



BOARD OF RESPIRATORY CARE
BOARD MEETING MINUTES
OCTOBER 7, 2016

The meeting was called to order October 7, 2016 at 12:06 p.m. by Joe Ann Clack, Presiding Officer. Board members Timothy R. Chappell, M.D.; Latana T. Jackson-Woods, RCP; Debra E. Patrick, RCP; Kandace D. Pool; and James M. Stocks, M.D, were present. Sam G. Marshall, RCP; Shad J. Pellizzari, RCP; and Sonia K. Sanderson were absent. Board staff Scott Freshour, J.D., Interim Executive Director and General Counsel; Robert Brecht, M.D., Medical Director; Yvette Yarbrough, J.D., Assistant General Counsel; Monique Johnston, Licensure Manager; and Sarah Tuthill, J.D., Assistant General Counsel; and various other staff were present.

Agenda item #2, Board Member Report. Ms. Clack welcomed the board members.

Agenda item #3, Executive Director Report.

Interim Executive Director. Ms. Freshour, General Counsel, reported Mari Robinson will be resigning as Executive Director at the end of October 2016. Mr. Freshour was appointed the Interim Executive Director by the Medical Board Executive Committee.

Legislative Update. Ms. Goode reported the status of the implementation of SB202. The new boards and advisory committees have met and are developing rules for adoption. Ms. Goode reported on the increase number of incoming phone calls from 10,000 to 80,000 in June and the new processes and procedures to address the increased workload.

Ms. Goode gave an update of the process of the Sunset Review with tentative dates for the release of the Sunset staff recommendations and final decision

Internal Audit. Ms. Goode reported the FY 16 Internal Audit for the Compliance Department was submitted and approved.

Budget report. Ms. Goode reviewed the FY 17 budget and reported revenue collection information is included.

Outreach Update. Ms. Goode gave an update on the Outreach schedule and reported staff are available to present Outreach presentations for the respiratory care therapists.

Public Information Update. Ms. Goode reported the members will regularly receive email from Jarret Schneider with news clips and articles of interest at their agency email address. She noted the TMB bulletin is published several times per year. The bulletin summarizes rules and disciplinary action and is available on our website.

Email. Mr. Freshour reminded the board members to regularly check their agency email for board communication.

Agenda item #4, Medical Director Report. Dr. Bredt gave a brief introductory statement. He reported two respiratory care therapists are currently serving as expert panelists for the agency and requested the members send him their suggestions for additional panelists.

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

There were no items for Agenda item #6.

Agenda item #7, Discussion, recommendation, and possible action regarding Agreed Orders. After discussion, Dr. Chappell moved, Dr. Stokes seconded, and the motion passed to approve the Agreed Order for Esteban Alcazar, RCP.

Agenda item #8, Discussion, and possible action regarding Mediated Settlement Agreed Orders. After discussion, Dr. Stokes moved, Dr. Chappell seconded, and the motion passed to approve the Mediated Settlement Agreed Order for Cheetara Finnels, RCP.

Agenda item #9, Discussion, recommendation, and possible action regarding Cease and Desist Orders. After discussion, Dr. Chappell moved, Ms. Pool seconded, and the motion passed to approve the Cease and Desist Agreed Order for Adeyemi Joel-Talwo.

Agenda item #10, Discussion, recommendation and possible action regarding Remedial Plans. After discussion, Ms. Chappell moved, Dr. Stokes seconded, and the motion passed to approve Remedial Plan for Rosalinda Salazar, RCP.

There were no items for Agenda item #11.

Agenda item #12, Discussion, recommendation, and possible action regarding propose rules to 22 T.A.C. Chapter 186. Respiratory Care Practitioners, §§186.1 – 186.29. Mr. Freshour reviewed the proposed amendments and rule review of 22 T.A.C. Chapter 186. Respiratory Care Practitioners, §§186.1 – 186.29. Ms. Yarbrough gave a brief review of the proposed changes. After discussion, Dr. Stokes moved, Ms. Patrick seconded, and the motion passed to approve the proposed amendments to and rule review of 22 T.A.C. Chapter 186. Respiratory Care Practitioners, §§186.1 – 186.29 for publication and public comment.

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

Agenda item #14, Nomination and election of officers. After discussion, Ms. Pool nominated Dr. Stokes as Assistant Presiding Officer, who declined. After discussion, Dr. Stokes

nominated Ms. Jackson-Woods, as Assistant Presiding Officer, Dr. Chappell seconded, and the nomination passed by acclamation for Ms. Jackson-Woods to be the Assistant Presiding Officer.

Dr. Chappell nominated Ms. Pool as Secretary/Treasurer. Ms. Pool declined. After discussion, **Ms. Pool nominated Ms. Patrick, as Secretary/Treasurer, Dr. Stokes seconded, and the nomination passed by acclamation for Ms. Patrick to be the Secretary/Treasurer.**

Agenda item #15, Consideration and Approval of the July 29, 2016 Board minutes. After consideration, **Dr. Chappell moved, Ms. Patrick seconded, and the motion passed to approve the July 29, 2016 board minutes and action items.**

Agenda item #16, Consideration reports and the consideration and approval of minutes and action items of committees meeting during the board meeting

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

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