lalonde, AAG

Mrs. McDaniel, Chair, called the meeting to order at 5:35 p.m., in the Board's conference room.

Minutes

Dr. Hasselbacher moved to approve the April 21, 2010 meeting Minutes; seconded by Janet Vogt. Motion carried unanimously.

Report from CEU Committee - Continuing Education

Mrs. Vogt and Mr. Bronson advised there are no more audits and nothing new to report on CEU's.

Dr. Hasselbacher made a motion to rescind the Agreed Order for Tammy L. Johnson and the \$500 fine. The motion was seconded by Janet Vogt and passed unanimously.

A discussion was held on Courtney Yates. The Board agreed Ms. Yates should receive an Agreed Order with a \$250 fine, which has been signed and paid by Ms. Yates.

Mrs. Vogt requested all therapists that want to claim college class CEU's must file a CEU request form and the course must be 300 or above for review and approval by the Education Committee.

Old Business

Complaints

Pursuant to KRS 61.810 (1) (c) and (j), Jeff Knight made a motion for the Board to go into closed session to discuss proposed or pending litigation and to deliberate regarding individual adjudications. The motion was seconded by Jim Bronson, and carried unanimously.

Dr. Hasselbacher moved to come out of closed session; seconded by Dr. Powell. Motion carried unanimously.

Agreed Orders:

Tami D. Balsler KY # 2181 – KYPRN Agreement & AO 8/13/2008

Ms. Lalonde advised that Ms. Balsler failed to attend a telephonic prehearing conference on June 14, 2010. Hon. Susan Durant, Hearing Officer, Administrative Hearings Branch, Office of the Attorney General, set a second telephonic prehearing conference for June 21, 2010. Ms. Lalonde will move for a Default Judgment if Ms. Balsler fails to attend the June 21st prehearing conference, and Hearing Officer Durant will cancel the hearing scheduled for July 12, 2010 at 9:00 a.m.

Kim Deaton KY # 3627 – AO 11/19/2008; AO 1/26/2010

Jeff Knight made a motion for legal counsel to pen an Agreed Order for Kimberly Deaton to surrender her license as revoked. If Ms. Deaton would like to reinstate her licensure in the future she must document six (6) months of sobriety through the KYPRN, have 24 current CEU's and follow the terms of her existing Agreed Order upon reinstatement; the motion was seconded by Jim Bronson, and carried unanimously.

Scotty D. Halsey KY # 2138 – AO 12/02/2008

Ms. Lalonde reported Scotty Halsey is compliant. No action on the case.

John “Jack” Harrison KY # 0285 – AO 12/02/2008

Ms. Lalonde reported John “Jack” Harrison is compliant. No action on the case.

Charlotte Dreux KY # 0773 – AO 12/02/2008; Amended AO 2/19/2009

Ms. Lalonde reported Charlotte Dreux is compliant. No action on the case.

Terry Clark KY # 0742 – AO 12/02/2008

Ms. Lalonde reported Terry Clark is compliant. No action on the case.

Thomas W. Grant KY # 0527 – AO

Ms. Lalonde reported Thomas W. Grant is compliant. No action on the case.

Eric Harmon KY # 5433 – AO 2/19/2009

Ms. Lalonde reported Eric Harmon is compliant. No action on the case.

Kim Murphy KY # 5038 – AO 7/1/2009

Ms. Lalonde reported Kim Murphy is compliant and her one year starts on July 2, 2009. The earliest date the Board may consider a petition for reinstatement of Ms. Murphy's certificate is July 2, 2010. No action on the case.

Richard T. Dials – KY # 3996

Ms. Lalonde advised that Mr. Dials failed to attend a telephonic prehearing conference on June 14, 2010. Hon. Susan Durant, Hearing Officer, Administrative Hearings Branch, Office of the Attorney General, set a second telephonic prehearing conference for June 21, 2010. Ms. Lalonde will move for a Default Judgment if Mr. Dials fails to attend the June 21st prehearing conference, and Hearing Officer Durant will cancel the hearing scheduled for July 12, 2010 at 1:00 p.m.

Jason Perdue – KY # 5466

Ms. Lalonde reported Jason Perdue is compliant. No action on the case.

Lisa A. Smith KY # 0386

Ms. Lalonde reported Lisa A. Smith is compliant. No action on the case.

Complaint Cases:

The Board did not have any complaint cases to review at the June 17, 2010 meeting.

New Business

Pamela McKendrick Email

Ms. Pamela McKendrick of Phoenix, AZ inquired about whether she would need a mandatory certificate in Kentucky if she provided in-home instruction about a sleep monitor to a patient. Dr. Hasselbacher made a motion to advise Ms. McKendrick that she would need to obtain a mandatory certificate because she would be engaged in the practice of respiratory care. Dr. Hasselbacher also requested that Ms. McKendrick's letter be forwarded to the KBML since it involved an out-of-state physician who may have licensure issues that need to be explored further by that board; seconded by Janet Vogt. Motion carried unanimously.

Beverly Powell Email Re: Pulmonary Function Test

Mrs. McDaniel presented an email from Beverly Powell, HR/Compliance Manager with Premier Home Care, Inc., in Louisville, KY. Jeff Knight recused himself from the discussion/vote of this matter. Ms. Powell stated she is employed with a DME company with a medicinal gas pharmacy permit and a mobile health license. Her company wants to perform pulmonary function testing on people during occasions such as health fairs, or other

opportunities as they arise. Ms. Powell stated test results were informational only and would not be billed for reimbursement. Dr. Hasselbacher made a motion that it is within the scope of practice for a respiratory therapist to do PFTs pursuant to the guidelines set out in KRS 314A.100 (3). Ms. Powell's letter did not provide sufficient information for the Board to comment further. The motion was seconded by Dr. Robert Powell and carried unanimously.

Catherine Holloway Seeking Approval to Attend Respiratory School

Mrs. Moore submitted information from Catherine Holloway. Mr. Bronson recused himself from the discussion/vote of this matter. Ms. Vogt made a motion that a letter be sent to Ms. Holloway stating the information she provided to the Board would not prevent her from obtaining a licensure when she completed all the necessary requirements under our law, should she decide to go to respiratory school. The motion was seconded by Dr. Powell and carried unanimously.

Ratify Reactivation of Kathleen Shockey KY # 4040 to Practice in KY

A motion was made by Jim Bronson to ratify Mrs. McDaniel's approval of Kathleen Shockey's Reactivation application. Ms. Shockey completed an agreed order in Ohio and holds a current license with the Ohio Board and in compliance. Mrs. McDaniel approved the application pending the Board's ratification of the reactivation application. The motion was seconded by Jim Bronson and carried unanimously.

NBRC Admission Policy Change Effective January 1, 2011 Re: CRT Exam

Mrs. Moore presented a memo from the NBRC regarding "Admission Policy Change Effective January 1, 2011". Mr. Bronson and Mrs. Vogt updated the Board on the current policy regarding students being able to sit for the CRT's exam 30 days prior to graduation however they do not get their test scores until they graduate. That will change with the following NBRC provisions:

1. Effective January 1, 2011 – The NBRC voted to eliminate the exam for entry-level respiratory therapists (CRT) 30 days prior to actual graduation.

2. Effective January 1, 2011 all applicants for the CRT Exam must provide proof of graduation when applying for the exam. Candidates will not be eligible to schedule their examination appointment until proof of graduation is provided by either the accredited educational program or candidate.

Application Review

A motion was made by Janet Vogt to accept all **100** applications since the last meeting; seconded by Jim Bronson. Motion carried unanimously.

The following **Student applications (15)** were approved:

Kara M. Brown, Jeffrey D. Cahill, Hailee E. Calvert, Jaelyn S. Franklin, Danielle L. Harth, Angela B. Hollar, Katie E. Massey, Nancy J. Perrey, Gary M. Profitt, Susanna M. Smith,

Elizabeth R. Szymanski, Tonya R. Tackett, Amanda M. Tyler, Macaira A. VanDuyn and Trina C. Wolfe.

The following Temporary **applications (2)** were approved:

Brook A. Bowman and Wada M. Robinson.

No Temporary applications to review.

The following **NBRC applications (77)** were approved:

Sarah E. Adams, Ashley M. Allen, Blake E. Arnold, Jennifer N. Baker, Tonya L. Baker, Kayla M. Bates, Brandon W. Beakes, Katherine M. Betz, Denis Brajkovic, Lindsey J. Brown, Aubrey E. Bryant, Ronnie Burns, Tira J. Calhoun, Tomeka A. Cannon, Cherlyn A. Clark, Christy L. Crosthwaite, Joshua D. Curtis, Lora D. Damron, Kayla X. Dang, Fatima A. Dawson, Brian D. Deweese, Lori D. Erker, Bethany E. Foster, Tommy C. Frazier, Amy R. Frcka, Alicia L. Gifford, Aaron Grubb, Darcey R. Hall, Kelly S. Hardin, Helen C. Harmon, Marsha L. Harrison, Kristi D. Hensley, Pamela A. Hines, Lindsay R. Houchens, Kenna Lynn Johnson, Mary Beth Keffer, Dana L. Lamar, Heather N. Lipps, Sheri J. Luttrell, Allie V. Manning, Jay G. Martin, Brittany N. Mason, Destiny L. Mattingly, Bridgette Medina, Tracy N. Michael, Sabrina L. Miracle, Christina F. Murphy, Dawn M. Murphy, Wendie Long Oberton, Glenda S. Perkins, Patrick Allen Cole Porter, Amber L. Pridemore, Gwen M. Pruitt, Tracey Janine Rager, Melissa A. Renfro, Jarrett M. Robinson, David Lee Rowell, Jr., Stephanie N. Salisbury, Andrea K. Sawyers, Benjamin C. Seal, Zachary R. Sergeant, Danny D. Simpson, Brandy E. Smith, Deanna M. Smith, Tommy C.T. Smith, Martin W. Sparks, Sara B. Sparks, Delilah D. Turner, Christopher P. Wells, Christina A. West, Greg B. Wilson, Michele M. Witt, Jason L. VanMeter, Heather N. Vibbert and Christopher M. Vititoe .

The following **Reciprocity applications (6)** were approved:

Ann T. Chisholm, Artemis Marie, Sejal Mehta, Rebekah R. Self, Janet M. Steir and Mary A. Williams.

Dr. Powell made a motion to adjourn the meeting at 7:40 p.m.; seconded by Jeff Knight. Motion carried unanimously.

Tamara G. McDaniel, Chair
KY Board of Respiratory Care