A meeting of the Kentucky Board of Respiratory Care was held at 5:30 p.m., on Thursday, June 20, 2013 at the KBRC offices, 163 W. Short Street, Lexington, KY.

MEMBERS PRESENT
Janet R. Vogt, BHS, RRT, Chair
Jeff W. Knight, RRT, Vice-Chair
Jeff Smithern, RRT
Dr. Robert W. Powell
Tina Siddon, RRT
Kathleen Kearney Schell

KBRC STAFF
Peggy Lacy Moore, Executive Director
Rick L. Rose, Administrative Assistant

OTHER
Cheryl Lalonde, AAG

Ms. Vogt called the meeting to order at 5:30 p.m., at 163 W. Short Street, Lexington, KY.

**Continuing Education**

**KSRC Update**

Ms. Vogt stated the KY Society of Respiratory Care is considering legislation in 2014 regarding physician extenders, fees and other needed changes. These issues will be discussed by the KSRC membership at its September meeting.

**Ohio Respiratory Care Board**

Ms. Vogt stated Ohio has amended their administrative rules to reflect a licensee must hold an RRT to obtain a license in Ohio and she provided the regulation as an FYI.

**New Mandatory Licensures Issued Since 2010**

Mr. Knight requested to know the number of new practitioners issued licensure certificates in the last few years. Mr. Rose gave a report on the number of new applicants during the last three years. He stated we have issued an average of 250 new mandatory certificates each year since 2010. Mr. Knight stated this information would be helpful preparing the FY 2014-2016 budget.

**Old Business**

**KY Department of Revenue Request Re: HB 440**
Ms. Moore received a request for active and inactive licensees from the KY Department of Revenue. The KY Department of Revenue, pursuant to HB 440, is contacting boards and commissions for a listing of licensees so they can contact delinquent taxpayers.

**Complaints**

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

Mr. Knight moved to come out of closed session; seconded by Mr. Smithern. Motion carried unanimously.

**Agreed Orders – KYPRN Reporting Cases Compliant**

Terry Clark

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

Charlotte Dreux

Mr. Fingerson reported Charlotte Dreux is compliant. No action on the case.

Scotty D. Halsey

Mr. Fingerson reported Scotty Halsey is compliant. No action on the case.

Thomas W. Grant

Mr. Fingerson reported Thomas W. Grant is compliant. No action on the case.

Lisa A. Smith

Mr. Fingerson reported Lisa A. Smith is compliant. No action on the case.

Amy Lynn Golden

Mr. Fingerson reported Amy Lynn Golden is compliant. No action on the case.

Laura Thomas

Mr. Fingerson reported Laura Thomas is compliant. No action on the case.

Mary Marcia Fuller

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

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

Paul Sublett

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

Rodney Reynolds

Mr. Fingerson reported Rodney Reynolds is compliant. No action on the case.

Holly Shane Hall

Mr. Fingerson reported Holly Shane Hall is compliant. No action on the case.

FYI: Updates on Cases since April 18, 2013 Meeting

Eric Harmon

A motion was made by Mr. Knight to send Mr. Harmon a letter (copy Mr. Fingerson) stating that failure to comply with the KYPRN Monitoring Agreement and Agreed Order requires him to start his period of continued sobriety over. The Board requested that Mr. Harmon be removed from agenda updates; however, the office still requires updates from KYPRN. Mr. Harmon must document requisite compliance before he may petition the Board for reinstatement. The motion was seconded by Dr. McIntosh and passed unanimously.

WeCare Medical, LLC

A motion was made by Mr. Knight to approve the letter of response from WeCare Medical, LLC and complaint is hereby dismissed without prejudice; approve the Agreed Orders of Kimberly Knipp-Caskey, CRT with $500.00 fine and Megan Brown, RRT with a fine of $1,000.00; seconded by Dr. Powell. Motion carried unanimously.

Kim Murphy

Jeff Knight made a motion to approve the Agreed Order of Permanent Barr to Application, Reinstatement or Renewal, signed by Kim Murphy. The motion was seconded by Dr. Powell and passed unanimously.

Mary Melissa Vaughn

Jeff Knight made a motion to approve the Agreed Order. The motion was seconded by Dr. Powell and passed unanimously.
Complaint Cases with Agreed Orders & KYPRN – Updates or Action Needed

Jason Perdue

Mr. Knight made a motion to send a letter to Mr. Perdue stating that the Board refused his request to terminate his KYPRN and Agreed Order early; seconded by Dr. Powell. Motion carried unanimously. The record shows Ms. Vogt recused from the discussion and vote on Mr. Perdue’s request.

Stanley Fields

Mr. Knight made a motion to issue an Agreed Order suspending his license for a minimum of one (1) year until Mr. Fields demonstrates one (1) year of continued sobriety through KYPRN; seconded by Dr. Powell. Motion carried unanimously.

Gerald Pile

No action required now on the case. Ms. Lalonde reported that the Hearing Officer has set a 2nd prehearing conference for July 22, 2013.

Daniel C. Batsche

No action required now on the case. Ms. Lalonde reported that the Hearing Officer has set a 2nd prehearing conference for July 22, 2013.

Leslee N. Ballard

No action required now on the case. Ms. Lalonde reported that the Hearing Officer has set a 2nd prehearing conference for July 5, 2013.

Shannon Keys

Mr. Knight made a motion to send a letter to Ms. Keys advising her that the Board will set a hearing if the case is not resolved informally through the Agreed Order; seconded by Dr. Powell. Motion carried unanimously.

Tricia Dees

Mr. Knight made a motion to obtain further reports from Mr. Fingerson and issue an Agreed Order if calls were missed after the Board’s prior warning; the case is to be reviewed by the Board at its next meeting. The motion was seconded by Dr. Powell and carried unanimously.

Complaint Cases:

A. Allen W. Smith

After discussion regarding the attorney’s counterproposal, a motion was made by Mr. Knight to issue an Agreed Order for a $2,000 fine and a 30 day suspension if Mr. Smith submits an
affidavit attesting that he has been unemployed for at least sixty (60) days; seconded by Dr. Powell. Motion carried unanimously. Mr. Smithern recused himself from the discussion and vote.

B. Timothy Barton

Mr. Knight made a motion to issue an Agreed Order to include a six (6) months suspension and a $1,000 fine; seconded by Dr. Powell. Motion carried unanimously.

C. Amiee M. Bush

Jeff Knight made a motion to issue an Agreed Order with standard terms. The motion was seconded by Dr. Powell and passed unanimously.

D. Bryan Cox

Jeff Knight made a motion to approve the Agreed Order signed by Mr. Cox. The motion was seconded by Dr. Powell and passed unanimously.

E. Renaissance Medical

Jeff Knight made a motion to send a cease and desist letter to Renaissance Medical for using non licensed personnel to perform respiratory care. The motion was seconded by Dr. Powell and passed unanimously.

F. Kyley M. Graham

A motion was made by Mr. Knight to approve the application for Limited Student licensure for Kyley M. Graham; seconded by Dr. Powell. Motion carried unanimously.

G. Bryan D. Wyatt

Jeff Knight made a motion to approve the Mandatory application for Bryan D. Wyatt. The motion was seconded by Dr. Powell and passed unanimously.

H. Aaron Peter

Mr. Knight made a motion to send a letter to Mr. Peter encouraging him to work with Mr. Fingerson and obtain a KYPRN agreement; seconded by Dr. Powell. Motion carried unanimously.

I. John N. Nethery

Jeff Knight made a motion for Nethery to be issued a standard Agreed Order. The motion was seconded by Dr. Powell and passed unanimously.
Jeff Knight made a motion to issue an Agreed Order for working 51 days without a license. The motion was seconded by Dr. Powell and passed unanimously.

**Announcements**

Ms. Moore will check the availability of board members for a meeting on November 26th instead of December 12th since Ms. Vogt will be out of the country on December 12th. Confirmation of the meeting change will be announced at the Board’s August meeting.

Ms. Vogt announced the next meeting is set for Thursday, August 15, 2013, at 5:30 p.m., at the KBRC offices, 163 W. Short Street, Lexington, KY.

**Application Review**

A motion was made by Jeff Smithern to accept all 96 applications since the last meeting; seconded by Kathleen Kearney Schell. Motion carried unanimously.

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


The following **Temporary applications (3)** were approved:

Arnold A. Claxton, Aimee J. McGrath, and Adina C. Nethery.

The following **NBRC applications (66)** were approved:

The following **Reciprocity applications (11)** were approved:


Ms. Siddon made a motion to adjourn the meeting at 7:55 p.m.; seconded by Dr. Powell. Motion carried unanimously.

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Janet R. Vogt, BHS, RRT, Chair
KY Board of Respiratory Care