

KENTUCKY BOARD OF RESPIRATORY CARE

MINUTES
August 19, 2021

The Kentucky Board of Respiratory Care held a meeting on Thursday August 19, 2021 via Zoom videoconference.

MEMBERS PRESENT

Tom Baxter, RRT, Chair
Darrell Heckman, Citizen at Large
Ken McKenney, RRT
Marlene McKinley, RRT
Scott Pettinichi, RRT
Mohamed Saad, MD

KBRC STAFF

Tamara G McDaniel, Executive Director
August Pozgay, Legal Counsel

Call to Order

Chair Tom Baxter called the meeting to order at 5:32pm.

Minutes

Mr. McKenney made a motion to accept the meeting minutes of June 17, 2021. Ms. McKinley seconded the motion. Motion carried unanimously.

Financial Statement

Ms. McDaniel presented the FY2021 year-end, financial report and budget report. She reported that the Board's spending for the fiscal year was within the annual budget allotment. The FY22 July financial report was presented along with the YTD budget report. She reported that the Long Range Planning proposal presentation be would be postponed until the October meeting.

Ms. McDaniel reported to the Board the annual accounts receivable audit has been completed and submitted to the Office of the Controller.

Staff Report

Ms. McDaniel reported that the activities of the staff since the last meeting. Outside of daily activities, Ms. McDaniel and Mr. Rose have been working with KY Interactive on the new online renewal system and cloud based database. Ms. McDaniel reports that the new system will be in place for the renewal period starting in the fall.

Old Business

05a. Request from St. Elizabeth hospital to review of Limited Mandatory scope of practice-

Ms. McDaniel reported that the needs assessment will be going out to Kentucky facility managers or directors next week. Similar questions will go out to the educational program directors in Kentucky and any surrounding state that has students who work in Kentucky, within the next week as well.

05b. Jordan Murray- Working on an expired license

Ms. McDaniel reported that Mr. Murray has signed his agreed order and paid his fine.

05c. Marcus Allen- Mr. Pozgay reported that Mr. Allen has appealed the denial of his license and the case will move forward with an Administrative Hearing.

05d. Sabrina Williams – Failure to submit audit

Ms. McDaniel reported that Ms. Williams has signed her agreed order and paid her fine.

05e. Shelby Hardymon- working without a license

Ms. McDaniel reported that the subpoena was issued to CHI St. Joseph, Lexington and that we have received all of the requested information. A report will be submitted to CMS through Health and Human Services, Office of the Inspector General.

Closed Session

Mr. McKenney made a motion for the Board to go into closed session, pursuant to KRS 61.810(1) (c) and (j), to discuss proposed or pending litigation and to deliberate regarding individual adjudications. Dr. Saad seconded the motion. The motion carried unanimously.

Mr. McKenney made a motion to come out of closed session; seconded by Ms. McKinley. Motion carried unanimously.

Agreed Orders – Compliant Cases

Tara Adams #8091

Ms. McDaniel reported that Tara Adams is compliant. No action on the case.

Stacey Colyer #5821

KYPRN reported that Stacey Colyer is compliant. No action on the case.

Brian Downey #5860

KYPRN reported that Brian Downey is compliant. No action on the case.

Johnna Jervis #6292

KYPRN reported that Johnna Jervis is compliant and completed her Agreed Order on August 11, 2021.

Brenda Monroe #8744

KYPRN reported that Brenda Monroe is compliant. No action on the case.

Deborah Muehlenbein #7248

Ms. McDaniel reported that Deborah Muehlenbein is compliant. No discussion or action on the case.

Ali Omar #8652

KYPRN reported that Ali Omar is compliant. No action on the case.

Justin Smith #8656

Ms. McDaniel reported that Justin Smith is compliant. No action on the case.

Sabrina Williams #7488

Ms. McDaniel reported that Sabrina Williams is compliant. No action on the case.

Active Complaint Cases

1. James E. Cash II #1771- Complaint from Rockcastle Hospital

The administrative hearing officer has issued notice for a show cause hearing on September 20, 2021 to Mr. Cash.

2. Kimberly Moore #1636 – Declaration of misdemeanor or felony

Ms. Moore has notified the Board that she is not able to meet the obligations of her Agreed Order at this time and would like to withdraw her application for renewal. Mr. McKenney made a motion to offer Ms. Moore an amended agreed order of Voluntary Surrender that states that in order to be reinstated in the future, Ms. Moore would need to complete the terms of her original agreed order. Dr. Saad seconded the motion. Motion carried unanimously.

3. Nathena Hobbs #6901- Complaint from Advent Health Manchester

Mr. McKenney made a motion to offer Ms. Hobbs an agreed order with the following terms: That she sign an agreement KYPRN. That her license will be suspended for one year and that the suspension is probated so long as she complies with terms of her KYPRN agreement and agreed order. Mr. Pettinichi seconded the motion. Motion carried unanimously.

4. Amanda Crisp #7640- Complaint from Katelyn Stanley and Rachel Helton regarding social media communications.

Mr. McKenney made a motion to send Ms. Crisp a letter reminding her of the respiratory therapist code of conduct and to include the KBRC statement regarding social media and ethics. Ms. McKinley seconded the motion. Motion carried unanimously.

6. Brett Holland- #6933- Case No 2020-KBRC-6933 - Anonymous complaint

After reviewing, the new complaint on Mr. Holland, Mr. McKenney made a motion to offer Mr. Holland an agreed order of voluntary surrender. If Mr. Holland does not respond to the offer in the set amount of time, Mr. Pozgay is move forward with an administrative hearing to revoke Mr. Holland's license. Mr. Heckman seconded the motion. Motion carried unanimously.

New Business

1. Volunteer Health Practitioner

Ms. McDaniel reported that the Cabinet for Health and Family Services (“CHFS”) issued a directive to the Board of Respiratory Care, Board of Nursing and Board of Medical licensing to process volunteer health practitioner applicants beginning August 18, 2021. While similar to the directive from April 2020, this directive is only for hospitals and long-term care facilities. Ms. McDaniel reported that a copy of the CHFS directive, the application and the instructions are located on the homepage of the website.

2. Application Review

Ms. McDaniel reported that there were **66** Mandatory applications, **38** of which were Reciprocity applications, and **13** Limited Mandatory (student) applications. There was **1** application issue to report.

a. Philisha D. Muckle- Declaration of 2014 Felony – No action taken

Mr. Heckman made a motion to ratify approval of all new applications. Dr. Saad seconded the motion. Motion carried unanimously.

The following **Limited Mandatory applications (13)** were approved: Ashlynn Anderson, Jasmine Brown, William Dallas, Katelyn Goedeker, Trace Hanner, Shelby Hardymon, Sydney Horton, Laura King, Sarah Muncy, Roselina Ochoa, Apryl Robinson, Alexis Smith and Jeremy Wilson.

The following **Mandatory applications (66)** were approved: Zahra Abadi, Lyle Agnew, Ahlam Al Ruqayyah, Hussain Alhassan, Cyrus Allen, Saja Almarhoon, Mohammed Alshakhs, Hillary Ashcraft, Adarius Barnett, Belinda Bean, Amy Bentz, Kelly Brinson, Ashley Brock, Debra Butler, Jonathan Canterbury, Jason Carroll, Amber Cole, Cassydy Coleman, Melissa Collins, Judith Conger, Bruce Dawson, Sharon Dixon, Sierra Dunn, Joheris Exito, Erin Flora, Rosemary Fogle, Emily Graham, Kristi Graham, Tamara Grienberger, Brittany Hamilton, Andrea Horn, Kirstie Horn-Vaught, Jessica Hudson, Scott Hughes, Osama Hussein, Amy Johnson, Pamela Klinger, Donna LaDuke, Tina Lambert, Christina Ludwig-Moralez, Kelley MacDonald, Emily McKibben, Osha McNeal, Brian Middleton, Darice Miller-Dais, Philisha Muckle, Michael Mullarkey, Mary Muntet, Donald Newcomb, Lyndsey O'Connor, Laura Ogilby, Amina Omar, Carla Patterson, Timothy Perkins, Brianna Peyton, Taylor Robinette, Lauren Runyon, Kara Sparks, Brian Stambaugh, Melissa Stigers, Megan Townsend, Theresa Troutman, Kenneth Vieth, Lora Watson, Tricia Winter, Joyceline Winters.

Announcements

1. The next meeting will be held Thursday, October 21 2021 at 5:30 p.m., EST
2. Dr. Saad made a motion to approve the payment of per diem, compensation, travel at 43 cents per mile, and honoraria for board members. Mr. Pettinichi seconded the motion. Motion carried unanimously.
3. Mr. Heckman made a motion to adjourn the meeting. Mr. Pettinichi seconded the motion. Motion carried unanimously. Meeting adjourned at 7:45 p.m.



Thomas D. Baxter, Chair
KY Board of Respiratory Care