

Board of Respiratory Care Minutes

Date: February 12, 2015

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

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

Members Present: Anna Ambrose, RRT, Chair
Delmar Mack, RRT, Ed. D, Secretary
Jeffrey P. McCartney, MD
Troy Hamm, RRT
Lisa Caldwell, RRT
Winston A. Granville, RRT
John Schario, Hospital Administrator

Staff Present: Michael Sobowale, Board Unit Director
Lakita Taylor, Board Manager
Mary Webb, Board Administrator
Mary Katherine Bratton, Assistant General Counsel
Nichelle Dorroh, Disciplinary Coordinator of Office of Investigations

Guests Present: Mike Harkreader, Director, Tennessee Professional Assistance Program
John Williams, Attorney, Tennessee Society for Respiratory Care
Zack Gantt, President from the Tennessee Society for Respiratory Care
Candace Partee, Board Consultant
Colleen Schabacker
David Johnson, Representative of the TSRC
Dr. Rene Saunders, Board Consultant for the TN Medical Board of Examiners
Amy Jo Bardin, MS, RRT, VA-BC, State of Arizona
Kiera Anderson, Respiratory Program Chair, Baptist College for Health and Sciences

A quorum being present, Madam Chair, Anna Ambrose, called the meeting to order at 9:05 a.m. followed by a roll call vote with the following board members being present: Dr. Jeff McCartney, John Schario, Winston Granville, Anna Ambrose, Dr. Delmar Mack, Lisa Caldwell, and Troy Hamm.

Office of General Counsel

Mary Katherine Bratton, Assistant General Counsel, presented the board with a conflict of interest document to be signed by all board members. The signed document will be filed with the Division of Health Related Boards for all board members.

Ms. Bratton reported that there were no Consent Orders or Agreed Orders to report to the board.

Ms. Bratton reported that Robert Neely has appealed his case for denial of a license, with the Chancery Court and the case is still pending in Chancery Court at this time. Ms. Bratton reported that there is no new legislation pending for the Board of Respiratory Care.

Rules

Ms. Bratton informed the Board that the Board held its rulemaking hearing on the continuing education Rule changes at its last meeting and voted to adopt the Rule changes with some minor alterations. The rules have been sent to the Attorney General’s office to ensure that they do not conflict with any existing law, and they should be brought before the Joint Government Operations Committee this winter.

The proposed Rule change for a fee reduction has been drafted and the internal documentation is going through the process of approval now. The financial department took a look at the numbers again, and suggested the renewal fee be approved for \$100 and the application fee be approved for \$150. The rulemaking hearing will take place at the May 28, 2015, board meeting.

Approval of Minutes

John Schario, made a motion, seconded by Troy Hamm, to accept the minutes as presented for the November 20, 2014, board meeting. The motion carried.

Administrator’s Report

Mary V. Webb, Board Administrator, presented the Director/Administrator’s report with the following statistical information as of January 31, 2015:

Active Respiratory Therapists

- RRT—3281
- CRT—1552
- RCA—12

Board activity totals from November 18, 2014 through February 10, 2015:

RRT	CRT
New applications received-43	New applications received-18
New licenses issued—45	New licenses issued—17

Number of renewals-paper-67	Number of renewals-paper-44
Number of renewals online-200	Number of renewals online-115
Reinstatements—5	Reinstatements—5
Number of licensees who retired—5	Number of licensees who retired—9
Expired—34	Expired—40

Ms. Webb reported that conferences that will be held in 2015 for Respiratory Care professionals as follows:

1. 2015 AARC Congress- American Association for Respiratory Care 11-07-10-2015, in Tampa, FL
2. CEST Conference 2015- October 24-28-2015-Montreal, Canada
3. TSRC 2015 State meeting – April 9-10-2015 – Memphis, TN
4. TSRC Chattanooga Spring Chapter Seminar – May 8, 2015

Ms. Webb reported the following TSAC Orders to the Board:

Name	Profession	Current License Status	Date of Default	Date Notice of Suspension Mailed	Date Suspension Lifted
Lennie Robertson	CRT	Licensed	12/04/14	12/04/14	01/30/15
Clistha Tucker	CRT	Licensed	11/20/14	11/24/14	12/04/14
Jenee Lister	RRT	Suspended	12/04/14	12/04/14	
Patricia Bafford	CRT	Suspended	01/15/15	01/22/15	
Rebecca Bradley	CRT	Suspended	01/22/15	01/26/15	

Ms. Webb, reported the following Child Support Order to the Board:

Name	Profession	Current License Status	Date of Default	Date Notice of Suspension Mailed	Date Suspension Lifted
Mardragus Morton	CRT	Suspended	11/21/14	11/21/14	N/A

Investigative/Disciplinary Report

Nichelle Dorroh, Disciplinary Coordinator, in the Office of Investigations, presented the Investigative and Disciplinary reports as follows: There are currently six (6) active cases for registered respiratory therapists. Ms. Dorroh reported that the Office of Investigations audited the monitoring report and it is currently up to date.

Conferences

Dr. Mack, Lisa Caldwell, Winston Granville and Michael Sobowale, all attended the FARB Forum in Tucson, AZ, from January 22-25, 2015.

Dr. Mack stated that attending the meeting made him appreciate all that the Tennessee Board of Respiratory Care does for the Board by allocating funds to attend conferences relevant to the Board's mission of public health protection. Dr. Mack also stated that he has great appreciation for our Board Attorney, Mary Katherine Bratton, and the Attorneys who have advised the Board in the past.

Lisa Caldwell stated that she enjoyed the conference and that she would like for the Board to take a look at the initial application and renewal application to ensure that it has the most current information on it by asking questions that were not on the initial applications.

Winston Granville stated that he enjoyed the conference and that he truly appreciates our legal counsel for all of their hard work and dedication on behalf of the Board.

Michael Sobowale, Unit Director, stated that among the issues discussed was to have placed in the Board books, any past disciplinary actions that have been taken against practitioners in the past for guidance and in order to ensure consistency as much as possible in board decision making for future cases. Mr. Sobowale also stated that there was a discussion of having the practitioner profile tied to the renewal, so that when the licensee renews the license it would be mandatory to report any sort of disciplinary action or charges, or convictions they have received since the last renewal.

Tennessee Professional Assistance Program Report (TnPAP)

Mike Harkreader, TnPAP Coordinator, gave the following report:

Statistics from July 1, 2014 through December 31, 2014

Monitoring	7
Monitoring agreements signed	1
Referral Source - Employer	1
Referral Source - TDOH	1
Monitoring Type - TDOH	1
Non-voluntary	6
File Closure – monitoring completed	0
File Closure – declined services; TDOH notified	2

Applicant Interview/File Review

1. Carlos Duncan – Mr. Duncan was present. Mr. Duncan's application file was brought before the Board at the November board meeting but decision was deferred because Mr. Duncan checked "No" on the application to the question of a prior criminal conviction. According to documents submitted, Mr. Duncan was convicted of a DWI on January 4, 2004 in Texas. Mr.

Duncan explained to the Board that he pled guilty to a lesser offense and considered it to be a minor traffic violation. A motion was made by Troy Hamm, and seconded by Lisa Caldwell, to approve Mr. Duncan for a license with no restrictions. The motion carried.

2. Wendy Duron – Ms. Duron was present. Ms. Duron’s application file was brought before the Board due to a 1997 felony conviction of embezzlement, a 2001 misdemeanor conviction for theft of property over \$10, 000, and a 2014 misdemeanor conviction of contributing to the delinquency of a minor and child neglect. Ms. Duron explained that the 1997 conviction was due to her taking an advance from a former employer and not repaying it after she left their employment. Ms. Duron stated that by the time she went to court, she had already paid the advance back to her employer. Ms. Duron stated that the 2001 conviction stemmed from her brother-in-law not returning a car timely that she had rented. Ms. Duron stated that the car was returned and she paid all monies owed. Ms. Duron stated that the third conviction was due to her daughter missing eighteen (18) days of school due to an illness that she was born with. Ms. Duron stated that she completed the proper paperwork to inform the school of her daughter’s illness and agreed to inform the school ahead of time and not allow her daughter miss unapproved absences from school.

A motion was made by John Schario and seconded by Winston Granville to approve Ms. Duron for a license with no restrictions. The motion carried.

3. Genese Dufur – Ms. Dufur was not present. Ms. Dufur’s application file was brought before the Board due to a charge for willful cruelty to a child and damage to a wireless device. The file was originally presented at the November 20, 2014, board meeting but, was deferred until the February 12, 2015, meeting because the Board requested her presence. Ms. Dufur has moved back to California and could not be present. According to a court disposition from the District Attorney in Stanislaus County, CA, their office refused to prosecute the case. Anna Ambrose spoke to Ms. Dufur by phone and asked her to explain to the Board the charges. Ms. Dufur explained to the Board, a narrative of the events that had occurred. Troy Hamm asked Ms. Dufur why she could not appear before the Board and she stated that she had to get back to California to help her husband with their children and finances since her application had been delayed by the Board and she could not work in Tennessee.

A motion was made by John Schario, and seconded by Mr. Granville, to approve Ms. Dufur for a license with no restrictions. The motion carried.

4. Ryan Borden – Mr. Borden was present. Mr. Borden’s application file was brought before the Board due to a guilty plea of Violation of Motor Vehicle Registration law and Public Intoxication, a misdemeanor, which occurred on 2/22/2008. Mr. Borden explained to the Board that he was sitting in his vehicle which was not running at the time the police questioned him and arrested him. Mr. Borden stated that he has not had any other arrests since that time. A motion was made John Schario, and seconded by Troy Hamm, to approve Mr. Borden for a license with no restrictions. The motion carried.

5. Richard Calcote – Mr. Calcote was not present- Mr. Calcote’s application file was brought before the Board due to not having a graduated from a CoARC or CAAHEP approved program. Mr. Calcote completed an AMA continuing education course from Malcolm X College in

1992. Mr. Granville explained to the Board in great detail that at that particular time, CoARC and CAAHEP did not exist. Anna Ambrose also stated that her respiratory care certificate has the same wording as Mr. Calcote's and she believes that he did complete an actual respiratory care program that was available at that time. Mr. Granville stated that Mr. Calcote has satisfied the requirements for taking the NBRC examination by passing it in 1994. A motion was made by Winston Granville, and seconded by Dr. Mack, to approve Richard Calcote for a license. The motion carried.

Discussion of PICC Line Placements

David Johnson, representative with the TSRC, provided drafts to the Board from the AARC, a research paper titled, Evaluation of Respiratory Care Practitioner Central Venous Catheter Insertion Program, and a position statement on behalf of the TSRC, which shows support for the Insertion and maintenance of Vascular Lines.

Zack Gantt President, of the TSRC, explained to the Board that there is a list of hospitals that support respiratory therapists administering PICC Line placements, and based on the hospitals that the TSRC has spoken with, that there is a need to allow respiratory therapists to perform this procedure. Mr. Gantt stated that the TSRC is in agreement that additional training will need to be provided to the therapists interested in performing PICC Line placement.

Board Counsel, Mary Katherine Bratton, explained to the Board that it is her opinion that PICC Line Placement is not within the scope of practice for Respiratory Care. Ms. Bratton explained to the Board that they could not vote to change their rules to have this procedure added into their practice, and that it would take the TSRC to lobby on their behalf in the legislature, in order for the rules to be amended for approval. Ms. Bratton stated that the Board would need to gather additional information and documentation to be presented and discussed regarding the procedure in order to move forward.

Amy Jo Bardin, MS, RRT, VA-BC, State of Arizona, explained to the Board that she started the PICC Line program in 1998 because of the need in the health care community. The program was started with a team of two. They have engaged the nursing community as well and the nurses are able to perform additional cardio vascular procedures. Ms. Bardin stated that it is up to each hospital to ensure that a formality is in place in accordance with established policy and procedures and proper training are being performed. Ms. Bardin stated that by allowing respiratory therapists in the state of Arizona to perform this procedure, it allows them not to be pigeon holed into one category of practice.

Dr. Rene Saunders, Board Consultant, for the TN Medical Examiners and TN Medical Association, stated that radiologists, anesthesiologists, and nurses can place PICC Lines. Dr. Saunders stated that she does not know of a need in Tennessee for Respiratory Therapists to place PICC Lines, and that there are no educational programs in place. Dr. Saunders stated that there is never an urgent need to place a PICC Line and that the time for doing so, if there is ever a need, are more likely to be between

the normal working hours of 9am-5pm when there is full coverage of other qualified medical personnel in the facility.

Dr. Saunders stated that the liability will have to be placed upon the physician who wrote the PICC Line order and that if a respiratory therapist is allowed to perform that procedure, the therapist may suffer little to no loss of compensation if something were to go awry. Dr. Saunders stated that the Board of Medical Examiners has a discomfort to allow respiratory therapists to perform PICC Line Placements.

Kiera Anderson, Program Chair for Baptist College for Health and Sciences Respiratory Care Program stated that from an educational perspective, the difference in the education between nurses and respiratory therapists mirror in the science courses and that the respiratory care students must complete additional science courses. The students in her respiratory program must complete an extensive training program regarding PICC insertion.

Dr. Mack stated that he feels that it should be the Board's position for it to be left up to individual hospital administrators to allow PICC Line Placements.

Mr. Granville asked Ms. Bardin what were the legal liabilities for allowing Respiratory Therapists to perform this procedure? Ms. Bardin answered by saying that there has been zero liability and that she does not have to pay for any additional insurance in order to perform PICC Line Placements.

Mr. John Williams, Attorney for the TSRC, stated that he would like for the discussion to be deferred until the next board meeting or until enough information is gathered to move forward with the discussion.

Anna Ambrose, Chair, proposed to the Board that the discussion continue at the next board meeting and that she and Board Attorney, Mary Katherine Bratton, will bring back comments from various organizations and any additional information that they can gather.

Ratifications

Dr. Mack made a motion, seconded by Mr. Granville, to approve the list for newly certified and registered respiratory therapists and reinstatements. The motion carried.

REGISTERED RESPIRATORY THERAPISTS

New Licenses

Kandi Renae Allen

Wendy McDaniel Baker

Annette Bell
Kelly Rachel Boklage
Krystal Lynn Clark
Lawrence Albert Dobbins
Jessica Yvette Fitzgerald
Amanda Dawn Garren
John Anthony Geizer
Laquita Angelica Hill
Armon Dale Jordan
Candice Jade Kimmel
Stephanie Michelle Mathews
David Andrew Owens
Janny Phonhyaphanh
Joshua Allen Russell
Isaac Timothy Sharrett
Ryan James Sly
Steven George Stewart
Cynthia Elizabeth Taylor
David S. Vander Galien
Jessica Ariel Welsh
Taylor Elizabeth Womble
Anthony Marc Wrubleski

Christopher Jeffrey Bennett
Ronald Keith Burnett
Marcia Clemens Cunningham
Sarah Kaitlyn Fee
Delissa Nicole Franklin
Latoya Jackson Garrett
Jenice D. Hawkins
Brandon Jermel Jefferson
Bijo T. Joseph
Chadwick “Chad” D. Martin
Megan Michelle Myers
April Woodall Phelps
Jennifer Lynn Robinson
Robin Rhodes Scott
Korea Marquette Shelton
Kelvina A. Smith
Tabitha Lynn Strawn
Vickie Lynn Thomason
Samantha Mihalko Veach
Alicia D. Whitaker
Lara King Wooten

Reinstatements

Beth Anne Bowman
Larry A. Howell
R. David Johnson
William Lee Jones
Maria Del Carmen Lemus –Descollonges

CERTIFIED RESPIRATORY THERAPISTS

New Licenses

Peggy Sue Alexander
Lauren Ashlee Campbell
Sheila McCann Dollins
Amanda Pipkin Haynie
Kristi Nicole Hopson
Faye Cook Lewis
Mardragus Montez Morton
Theresa Ann Robison
Ashley Kristen Sharp
Teric Edond Tibbs

Anthony Andre Baker
Tamara Charlene Cotner
Kayla Alyse Frazier
Carol Hensley Helton
Gina Smith Jirkovsky
Erika Lashea Mathes
Pamela Ann Nolen
Mihalea Ioana Sabo
Lennie Joyce Smith
Clistha Renea Tucker

Reinstatements

Dieldrine Dalmacy Cherubin
Derrell W. Greer
Sammie Lewis Smith
Justin Allen Snelling
Shawn Richardson Terry

Polysomnography Endorsements

Amy Seaman 3rd pathway
Emily Page 3rd pathway

RRT Closed Files

Amber McBath
Maria Mendoza
Kimberly Burton
Linda Dempsey
April Cross
Michael Montmarquet
Lisa Ingram

CRT Closed Files

Jaclyn Grill
Charles Powell

Adjournment

There being no further business, the meeting was adjourned at 12:20 p.m.

These minutes were ratified at the May 28, 2015 board meeting.