

**KENTUCKY BOARD OF RESPIRATORY CARE**

MINUTES

October 7, 2010

A meeting of the Kentucky Board of Respiratory Care was held at 5:45 p.m., on Thursday, October 7, 2010 at 163 W. Short Street, 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  
Gail A. Darley

KBRC STAFF

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

OTHER

Cheryl Lalonde, AAG  
Klaus Becker, former Citizen-At-Large Member

Mrs. McDaniel, Chair, called the meeting to order at 5:45 p.m., in the Board's conference room. Mrs. McDaniel welcomed our guest former member Klaus Becker and our newest member Gail A. Darley. Mrs. McDaniel stated the first order of business was to ask Peggy Lacy Moore, Executive Director to administer the Oath of Office to Gail A. Darley of Augusta, KY as the new Citizen-At-Large member to serve the KBRC Board for a term expiring October 31, 2012.

Mrs. Darley stated she was excited to be appointed to the Board. She stated her family has a long history from Kentucky. She does not know much about respiratory health except that her mother died from emphysema, her father died from lung cancer, her sister Rosemary Clooney died from lung cancer, and now she has a cousin dying from lung cancer. She finds it quite appropriate for her to find out everything she can about respiratory health and to try to become proficient enough to be of help to the Board.

**Report from CEU Committee - Continuing Education**

Mrs. Moore stated we have roughly 2,200 folks to renew when we open our renewal window on November 1, 2010 through January 30, 2011. Mrs. Vogt explained our CEU process to Mrs. Darley. Mrs. Vogt stated CEU approval was picking up and it would continue to be busy with folks preparing for the renewal cycle. Jim Bronson made a motion to audit 15% of the 2011 renewals due to renew by January 30, 2011 that will be audited by the board; seconded by Janet Vogt which passed unanimously.

Mrs. Moore stated staff would mail post cards to all the active and inactive folks that are due to renew by January 30, 2011 and they must have their 24 CEU's by December 31, 2010.

Jeff Knight requested the staff to check into getting a face book account and maybe a twitter page to spread the word to our folks to renew their 2011 respiratory licensures commencing November 1 through January 30, 2011.

## **Old Business**

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

Mrs. McDaniel stated as an FYI we have not heard anything further from Mr. Miller since Ms. Lalonde, legal counsel sent a letter to Mr. Miller advising him his order in Florida will not impact his renewal in KY 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.

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

Mrs. McDaniel advised Mr. Pope is seeking reinstatement of his KY certificate. He is currently under the terms of an Agreed Order he entered into with the Board executed on November 25, 2009, that includes three (3) years probation through November 25, 2012. Mr. Knight pointed out the NBRC will hold a hearing on Mr. Pope on November 11, 2010. Mr. Pope has had legal problems in Mississippi and Florida. Mr. Pope applied for reinstatement and submitted a non-refundable fee. A motion was made by Dr. Hasselbacher, and seconded by Jim Bronson, for legal counsel to send a letter to Mr. Pope that this Board stands by the 2009 Agreed Order with two years remaining on that probation period; motion carried unanimously.

### **Recognition of Klaus Becker**

Mrs. McDaniel welcomed Klaus Becker, former Vice-Chair and Citizen-At-Large member to the meeting. She presented him with a service award for his outstanding, dedicated service and contributions to this board during the last six years in which he never missed a meeting. Congratulations to Klaus on his 50 year career spanning two countries in the respiratory field. Mr. Becker thanked the Board and stated he was honored by the service award.

The Board also had a service award for Dr. Westerfield who was not able to attend the meeting.

Mrs. McDaniel stated it could possibly be Mr. Bronson's last meeting. Mr. Bronson stated if he wasn't relieved of his duties he would be at the December meeting and each meeting thereafter until someone else was appointed to serve on the Board.

## **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 individual adjudications. The motion was seconded by Jim Bronson, and carried unanimously.

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

## **Agreed Orders:**

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

A motion was made by Jeff Knight, and seconded by Dr. Hasselbacher, to remove Ms. Balser from the agenda each meeting; as the Board has issued 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 to set a hearing for Kim Deaton on December 16, 2010 at 1:00 p.m., in the Board's offices; the motion was seconded by Dr. Hasselbacher, 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**

A motion was made by Jeff Knight to close the complaint of Kim Murphy from our agenda until further development; the motion was seconded by Dr. Hasselbacher. Motion carried unanimously.

**Richard T. Dials – KY # 3996**

A motion was made by Jeff Knight to remove Richard Dials from the agenda each meeting; the motion was seconded by Dr. Hasselbacher. 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:**

**A. Carolyn Sue Jones, RRT @ Baptist Regional Medical Center, Corbin, KY**

The Board reviewed the complaint filed on Carolyn Sue Jones, RRT, employee of Baptist Regional Medical Center, in Corbin, KY by Mary Jo Stevens. A motion was made by Jeff Knight, and seconded by Dr. Hasselbacher, to dismiss the complaint without prejudice due to insufficient evidence. Motion carried unanimously.

**B. Steven M. Ward, RRT @ Jewish Hospital & St. Mary's Healthcare, Louisville, KY**

The Board reviewed the complaint filed on Steven M. Ward, RRT, former employee of Jewish Hospital and St. Mary's Healthcare, Louisville, KY by KY Board of Nursing. A motion was made by Jeff Knight, and seconded by Dr. Hasselbacher, to dismiss the complaint without prejudice due to insufficient facts to support a violation of law. Motion carried unanimously.

**C. Lovejoy Medical, Frankfort, KY**

The Board reviewed a complaint filed on Lovejoy Medical, Frankfort, KY by June Sorensen, CRT. A motion was made by Jeff Knight, and seconded by Dr. Hasselbacher, for Mrs. Moore to contact Bryan Tudor to investigate the case if he does not have a conflict and report his findings to the Board at the December 16, 2010 meeting. Motion carried unanimously.

**Correspondence**

Mrs. Moore presented the following as FYI items: State mileage rate .43 mile for 10/1/10-12/31/10; Blackerby letter; Vickie Caskey email; Beverly Powell email and Russell Robinson email.

Mrs. McDaniel stated as an additional FYI that she had an inquiry from a lady that worked for a DME company. This lady wanted to know how employees should set up oxygen. Mrs. McDaniel stated her emails kept getting returned so she called the company and was told the person was no longer employed with them.

**New Business**

**2010 Summer/Fall KBRC Newsletter**

Mr. Rose presented a copy of the 2010 Summer-Fall KBRC newsletter. The Board thanked Mr. Rose for the good job creating the newsletter. Mr. Rose asked members to submit important articles so staff can continue to post them in the newsletter and on the website.

## **Announcements**

Mrs. McDaniel advised the next meeting is set for December 16, 2010 at 5:30 p.m., and will be held 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 **42** applications since the last meeting; seconded by Jim Bronson. Motion carried unanimously.

The following **Student applications (11)** were approved:

James R. Brown, Michelle L. Bryant, Ashley M. Dassel, Ashley M. Eveland, Sara Karimi, Chrystal M. Logsdon, Amanda J. Martin, Jesse W. Parsley, Courtney L. Puckett, Caty J. Shockley and Jeffery L. Willis.

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

Christina G. Stewart.

The following **NBRC applications (18)** were approved:

Seth A. Benson, Mark A. Cress, Jr., Tiffany D. Damron, Victoria A. Eagen, Grace M. Forte, Antonio G. Gonzalez, Danielle L. Harth, Chance G. Hayes, Trent L. Ledford, Andrea L. MCilwaine, Kellie M. McCord, David M. Olsen, Brian M. Robinson, Ashley L. Sapp, Mary E. Staehling, Kent A. Stevens, Leslie N. Wilkerson and Mario D. Wilkerson..

The following **Reciprocity applications (12)** were approved:

David E. Brasfield, Kimberly A. Campbell-Everett, Linda M. Cobb, Dorothy E. Foster, Glenna I. Goforth, Danielle N. Henry, Brian W. Kesterson, Benny A. Ooten, Jennifer A. Patterson, Kelly R. Smith, Lyndie D. Trader and Vicki L. Young.

Jeff Knight made a motion to adjourn the meeting at 8:00 p.m.; seconded by Dr. Hasselbacher. Motion carried unanimously.

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Tamara G. McDaniel, Chair  
KY Board of Respiratory Care