

# KENTUCKY BOARD OF RESPIRATORY CARE

## MINUTES

February 15, 2018

A meeting of the Kentucky Board of Respiratory Care was held on Thursday, October 19, 2017 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 5:30 p.m. by Thomas Baxter, Vice - Chair

### Minutes

A motion was made by Dr. McCormick, seconded by Mr. Roark to accept the meeting minutes of December 14, 2017. Motion carried unanimously.

### Financial Statement

Ms. McDaniel presented the financial statements for December 2017 (FY 2018) and January 2018. Mr. Baxter made a motion to accept the financials; seconded by Mr. Garrison. 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 – Practicing Respiratory Care without a license. Ms. McDaniel reported that letters had been sent to the county attorneys in both Estill and Fayette County, to the Durable Medical Equipment Board and to the National Board of Respiratory Care (NBRC). The Board requests that legal counsel review information on Mr. Conn in regards to legal action by the Board.

### **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. McKenney seconded the motion. The motion carried unanimously. Mr. Baxter moved to come out of closed session; seconded by Mr. McKenney. 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.

#### Eric Harmon

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

Kimberly Johnson – Ms. McDaniel reported that after completing an audit for Ms. Johnson's monitoring, she is compliant. Mr. McKenney recused from the discussion. No action on the case.

#### Shannon Keys

Mr. Fingerson reported Shannon Keys is compliant. 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.

#### Jill Stacy

Ms. Stacy has completed her Agreed Order

Tara Wenzel

Mr. Fingerson reported Tara Wenzel is compliant. No action on the case.

### 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 date of March 19, 2018 to be continued to a later date.

B. Brandi Conaway #7448 – 1. Complaint of non-compliant audit 2. Complaint of false statements on renewal.

Final Order of Revocation February 15, 2018.

C. Paul Elliott #5647 – Violation of Agreed Order

The Board requests legal counsel to move forward with Administrative Complaint and Hearing.

D. Summer Brown #4488 – Anonymous complaint –

Dismissed without prejudice.

E. Wendall Embry#2424 – Renewal Review

The Board requests legal counsel to draft an Agreed Order with the following terms: Voluntary Inactive status for six months; reinstatement of Mandatory Certificate after six months of documented sobriety through KYPRN; five year probation supervised by KYPRN under terms recommended by KYPRN and \$500 fine payable within 30 days.

F. Gregory Allen #1860 – Renewal Review

Tabled until April 19, 2018 meeting – Mr. Roark recused.

G. Jennifer Hayward # 6575 – Renewal Review

No Action.

### New Business

A. **Non Audit Renewals - Non Compliant:** Larissa Alles, Heather Cecil, James Jansa, Jayne Love, Ashley Tandy, Aaron Taylor and Robert Wallace

B. A motion was made by Mr. Baxter, seconded by Mr. McKenney to draft Agreed Orders to all therapists who were non-audited renewals and had noncompliant Continuing Education Units (CEUs). The terms of the Agreed Order is as follows: To pay a \$250 fine on or before May 1, 2018 and to obtain double the amount of CEUs as was the individual deficiency. Motion carried unanimously.

C. **Audit Renewals – Non Compliant:** Amy Collings, Marsha Harrison, and Sonja Parkes.

A motion was made by Mr. Baxter, seconded by Mr. McKenney to draft Agreed Orders to the all therapists who were audited renewals and had noncompliant CEUs. The terms of the

Agreed Order is as follows: To pay a \$500 fine on or before June 1, 2018 and to obtain double the amount of CEUs as was the individual deficiency.

The Board agreed that Ms. Harrison and Ms. Parkes shall pay \$250 fine for being forthcoming with the Board regarding their deficiency before renewal of their Mandatory Certificate. Motion carried unanimously.

### **Application Review**

A motion was made by Mr. Baxter seconded by Mr. Roark to accept all **(34)** applications since the last meeting. Motion carried unanimously.

The following **Student applications (2)** were approved:

Arica B. Cruz, Eva M. Duff

The following **Mandatory applications (32)** were approved:

Sallie R. Bauer, William A. Bradley, Molly A. Cartee, Kimberly M. Clere, Rachael F. Collins, Yvonne R. Crabtree, Glenn A. Dickson, Allison B. Evans, Brandon J. Evans, Kenneth L. Ewing, Brenda L. Forbear-Turner, Amy L. Howard, Andrea Holmes, Sydnee S. Hunt, Cynthia L. Ingham, James E. Johnson, Sierra M. Lake, Alexandra K. Looney, Chastine M. Owens, Jerry Y. Powers, Shelby A. Quesinberry, Carol E. Ray, Melissa Y. Reyna, Shana M. Sarbach, Sidney J. Smith, Joshua D. Stallard, Jessica A. Thompson, Katie N. Vanlaningham, Kimberly L. West, Tonia N. Wilson, Sharise F. Workman, Ashley N. Wright.

### **Announcements**

Ms. McDaniel announced the next meeting will be Thursday, April 19, 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 Dr. Tzouanakis, to approve the payment of per diem, compensation, travel at 41 cents per mile, and honoraria for board members. Motion carried unanimously.

Mr. McKenney made a motion to adjourn the meeting, seconded by Dr. McCormick. Motion carried unanimously. Meeting adjourned at 8:05 p.m.

  
Chair  
KY Board of Respiratory Care