

KENTUCKY BOARD OF RESPIRATORY CARE

MINUTES

October 20, 2016

A meeting of the Kentucky Board of Respiratory Care was held on Thursday, October 20, 2016 at 5:30 p.m., 2365 Harrodsburg Road, Building B, 1st Floor, Room 150, Lexington, KY.

MEMBERS PRESENT

Jeff Smithern, RRT, Chair
Jerrell Cloud, RRT
Dr. James McCormick, MD
Kathleen Kearney Schell
Pamela Boykin, RRT

KBRC STAFF

Peggy Lacy Moore, Executive Director (Outgoing)
Tamara G McDaniel, Executive Director(Incoming)
Rick L. Rose, Administrative Assistant

OTHER

John Marcus Jones, AAG, Legal Counsel

Mr. Smithern called the meeting to order at 5:50 p.m., at SouthCreek Park, 2365 Harrodsburg Road, Building B, Room B150, Lexington, KY.

Minutes

Mr. Cloud made a motion to approve the August 11, 2016 minutes; seconded by Ms. Schell. Motion carried unanimously.

Financial Statement

Ms. McDaniel presented the financial statements for June 2016 (FY 2016) and July 2016 (FY 2017). Ms. Schell made a motion to accept the financials; seconded by Mr. Cloud. Motion carried unanimously.

Continuing Education

Nothing to report

Staff Report

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

Old Business

201 KARC 29:015 Fees Regulation

John Marcus Jones, AAG, Board Legal Counsel, Ms. McDaniel, Ms. Schell and Ms. Moore planned to attend the Legislature's Health and Welfare Committee meeting at 9:00 a.m., on Wednesday, August 17, 2016 at the Capitol Annex in Frankfort, KY in regard to Administrative Regulation KAR 29:015 Fees.

Complaints

Mr. Cloud 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. The motion was seconded by Dr. McCormick and carried unanimously. Mr. Cloud moved to come out of closed session; seconded by Dr. McCormick. Motion carried unanimously.

Agreed Orders – Compliant Cases

Aubrey Bryant

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

Joseph Cecil

Mr. Fingerson reported Joseph Cecil is compliant. No action on the case.

Terry Clark

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

April Dawn Hall

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

Shannon Keys

Mr. Fingerson reported Shannon Keys is compliant. She is currently caught up on her payments. No action on the case.

Aaron Peter

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

Sara Sparks

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

Jill Stacy

Mr. Fingerson reported Jill Stacy is compliant. No action on the case.

Paul Sublett

Mr. Fingerson reported Paul Sublett is compliant. No action on the case.

Tara Wenzel

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

KYPRN Cases – Review or Actions Needed

Samantha Adkins

Mr. Fingerson reported a positive drug screen for Samantha Adkins. A motion was made by Ms. Schell and seconded by Mr. Cloud to have legal counsel draft and Agreed Order to increase drug screens to 18 per year and extend her probationary period by one year to February 1, 2020.

Aaron Pyke

Ms. McDaniel reports that Mr. Pyke has signed his KYPRN agreement and made his first payment towards his fine. No action on the case.

KYPRN Notes on Former or Perspective Clients

Ms. Moore presented notes as FYI from Mr. Fingerson on KYPRN activity from former or perspective clients.

FYI: Agreed Orders Signed – No Actions Needed

James K. Thompson, KY # 0183 confirmation of his meetings with Dr. Beckham for July pursuant to his Agreed Order. Tara Wenzel, KY # 6981 signed Amended Agreed Order; Letters to Tari Dickerson, James Elliott, Julie Williams, Nancy L. LaPointe, Paul Elliott and Aaron Pyke signed Agreed Orders.

Complaint Cases - Updates or Actions Needed

A. Patrick Spalding, KY # 2041

Prehearing conference is set. If Mr. Spalding chooses to go inactive and reactivate in the future he must undergo an evaluation for impairment by a Kentucky licensed addictionologist or certified drug and alcohol counselor. Mr. Spalding would be monitored for a period of two years by KY Professional Recovery Network by the terms set forth by Mr. Brian Fingerson, RPh, KY PRN. Motion by Mr. Cloud, seconded by Ms. Schell. Motion carried

B. Patrick McMackin, KY # 3410

Formal complaint and notice of hearing to be sent to Mr. McMackin. Motion by Mr. Cloud, seconded by Ms. Boykin. Motion Carried

C. Paul Elliott KY #5647

The Board agrees to reinstate Mr. Elliott's license under the following terms: He shall complete the AARC Ethics Training Course within 6 months and submit proof of completion to the Board. He will comply with all terms of the KYPRN contract for 5 years. He will submit his Agreed Order to the Compliance Officer of his employer and send proof to the Board of doing so.

Motion by Mr. Cloud, seconded by Ms. Schell. Motion carried.

Correspondence – FYI

KY mileage reimbursement rate for Oct. 1-Dec.31, 2016 is \$0.39 per mile

New Business

The Board received a scope of practice question from Craig Theis regarding Respiratory Therapists administering flu vaccines. Ms. McDaniel is to pen a letter to Mr. Theis informing him that The Board finds that under KRS 314A.100 “Scope of Practice” the administration of IM injections is within the Respiratory Therapists scope of practice. That there should first be policies in place that are approved by the medical staff of the facility or agency. There must be documented competencies and as stated in KRS 314A.100, it is only to be given in accordance with the prescription of a physician.

The Board presented plaques for recognition of service to the following members: Dr. Robert Powell, Jeffery Smithern, RRT, Tamara McDaniel, RRT and Jerrell Cloud, RRT.

Special recognition of retirement was given to Mrs. Peggy Lacy Moore for her 16 years of service to the Kentucky Board of Respiratory Care.

Application Review

A motion was made by Mr. Cloud to accept all **48** applications since the last meeting; seconded by Dr. McCormack. Motion carried unanimously.

The following **Student applications (12)** were approved:

Ashley Arnold, Emmitt Ballard, Nicole Bermeister, William Bradley, Julia Hebel, Wesley Holland, Marquita Johnson, McKenzie Mason, Shawn Pyne, Justin Robinson, Andrew Tipmore, David Zimmerman.

The following **Temporary application (2)** were approved:

Diana Rodriguez-Batista, Dustin Sneyd.

The following **NBRC applications (13)** were approved:

Savannah Armstrong, Lisa Boggs, William Coleman, Emmi Doniak, Premjai Duplessis, Tiffany Dutton, Kayla Lolkema, Maggie Minnette, Ryan Pigman, Elizabeth Seacat, Sasha Sergent, Jason Stacy, Amanda Tompkins.

The following **Reciprocity applications (21)** were approved:

Ryan Beaumont, Danielle Bennett, Andrew Bogenschutz, Marigrace Cate, Whitney Cline, Kennathia Coleman, Jimmy Darnell, Krista Gillim, Nila Hawkins, Andrea Lawson, Heidi Oliver, Terry Paden, Adam Sampson, Alexis Sanders, Amber Scott, Leslie Smith, Sarah Stang, Lindsey Von Bokern, Shauna Weaver, Nancy Woods, Kaitlyn York.

Announcements

Mr. Smithern announced the next meeting is set for Thursday, December 15th, 2016 at 5:30 p.m., EST at Bella Note, Lexington, KY.

Approval of Per-diem, Compensation, Travel and Honoraria

A motion was made by, Ms. Boykin and seconded by Mr. Cloud, to approve the payment of per diem, compensation and travel for Board members. Motion carried unanimously .Mr. Cloud made a motion to adjourn the meeting at 8:00 p.m.; seconded by Ms. Schell. Motion carried unanimously.

Pamela Boykin, RRT, Chair
KY Board of Respiratory Care