

KENTUCKY BOARD OF RESPIRATORY CARE

MINUTES

December 13, 2018

A meeting of the Kentucky Board of Respiratory Care was held on Thursday, December 13, 2018 at Portofino's 249 East Main St. Lexington, KY 40504

MEMBERS PRESENT

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

KBRC STAFF

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

LEGAL COUNSEL

David C. Trimble

Chairman Schell called the meeting to order at 5:50pm.

Minutes

A motion was made by Mr. Baxter, seconded by Mr. Garrison to accept the meeting minutes of October 18, 2018. Motion carried unanimously.

Financial Statement

Ms. McDaniel presented the financial reports for October 2018 and November 2018 along with the year-to-date budget report. Dr. McCormick made a motion to accept the financials; seconded by Mr. Roark. Motion carried unanimously.

Continuing Education

No Report

Staff Report

Ms. McDaniel and Mr. Rose gave an update on activities since the last meeting. Ms. McDaniel reported he attendance to 2018 Multi-State Occupational Licensing Consortium meeting in Clearwater Florida.

Old Business

No Old Business

Closed Session

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

Agreed Orders – Compliant Cases

Samantha Adkins

Mr. Fingerson reported that she is compliant. No action on the case.

Aubrey Bryant

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

Wendall Embry

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

Shannon Gerlach

Mr. Fingerson reported Shannon Gerlach is compliant. No action on the case.

Eric Harmon

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

Kimberly Johnson – Completed her Agreed order on 12/10/18

Shannon Keys – After thorough review of the case file a motion was made by Mr. Baxter, seconded by Mr. Roark to draft an order terminating Ms. Keys' Agreed Order. Motion carried unanimously

Sara Sparks

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

Active Complaint Cases

1. David Todd Crawford #7042 – Complaint by J. Elliott – A motion was made by Mr. Baxter, seconded by Mr. Roark to dismiss the complaint. Motion carried unanimously.

2. Brett Klapheke #0865 – Misdemeanor Reported on Renewal - A motion was made by Mr. Baxter, seconded by Mr. Roark to send a letter of admonishment. Motion carried unanimously.

3. Barry Collett #6862 - Misdemeanor Reported on Renewal - A motion was made by Mr. Baxter, seconded by Mr. Roark to take no action. Motion carried unanimously.

4. Johnna Jervis # 6292 – Self- Reported Misdemeanor Charge - A motion was made by Mr. Baxter, seconded by Mr. Roark to send a letter of admonishment. Motion carried unanimously.

5. David Zimmerman #7864 – Self- Reported Felony Charge - A motion was made by Dr. Tzouanakis, seconded by Mr. Roark to take no action at this time and to dismiss the complaint. Mr. Zimmerman must report to the KBRC if his diversion program is not completed. Motion carried unanimously. Mr. Baxter recused from discussion and vote.

6. Amanda Shackelford #7395 – Request to approve application for Reinstatement – A motion was made by Mr. Baxter, seconded by Mr. Roark to approve reinstatement of Ms. Shackelford’s mandatory certificate under an Agreed Order with the following terms: That she agrees to be monitored by KYPRN for a period of 12 months, including a minimum of twelve (12) drug screens. Motion carried unanimously.

7. Jason Rigsby #5553 - Misdemeanor Reported on Renewal - A motion was made by Mr. Baxter, seconded by Mr. Roark to offer an Agreed Order with the following terms: That he agrees to be monitored by KYPRN, be evaluated by an addictionologist recommended by KYPRN and attended Alcoholics Anonymous meetings as recommended by KYPRN. That he shall be monitored for a period of 12 months, including a minimum of twelve (12) drug/alcohol screens. Motion carried unanimously.

New Business

1. Application Review - Ms. McDaniel reported that there were 15 Mandatory applications and 4 Limited Mandatory (student) applicants with no declarations of felonies or KHEAA deficiencies. A motion was made by Mr. Baxter, seconded by Dr. Tzouanakis to accept all (19) applications. Motion carried unanimously.

The following **Student applications (4)** were approved: Rebecca S. Cleary, Maria N. Lanceta, Kendra M. Shamburger and Blake A. Wagner.

The following **Mandatory applications (15)** were approved: Samantha N. Bradford, Pierre L. Celestin, Terry J. Darby, Guilda J. Deszavins, Cortney A. Evans, Lisa M. Harmon, Summer R. Hesson, Jodie H. Lawrence, Kaitlyn D. McCoy, Harold J. Mofield, Angela D. Smith, Leslie J. Smith, Lauren B. Trotter, Crystal May Vance and Andrea M. Williams.

2. Mr. Garrison made a motion, seconded by Mr. Roark to set the following dates and times for the 2019 board meetings: February 21, 2019 at 5:30pm, April 18, 2019 at 5:30pm, June 20, 2019 at 5:30pm, October 17, 2019 at 5:30pm and December 12, 2019 at 5:30pm.

3. A discussion was held regarding proposed legislation for the reorganization of Boards and Commissions.

Announcements

1. Ms. McDaniel reported that the next meeting will be Thursday, February 21, 2019 at 5:30 p.m., EST in Lexington, KY.

2. Approval of Per-diem, Compensation, Travel and Honoraria - A motion was made by Dr. Tzouanakis seconded by Dr. McCormick, to approve the payment of per diem, compensation, travel at 42 cents per mile, and honoraria for board members. Motion carried unanimously.

3. Mr. Garrison made a motion to adjourn the meeting, seconded by Mr. Baxter. Motion carried unanimously. Meeting adjourned at 7:45 p.m.



Kathleen K. Schell, Chair
KY Board of Respiratory Care