

KENTUCKY BOARD OF RESPIRATORY CARE

SUMMARY MINUTES

June 22, 2011

A regular meeting of the Kentucky Board of Respiratory Care was held at 5:30 p.m., on Wednesday, June 22, 2011 at 163 W. Short Street, Lexington, KY.

MEMBERS PRESENT

Tamara G. McDaniel, Chair
Jeff W. Knight, Vice-Chair
Janet R. Vogt
Jeff Smithern
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 5:30 p.m., in the Board's conference room at 163 W. Short Street, Lexington, KY.

Mrs. McDaniel advised Kathleen Kearney Schell was appointed to serve as the Citizen-At-Large member by Governor Beshear on May 19, 2011. Mrs. Schell will join us at the August 9, 2011 meeting. Mrs. Schell is an attorney and nurse and she also serves as legal counsel for the KY Embalmers and Funeral Directors Board.

Minutes

Jeff Smithern moved to approve the April 14, 2011 Minutes; seconded by Janet Vogt. Motion carried unanimously.

Report from CEU Committee - Continuing Education

Mrs. McDaniel stated the CEU Committee had met several times since the last meeting with Ms. Lalonde and staff to come up with a draft regulation to amend 201 KAR 29:050.

The Board will circulate updates to the hospitals and profession regarding the proposed amendments to 201 KAR 29:050. Staff will also circulate postcards the middle of October with the changes to 201 KAR 29:050 over the next two renewal cycles. The information will also be posted on our website, face book page, Minutes, and in newsletters that we circulate at the KSRC conference.

Dr. Powell made a motion to approve the draft regulation and to file it with LRC on or before July 15, 2011. The Board set a public hearing for Tuesday, August 23, 2011 at 10:00 a.m., in the Board's offices; seconded by Janet Vogt. Motion passed unanimously.

Annette Corio KY # 4156 – 2011 Audit

The board reviewed information from Annette Corio. Jeff Smithern made a motion for legal counsel to draft an agreed order with a \$500 fine for Annette Corio; seconded by Janet Vogt. Motion passed unanimously.

Jenna Rizzo KY # 5006 – 2011 Audit

Mrs. McDaniel told the Board Jenna Rizzo has not provided any of the 24 requisite ceu's for her 2011 audit. Mrs. Rizzo stated she lost her ceu's in a move. Jeff Smithern made a motion for legal counsel to draft an agreed order with a \$500 fine and a requirement of 48 ceu's (double the deficiency); seconded by Janet Vogt. Motion passed unanimously.

Katherine Peterson KY # 1376 – 2011 Audit

Mrs. McDaniel advised Katherine Peterson provided 24 ceu's all dated 2011; which she will be given credit and she must submit 24 additional ceu's to meet the requirements of double the deficiency. Jeff Smithern made a motion for legal counsel to draft an agreed order with a \$500 fine and a requirement of 24 ceu's (double the deficiency); seconded by Janet Vogt. Motion passed unanimously.

Alison B. Howard KY # 4156 – 2011 Audit

Ms. Howard has not returned a proposed Agreed Order so her case needs to be set for a formal hearing. Janet Vogt made a motion for legal counsel to prepare a notice of hearing and complaint with a hearing date of Wednesday, October 5, 2011 at 9:00 a.m.; seconded by Jeff Knight. Motion passed unanimously.

C. Grangier KY # 5900 & J. Browdy KY # 0719 – Order to Surrender Licensures

Mrs. McDaniel advised that Mr. Grangier and Mr. Browdy stated they are retiring or not working in the respiratory field. A motion was made by Janet Vogt for legal counsel to draft an agreed order for Mr. Grangier and Mr. Browdy to surrender their mandatory certificates as revoked with the stipulation that they may reinstate their mandatory certificates in the future once they pay their fines and submit sufficient continuing education; seconded by Jeff Knight. Motion passed unanimously.

Melinda Childress, KY # 1296 Inactive Status

Janet Vogt made a motion for Ms. Childress to go to inactive status with no refund on the renewal fee; seconded by Jeff Knight and passed unanimously.

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 Dr. Powell, and carried unanimously.

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

Agreed Orders:

Terry Clark KY # 0742 – AO 12/02/2008

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

Richard Dials KY # 3996 - KYPRN Agreement 5/2011

Ms. Lalonde reported Mr. Dials has entered Chad's Hope and is working with the KYPRN program.

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.

Thomas W. Grant KY # 0527 – AO 3/17/2009

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.

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.

Robert Kearns – KY # 5532 – AO 12/27/2010

Ms. Lalonde reported Robert Kearns is compliant. No action on the case.

Jason Perdue – KY # 5466 – AO 3/25/2010

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

Lisa A. Smith KY # 0386 – AO 3/25/2010

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

Complaint Cases:

A. Roberta Brooks, KY # 1507 Filed by: Teresa Taylor

Jeff Knight made a motion after the Board reviewed the investigator's report to suspend the mandatory certificate for three (3) months; seconded by Dr. Powell. Motion carried unanimously.

B. Tamela Tyree, KY # 2039 Filed by: Janice Caldwell

The record shows that Mrs. McDaniel and Jeff Smithern recused from the discussion and vote of the Tamela Tyree case. Jeff Knight made a motion to continue the investigation on the Tamela Tyree complaint and asked the investigator to present his report at the August meeting; seconded by Janet Vogt. Motion carried unanimously.

C. Gary Proffitt, KY # 6290 Filed by Kevin Henry, Atty., for Pattie A. Clay Hospital

Jeff Knight made a motion for legal counsel to prepare an Agreed Order that includes: a three (3) month suspension of the mandatory certificate followed by one year probation; participation in the KYPRN program that includes up to six (6) random drugs screen for the year and attendance at six (6) counseling sessions; seconded by Janet Vogt. Motion carried unanimously.

Joan Kruse Email Re: FBI Background Checks

Mrs. McDaniel presented an email as FYI from Joan Kruse pertaining to FBI backgrounds checks in Indiana.

Matter regarding Jarred S. Perdue, KY 5939

Mrs. Moore provided attorney Lesley A. Cant licensure records on Jarred S. Perdue, pursuant to a subpoena duces tecum.

Application Review

A motion was made by Jeff Knight to accept all **101** applications since the last meeting; seconded by Janet Vogt. Motion carried unanimously.

The following **Student applications (21)** were approved:

Morgan B. Bailey, Lauren H. Bell, Kirsten C. Bledsoe, Alanda M. Brown, Jacob A. Brown, Tia L. Brown, Jaclyn M. Calvert, Brittany L. Childress, Lindsey T. Conrad, Timothy E. Dearing, Annmarie Givans, Casey R. Gregory, Kelli A. Kuchar, Amy E. Lomax, Ashley A. Mason, Amber D. Munday, Larissa J. Pruitt, Serena N. Prusinowski, Rebecca M. Roy, Tyler H. Terry and Amanda M. Young.

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

Teddy L. Bass, III, Rachel H. Kuykendall and Ashley M. Luckscheiter.

The following **NBRC applications (65)** were approved:

Jessica P. Adkins, Iwona A. Alford, Christopher S. Asher, Cassandra A. Baker, Nicholas L. Barnhill, Daniel C. Batsche, Leslie A. Bell, Logan M. Bemiss, James R. Brown, Kara M. Brown, William D. Branstutter, Taulbee J. Brashear, Michelle L. Bryant, Jeffrey D. Cahill, Debra A. Chylek, Peggy L. Coffey, Jonathan N. Davis, Angela M. Drysdale, Alice Kay Edwards, Chenoa L. Fields, Nickolas G. Fletcher, Whitney R. Florian, Rikki R. Gaines, Kyle G. Grdner, Danielle R. Grimm, Timothy R. Hadden, Carla R. Hammond, Emily D. Hammonds, Angela K. Hart, Alice G. Helton, Brittany L. Hester, Sara D. Hoffman, Loretta L. Hubbard, Jeneine M. Jarrell, Amber M. Kannapel, Sara Karimi, Anthony L. Keith, Kathryn P. Kopple, Brandon J. Light, Jeanna Macie Logan, Chrystal M. Logsdon, Christopher G. Martin, Rachel A. Messmer, James W. Mullins, Ratsamy Namrong, Beverly A. Parsons, Cheryl A. Pasquariello, Samantha Jo Pittman, Sharon R. Rice, Rachelle M. Ridener, Jamie L. Roberts, Amy M. Roberts, Martha A. Rutherford, Melinda K. Simpson, Mary E. Skeens, Susanna M. Smith, Kayla L. Stephens, Melissa J. Tolin, Amber D. Trent, Amanda M. Tyler, Jianpu Wang, Linda Michelle Westerman, Darrell S. Whitenack, Jeffery L. Willis and Satina L. Wood .

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

Katherine A. Abel, Charlene N. Barnes, Gregory P. Bishop, Joyce C. Gentry, Kenna R. Gifford, Brian G. Kreiner, Amy McKenzie, Carrie L. Malone-Glass, Caitlin B. Matney, Angela E. Rutter, George A. Sichta and Constance S. Toller.

Jeff Knight made a motion to adjourn the meeting at 8:30 p.m.; seconded by Janet Vogt. Motion carried unanimously.

Tamara G. McDaniel, Chair
KY Board of Respiratory Care