



**TEXAS BOARD OF RESPIRATORY CARE**  
**BOARD MEETING MINUTES**  
September 19, 2024

The meeting was called to order Thursday, September 19<sup>th</sup>, 2024, at 9:04 a.m. by Sam G. Marshall, Ph.D., RCP, Presiding Officer. Other board members present were Debra E. Patrick, RCP, Secretary/Treasurer; Samuel L. Brown, Jr.; Timothy R. Chappell, M.D; Latana T. Jackson, RCP; Kandace D. Pool; Nathan “Nate” Rodrigues, ECP. Board members not present were Hammad N. Qureshi, M.D. Sonja K. Sanderson was not present. Staff members present were Brint Carlton, Executive Director; Amy Swanholm, Director of Litigation; Scott Freshour, J.D., General Counsel; Robert Bredt, M.D., Medical Director; and various other board staff.

**Agenda Item #2, Board Member Report.** There was nothing to report.

**Agenda Item #3, Executive Director’s Report.**

**Budget Update** Joey Estrada, CFO, gave an update on the budget at the closing of the fiscal year.

**Internal Audit Update** Mr. Carlton gave an update on the audit that was completed regarding the Licensure Department.

**Legislative Update** Mr. Carlton updated the board on the Legislature Appropriations Request for the 2025 Session.

**Rule Update** Mr. Carlton updated the board on the publishing on the rules for comment.

**Agenda Item #4, Medical Director’s Report.** Dr. Bredt provided a brief report.

**Agenda Item #5, Consideration, and possible action regarding Pending Litigation.** Ms. Yarbrough gave an update on pending litigation.

**Agenda Item #6, Texas Physician Health Program (TXPHP)**

**A. Discussion, recommendation, and possible action regarding referrals.**

There were none.

**B. Report on Emergent Referrals.**

There were none.

**C. Program Activity Report.** A TXPHP Program Activity Report was provided.

**D. Drug Screening Quarterly Report.** A Drug Screening Quarterly Report was provided.

**Agenda Item #7, Discussion, recommendation, and possible action regarding applicants appearing concerning eligibility.**

**Applicant 2609** – appeared before the Committee on referral by the Executive Director. The applicant provided a brief summary and the members asked questions. Following discussion, **Ms. Jackson moved that the applicant complete 36 CEUs, 24 live, 2 in ethics, practice for 6**



**months under a supervised temporary license within 18 months. Dr. Qureshi seconded the motion. All voted in favor and the motion passed.**

**Applicant 2612** – was referred to appear before the Committee on appeal of the decision made by the Executive Director. The applicant was not present. Ms. Unterborn provided a summary of the application. After discussion, **Ms. Jackson moved to deny the appeal. Mr. Brown seconded the motion. All voted in favor and the motion passed.**

**Agenda Item 8, Discussion, recommendation, and possible action regarding proposed orders offered by the Executive Director.** There were none.

**Agenda Item #9, Report and discussion regarding the Investigation, Litigation, and Compliance Departments.**

- A. Enforcement Activity Report.** Ms. Swanholm gave a report on Enforcement Activity.
- B. Warning Letters Report.** There were none.
- C. Criminal Case Review Report.** Ms. Swanholm gave a report on Criminal Case Review.
- D. Report Regarding Cases Over One Year.** Ms. Swanholm gave a report on Cases Over One Year.
- E. Report Temporary Suspensions.** There were none.
- F. Report Request Rehearing.** There were none.

There were no items for Agenda Items #10-12.

**Agenda Item #13, Cases Recommended for Dismissal.**

**a. Non-Standard of Care**

**Ms. Pool moved, Ms. Patrick seconded, and the motion passed to dismiss case 24-8961.**

**Ms. Patrick moved, Ms. Pool seconded, and the motion passed to dismiss case 24-8532.**

**b. Standard of Care**

There were none.

There were no items for Agenda Items #14-17.

**Agenda Item #18, Discussion, recommendation, and possible action regarding Agreed Orders.** After discussion, **Dr. Chappell moved, Ms. Jackson seconded, and the motion passed to approve the Agreed Orders for Donald F. Petrony, RCP.**

**Agenda Item #19, Discussion, recommendation, and possible action regarding Remedial Plans.** After discussion, **Dr. Qureshi moved, Ms. Patrick seconded, and the motion passed to approve the Remedial Plans for William O. Ibe, RCP.**

There were no items for Agenda Items #20-25.



**Agenda Item #26, Report on Automatic Orders/Actions.** A report on Automatic Orders/Actions was presented.

**Agenda Item #27, Discussion, recommendation, and possible action regarding proposed rules to 22 T.A.C. Chapter 186, Respiratory Care Practitioners.** There were none.

**Agenda #28, Discussion, recommendation, and possible action regarding adoption of rules to 22 T.A.C. Chapter 186, Respiratory Care Practitioners.** There were none.

**Agenda Item #29, Open forum for public comments.** Richard Hernandez, TSRC, signed in and made comments.

**Agenda Item #30, Consideration and Approval of the June 27, 2024, Respiratory Care Board Meeting Minutes.** After consideration, **Dr. Chappell moved, Dr. Qureshi seconded, and the motion passed to approve the June 27, 2024, Respiratory Care Board meeting minutes.**

**Agenda Item #31, Nomination and election of officers.** There were none.

**Agenda Item #32, Adjourn.** There being no further items, **Mr. Brown moved, Ms. Pool seconded, and the motion passed to adjourn the meeting at 10:10 a.m.**