



BOARD OF RESPIRATORY CARE
BOARD MEETING MINUTES
FEBRUARY 24, 2017

The meeting was called to order February 24, 2017 at 12:40 p.m. by Joe Ann Clack, Presiding Officer. Board members Latana T. Jackson-Woods, RCP, Assistant Presiding Officer; ; Debra E. Patrick, RCP, Secretary/Treasurer; Timothy R. Chappell, M.D.; ; Sam G. Marshall, RCP; Shad J. Pellizzari, RCP; Kandace D. Pool; James M. Stocks, M.D.; and Sonia K. Sanderson were present. Board staff Scott Freshour, J.D., Interim Executive Director; Megan Goode, Governmental Affairs and Public Information Manager; Assistant General Counsels Yvette Yarbrough, J.D., and Sarah Tuthill, J.D., Monique Johnston, Licensure Manager; and various other staff were present.

There were no items for Agenda item #2.

Agenda item #3, Executive Director Report.

Legislative Update. Ms. Goode gave a Legislative update of items and dates of interest and presented a summary of the final Sunset recommendations. Ms. Goode gave a report the Legislative Appropriations Request that included the required 4% budget reduction. She reported exceptional items were included in the LAR for two I.T. projects, additional call center staff, and the restoration of the 4% funding reduction.

Budget report. Ms. Corrales reviewed the FY 17 budget expenditures and revenue information that is included in the budget report. Ms. Corrales reported the budget is on track.

Outreach Update. Ms. Goode presented the updated Outreach schedule and highlighted presentations scheduled for respiratory care practitioners.

Audit Update. Ms. Goode reported the FY 16 Internal Audit for the Compliance Department was submitted to the Medical Board and approved. The Auditors are reviewing topics to recommend to the Medical Board for the next Internal Audit.

Agenda item #4, Medical Director Report. Mr. Freshour reviewed the expert panelist process and encouraged the members to email Dr. Bredt Texas-certified respiratory care practitioners who may be interested in serving as an expert panelist for respiratory care therapy cases.

Agenda item #5, Consideration and possible action regarding pending litigation. Mr. Freshour gave an overview of pending litigation of interest involving the Medical Board.

Agenda item #6, Consideration and approval of Determinations of Default:

1. **Mary York, RCP, SOAH #503-16-4692.** Susan Rodriguez, J.D., staff attorney, gave a procedural background and a brief presentation. Mary York was not present and no one appeared representing Ms. York. **Dr. Chappell moved, Dr. Stocks seconded, and the motion passed to approve the Determination of Default Order for revocation of the certificate of Mary York, RCP.**

Agenda item #7, Discussion, recommendation, and possible action regarding inquiries into the performance of specific procedures by RCPs:

- 1) **PICC line placement**
- 2) **Venipuncture**

Ms. Yarbrough gave a brief overview and an analysis regarding scope of practice inquiries. After discussion, the board clarified that PICC line placement and venipuncture is not outside the scope of practice for Texas respiratory care practitioners.

There were no items for Agenda item #8.

Agenda item #9, Discussion, recommendation, and possible action regarding Agreed Orders. After discussion, **Dr. Chappell moved, Ms. Jackson-Woods seconded, and the motion passed to approve the Agreed Order for Sunny Jacob, RCP.**

There were no items for Agenda item #10-11.

Agenda item #12, Discussion, recommendation, and possible action regarding adoption of proposed rules to 22 T.A.C. Chapter 186. Respiratory Care Practitioners, §§186.1 – 186.29. Ms. Yarbrough gave a brief review of the proposed rules for adoption. Written comments were received and reviewed. No one signed in to present oral comments. After discussion, **Dr. Chappell moved, Mr. Marshall seconded, and the motion passed to approve the adoption of the proposed rules in 22 T.A.C. Chapter 186. Respiratory Care Practitioners, §§186.1 – 186.29 with non-substantive changes as identified by board staff.**

Agenda item #13, Open forum for public comments. One person signed in to present public comments.

Agenda item #14, Consideration and Approval of the October 7, 2016 Board minutes. After consideration, **Dr. Chappell moved, Mr. Marshall seconded, and the motion passed to approve the October 7, 2016 board minutes and action items.**

Agenda item #15, Consideration reports and the consideration and approval of minutes and action items of committees meeting during the board meeting

Dr. Stocks gave a report of the Discipline and Ethics Committee. **Dr. Stocks moved, Ms. Pool seconded and the motion passed to approve the Discipline and Ethics Committee minutes and action items.**

Ms. Jackson-Woods gave a report of the Practice Authorization Committee. **Ms. Jackson-Woods moved, Dr. Chappell seconded, and the motion passed to approve the Practice Authorization Committee minutes and action items.**

Dr. Stocks requested board staff provide operational definitions of the terms shadowing, supervision, and reporting. He also requested information on the reason for certificate application questions involving arrest records. Mr. Freshour reviewed and the board discussed the rationale for the certificate application questions regarding an applicant's arrest record.

Agenda item #17, Adjourn. There being no further agenda items, the meeting adjourned at 2:08 p.m.