

**Board of Respiratory Care
Task Force Meeting
Minutes**

Date: June 24, 2008

Time: 2:00 p.m., C.D.T.

Location: Health Related Boards
Poplar Conference Room
227 French Landing Drive
Heritage Place, Metro Center
Nashville, TN 37243

Members Present: Colleen Schabacker, Board Member & Moderator
Candace Partee, Board Member
Roger Major, Board Member
Darryl Jordan, MD., Board Member

Member Absent: Delmar Mack, EdD., Board Member

Staff Present: Marva Swann, Unit Director
Mary Webb, Board Administrator
Ernie Sykes, Advisory Attorney
Elizabeth Miller, Director of Health Related Boards
Karen Robinson, Board Meeting Administrator

Guests: John Williams, Representative of Tennessee Society of Respiratory Care
Shiva Bozarth, Advisory Attorney for the Board of Polysomnography
Rosemary Otto, Board of Medical Examiners (BME) Director
Latoyna Shelton, (BME) Board Administrator
Matthew Scanlan, Deputy General Counsel
David Johnson, Board Consultant, CSCC

Ms. Colleen Schabacker called the meeting to order at 2:09 pm.

Minutes from the February 26, 2008 and April 22, 2008

Ms. Schabacker stated that there were two sets of minutes to be reviewed from the February 26, 2008 meeting; one was done by the Board's administrative staff and the other was a revised copy she had submitted. A motion was made by Ms. Partee and seconded by Ms. Schabacker, to accept the revised version. Mr. Sykes wanted it noted that he was not present at the February meeting and therefore, could not comment on the content of the minutes; however, he stated he did believe that minutes should give an accurate account as to what was said to anyone not present. Ms. Schabacker stated that the revised

minutes stated only the main points and took out “he said, she said” references. Ms. Swann, stated that she felt the minutes should stand as originally submitted with corrections and addendums made due to there being persons present with diverse opinions that should be a part of the record. Mr. Sykes stated that per the motion, the revised minutes should be presented to the full Board for ratification at its August meeting if the motion is approved. Ms. Schabacker and Ms. Partee voted to approve the revised minutes. The revised minutes will be presented to the full Board for ratification at its August 21, 2008 meeting.

Ms. Partee made a motion to approve the April 22, 2008 Task Force Minutes as amended. The motion carried with Ms. Partee and Ms. Schabacker voting to approve. The April 22, 2008 minutes will be presented to the full Board at its August 21, 2008 meeting for ratification.

The record notes that Dr. Darryl Jordan and Mr. Roger Majors arrived late and were not present to vote on the February 26, or the April 22, minutes.

Overview of the Task Force Meeting

Mr. Sykes introduced, Rosemarie Otto, Executive Director of the Board of Medical Examiners. The Board of Medical Examiners has oversight of the new Polysomnography Committee.

The Task Force Committee was authorized by the Board of Respiratory Care to explore issues and make recommendations regarding the Polysomnography Act of 2007 as it relates to the practice of Respiratory Care. The Board feels that respiratory therapists are already, due to their education, the most qualified personnel in a sleep lab to recognize and handle emergencies. They assert that there is sleep lab equipment that can function as a ventilator and the use of ventilation equipment by other than a respiratory therapist is an infringement on the practice of respiratory care. The Board wants input into the rules adopted by the Polysomnography Committee.

Concerns enumerated by the Committee include:

- Polysomnography rules, when written, need to include recognition of the upcoming polysomnography credential from the NBRC
- Polysomnographers do not get enough education and training regarding respiratory diseases which may cause patient safety concerns during sleep diagnostic testing.
- Polysomnographers do not get enough education and training regarding the PAP therapies. New sleep lab equipment may function as a ventilator, therefore requiring more intensive training of polysomnographers in order to ensure patient safety.
- In lieu of RT's being exempted from the polysomnographers law, rules should include a grandfather clause for respiratory therapist who have worked for a specified number of hours in a sleep lab.
- Concern that a RCP who would be working with a patient diagnosed with a sleep disorder outside of a sleep lab would be in violation of the polysomnography practice act.

Mr. Shiva Bozarth, Advisory Attorney for the Polysomnography Committee, invited the task force committee members to attend the first Polysomnography Committee meeting to be held on August 19, 2008. Rules will be promulgated through a Notice of Rulemaking Hearing to be authorized at this meeting. Ernie Sykes, Respiratory Care Advisory Attorney, plans to attend this meeting and bring back to the Respiratory Care Board meeting on August 21, 2008 a list of comments, concerns, and suggestions regarding those rules. He will then draft a formal rulemaking comment letter on behalf of the Board of Respiratory Care, and mail it to the Polysomnography Committee's subsequent meeting.

Ms. Schabacker presented a draft of a position statement on polysomnographers to which the task force committee members revised and made additions. Ernie Sykes will polish the draft with the agreed upon amendments and send it to the members by July 3, 2008.

John Williams, TSRC Representative, stated that while the policy statement was good, it should be consistent with the statute. Mr. Sykes assured him that the final policy statement would be consistent with the statute for Polysomnography. .

With there being no further business, the meeting is adjourned at 3:27 p.m.

These minutes were ratified at the August 21, 2008 board meeting.