

**KENTUCKY BOARD OF RESPIRATORY CARE**

**MINUTES**

August 12, 2010

A meeting of the Kentucky Board of Respiratory Care was held at 5:50 p.m., on Thursday, August 12, 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

**KBRC STAFF**

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

**OTHER**

Cheryl Lalonde, AAG  
Mark Vargas, RRT, President, KSRC

Mrs. McDaniel, Chair, called the meeting to order at 5:50 p.m., in the Board’s conference room. Mrs. McDaniel stated Governor Beshear today appointed Gail A. Darley of Augusta, KY, to complete Richard Blackerby’s term until October 31, 2012 and she would join us at the October 7, 2010 meeting.

**Report from CEU Committee - Continuing Education**

Mrs. Vogt stated there was nothing new to report on CEU’s. Mrs. McDaniel posed a question on courses taken online for the Bachelor’s degree in health care administration. Mrs. Vogt requested all therapists that want to claim college classes to file a CEU request form and the course must be 300 or above level for review and approval by the Education Committee. Mr. Bronson stated it has to be a science related course to be considered for approval.

Mrs. Moore stated she requested Michael Garrison with asiGuardian Company to meet with us for a review and evaluation of the backup system “echobak” on the Board’s database backup off-site. Mr. Garrison updated information to be captured with the echobak program.

**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.

Mark Vargas, RRT, and guest of the KBRC, left the room during the closed session.

Jim Bronson moved to come out of closed session; seconded by Janet Vogt. Motion carried unanimously.

**Agreed Orders:**

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

A motion was made by Jeff Knight, and seconded by Janet Vogt, for legal counsel to prepare a Final Order of Default. Motion carried unanimously.

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

Jeff Knight made a motion for Mrs. Moore, Executive Director, to look for the signed Agreed Order on the due date. If the Order is received the Board approves it as signed, and if it is not received the Board authorizes legal counsel to send another letter with an Agreed Order for Kimberly Deaton to surrender her license as revoked. The Board will view the case again at the October meeting; the motion was seconded by Janet Vogt, 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 stated Mr. Fingerson’s reports states Kim Murphy remains in her treatment facility but he has not heard from her since January 16, 2010. No action on the case.

**Richard T. Dials – KY # 3996**

Ms. Lalonde advised Mr. Dials participated in the second telephonic prehearing conference on June 21, 2010 before Hon. Susan Durant, Hearing Officer, Administrative Hearings Branch,

Office of the Attorney General. After the telephonic conference Ms. Lalonde drafted an Agreed Order of Future Reinstatement for Mr. Dials which he signed and returned to the Board. A motion was made by Jeff Knight, and seconded by Janet Vogt, to approve the Agreed Order of Future Reinstatement for Richard Dials. Motion carried unanimously.

**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**

**Dennis Pope KY # 4957 – Applying for Reinstatement**

A motion was made by Jim Bronson to contact the Department of Health in Florida to request additional information on any disciplinary actions taken against Mr. Pope before we act on his reinstatement request. The Board requested Ms. Lalonde to draft a letter to Mr. Pope inquiring what actions he intends to take in response to the Final Order issued by the State of Florida, Department of Health, issued on or about May 5, 2010 and review at the October meeting; the motion was seconded by Janet Vogt and carried unanimously.

**Kim England, CRT, Email - Central Baptist Hospital Re: Written and Verbal Orders**

Kim England inquired about whether nurse practitioners could write orders for a group of pulmonary doctors that practice at Central Baptist. Mrs. McDaniel's responded "KRS 314A.100 (1) states that we may only take orders from physicians. If a nurse practitioner, PA or a nurse writes an order it must be counter signed by a physician."

**Curtis Hohenecker Email Re: Written and Verbal Orders**

Curtis Hohenecker about whether RN's, ARNP's and PA's can write orders and have them counter signed by a physician? Mrs. McDaniel's responded "KRS 314A.100 (1) states that we may only take orders from physicians. If a nurse practitioner, PA or a nurse writes an order it must be counter signed by a physician."

**Denver Miller KY # 4952 – Review of FL Order/KY Renewal due January 2011**

Denver Miller, RRT, contacted the Board regarding renewal of his mandatory certificate in January 2011. Mr. Miller presented information of an Agreed Order with the Florida Department of Health. A motion was made by Jim Bronson, and seconded by Jeff Knight, for

legal counsel to send a letter to Mr. Miller and advise him his order in Florida will not impact his renewal if he has satisfied his requirement to pay the Florida Department of Health the total of \$578.55 prior to submitting an Application for Renewal in KY; motion carried unanimously.

### **Announcements**

Mrs. McDaniel advised the next meeting is set for October 7, 2010 at 5:30 p.m., and will be held at the KBRC offices. Mrs. McDaniel stated since Murrays has closed we will hold our December 16, 2010 meeting at Portofino's, in the Wine Room, located on E. Main Street, Lexington, KY.

### **Application Review**

A motion was made by Janet Vogt to accept all **26** applications since the last meeting; seconded by Jim Bronson. Motion carried unanimously.

The following **Student applications (3)** were approved:

Jessica P. Adkins, Angela M. Drysdale, George W. Plaza.

The following **Temporary applications (1)** were approved:

Wade M. Robinson.

The following **NBRC applications (19)** were approved:

Mary L. Abou Nader; April M. Bailey, Brook A. Bowman, Joshua L. Bowman, Bryan A. Cox, James C. Crider, Daniel F. Dennison, Chris E. Ghory, Stacey L. Helton, Rebecca L. Hinkle, Eric J. Kilburn, William T. King, Holly R. Kruizinga, Valerie D. Messer, Brandy D. Presley, Luka D. Smiley, Scottie R. Jarvis, William C. Morgan, III, Kirk U. Whipple.

The following **Reciprocity applications (3)** were approved:

Steven L. Jacobsen, Sharilynn D. Lee, Kristen A. Wilson.

Jeff Knight made a motion to adjourn the meeting at 7:50 p.m.; seconded by Jim Bronson. Motion carried unanimously.

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Tamara G. McDaniel, Chair  
KY Board of Respiratory Care