

**Board of Respiratory Care
Minutes**

Date: May 13, 2021

Time: 9:00 AM Central Time

Location: Office of Health Related Boards
Iris Room
665 Mainstream Dr.
Nashville, TN 37243

Members Present: Kira Anderson
Kimberly Christmon
Ray Davis
Robert Farmer
Craig Rooks, Board Chair
Linda Gail Braddock
Gary Keith Lovelady, MD

Member(s) Absent: Curtis Powell

Staff Present: Kimberly Wallace, Unit 3 Director
Lacey Wilkerson, Board Administrator
Samuel Moore, Senior Associate General Counsel

Guests Present: Judge Kim Summers
Mike Harkreader, TnPAP

Call to Order

Mr. Rooks called the meeting to order at 9:10 am. Ms. Wallace conducted a roll call to confirm attendance and confirmed a quorum was present.

Public Comments

Ms. Wallace advised of a sign-in sheet for public comments related to current agenda items. Ms. Wallace also advised that requests, comments, or inquires can be submitted to the Administrative office through mail, phone or email. Ms. Wallace made an announcement of the administrative office phone number 615-532-5090 and email Unit3HRB.Health@tn.gov .

Conflict of Interest

Mr. Moore reminded the Board about the Conflict of Interest Policy, as follows:

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.

Contested Cases

Samuel Moore with the Office of General Counsel, presented the following contested cases presided over by Judge Kim Summers:

Audra Hensley #5568 Docket no. 17.47-21299A – Licensee was present to discuss failure to obtain continuing education for calendar years 2017-2018. After discussion with the individual the board determined there was not enough information to proceed with the charges at this time. The Board requested further investigation by the Administrative Office into historical files. A motion was made by Mr. Farmer to dismiss without prejudice with follow up information requested on trail of submitted CE's of where they are housed, how long they stay on record, and proof of letter from 2019 with what CE was submitted that led to a letter of compliance that Ms. Hensley had in her possession, with a second by Ms. Anderson. There was no discussion on the motion. The motion passed unanimously.

Donna Bowers #1141 Docket no. 17.47-211294A - Licensee was not present. Mr. Moore requested to proceed in default. Mr. Farmer made a motion to proceed, Ms. Christmon seconded. Motion to proceed in default passed unanimously. Licensee was found guilty of failure to complete continuing education hours for years 2015-2016. Mr. Farmer made a motion to approve the proposed order, Ms. Braddock seconded. Motion Passed unanimously. Licensee is ordered to pay fines in the amount of \$2,200.00 plus cost of proceedings, make up missing continuing education hours plus an additional 5 hours and have discipline notice placed on her license.

Latoya Butler #4129 Docket no. 17.47-211295A - Licensee was not present. Mr. Moore requested to proceed in default. Ms. Christmon made a motion to proceed, Mr. Farmer seconded. Motion to proceed in default passed unanimously. Licensee was found guilty of failure to complete continuing education hours for years 2015-2016. Mr. Farmer made a motion to approve the proposed order, Mr. Davis seconded. Motion Passed unanimously. Licensee is ordered to pay fines in the amount of \$2,200.00 plus cost of proceedings, make up missing continuing education hours plus an additional 5 hours and have discipline notice placed on her license.

Brenda Lanier #1498 Docket no. 17.47-211296A - Licensee was not present. Mr. Moore requested to proceed in default. Ms. Christmon made a motion to proceed, Mr. Farmer seconded. Motion to proceed in default passed unanimously. Licensee was found guilty of failure to complete continuing education hours for years 2015-2016. Mr. Farmer made a motion to approve the proposed order, Ms. Christmon seconded. Motion Passed unanimously. Licensee is ordered to pay fines in the amount of \$800.00 plus cost of proceedings, make up missing continuing education hours plus an additional 5 hours and have discipline notice placed on her license.

Approval of Minutes

February 18, 2021, Board Meeting Minutes were presented to the Board for review and approval. Ms. Anderson made a motion to approve the minutes as written, Ms. Braddock seconded. The motion passed unanimously.

Investigative/Disciplinary Report

Lori Leonard, Disciplinary Coordinator, Office of Investigations, presented the investigative and monitored disciplined practitioners report as follows: For the monitored disciplined practitioners, there are two (2) under reprimand, five (5) practitioners under probation, three (3) under suspension, five (5) revocations, six (6) surrenders and one (1) child support order to report.

In the year 2021, the Office received zero (0) RRT complaints. In 2021, investigations closed six (6) complaints, currently there are two (2) open complaints under review at this time.

In the year 2021, the Office of Investigations received two (2) CRT complaints; one (1) for unlicensed practice and one (1) for unprofessional conduct. Investigations closed two (2) complaints, currently there are five (5) open complaints under review at this time.

In the year 2021, for Respiratory Care Assistants, there is zero (0) new complaint; zero (0) continuing education violations. Investigations has closed zero (0) complaints, currently there are zero (0) open complaints under review at this time.

Financial Report

Ms. Wallace advised the Board there is no new financial report or update for the Board to review at today's meeting. After the close of the 2021 Fiscal Year, we will have the year-end reports for review.

Tennessee Professional Assistance Program Report (TnPAP)

Theresa Phillis, TnPAP Representative, presented the Board's activity report from July 1, 2020 to March 31, 2021, as follows:

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

Discuss legislation and take action if needed

There were no legislative items for review at today's meeting.

Administrative Report

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

Statistical Report

The following are the total active licensees as of May 3, 2021:

RRT Active Licensees – 3869	CRT Active Licensees – 1185	RCA Active Licensees – 2
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Licensing activities from February 6, 2021-May 3, 2021:

RRT	CRT
New applications received – 64	New applications received – 21
New licenses issued – 52	New licenses issued – 14
Reinstated – 16	Reinstated – 6
Registered Poly Endorsement(s) – 0	Certified Poly Endorsement(s) – 0
Number of renewals – paper – 56	Number of renewals – paper – 26
Number of renewals online – 325	Number of renewals online – 91
Number of licensees who retired - 4	Number of licensees who retired – 3
Number of licenses that expired – 52	Number of Licenses that expired – 32
Closed Files – 8	Closed Files – 5
Upgrades from CRT to RRT- 0	
RRT Limited Permit to Full License – 0	CRT Limited Permit to Full License- 0

For RRTs, the number of renewals online during this period constituted a usage rate of 85%. For CRTs the number of online renewals constituted a usage rate of 78%

Ms. Wilkerson also reviewed the remaining dates for the 2021 Board Meetings, as follows:

- Thursday, August 19, 2021
- Wednesday, November 10, 2021

Ms. Wallace also reviewed the ability for licensees to renew online and applicants to apply online. She also presented the Board phone & email contact information of 615-532-5090 and Unit3HRB.Health@tn.gov.

Ms. Wallace also noted that a recommendation for upcoming applicants to use a permanent, ongoing personal email address when applying for licensure, not a .edu student email address or employment email address, as these may become inactive, thus preventing applicants and licensees from receiving important information from the Board's Administrative Office. She also reminded licensees that, by rule, changes to name and address must be made with the Board's Administrative Office within 30 days of a change, and can be done online through a licensee's account, or via hard copy change request form, available on the Board's website.

Office of General Counsel Report

Mr. Moore reviewed the OGC Report with the Board, inclusive of 7 open cases pertaining to respondents who hold Respiratory Care licenses. These cases are at various stages of litigation, but none are currently set for trial. There are no pending appeals, civil suits, or policies at this time. The rule changes for the maintaining, use, and delivery of respiratory equipment is set to go before Government Operations later in May.

Agreed Orders

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

Amber White #5522 Docket no. 17.47-211302A – Converted to an Agreed Order - Licensee was not present. Consent order issued for failure to complete 24 continuing education hours for years 2016-2017. Mr. Davis made a motion to approve the proposed order, Ms. Christmon seconded. Motion Passed unanimously. Licensee has chosen to retire license with the understanding prior to reinstatement continuing education for missing hours plus 5 hours must be submitted, as well as payment of up to \$1,000.00 for legal costs and discipline placed on license.

Marilyn Agnew-Motley #1471 Docket no. 17.47-211298A – Converted to an Agreed Order - Licensee was not present. Agreed Order issued for failure to complete continuing education hours for years 2017-2018. Mr. Davis made a motion to approve the proposed order, Mr. Farmer seconded. Motion Passed unanimously. Licensee is ordered to pay fines in the amount of \$2,400.00 plus legal cost, make up missing 24 continuing education hours plus an additional 5 hours to be completed in a year and have discipline notice placed on her license.

Timothy Lawton #6136 Docket no. 17.47-211297A – Converted to an Agreed Order - Licensee was not present. Agreed Order issued for failure to complete 9 continuing education hours for year 2015. Ms. Anderson made a motion to approve the proposed order, Ms. Christmon seconded. Motion Passed unanimously. Licensee has chosen to retire license with the understanding prior to reinstatement continuing education for missing hours plus 5 hours must be submitted, as well as payment of up to \$1,000.00 for legal costs and discipline placed on license.

Julie Morrow #3316 Docket no. 17.47-211300A – Converted to an Agreed Order - Licensee was not present. Agreed Order issued for failure to complete 24 continuing education hours for years 2017-2018. Mr. Farmer made a motion to approve the proposed order, Mr. Davis seconded. Motion Passed unanimously. Licensee has chosen to retire license with the understanding prior to reinstatement continuing education for missing hours plus 5 hours must be submitted, as well as payment of up to \$1,000.00 for legal costs and discipline placed on license.

Judy Sullivan #4641 Docket no. 17.47-211301A – Converted to an Agreed Order - Licensee was not present. Agreed Order issued for failure to complete 24 continuing education hours for years 2017-2018. Mr. Farmer made a motion to approve the proposed order, Mr. Davis seconded. Motion Passed unanimously. Licensee has chosen to retire license with the understanding prior to reinstatement continuing education for missing hours plus 5 hours must be submitted, as well as payment of up to \$1,000.00 for legal costs and discipline placed on license.

Consent Order

Samuel Moore presented the Consent Orders to the Board for approval:

Francesca Clark- Licensee was not present. Consent Order issued for failure to complete 4 continuing education hours for years 2016-2017. Ms. Christmon made a motion to approve the proposed order, Mr. Farmer seconded. Motion Passed unanimously. Licensee is required to obtain the missing 4 hours of patient safety and ethics plus an additional 5 hours, pay a fine of \$400.00 plus legal cost, and have discipline placed on her license.

Emily Walters- Licensee was not present. Consent Order issued for unprofessional conduct for falsification of documents. In 2015, licensee signed a patient chart for procedures not completed by the licensee but were instead performed by a nurse while licensee was out of the room. Ms. Anderson made a motion to approve the proposed order, Ms. Christmon seconded. Motion Passed unanimously. Licensee is being placed on probation for not less than 1 year, must abide by all rules related to scope of practice, if she is employed have employer send notification they are aware of her license encumbrment along with quarterly progress reports, and pay a fine of \$500.00 plus legal costs of up to \$10,000.00

Ian West- Licensee was not present. Consent Order issued for out of state legal action. Licensee was convicted in 2019 for driving under the influence in North Carolina. Mr. Farmer made a motion to approve the proposed order, Mr. Davis seconded. Motion Passed unanimously. Licensee's license is currently suspended pending results of TnPAP evaluation. Once evaluation and monitoring agreement is received by the disciplinary unit, his license can be reactivated under probation. Probation will run concurrent with length of monitoring agreement but for no less than 3 years. Failure to comply with monitoring will result in license being placed back on suspension. Licensee is also responsible for legal costs up to \$2,000.00.

Agreed Citations

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

Magdala Barjon- Licensee was not present. Agreed citation issued for failure to complete 12 continuing education hours for year 2018. Mr. Farmer made a motion to approve the proposed order, Mr. Davis seconded. Motion Passed unanimously. Licensee submitted missing continuing education hours plus 5 additional hours and fine of \$300.00. Licensee also agreed to have discipline placed on her license.

Connie Chisena- Licensee was not present. Agreed citation issued for failure to complete 14 continuing education hours for years 2018-2019. Ms. Christmon made a motion to approve the proposed order, Ms. Anderson seconded. Motion Passed unanimously. Licensee submitted missing continuing education hours plus 5 additional hours and fine of \$300.00. Licensee also agreed to have discipline placed on her license.

Chantal Hardison- Licensee was not present. Agreed citation issued for failure to complete 6 continuing education hours for year 2018. Ms. Anderson made a motion to approve the proposed order, Ms. Christmon seconded. Motion Passed unanimously. Licensee submitted missing continuing education hours plus 5 additional hours and fine of \$300.00. Licensee also agreed to have discipline placed on her license.

Latisha Lea- Licensee was not present. Agreed citation issued for failure to complete 24 continuing education hours for years 2018-2019. Ms. Christmon made a motion to approve the proposed order, Ms. Anderson seconded. Motion Passed unanimously. Licensee submitted missing continuing education hours plus 5 additional hours and fine of \$300.00. Licensee also agreed to have discipline placed on her license.

Joyce Gentry- Licensee was not present. Agreed citation was issued for practicing on a lapsed license from March 1, 2021- April 9, 2021. Mr. Farmer made a motion to approve the proposed order, Ms. Christmon seconded. Motion Passed unanimously. Licensee agreed to pay a fine in the amount of \$200.00 and have discipline placed against her license.

Parastoo Heidari- Licensee was not present. Agreed citation was issued for practicing on a lapsed license from February 1, 2021- April 12, 2021. Mr. Farmer made a motion to approve the proposed order, Ms. Anderson seconded. Motion Passed unanimously. Licensee agreed to pay a fine in the amount of \$300.00 and have discipline placed against her license.

Applicant Interviews/File Review

No applicant files for review of applicant interviews.

Fabiola Ange – Licensee was not present. Licensee failed to obtain continuing education as required for calendar year 2018. Licensee is requesting the Board accept the 12 additional hours completed in 2019 as makeup hours in fulfillment of the 2018 requirement. A motion was made by Ms. Christmon to deny the CE Waiver request and accept the submitted CE's in satisfaction of meeting the 2018 & 2019 CE requirements, with a second by Mr. Farmer. The motion passed unanimously.

Ratifications

A motion was made by Mr. Farmer to ratify licensure files as presented, with a second made by Ms. Christmon. Motion passed unanimously.

Ratification list February 6, 2021- May 3, 2021

RRT

Ahmad Debbie Kay
Almakrami Abdulaziz
Amante Kayla RRT
Arnett Jillian Kendal
Azar Deborah Dover
Bell Rasheda Monzon
Blair Sandra
Brown Kimberly Lynn
Calderon Huang
Campbell Desiree Paredes
Campbell Nicole Victoria
Carpenter Jon C
Cloud Lana Michelle
Cobble Amanda Rose
Cornett Kelsie
Deckard Livia
Dubois Amy Elizabeth
Easley Katherine
Fields Alec Dalton RRT

Garcia Kristen
Goelz Julia
Grady Maggie
Green Leroy (Lee)
Heinze Amy
Hensley Audra Freeman
Hogan Mollie RRT
Hudacko Kimberlee Jill
Jacobs Talitha
Kimmons Latangia
La Quatra Lisa
Likwases Moses Kibet
Mason Victoria Nichole
Mcleod Delores Deann
Nowak Darin
Pfeifer Anastasia Juliana
Phillips Teresa
Raezer Morgan
Richardson Shae
Smith Nicolina
Thomas Marqus Anthony
Triplett Wendy L
Wood Jennifer Collins
Anglin Kenneth Lamar
Bickel Jennifer Lynn
Bingham Melissa
Cornett Kelsie
Hall Roderick Glenn
Maxted Ann Marie
Moore Kasey Ellen
Myers Jessica Dawn
Phillips Jessica
Pope Emily
Storie Mary Jo
Wilson Summer miss
Ada Tara Ann RRT
Gravelle Christine Naomi
Janssen Sheril Ann
Johnson Taylor
Jorgensen Paige
Kemnetz Kari Jane
Lennen Terry Laine
Probst Robert Michael
Rock Jr Charles Edward
Tharp Sheree H

CRT

Anglin Kenneth Lamar

Bickel Jennifer Lynn
Bingham Melissa
Cornett Kelsie
Hall Roderick Glenn
Maxted Ann Marie
Moore Kasey Ellen
Myers Jessica Dawn
Phillips Jessica
Pope Emily
Storie Mary Jo
Wilson Summer miss
Allen-Johnson Anastascia
Wright Allison Nicole
Reinstatements
Anderson Jacolby Ramon
Austin Skylar Buchner
Faulknor Erin Nicole
Gantt Zachary Scott
Garland Amy Gieske
Harris Antionette K.
Heidari Parastoo A.
Jackson Alicia Marie
Jones Glenda F. RRT
Jones Latonya Maggaleane
Joy Sandra M.
Manz Steven L.
Pettus Christy Malee
Rosa-Barr Sheila Jean
Sprouse Wayne D
Vanmeter Melanie Hope
Allen Doris G
Atkins Jennifer Michelle
Dotson Patricia J
Harville Bruce D
Rothenberger Annitta G
Ryan Gary James CRT

Polysomnography Endorsement

None

Work Permit Issued

Boyce Tamia
Burchett Adria
Carter Di'Andre Tatiana
Hammond-Okyere Doreen
Kucher Fatima
Rozier Alexis
Pope Emily

Closed Files

Bailey Zachary James
Clements Dawn
Difuntorum Shirley
Matos Emily
Pepper Kimberly Burnett
Reeves Kari Ann-Elizabeth
Stewart Anne Marie
Ward Nikesha Renee
Fair Dave John
Guerieri Atina Sarae
Hill Keanna
Quayle Gail
Swanson Cody Ryan

Taskforce/Committee Reports

There were no Taskforce or Committee Reports for the Board to review in this meeting.

Discuss and take action as necessary regarding Rulemaking, Rulemaking Hearings, Rule Amendments, and Policies

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

Mr. Moore did notify the Board that their current rules package is set for possible consideration by the Tennessee General Assembly's Joint Government Operations Committee on May 19, 2021.

Correspondence Review

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

Conference/Event Reports and Upcoming Events Review

There were no Conference or Event items for the Board to review in this meeting.

Discuss Old and New Business

There were no Old Business or New Business items for the Board to review in this meeting.

Ms. Wallace made note of her recent efforts in providing a student outreach licensing presentation to the students in Ms. Christmon's class at Vol State Community College. Ms. Christmon expressed her thanks to Ms. Wallace for giving this presentation.

Call for Comments

Ms. Wallace made a final call for any public comments. She also reminded, the public is always welcome to submit comments to the Board in writing prior to any Board Meeting via email at Unit3HRB@tn.gov or by postal mail to the TN Board of Respiratory Care, 665 Mainstream Drive, Nashville, TN 37243

Adjournment

There being no further business, Ms. Braddock made a motion to adjourn the meeting at 12:32 PM CST, seconded by Ms. Christmon. Motion passed unanimously.

These Minutes were ratified by the Board on August 19, 2021.



Craig Rooks, Chair

8-19-21

Date