

KENTUCKY BOARD OF RESPIRATORY CARE

MINUTES

October 13, 2011

A regular meeting of the Kentucky Board of Respiratory Care was held at 5:30 p.m., on Thursday, October 13, 2011 at 163 W. Short Street, Lexington, KY.

MEMBERS PRESENT

Tamara G. McDaniel, Chair
Jeff W. Knight, Vice-Chair
Janet R. Vogt
Dr. Robert W. Powell
Kathleen Kearney Schell

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 5:50 p.m., in the Board's conference room at 163 W. Short Street, Lexington, KY.

Report from CEU Committee - Continuing Education

Mrs. McDaniel told the Board Dr. Powell, Mrs. Vogt and Mrs. Moore joined her on October 11, 2011 to attend the Administrative Regulation Review Subcommittee wherein 201 KAR 29:050 was reviewed and passed the Committee. There is one more committee meeting, if scheduled at all, before our regulation becomes effective in December 2011. Mrs. McDaniel thanked the Board, legal counsel and staff for all the work and long hours it took to complete the draft changes on the regulation which will better the Board and our profession.

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 Kathleen Kearney Schell, and carried unanimously.

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

Agreed Orders:

Alison Howard KY 3424 – AO 10/13/2011

Ms. Lalonde reported Ms. Howard has signed her Agreed Order and paid her fine, therefore the hearing scheduled for October 5, 2011 was cancelled. Janet Vogt moved to ratify the Agreed Order of Alison Howard; seconded by Jeff Knight. Motion carried unanimously.

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 continues his rehab at Chad's Hope and is sending updates to Mr. Fingerson, 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; 09/09/2011

Ms. Lalonde reported Eric Harmon signed his Amended Agreed Order to include 6 additional months of probation and up to 18 drug screens per year.

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 has moved to Washington State and has signed the Agreed Order of Surrender as Revoked on his licensure KY # 5532.

Aimee C. Keen – KY # 5834 – AO 12/27/2010; 9/15/2011; 10/13/2011

Mr. Fingerson reported that Ms. Keen has missed 22 calls required of her pursuant to her Agreed Order and KYPRN agreement. Jeff Knight made a motion to have legal counsel draft an Amended Agreed Order to include a two (2) week suspension, extend her probation six (6) additional months with up to 18 random drug screens a year, and a \$250 fine; seconded by Janet Vogt. Motion passed unanimously.

Elizabeth S. McVeigh – KY # 5987 – AO 11/2011

Ms. Lalonde reported Elizabeth S. McVeigh has met with Mr. Fingerson today and signed a KYPRN agreement but has not signed the Board's Agreed Order. Mr. Knight made a motion giving Ms. McVeigh two (2) weeks to sign and return the Agreed Order from the date of our

directive or we'll schedule the case for a hearing; seconded by Janet Vogt. Motion passed unanimously.

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

Ms. Lalonde reported Jason Perdue is compliant with his Agreed Order.

Katherine Peterson – KY # 1376 – AO 10/13/2011

Ms. Lalonde advised Katherine Peterson, KY # 1376 has signed her Agreed Order and paying her fine of \$500 to complete her 2011 renewal.

Gary M. Proffitt – KY # 6290 – AO 8/2/2011

Ms. Lalonde reported Gary M. Proffitt is compliant with his Agreed Order.

Jenna Rizzo – KY # 5006 – AO 8/9/2011

Jeff Knight made a motion to give Ms. Rizzo until November 16, 2011 to pay her \$500 fine and submit one (1) remaining ceu or a hearing will be scheduled for 10:00 a.m., on Thursday, December 15, 2011, seconded by Janet Vogt. Motion passed unanimously.

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

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

Complaint Cases:

Tamela Tyree, KY # 2039 Filed by: Janice Caldwell

Jeff Knight made a motion to continue the investigation on the Tamela Tyree complaint as more work is needed in the case by legal counsel and Bryan Tudor, investigator; seconded by Janet Vogt. Motion carried unanimously.

Linda S. Foley, KY # 3796 Filed by Jeff Smithern @ Rockcastle Hospital

Mrs. McDaniel told the Board we just received Tom Floro's investigative report today on the Linda S. Foley case. Janet Vogt made a motion to suspend Ms. Foley for three (3) months and require three (3) months of continued sobriety during the suspension followed by five (5) years probation with standard terms; seconded by Dr. Powell. Motion carried unanimously.

New Business

Ben Hughes, University of Louisville Email Inquiry

Mrs. Moore presented an email from Ben Hughes, University of Louisville Hospital. Mrs. McDaniel will reply to Mr. Hughes regarding the potential merger of the Jewish and St. Mary's Health System, the St. Joseph Health System and the University of Louisville Hospital.

Application Review

A motion was made by Janet Vogt to accept all **45** applications since the last meeting; seconded by Dr. Powell. Motion carried unanimously.

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

Sheila F. Caldwell, Lindsey M. Gipson, Curtis W. Jones, Teresa A. Langley, Michelle L. Lucas, Lisa G. Meador, Tiffany A. Moses, Michelle D. Myers, Valerie J. Pennington, Marlena S. Woosley, Jamison M. Schutte.

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

No temporary applications were presented.

The following **NBRC applications (17)** were approved:

Teddy L. Bass, III, Naomi G. Blackburn, Lindsey S. Boggs, Clifford H. McNab, Kenny Ellis, Amanda J. Evans, Lindsay M. Hagerman, Rachel H. Kuykendall, Lonica L. McCall, Rebecca L. Moysey, Benjamin T. Roark, Gloria M. Russell, Natalie J. Shepherd, Caty J. Shockley, Steven Tussey, Cathy Wells, Jessica S. Wilson.

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

Nickole M. Alfano, Kacie D. Beaty, Katie L. Byrum, Shetisha D. Ewing, George J. Fell, Kendra R. Ford, Carla R. Fortner, Catherine M. Gikunda, Deborah L. Hayes, Patrick A. Hinkle, Tammy D. Jackson, Madeline M. Johnson, Christie R. Le Borne, Karri L. Sarka, Michelle L. Spradling, Eleanor Takagishi and Richard M. Vories.

Kathleen Kearney Schell made a motion to adjourn the meeting at 8:25 p.m.; seconded by Dr. Powell. Motion carried unanimously.

Tamara G. McDaniel, Chair
KY Board of Respiratory Care