

**Board of Respiratory Care
Minutes**

Date: November 15, 2007

Time: 9:00 a.m., C.S.T.

Location: Poplar Conference Room
227 French Landing Drive
Ground Floor
Heritage Place, Metro Center
Nashville, TN 37243

Members Present: Billy Alred, Chair
Gene Gantt
Roger Major
Candace Partee, Secretary
Colleen Schabacker
Delmar Mack, Ed.D.
Darryl Jordan, M.D.
Timothy McGill

Members Absent: None

Staff Present: Marva Swann, Unit Director
Mary Webb, Board Administrator
Ernie Sykes, Advisory Attorney
Tomica Walker, Administrator
Juanita Stone, Investigations

Guests Present: Mike Harkreader, Tennessee Professional Assistance Program
John Williams, Tennessee Society of Respiratory Care

A quorum being present, Mr. Billy Alred, Chair, called the meeting to order at 9:00 a.m.

Office of General Counsel

Mr. Sykes informed the Board of their responsibilities under the Conflict of Interest Policy. Board members were asked to sign exhibit 4 of the policy in acknowledgement of their understanding of its content.

Mr. Sykes presented to the Board the Office of General Counsel Report as follows:

Rules:

Under review by the Attorney General:

1. Title, Screening Panels, Equipment Delivery, Advertising [1330-1-.02, .03, .19, .20] – (05-1386) The rulemaking notice was filed and the rule went to hearing on October 31, 2005. The Board approved the amendment on November 17, 2005, and it was sent to the Attorney General on November 22, 2005. It became effective August 30, 2006.
2. Stays and Reconsiderations, Delete ABG Course Requirement [1330-1-.19, .22] – (06-1072) The rulemaking notice was filed and the rule went to hearing on April 25, 2006. The Board approved the amendment on May 23, 2006, and it was sent to the Attorney General on July 28, 2006. It became effective May 30, 2007.
3. Fee Increase [1330-1-.06] – (06-1533) The rulemaking notice was filed and the rule went to hearing on January 4, 2007. The Board approved the amendment on February 15, 2007, and it was sent to the Attorney General on March 16, 2007. It became effective October 1, 2007.

Litigation:

The Office of General Counsel, Tennessee Department of Health, currently has two (2) open cases pertaining to the Tennessee Board of Respiratory Care.

Mr. Sykes also, presented the Board Chair with a letter to sign regarding LPN's practicing respiratory care in a home health setting to be sent to the Attorney General's office.

Approval of Minutes

A motion was made by Ms. Schabacker and seconded by Dr. Mack to approve the minutes of the August 23, 2007 Board meeting as amended.

Applicant Interviews/File Reviews

Reginald Evans — Mr. Evans appeared before the Board seeking licensure as a Certified Respiratory Therapist. Mr. Evans was convicted in January of 2001 of driving on a suspended/revoked license. Upon review by the Board, a motion was made by Ms. Schabacker and seconded by Ms. Partee to approve Mr. Evans for licensure. The motion carried.

Troy Hamm – Mr. Hamm appeared before the Board seeking licensure as a Registered Respiratory Therapist. Mr. Hamm was charged with a DUI in June 2005. Upon review by the Board, a motion was made by Ms. Schabacker and seconded by Ms. Partee for Mr. Hamm to be referred to TNPAP and get all past ceu's for his CRT license. Pending a favorable evaluation and his following all recommendations from TNPAP approve Mr. Hamm for licensure. The motion carried.

Amanda Martin – Ms. Martin appeared before the Board seeking licensure as a Certified Respiratory Therapist. She was charged with a DUI in 2004. Upon review by the Board, a motion was made by Ms. Partee and seconded by Dr. Mack to refer Ms. Martin to TNPAP and

pending a favorable evaluation and her following all recommendations from TNPAP approve Ms. Martin for licensure. The motion carried.

Arthea Muhammad – Ms. Muhammad appeared before the Board seeking licensure as a Certified Respiratory Therapist. She was charged with battery of a police officer in 1993. Upon review by the Board, a motion was made by Ms. Schabacker and seconded by Ms. Partee to approve Ms. Muhammad for licensure. The motion carried.

Elizabeth Thorpe – Ms. Thorpe appeared before the Board seeking licensure as a Certified Respiratory Therapist. She was charged with a DUI in 2003. Upon review by the Board, a motion made by Ms. Schabacker and seconded by Ms. Partee to refer Ms. Thorpe to TNPAP and pending a favorable evaluation and her following all recommendations of TNPAP approve Ms. Thorpe for licensure. The motion carried.

Deborah Waters - Ms. Waters appeared before the Board seeking a waiver of her continuing education units. Upon review by the Board, a motion was made by Dr. Mack and seconded by Ms. Partee to waive 20 of the 140 ceu's that Ms. Waters was required to have. The motion carried.

Marnie Muse - Ms. Muse's file was brought before the Board because she was convicted of simple battery in 2001. Upon review by the Board, a motion was made by Dr. Jordan and seconded by Dr. Mack to defer Ms. Muse's file until the next scheduled meeting and request that she appear. The motion carried.

Gloria Williams – Ms. Williams' file was brought before the Board because she disclosed on renewal application that she was in poor physical and mental health. Upon review by the Board, a motion was made by Dr. Mack and seconded by Ms. Schabacker to defer Ms. Williams's file until the next scheduled meeting and request that she appear. The motion carried.

Adrienne Cage – Ms. Cage's file was brought before the Board because she was charged with simple battery in January 2006. Upon review by the Board, a motion was made by Dr. Jordan and seconded by Dr. Mack to defer Ms. Cage's file until the next scheduled meeting and request that she appear. The motion carried.

Shenita Russell – Ms. Russell's file was brought before the Board because she was charged with passing bad checks under \$500.00 in 2001. Upon review by the Board, a motion was made by Dr. Mack and seconded by Mr. Major to defer Ms. Russell's file until next scheduled meeting and request that she appear. The motion carried.

Investigations and Disciplinary Report

Juanita Stone presented the disciplinary and investigative report as of 12/31/06. There was an initial carryover of five (5) RRT complaints from December 2006 with seven (7) new complaints received. Making a total of twelve (12). Two (2) were closed; and, of that total one (1) complaint was referred to the Office of General Counsel and one (1) with a letter of warning, leaving a total of ten (10) open cases at the time of this meeting.

There was an initial carryover of ten (10) CRT complaints from December 2006 with one (1) new complaint received. Making a total of eleven (11). Two (2) were closed; and of that total one (1) was referred to the Office of General Counsel and one (1) with a letter of warning, leaving a total of nine (9) open cases at the time of this meeting.

Tennessee Professional Assistance Program Report

Mike Harkreader, Director of Tennessee Professional Assistance Program (TNPAP) presented the report. There were two (2) referrals to Tennessee Professional Assistance Program (TNPAP) for the period of July 1, 2007 thru September 30, 2007. Two signed a monitoring agreement making a total of seven (7) being monitored at this time; also for this period of time there was one (1) discharged and reported to the Department of Health for noncompliance.

Administrator's Report

Mary Webb presented the Administrator's report. Active current licensee totals are 2205 Registered Respiratory Therapists, 2068 Certified Respiratory Therapists, and 32 Respiratory Care Assistants. Since the May 2007 Board meeting there were a total of ninety three (93) newly licensed, seven (7) reinstatements, and twelve (12) retired Respiratory Therapists.

For your information, ABG endorsement can now be accessed on the Internet verification system.

The new travel agency for the state contract is Wright Travel. We are no longer using World Travel effective 10/29/07. Board members were again reminded to obtain prior travel approval through the Administrative staff before making travel arrangements outside of the State of Tennessee in order to ensure reimbursement.

Legislation

The Board voted to adopt a policy, not to present before the Board any applicant with misdemeanor convictions that occurred more than 10 years before filing a licensure application. Ernie Sykes is to draft a policy

A motion was made by Ms. Partee and seconded by Dr. Mack to have a rulemaking hearing to put a cap on continuing education units for reinstatement applications at sixty (60) hours and put a cap on fees at three (3) renewal cycles. Another motion was made by Ms. Partee and seconded by Ms. Schabacker to send to rulemaking hearing to grant the Board the authority to consider reducing reinstatement fees for applicants.

John Williams, representative for the TSRC stated that TSRC Board Members were informed at their January 2007 meeting that only 2/3 of the sleep related practices that are listed in the polysomnography Act are practiced by Respiratory Therapists. Mr. Williams states that the National Board of Respiratory Care (NBRC) is working on exam questions to verify knowledge of polysomnography. The Board came to an agreement to draft a position statement regarding

credentialing for respiratory therapist who provide sleep related services. They continued by saying that beginning 2010 licensed respiratory therapists may need additional credentials to perform sleep related services. Ms. Partee made a suggestion to form a task force to address the issues of the Polysomnography Act, and that the individuals on this task force were not chosen but volunteered to serve. Members of the task force are to e-mail Ms. Webb the dates they will be available in December. Ms. Partee, Ms. Schabacker, Mr. Major, Dr. Jordan and Dr. Mack all volunteered.

Mr. Gantt discussed what came out of the Certified Medication Aide task force meeting. It was discussed that these individuals receive a medication aid certification and that these treatments should be taught by a respiratory therapist this includes LPN's and RN's.

Ratifications

A motion was made by Ms. Partee and seconded by Ms. Schabacker to approve the following applicants for Initial Registered Respiratory Therapists, Initial Certified Respiratory Therapist, Reinstated Registered Respiratory Therapists, and Reinstated Certified Respiratory Therapists. The motion carried.

Licensed Certified Respiratory Therapist

Angel Carnes Abner
Orneka Shante Anderson
Jennifer Langbehn Baldwin
Karolyn L. Banks
Angela Jackson Bard
Adrian L. Bean
Sherry Smith Beasley
Brittany Smith Binkley
Rebecca Shipley Bradley
Francois Duvalier Brown
Nicki Riddle Broyles
Kimberly Bridges Burton
Lori Anderson Clayton
Aaron Todd Denham
Brenda Wolfe Dowell
Donald David Eichler, Jr.
Vicki Winegar Fisher
Kirby H. Gardner
Latisha Paige Gulley
Andrea Dawn Hensley
Angela Handshoe Hodges
Vicki Carol Hughes
Kyung Annette Koh Hwang

Tammy Diane Jackson
Christy Jones
Amanda Day Lewis
Paula Ann Longworth
Jessica Brooke Mann
Brenda M. Martindale
Carmen Bobbitt McCain
Kellie Bentley McKinney
Dejuan Lasha' Parker-Thomas
Nassima Reid
Sharon Guthrie Rice
J.L. Skeleton
Julianna Gentry Tidwell
Erwin Ariel Toro
Tara Beth Townsend
Keecha Alexander Valentine
Divya Ann Varghese
Katrina Slaughter Walding
Jessica Hileman Ward
Joel Wayne Wilmoth
Carrie Ellegood Wilson
Tiffany Star Wolski
Paula Morrill Yount

Reinstated Licensed Certified Respiratory Therapist

Julie A. Frazier
Dawn M. Fritsch
Derrell W. Greer
Cynthia S. Kraus

Licensed Registered Respiratory Therapist

Doris Ann Allen
Ella June Beck
Sarah Kyle Beckett
Wesley C. Bledsoe
Jill McCarter Bonds
Jonathan Lee Boone
Daniel Eugene Boyd, Jr.
Carrie Turner Brown
Kimberly Bridges Burton
Charlene Renee Castleman
Tiffini Pope Colson
Ashley Sprouse Counts

Danny Lee Cox
Tara Nicole Davis
Matt Edward Dillon
Dorothy Cole Elliott
James Walter Elliott
Frances Wax Ewing
Erika Wiggins Fox
Dennis Sandy Garcia
Wendy Long Graves
Kevin Mickey Gunter
Sara Allison Haebich
Laura Robinson Hastings
Angela Bunch Hudson
Trang Thi Huynh
Delores Robinson Johnson
Stuart Lee Ketron
Carlanetra Skanes Lee
Gina Caswell Lee
Maria Del Carmen Lemus-Descollonges
Kimberly McKay Marzette
Misty Ferrell McCaslin
Kristin Leigh McElyea
Karatha Strickland McWright
Jamie Raye Miller
Elizabeth Love Moore
Shellie Freeman Oday
Rubi Rabino Olsen
Kenya Lasonya Reedy
Jeffrey Craig Rooks
Lana Janiece Seal
Geraldine Patton Seymore
Sheri Leonard Sills
Melissa Canterbury Simmons
Jessica Loving Wade
John Vicent Wyatt

Licensed Reinstated Registered Respiratory Therapist

Robin Machelie Davis
Kritina Marshall Garcia
Michelle D. White

There being no further business, the meeting was adjourned at 11:40 am.

These minutes were ratified at the February 14, 2008 board meeting.