

## KENTUCKY BOARD OF RESPIRATORY CARE

### MINUTES

April 19, 2018

A meeting of the Kentucky Board of Respiratory Care was held on Thursday, April 19, 2018 at 5:30 p.m., at 2365 Harrodsburg Rd. Suite B450, Lexington, KY 40504

#### MEMBERS PRESENT

Kathleen Kearney Schell, Chair  
Thomas Baxter, RRT , Vice Chair  
James McCormick, MD  
Alexander Tzouanakis, MD  
William Garrison, RRT  
Ken McKenney, RRT  
Timothy Roark, RRT

#### KBRC STAFF

Tamara G McDaniel, Executive Director  
Rick L. Rose, Administrative Assistant

#### LEGAL COUNSEL

David C. Trimble

The meeting was called to order at 5:40 p.m. by Ms. Schell, Chair

#### Minutes

A motion was made by Mr. Baxter, seconded by Dr. Tzouanakis to accept the meeting minutes of February 15, 2018. Motion carried unanimously.

#### Financial Statement

Ms. McDaniel presented the financial statements for February 2018 and March 2018. Mr. Garrison made a motion to accept the financials; seconded by Mr. Roark. Motion carried unanimously.

#### Continuing Education

Nothing to report

#### Staff Report

Ms. McDaniel and Mr. Rose gave an update on activities since the last meeting.

### **Old Business**

Stephen Conn Ms. McDaniel will provide legal counsel information to review in regards to Mr. Conn.

Ms. McDaniel reported that the following people has signed Agreed Orders for Continuing Education (CEU) violations for the 2018 renewal and audit:

Larissa Alles, Heather Cecil, James Jansa, Jayne Love, Ashely Tandy, Aaron Taylor, Robert Wallace, Amy Collings, Marsha Harrison, Sonja Parkes, Carolyn Leach, Casey Decker, Lance Workman, Classie Cooley.

### **Complaints**

Mr. Baxter 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. Mr. Roark seconded the motion. The motion carried unanimously. Mr. Baxter moved to come out of closed session; seconded by Dr. McCormick. Motion carried unanimously.

### **Agreed Orders – Compliant Cases**

#### **Samantha Adkins**

Mr. Fingerson reported Samantha Adkins is compliant. No action on the case.

#### **Aubrey Bryant**

Mr. Fingerson reported Aubrey Bryant is compliant. No action on the case.

#### **Terry Clark**

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

#### **Wendall Embry**

Mr. Fingerson reported Wendall Embry is compliant. No action on the case.

#### **Eric Harmon**

Mr. Fingerson reported Eric Harmon is complaint. No action on the case.

**Kimberly Johnson** – Ms. McDaniel reported that Ms. Johnson is compliant. Mr. McKenney recused from the discussion. No action on the case.

#### **Aaron Peter**

Mr. Fingerson reported Aaron Peter is compliant. No action on the case.

#### **Jerome Scott**

Compliant – No action on the case.

#### **Sara Sparks**

Mr. Fingerson reported Sara Sparks is compliant. No action on the case.

#### **Tara Wenzel**

Ms. Wenzel has completed her Agreed Order

## KYPRN Non-Compliant Cases

### Shannon Keys

Mr. Fingerson reported Shannon Keys missed 5 calls in February and March. Continued to next meeting.

## Active Complaint Cases

A motion was made by Mr. Baxter, seconded by Mr. McKenney to take the actions in the following cases:

### A. Timothy Cassity KY #5647 -Complaint by Frankfort Hospital

Hearing status conference to be held on June 18, 2018.

### B. Paul Elliott #5647 – Violation of Agreed Order

Administrative Hearing set for May 15, 2018 at the offices of the Public Protection Cabinet, Frankfort KY.

### C. Wendall Embry#2424 – Renewal Review

Mr. Emrby has signed his Agreed Order, paid his fine and started his monitoring program with KYPRN.

### D. Gregory Allen #1860 – Renewal Review

After reviewing the renewal application of Mr. Allen, the Board took No action – Mr. Roark recused.

E. Shannon Gerlach #0800 – Complaint by TJ Samson Hospital- The Board will offer an Agreed Order to Ms. Gerlach with one year suspension that is probated for one year under the following conditions: The licensee will agree to enter a drug counseling and monitoring program for a period of one year to be managed by Kentucky Professionals Recovery Network (KYPRN);evaluation by an addictionologist through KYPRN; Comply with all aspects of the KYPRN program; Have no further positive screens for drug use while under the KYPRN program; Pay a \$250 fine.

F. Christopher Wilson #4095 – Self Reported Complaint – The Board will offer an Agreed Order to Mr. Wilson of six months suspension that is probated for six months under the following conditions: The licensee will remain in a drug counseling and monitoring program for a period of one year to be managed by Kentucky Professionals Recovery Network (KYPRN); Comply with all aspects of the KYPRN program; Have no further positive screens for drug use while under the KYPRN program; Pay a \$125 fine.

### G. Cheryl Pasquariello #6429 - Anonymous Complaint of Renewal Violation

After reviewing the licensee's file and the current complaint and response, the Board will offer an Agreed Order to Ms. Pasquariello of one year's suspension, probated for one year under the following terms: The licensee will be prohibited from using the online renewal process for two renewal cycles; Shall be subject to Audit of her renewal application for two renewal cycles; Shall have no further violation of statute or regulations by misrepresenting or committing false, misleading, or deceptive acts or practices in communications or transactions with the Board.; Pay a \$500 fine.

### **New Business**

1. Ms. McDaniel reported that the following people failed to renew by January 30, 2018 and were given Agreed Orders for working without a Mandatory Certificate:  
Molly Adams #7002 – worked 20 days - \$750 fine; Maggie Minnette #7713 - worked 2 days- \$100 fine; Lanesha Rankin #7667 – worked 15 days - \$750 fine.

2. Ms. McDaniel presented a request for review for reinstatement from Denver Miller. The Board voted to offer Mr. Miller an Agreed Order with the ability to reinstatement under the following conditions: Six months of documented sobriety through KYPRN; three additional years of monitoring through KYPRN and in that 3 years he shall comply with and complete his obligations under the Florida Board of Respiratory Care order.

3. Ms. McDaniel presented a request for review of the audit and renewal of Dana Tyree. The Board decided to take no action on the renewal and audit but requests Ms. McDaniel to send a letter to Ms. Tyree informing her she will not be able to use any of the CEUs obtained in 2018 for her 2020 renewal.

4. Ms. Schell reported on her attendance at the NA2RC conference.

### **Application Review**

A motion was made by Dr. McCormick seconded by Mr. McKenney to accept all **(43)** applications since the last meeting. Motion carried unanimously.

The following **Student applications (16)** were approved:

Bobby Abrams, Tiffany Click, Heather, Gannon, Brandi Gay, Austin Havlin, Thomas Johnston, Carrie Kisskadden, Kasey Kouns, Katherine Pennington, Steven Reid, Randy Siler, Samantha Valencia, Makenzie Wislon, Kimberly Yate, Nancy Foster, Madison Fryman.

The following **Mandatory applications (27)** were approved:

Amy Wither-Vantrease, Stephanie Wright, Jeffery Fitzgibbons, Cody Mosley, Tosha Owens, Stacie Adkins, Molly Cartee, Kimberly Aponte, Joyce Bailey, Julie Cowart, Cari Edmonson, Stanley Harris, Rene Leon, Scott Hawn, Emily Horning, Colleen Jennings, Casey Kienoski, John Leshner, Shelia Meredith, Sandra Stewart, Melinda Trevor, Joslyn Berry, Timothy Cusic, Rebecca Folino, Maria Kendrick, Shana Sarbach.

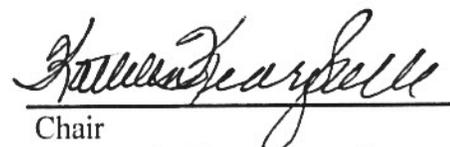
### **Announcements**

Ms. McDaniel announced the next meeting will be Thursday, June 21, 2018 at 5:30 p.m., EST in Lexington, KY.

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

A motion was made by Dr. McCormick seconded by Mr. McKenney, to approve the payment of per diem, compensation, travel at 41 cents per mile, and honoraria for board members. Motion carried unanimously.

Mr. Garrison made a motion to adjourn the meeting, seconded by Dr. Tzouanakis. Motion carried unanimously. Meeting adjourned at 8:15 p.m.

  
Chair  
KY Board of Respiratory Care