

## **Board of Respiratory Care Minutes**

**Date:** February 20, 2020

**Time:** 9:00 AM Central Time

**Location:** Iris Conference Room  
Ground Floor  
665 Mainstream Drive  
Nashville, TN 37243

**Members Present:** Jeffery Craig Rooks, RRT, Secretary  
Robert E. Farmer, RRT  
Lisa Caldwell, RRT  
L. Gail Braddock, Consumer Member  
Kimberly Christmon, RRT  
Ray A. Davis, RRT  
Gary Keith Lovelady, MD (Late Arrival)

**Member(s) Absent:** Curtis D. Powell, RRT, Board Chair

**Staff Present:** Kimberly Wallace, Unit Director  
Lacey Wilkerson, Board Administrator  
Maria Johnston, Board Administrator  
Tracy Alcock, Senior Associate General Counsel  
Samuel Moore, Senior Associate General Counsel

**Guests Present:** Mike Harkreader, TnPAP  
Lori Leonard, Disciplinary Coordinator  
Susan Parson, TSRC  
Maria McCormick, Admin Services Manager  
Tyler Heard  
Dane Gunnimann, Maxim Healthcare  
Tammy Robinson, TSRC  
P.A. Ditto

### **Call to Order**

After the roll call and with a quorum being present, Mr. Rooks called the meeting to order at 9:05 A.M.

### **Call for Comments**

Mr. Rooks made an announcement calling for any audience member with questions, or comments on this meeting's agenda, to sign in on the comment sheet and they would be heard by the Board.

### **Approval of Minutes**

August 15, 2019, and November 14, 2019, Minutes were presented to the Board for review and approval. Mr. Davis made a request for correction on the November Minutes of his name spelled incorrectly, Mr. Farmer requested change to August and November Minutes to add RRT to follow his name, Ms. Christmon made request to change secretary title from her name to Mr. Rooks name on the August and November Minutes. Ms. Caldwell made a motion to approve the Minutes with these corrections, Mr. Farmer seconded. Motion carried.

### **Conflict of Interest**

Mr. Moore reminded the Board about the Conflict of Interest Policy. He reminded members of their obligation to recuse themselves from any matter in which they might have a personal or financial interest, or from participating in any matter before the Board in which there might be an appearance of a conflict.

### **Office of General Counsel Report**

Samuel Moore, Senior Associate General Counsel, presented the Office of General Counsel (OGC) report as follows:

There are currently 12 open cases in the Office of General Counsel under review from the recent continuing education audit. None of these cases have reached the stage of a contested case hearing yet.

There is currently a Rulemaking change in process with the Secretary of State.

### **Agreed Citations**

Samuel Moore presented the Agreed Citations to the Board for approval:

**Stacey Gumm-** Agreed Citation presented for non-compliance of continuing education for calendar year 2017. Licensee failed to complete 12 continuing education hours including patient safety and ethics. Licensee agreed to pay a fine of \$300.00 and requirements to complete the 12 missing hours and an additional 5 hours related to the practice of Respiratory Care. Licensee also agrees that this will appear as a disciplinary action against their license. Ms. Caldwell made a motion to accept. Mr. Farmer seconded. Motion Passed.

**Kayla Pedigo Graves-** Agreed Citation presented for non-compliance of continuing education for calendar years 2017 and 2018. Licensee failed to complete 6 continuing education hours including

patient safety and ethics in 2017 and 7 continuing education hours including patient safety and ethics in 2018. Licensee agreed to pay a fine of \$300.00 and requirements to complete the 12 missing hours and an additional 5 hours related to the practice of Respiratory Care. Licensee also agrees that this will appear as a disciplinary action against their license. Ms. Christmon recused herself. Mr. Farmer made a motion to accept. Mr. Davis seconded. Motion Passed.

**Michael Sarwar-** Agreed Citation presented for non-compliance of continuing education for calendar years 2015 and 2016. Licensee failed to complete 10 continuing education hours in 2015 and 12 continuing education hours including patient safety and ethics in 2016. Licensee agreed to pay a fine of \$300.00 and requirements to complete the 22 missing hours and an additional 5 hours related to the practice of Respiratory Care. Licensee also agrees that this will appear as a disciplinary action against their license. Ms. Caldwell made a motion to accept. Ms. Christmon seconded. Motion Passed.

**Jane Cline-** Agreed Citation presented for non-compliance of continuing education for calendar years 2016. Licensee failed to complete 2 continuing education hours including patient safety and ethics in 2016. Licensee agreed to pay a fine of \$300.00 and requirements to complete the 2 missing hours and an additional 5 hours related to the practice of Respiratory Care. Licensee also agrees that this will appear as a disciplinary action against their license. Ms. Caldwell made a motion to accept. Mr. Farmer seconded. Motion Passed.

**Andrew Morrow-** Agreed Citation presented for non-compliance of continuing education for calendar year 2018. Licensee failed to complete 12 continuing education hours including patient safety and ethics in 2018. Licensee agreed to pay a fine of \$300.00 and requirements to complete the 12 missing hours and an additional 5 hours related to the practice of Respiratory Care. Licensee also agrees that this will appear as a disciplinary action against their license. Mr. Davis made a motion to accept. Ms. Christmon seconded. Motion Passed.

**Maria Colon-** Agreed Citation presented for non-compliance of continuing education for calendar years 2018. Licensee failed to complete 2 continuing education hours including patient safety and ethics in 2018. Licensee agreed to pay a fine of \$300.00 and requirements to complete the 2 missing hours and an additional 5 hours related to the practice of Respiratory Care. Licensee also agrees that this will appear as a disciplinary action against their license. Ms. Caldwell made a motion to accept. Mr. Farmer seconded. Motion Passed.

**Rita Simmons-** Agreed Citation presented for practicing on a lapsed license. Licensee practiced on an expire license beginning August 1, 2019 to on or about January 2, 2020. Licensee agreed to pay a fine of \$500.00 Licensee also agrees that this will appear as a disciplinary action against their license. Citation states six-hundred (\$500.00), Mr. Farmer requested to change six to five prior to submission to investigations. Mr. Farmer made a motion to accept. Ms. Christmon seconded. Motion Passed.

**David Davis-** Agreed Citation presented for non-compliance of continuing education for calendar years 2017-2018. Licensee failed to complete 8 continuing education hours including patient safety and ethics in 2017-2018. Licensee agreed to pay a fine of \$300.00 and requirements to complete the 8 missing hours and an additional 5 hours related to the practice of Respiratory Care. Licensee also agrees that this will appear as a disciplinary action against their license. Ms. Caldwell made a motion to accept. Mr. Davis seconded. Motion Passed.

**Constance Puckett-** Agreed Citation presented for non-compliance of continuing education for calendar years 2017-2018. Licensee failed to complete 12 continuing education hours including patient safety and ethics in 2017 and 12 continuing education hours including patient safety and ethics in 2018. Licensee agreed to pay a fine of \$300.00 and requirements to complete the 24 missing hours and an additional 5 hours related to the practice of Respiratory Care. Licensee also agrees that this will appear as a disciplinary action against their license. Ms. Caldwell made a motion to accept. Mr. Davis seconded. Motion Passed.

### **Investigative/Disciplinary Report**

Lori Leonard, Disciplinary Coordinator, in the Office of Investigations, presented the investigative and monitored disciplined practitioners report as follows: For the monitored disciplined practitioners, there is zero (0) practitioner under reprimand, six (6) practitioners under probation, and three (3) are suspended. Also, there were eleven (11) revocations, and one (1) child support order to report.

For the year 2019, the Office received thirteen (13) RRT complaints; one (1) falsification of records, one (1) for substance abuse, one (1) for unlicensed practice, two (2) for unprofessional conduct, one (1) for violation of an order, one (1) for criminal convictions and six (6) continuing education violations. Investigations has closed eleven (11) complaints, eight (8) were sent to the Office of General Counsel for formal discipline, one (1) was closed with no action, one (1) closed with a letter of concern and one (1) closed with a letter of warning. At the end of 2019 there were three (3) open complaints under review.

Calendar year-to-date 2020 for RRT, Investigations have received zero (0) new complaints, zero (0) opened complaints and still have three (3) complaints pending.

For the year 2019, the Office received ten (10) CRT complaints; one (1) for criminal charges, three (3) are for unprofessional conduct, one (1) lapsed license, one (1) for criminal conviction and four (4) continuing education violations. In 2019, Investigations has closed twelve (12) complaints; six (6) were sent to the office of general counsel for formal discipline, four (4) were closed with no action and two (2) closed with a letter of concern. At the end of 2019, Investigations did not have any open pending complaints. For calendar year-to-date 2020, no new complaints have been received.

For Respiratory Care Assistants, there are no new complaints and no complaints pending investigation at this time. For calendar year-to-date 2020, no new complaints have been received.

### **Financial Report**

Maria McCormick, presented projected mid-year 2020 financial report as follows:

Total Payroll Expenditures:                      \$110,997.10

Other Expenditures:	\$46,548.24
Total Direct Expenditures:	\$157,754.97
Total Allocated Expenditures:	\$70,356.93
Total Yearly Expenditures:	\$227,902.27
Board Fee Revenue:	\$220,811.89
Current Year Net:	(\$7,090.37)

Cumulative Carryover: \$1,048,894.81

A discussion was held between the Board, legal counsel and the finance department to determine the where the funds would come from in the event the Board did end with a deficiency at the end of the 2020 fiscal year. Butch Jack from the finance department advised that in the event of a Board deficiency, the amount would come from the cumulative carryover to make up the difference. As of now, due to the current numbers being an estimate of fiscal year end totals, the Board will hold off on discussing fee increases until after the close of the 2020 fiscal year - at the end of June 2020 - to obtain final numbers.

**Applicant Interviews/File Review**

Samuel Moore reminded the Board of the Fresh Start act.

**Brittney Riley-** Applicant was present by phone. After Board review and discussion of the file it was determined that Mississippi had provided verification of the wrong individual. Ms. Christmon requested licensee to contact Mississippi and have corrected license verification sent to the Board's office prior to issuing of license. Ms. Caldwell seconded. Motion passed.

**Tyler Heard-** Applicant was present at the meeting. After Board file review and discussion with applicant. Mr. Farmer made a motion to approve. Mr. Davis seconded. Motion carried.

**Tennessee Professional Assistance Program Report (TnPAP)**

Mike Harkreader, TnPAP Representative, presented the Board's activity report from July 1, 2019, to December 30, 2019, as follows:

Monitoring- Non-regulatory	2
Monitoring Closed - Agreement Noncompliance	0
Referrals - from TNDH.	0
Agreements Activated	1
Closed Cases	0
Pending Evaluation Report	

**Ratifications**

Mr. Farmer made a motion to approve and seconded by Ms. Caldwell, to ratify the list of New Licenses, License Reinstatements for Certified Respiratory Therapists and Registered Respiratory Therapists, and Closed Files, as follows:

### New Licenses

#### Registered Respiratory Therapists

Adamson Karen M  
Allen Melissa Grace  
Bartholow Eric  
Baumia Emily  
Boros Domnica  
Brooks Savannah Brooke  
Buck Deonta Mr.  
Casey Richard Allan  
Coriell Shermaine Georgette  
Daniel Candice Denise  
Domer Stephen Ray  
Dominguez Fernandez Joelys Loren  
Frazier Brittany  
Frieson Victoria Danielle  
Garvin Christian N Ms.  
Goodman Jaime E RRT  
Gregg Arianna  
Hamby Heidi Lynn Mrs.  
Harcrow Shannon  
Harris Danielle Marie  
Hayward Eric Dwayne Sr. Mr.  
Hensley Taylor  
Hershey Madalyn RRT  
Huffines April Stone Mrs.  
Hussain Gireen Ms.  
Inman Lilian Jean Nicole  
Jawad Aiya  
Jones Jayde  
Kirby Kayleigh Marie  
Kitamura Derek Kazuo Mr.  
Ledford Nicholas  
Legorreta Lisa Ann Mrs.  
Lozada Capriles Karlen A.  
Millholland William Jason Mr.  
Morris Whitney Shaye  
Osman Rinam Mohamed

Owens Tachina Danielle  
Park Sylvia  
Poffenbarger Raymond William Jr.  
Ray Armandia  
Reap Tina Elaine Mrs.  
Roberts Leah Beth  
Rushing Sunny Jene  
Simpson Cheyenne  
Smith Mariah Maximilliona  
Stalls Lori Ann  
Summey Caitlin Brooke  
Sykes Shaneteria Daniell Mrs.  
Tawadrous Madleen  
Tenca-Dunn Taryn  
Terry Cheri Tai'  
Torres Ismael Ricardo  
Tramp Tiffani Jennifer  
Van Heel Shyanne  
Vanover Davina  
Wagner Natalie Lynn  
Williams Litisa  
Williams Nicole Sheree Mrs.  
Worles Timmy Terrell Jr  
Young Akeyla Ms  
Zimmermann Jazmine Ashley  
Butler Joyce E  
Corbett Sarabeth Mrs  
Guenther Samantha  
Hartline Richard Eugene Mr.  
Jeness Vincent Miron  
Mccarty Christine  
Reed Jarvis Kendall  
Scruggs Renee  
Thomas Jasmine M

**Certified Respiratory Therapists**

Blankinship Crystal  
Bliffert Koreen  
Casey Richard Allan  
Cervantes Tiffany  
Grabiell Patricia Lee  
Jawad Aiya  
Mason Ashley  
Ray Armandia  
Shotts Claudia  
Smith Gina M.

Smith Victoria  
Sorrells Melesha Denise  
Walton Corey  
Ard Jennifer Kathleen  
Conro Jeanne Lea Ms.

**Reinstatements**

Bush Lakendra  
Cates Terry Douglas  
Davis Michelle Bell  
Farr Jason M.  
Hamilton Robin Marie  
Hedges Caleb Benjamin  
Miller Tori Nicole  
Rigsby Jennifer Elaine  
Spikes Blanche Harris  
Townsend Gordon Dunning  
Woodward Deborah Faye  
Zamber Amy Rebecca  
Crimmons Deborah K  
Deloreto Danielle Elizabeth  
Scott Kelli R  
Simmons Rita K  
Arthur Janet Holbert  
Asher Lana Adeline  
Campbell Elizabeth Margaret  
Hunt Herman H  
Lucas Lindsey  
Payne Cristal Denise  
Roberts Melissa Blankenship  
Wagers Maude Misaki

**Polysomnography Endorsement**

Smith Candace Cox  
Bowers Carey Lynn

**Closed Files**

Adame Abraham Mr.  
Crawford Jessica  
Gayles Craig Spencer Mr.  
Mccoy Lindsey Ms.  
Mundy Katlin Alice  
Padgett Emily  
Patla Rachel Kalei  
Schroeder Kelly-Ann  
Urhahn Libby Jo  
Walbeck James



Daffinson Jacqueline  
 Gregg Arianna  
 Renfroe Tarika Kylisha  
 Sulley Paul Jeffery  
 Tenca-Dunn Taryn

Motion Passed

**Administrative Report**

Lacey N. Wilkerson, Board Administrator, presented the administrative report as follows:

**Statistical Report**

The following are the total active licensees as of February 13, 2020:

RRT	CRT	RCA
Active Licensees – 3740	Active Licensees – 1229	Active Licensees – 4

Licensing activities from November 1, 2019 through February 13, 2020:

RRT	CRT
New applications received - 100	New applications received - 23
New licenses issued – 70	New licenses issued – 15
Reinstated - 13	Reinstated - 4
Registered Poly Endorsement(s) - 1	Certified Poly Endorsement(s) - 1
Number of renewals – paper - 73	Number of renewals – paper – 30
Number of renewals on line - 386	Number of renewals on line – 124
Number of licensees who retired - 8	Number of licensees who retired – 1
Number of licenses that expired - 68	Number of Licenses that expired – 41
Closed Files - 10	Closed Files - 5
Upgrades from CRT to RRT- 19	NA
RRT Limited Permit to Full License – 3	CRT Limited Permit to Full License- 1

For RRTs, the number of renewals online during this period constituted a usage rate of 84%. For CRTs the number of online renewals constituted a usage rate of 81%

**2020 Meeting Dates:**

May 14, 2020, August 20, 2020, and November 12, 2020

As of October 1, 2019, maximum lodging for Davidson County increased to \$223.00, other reimbursements remain the same.

### **Upcoming Conferences**

AARC Summer Forum July 13-15, 2020	Snowbird, UT
Annual Clear Conference September 23-26, 2020	Seattle, WA
AARC Annual Congress November 14-17, 2020	Orlando, FL
FARB 2020 Regulatory Law Seminar October 1-4, 2020	Reston, VA

### **Correspondence**

**Cristal Payne**- Applicant requested a waiver of continuing education requirements and requested the Board to accept retirement of license in lieu of Agreed Citation for non-compliance for 2017-2018 calendar years, which was tabled at the November 2019 meeting. Applicant was present by phone at this meeting. After discussion of request with licensee, Dr. Lovelady made a motion to accept the make-up continuing education and allow the licensee to retire their license in lieu of disciplinary action. Ms. Christmon seconded. Motion passed.

**Genee Gant**- Mr. Gant submitted a letter to the Board requesting an amendment to the Board of Respiratory Care position statement on the administration of the Influenza Vaccine to include the administration of the Pneumococcal Vaccine. After discussion between the Board and legal counsel, Mr. Davis made a motion to request legal counsel to draft a revision of the current position statement to include a paragraph specifically related to the administration of the Pneumococcal Vaccine, and alter the last paragraph to include the new changes as well as change the title of the position statement to remove mentioning of the Influenza Vaccine directly, with this change to be presented at the May 14, 2020, Board meeting. Mr. Farmer seconded the requested changes. Motion passed.

### **Rulemaking Hearings, Rule Amendments, and Policies**

#### **Election of Officers**

An election of officers was held for the upcoming 2020 calendar year. Ms. Braddock made a motion to maintain Curtis Powell as the Board Chair and Craig Rooks as the Secretary. Ms. Christmon seconded. Motion passed.

#### **Conferences**

Ms. Braddock attended the FARB conference held in Colorado. She reviewed discussions held by a TN state senator about recommending reaching out to local senators during times when they are not in

session, primarily in the summer and fall. This can help ensure individuals get the advice they need in regards to getting items taken before legislation.

**Discuss Old and New Business**

Susan Parsons with TSRC addressed the Board about the upcoming TSRC convention scheduled for March 30-31, 2020 at the Memphis Hilton. Ms. Parsons requested that available Board members and legal counsel provide a presentation during the meeting to provide updates on licensing and Rulemaking. Tracy Alcock agreed to present and requested a Board member to attend with her. Mr. Farmer agreed to speak during the convention.

**Ratification of 2021 Meeting Dates**

Dates for upcoming 2021 meeting dates were presented to the Board for ratification as follows:

February 18, 2021, May 13, 2021, August 19, 2021 and November 11, 2021

Ms. Christmon made a motion to approve dates as proposed. Mr. Davis seconded. Motion passed.

**Adjournment**

There being no further business, Ms. Braddock made to adjourn the meeting, Ms. Caldwell seconded. Motion passed. The meeting was adjourned at 12:35 PM.



Curtis Powell, Chair

5/10/2020  
Date