

**TN BOARD OF RESPIRATORY CARE
MEETING MINUTES**

Date: February 15, 2024
Time: 9:00 AM Central Time
Location: Office of Health Related Boards
Iris Conference Room
665 Mainstream Drive
Nashville, TN 37243

Members Present: Kira Anderson
Kimberly Christmon
Ray Davis
Robert Farmer, Board Chair
Curtis Powell
Craig Rooks

Member(s) Absent: Dr. Gary Keith Lovelady
Consumer Member Seat - Vacant

Staff Present: Kimberly Wallace, Regulatory Board Administrative Director
Sam Mullins, Regulatory Board Administrative Assistant
Ashley Fine, Senior Associate General Counsel

Guests Present: Teresa Phillips, TnPAP

Call to Order

The meeting was called to order at 9:01am Central Time. A roll call of Board Members was made, with a quorum present at the Call to Order. Administrative and legal staff were introduced.

Discuss and consider approval of Meeting Minutes, November 16, 2023, Board Meeting

A motion was made by Mr. Rooks

To approve the Minutes of the November 16, 2023, Board Meeting, as written.

With a second made by Mr. Davis

Discussion: None OR As Follows

The motion passed unanimously by voice vote.

Receive Reports and/or Requests from the Office of Investigations

Dorsey Luther, Complaint Coordination Team Lead, presented the Investigations reports for CY2023 and YTD2024, as follows:

CY2023

Open Complaints	7
Closed Complaints	8

Total New Complaints	10
Substance Abuse	3
Criminal Charges	1
Violation of Order	1
Lapsed License	3
Falsification of Records	1
Unprofessional Conduct	1

CY2024 Y-T-D

Open Complaints	6
Closed Complaints	1

Total New Complaints	4
Substance Abuse	1
Continuing Education Violation	2
Unprofessional Conduct	1

Receive Reports and/or Requests from the Division of Health Licensure and Regulation

There were no financial reports for the Board to review in this meeting.

Discuss and take action as necessary regarding Legislation

There were no Legislative items for the Board to review in this meeting.

Receive Reports and/or Requests from the TN Professional Assistance Program

(TNPAP)

Ms. Wallace reviewed the TNPAP Report, as follows:

Agreements Activated	1
Monitoring	5
Non-Regulatory	3

<i>Regulatory</i>	2
Referrals	0
Discharges	0

Receive Reports and/or Requests from the Board Administrative Office

Mr. Mullins presented the Administrative Office Report, as follows:

STATISTICAL REPORT

The following are the total active licensees as of February 12, 2024:

RRT	CRT	RCA
Active Licensees – 4,107	Active Licensees –1,175	Active Licensees –1

Licensing activities from November 8, 2023, through February 12, 2024:

RRT	CRT
New applications received – 59	New applications received – 20
New licenses issued – 28	New licenses issued – 17
Reinstated – 9	Reinstated - 2
Registered Poly Endorsement(s) - 0	Certified Poly Endorsement(s) – 0
Number of renewals – paper – 52	Number of renewals paper – 23
Number of renewals online – 418	Number of renewals online – 90
Number of licensees who retired – 16	Number of licensees who retired – 7
Number of licenses that expired – 61	Number of Licenses that expired – 35
Closed Files -7	Closed Files - 4
NA	Upgrades from CRT to RRT- 2
RRT Limited Permit to Full License – 5	CRT Limited Permit to Full License- 3

For RRTs, the number of renewals online during this period constituted a usage rate of 89%. For CRTs the number of online renewals constituted a usage rate oof 80%

2024 & 2025 Meeting Dates:

- May 9, 2024, August 29, 2024, and November 7, 2024
- February 13, 2025, May 8, 2025, August 28,2025, and November 6, 2025

The Board requested that future Administrative Office reports include the Net Gain or Loss of total number of licensees on a Quarter-Over-Quarter and Year-Over-Year basis.

Ms. Wallace provided additional information regarding the number of licensees, as follows:

License Type	January 2022	January 2023	September 2023
RRT	3,570	3,939	4,149
CRT	1,002	1,124	1,198

Receive Reports and/or Requests from the Office of General Counsel

Ms. Fine presented the OGC Report, as follows:

CONFLICT OF INTEREST

If you have a personal or financial interest in the outcome of any issue or matter before this Board which may suggest a bias on your part, you are asked to state that interest on the record so that a determination can be made as to whether there exists a need for recusal. You are reminded that it is the duty of this Board to protect the health, safety and welfare of the citizens of Tennessee and that the administration of this solemn responsibility is dependent upon avoiding even the appearance of impropriety.

OPEN MEETINGS ACT

Pursuant to the Open Meetings Act, Board business may only be discussed by Board members during the meeting. Members should not discuss the Board's business at any time other than during the open Board meeting. This prohibition applies to phone calls, emails, and text messages. Board members should also ensure that all comments during the meeting are stated for all to hear; private conversations between or among members during the meeting are inappropriate.

RULES

A rulemaking hearing was held at the Board's August meeting regarding fee decreases. Those rules are currently under review with the Attorney General's Office.

At its last meeting, the Board voted to amend Rule 1330-01-.07(7) regarding notification of incomplete application files. This rule amendment is currently in internal review.

The Office of General Counsel will also make a brief presentation about rules as they pertain to 2021 Public Chapter 328.

LITIGATION

APPEALS

None.

CIVIL SUITS

None.

PENDING CASES

There are currently no open cases in the Office of General Counsel.

DISCIPLINARY REPORT

The Disciplinary Coordinator for the Board of Respiratory Care is currently monitoring:

- Four (4) licensees for a reprimand;
- Two (2) licensees for probation;
- One (1) licensee for suspension; and
- Nine (9) licensees for revocation.

Presentation of Orders, Agreed Citations, and Other Disciplinary Items

Consent Orders

There were no consent orders for the Board to review in this meeting.

Agreed Citations

CE Agreed Citation – Kimberely Hale, CRT #7283

Kimberely Hale, CRT License #7283 was found deficient of twenty-four (24) hours of continuing education during the 2021-2022 CE cycles and was assessed a civil penalty in the amount of three hundred dollars (\$300), and is required to complete the deficient hours, in addition to five (5) penalty hours, within ninety (90) days of ratification of the Agreed Citation.

A motion was made by Mr. Powell

To ratify the Agreed Citation for Kimberely Hale, CRT License #7283, as written.

With a second made by Mr. Davis

Discussion: None OR As Follows

The motion passed unanimously by voice vote.

CE Agreed Citation – Erin Kelly, RRT #4422

Erin Kelly, RRT License #4422 was found deficient of twenty-four (24) hours of continuing education during the 2021-2022 CE cycles and was assessed a civil penalty in the amount of three hundred dollars (\$300), and is required to complete the deficient hours, in addition to five (5) penalty hours, within ninety (90) days of ratification of the Agreed Citation.

A motion was made by Mr. Rooks

To ratify the Agreed Citation for Erin Kelly, RRT License #4422, as written.

With a second made by Mr. Davis

Discussion: None OR As Follows
The motion passed unanimously by voice vote.

Lapsed License – Rachel Hibbits, CRT #7468

Rachel Hibbits, CRT License #7468 was found to have practiced on a lapsed license for three (3) months from 09/01/2023 – 11/09/2023 and was assessed a civil penalty in the amount of two hundred dollars (\$200).

A motion was made by Ms. Christmon
To ratify the Agreed Citation for Rachel Hibbits, CRT License #7468, as written.
With a second made by Mr. Davis
Discussion: None OR As Follows
The motion passed unanimously by voice vote.

Applicant Interviews/File Reviews/Waivers & Other Requests

CE Audit Exemption Request – Anna Parks, RRT #5773

Anna Parks, RRT License #5773 was called on for a continuing education audit and required to show proof of completed CE for the 2021-2022 CE cycles. In response to the audit request, Ms. Parks was only able to produce proof of completion of hours of CE completed during calendar year 2022, which were related to nursing. She submitted a letter requesting the Board waive her CE requirements for audit during this period, due to a recent natural disaster destroying her home, inclusive of her records.

Mr. Powell questioned whether the licensee was reaching out the other board(s) for which she is licensed. Ms. Wallace stated the licensee had not communicated with the Administrative Office on her status with other licenses she holds.

Ms. Fine referenced the Board information on CE Waivers found in Rule1330-01.12(8)(a) and T.C.A. §63-27-109(c).

Ms. Christmon noted that the licensee does have record of consistently attending CE in the nursing profession through the records the applicant provided as obtained from her facility. She also mentioned recommending the licensee make use of the AARC for retention of respiratory CE records.

A motion was made by Ms. Christmon
To approve the CE Audit exemption for Anna Parks, RRT License #5773 for the 2021-2022 CE cycles due to a natural disaster resulting in the loss of records.
With a second made by Ms. Anderson.

Discussion: None OR As Follows
The motion passed unanimously by voice vote.

Ratification of Licensure Files

A motion was made by Mr. Powell
To approve the Ratification List, as presented.
With a second made by Ms. Christmon
Discussion: None OR As Follows
The motion passed unanimously by voice vote.

Ratification List

From 11/8/2023 to 2/12/2024

RRT Closed Applications

Grubb Mark Anthony
Ingram Leanna Rena
Palmer Kristina
Pilgram Justin Andrew
Shell Hazel
Taylor Ayanna Rochelle
Vogt Amanda Kaye

RRT Newly Licensed

9036 Abreu Michelle
8988 Allen Jordan Beth
9017 Arnold Hunter
8989 Atchison Sue A
9018 Averill Victoria
9021 Bailey Beverly Jane
9031 Barger Jolene N
9015 Blair Dennis
9022 Brinton Margaret
9032 Cabrera Francisco Eduardo Jr
9019 Consepcion Yazmin
9008 Hamons Janice Ann
9039 Lane Madison Faith
9020 Longstreth Kylie Joan

9037 Miller Benjamin James
9014 Olmos Arturo
9016 Reyland Dana
8995 Roberts Matthew Paul
9007 Scales Casey Renee
9013 Thurmon Kaylyn Jade
Williams Claudette Yvonne
9047 Ms.
9005 Yapello John Rocco
8666 Burnett Lunden Nichole
8651 Jackson Kenya Jemise
8898 Jones Beverly Anne
8870 Ramos Andrew
8928 Southall Emily Lynn
8753 Wilson Codie
8533 Guzman Coraima Ereth
8847 Harper Trevor
8845 Jackson Courtney
8846 Johnson Calmesha
8889 Robinson Shelby

RRT Reinstated Licenses

6422 Byrd Allasica
7532 Goodman Jordan
3906 Jones Latonya M.
4399 Tiziano Tamara Ballard
8304 Wynne Andrew
4555 Zachary Sarah Lynn
395 Tidwell Phillip Dale
3376 Gilley Jennifer Lynn
1425 Rosson Melanie Carol

CRT Closed Applications

Butters Kayla Erin
Mills Christy Dawn
Moton Jamerica
Ramos Gerevit Litan

CRT Newly Licensed

7898 Allen Amy Brooke
7903 Alrowaily Jumah
7900 Beauregard Latona P. CRT
7909 Belt Misty Siobhan
7907 Brown Tonya C
7885 Goodwin Margie Kay
7901 Jones Gelanni
7908 Kusi Samuel
7897 Litt Schnya
7882 Megaly Kerolos
7899 Miller Reagan
7905 Nelson Kele Shay
7902 Reynolds Jory
7896 Robinson Shelby
7904 Yamani Tima
7810 Banks Tyrus
7767 Harden Arnell III Mr
7834 Scott Jolie Grace

CRT Reinstated Licenses

7468 Hibbitts Rachel Cheyenne
3933 Welch Shanti Lashunese

Discuss and take action as necessary regarding Rulemaking, Rulemaking Hearings,

Rule Amendments, and Policies

There were no rulemaking or policy items for the Board to review in this meeting.

Conference/Event Reports and Upcoming Events Review

AARC Summer Forum, July 14-16, 2024, Snowbird, UT

Attendees:

- Ms. Christmon
- Mr. Powell
- Mr. Rooks

AARC Annual Congress, November 20 – 23, 2024, Orlando, FL

Attendees:

- Mr. Farmer
- Mr. Davis
- Ms. Anderson

CLEAR Conference, September 16-19, 2024, Baltimore, MD

Attendees:

- One attorney seat
- Ms. Christmon

FARB Regulatory Law Conference, September 19-22, 2024, Atlanta, GA

Attendees:

- One attorney seat
- Mr. Powell

A motion was made by Mr. Powell

To approve Board sponsorship for attendance at the following conferences:

- AARC Summer Forum, July 14-16, 2024, Snowbird, UT, Attendees: Ms. Christmon, Mr. Powell, Mr. Rooks
- AARC Annual Congress, November 20 – 23, 2024, Orlando, FL , Attendees: Mr. Farmer, Mr. Davis, Ms. Anderson
- CLEAR Conference, September 16-19, 2024, Baltimore, MD, Attendees: One attorney seat, Ms. Christmon
- FARB Regulatory Law Conference, September 19-22, 2024, Atlanta, GA, Attendees: One attorney seat, Mr. Powell

With a second made by Mr. Rooks

Discussion: None OR As Follows

The motion passed unanimously by voice vote.

Discuss Old/New Board Business

There were no old or new Board business items for the Board to review, not otherwise discussed on the agenda.

Review of Correspondence and Notices

There were no correspondence or notices for the Board to review in this meeting.

Public Comment

Ms. Wallace noted that Public Comments may be submitted in writing to the Board by email to Unit3HRB.Health@tn.gov or by mail to 665 Mainstream Drive, Nashville, TN 37243, or

may be given verbally by attending a meeting in person and signing the registry located by the front doors of the meeting room.

There were no public comments made.

Adjourn

With no further business to conduct, a motion was made by Mr. Rooks to adjourn

With a second made by Ms. Christmon

Discussion: None OR As Follows

The motion passed unanimously by voice vote.

The meeting adjourned at 9:55am CST

These Minutes were ratified by the Board on May 9, 2024.

Robert Janner
Board Chair

5-9-2024
Date