

**KENTUCKY BOARD OF RESPIRATORY CARE**

MINUTES

August 16, 2012

A regular meeting of the Kentucky Board of Respiratory Care was held at 5:30 p.m., on Thursday, August 16, 2012 at the KBRC, 163 W. Short Street, Lexington, KY.

MEMBERS PRESENT

Janet R. Vogt, BHS, RRT, Chair  
Jeff W. Knight, RRT, Vice-Chair  
Jeff Smithern  
Dr. Robert W. Powell  
Tina Siddon, RRT  
Kathleen Kearney Schell

KBRC STAFF

Peggy Lacy Moore, Executive Director  
Rick L. Rose, Administrative Assistant  
Tamara G. McDaniel, Investigator

OTHER

Cheryl Lalonde, AAG

Mrs. Vogt, Chair, called the meeting to order at 5:30 p.m., in the 3<sup>rd</sup> floor conference room at the KBRC offices, 163 W. Short Street, Lexington, KY.

Minutes

Dr. Powell moved to approve the June 14, 2012 Minutes with amendments; seconded by Jeff Knight. Motion carried unanimously.

Continuing Education

Melanie Leece, CRT, Independence University Graduate Program

Mrs. Vogt discussed the history of Melanie Leece, and stated we have contacted Independence University regarding this issue.

Updates on 2012 Audit Cases: Jeffery Bryant; William Probst & Carla Jo Hale

Mrs. Moore advised Jeffery Bryant and William Probst were compliant with their Agreed Orders and had paid their \$500 fines for insufficient CEU's during the 2012 CEU audit process.

Jeff Smithern made a motion to revoke Carla Jo Hale's licensure by Agreed Order until such time as she can fulfill her 2012 CEU audit process; seconded by Tina Siddon. Motion carried unanimously.

Fingerprinting & Background Checks on KY Licensees

Mrs. Vogt advised she had sought to get an Indiana license and they require fingerprints and background checks. There was discussion amongst the Board as to what is involved, both financially and administratively to implement this policy for our Board. Counsel stated we

would need to change our laws to require FBI background checks. Mrs. Vogt will research requirements in Indiana, Ohio and Tennessee and bring her findings to the Board at the October 17, 2012 meeting.

#### Does a Therapist Keep Their Licensure after Losing Their NBRC Credential?

The Board discussed whether a therapist with a lapsed NBRC credential can maintain KY licensure? It was agreed that currently our law does not impede practice in KY if a therapist does not maintaining their NBRC credential. Proof of credential is only required for obtaining the license. A therapist will continue to hold the state licensure as long as it is in good standing and current. If a therapist's NBRC credentials lapse, the therapist becomes a RCP instead of a CRT or a RRT. To reinstate the NBRC credential, the therapist would need to contact the NBRC and take appropriate exams.

#### Marta Duffer, MPA, RRT, Requesting CEU's for Excelsior College Exam

Mrs. Vogt discussed a request from Marta Duffer, MPA, RRT who requested 24 CEU's for an exam "Health Differences: Essentials of Nursing Care 489, Course number 11091301 and Provider number 270", required for associates in nursing from Excelsior. Mrs. Vogt stated that this course was offered for an associates program and not towards a bachelor's degree. The Board's website states any college courses must be at a 300 level or above to obtain credit.

#### Review of Preceptorship CEU's - Request by Gwen Kinser, Norton Healthcare

Mrs. Vogt gave an update on the inquiry made by Gwen Kinser regarding preceptorship and requesting CEU's for that practice. After discussion, the Board agreed that the process of obtaining CEU's for precepting should be the responsibility of the educational facility or hospital providing the preceptors. In this way, facilities can incorporate standards that are specific to their needs.

#### **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.

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

#### **Agreed Orders – KYPRN Reporting Cases Compliant**

##### Tami Balser

Mr. Fingerson reported Tami Balser is compliant. No action needed.

##### Terry Clark

Mr. Fingerson reported Terry Clark is compliant. No action on the case.

Charlotte Dreux

Mr. Fingerson reported Charlotte Dreux is compliant. No action on the case.

Scotty D. Halsey

Mr. Fingerson reported Scotty Halsey is compliant. No action on the case.

Thomas W. Grant

Mr. Fingerson reported Thomas W. Grant is compliant. No action on the case.

Kim Murphy

Mr. Fingerson reported Kim Murphy is compliant. No action on the case.

Richard Dials

Mr. Fingerson reported Richard Dials is compliant. No action on the case.

Lisa A. Smith

Mr. Fingerson reported Lisa A. Smith is compliant. No action on the case.

Jason Perdue

Mr. Fingerson reported Jason Perdue is compliant. No action on the case.

Laura Thomas

Mr. Fingerson reported Laura Thomas is compliant. No action on the case.

Mary Marcia Fuller

Mr. Fingerson reported Mary Marcia Fuller is compliant. No action on the case.

Stanley Fields

Mr. Fingerson reported Stanley Fields is compliant. No action on the case.

April Dawn Hall, KY # 1304

Mr. Fingerson reported April Dawn Hall is compliant. No action on the case.

**Complaint Cases with Agreed Orders & KYPRN – Updates or Actions Needed**

Amy Lynn Golden

Jeff Knight made a motion that Ms. Amy Golden's Agreed Order stands; seconded by Tina Siddon. Motion passed unanimous

Elizabeth McVeigh

A motion was made by Jeff Knight to amend Ms. McVeigh's Agreed Order to include a six (6) month suspension; extend the length of her Agreed Order by six (6) months; and she must document six (6) months of continued sobriety and compliance with the KYPRN before she may petition the Board to reinstate her mandatory certificate; seconded by Tina Siddon. Motion passed unanimously.

Eric Harmon

A motion was made by Jeff Knight requesting a letter be sent to Mr. Harmon that we expect him to stay compliant which means no missed calls; seconded by Tina Siddon. Motion carried unanimously.

Aimee C. Keen

Ms. Lalonde stated information on Ms. Keen is an FYI and Mr. Fingerson reports she is compliant. No action on the case.

Linda Foley

Jeff Knight made a motion requesting a letter be sent to Ms. Foley stating she must be in contact with the Board within 30 days of the date of our letter to include a new Agreed Order and copy Ms. Foley's attorney; seconded by Tina Siddon. Motion carried unanimously.

**Complaint Cases:**

A. Steven W. Bowman

Jeff Knight made a motion to dismiss the complaint without prejudice because there were insufficient facts to support a violation of law; seconded by Tina Siddon. Motion carried unanimously.

B. Christopher Killen

Jeff Knight made a motion to continue the Christopher Killen case; seconded by Tina Siddon. Motion carried unanimously.

C. John Beck

Jeff Knight made a motion for an Agreed Order to be issued for John Beck, to include six (6) months probation with monitoring by Tamara McDaniel, Investigator for the Board, and a report to the Board after each three (3) months of monitoring; seconded by Tina Siddon. Motion carried unanimously.

D. Allen W. Smith

A motion was made by Jeff Knight to assign the complaint to Tamara G. McDaniel to investigate; seconded by Tina Siddon. Motion carried unanimously.

E. Paul D. Sublett

A motion was made by Jeff Knight to issue an Agreed Order, to include five (5) years probation with standard terms; seconded by Tina Siddon. Motion carried unanimously.

F. Shannon R. Keys

A motion was made by Jeff Knight to issue an Agreed Order, to include five (5) years probation with standard terms; seconded by Tina Siddon. Motion carried unanimously.

G. Tricia E. Dees

A motion was made by Jeff Knight to issue an Agreed Order, to include five (5) years probation with standard terms; seconded by Tina Siddon. Motion carried unanimously.

H. Ruby Baker

Jeff Knight made a motion to dismiss the case without prejudice because there were insufficient facts to support a violation of law; seconded by Tina Siddon. Motion carried unanimously.

**Correspondence – FYI**

Mrs. Moore presented the following as FYI: State Mileage reimbursement .46 cents for July 1-September 30, 2012; Dick Carroll email re: State websites; Wes Faulkner letters June 26, 23, 19<sup>th</sup>; Lovella@bluegrassoxygen.com email; John Ewen; Melissa Jopes, Tamela Tyree dismissal letters, and Laura Thomas denial letter.

**Announcements**

Mrs. Vogt announced the next meeting is a special meeting set for Wednesday, October 17, 2012 at 5:30 p.m., in the KBRC office at 163 W. Short Street, Lexington, KY.

**Application Review**

A motion was made by Jeff Smithern to accept all **60** applications since the last meeting; seconded by Tina Siddon. Motion carried unanimously.

The following **Student applications (9)** were approved:

Kelly D. Barton, Mary M. Bissinger-Vaughn, Clint Bolt, Amanda K. Downs, Erica A. Herald, Andrea N. Kirkman, Adina C. Nethery, Sarah J. Perry, and Tracy E. Williams.

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

Teresa A. Longley.

The following **NBRC applications (36)** were approved:

Larissa J. Alles, Matthew S. Ball, Ashley N. Becker, Robert F. Bivens, Cathy J. Blair, Jack J. Blankenship, Leann N. Boss, Carrie A. Brock, Jacob A. Brown, Lonneece M. Brown, Shanna L. Bruns, Shelia R. Bunch, Nicholas Burholder, Shanna L. Carwile, Kenneth W. Combs, Robert J. Fouts, Ashley D. Hancock, Cassie M. Hawkins, Kayla N. Keathley, Shannon M. Curran, Curtis W. Jones, Donald J. Lecik, Jr., Melissa M. Lecik, Tammy L. Miller, Colleen M. Mooney, Elizabeth A. Moore, Bradley J. Oelkers, Lindsay N. Olmstead, Serena N. Prusinowski, Samantha J. Ramsey, Heather G. Schroader, Tyler H. Terry, Amy L. White, David A. Whitt, Joel W. Wilmoth and Amanda M. Young.

The following **Reciprocity applications (14)** were approved:

Stephanie D. Ammerman, Jose G. Arredondo, Sharon E. Barton, Robyn M. Friederich, Natalie A. Greene, Chantal F Hardison, Cynthia A. Hernandez, Leah T. Ivy, Leigh S. Likert, Lisa Miles, Deborah A. Smith, Paul D. Smith, Marsha D. West and Deborah J. Waters.

#### **Approval of Per-diem, Compensation, Travel and Honoraria**

A motion was made by Jeff Smithern, and seconded by Tina Siddon, to approve the payment of per diem, compensation and travel for Board members. Motion carried unanimously.

Jeff Smithern made a motion to adjourn the meeting at 8:15 p.m.; seconded by Kathleen Kearney Schell. Motion carried unanimously.

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Janet R. Vogt, BHS, RRT, Chair  
KY Board of Respiratory Care