



TEXAS BOARD OF RESPIRATORY CARE
BOARD MEETING MINUTES
September 22, 2022

The meeting was called to order Thursday, September 22, 2022 at 9:06 a.m. by Latana T. Jackson, RCP, Presiding Officer. Other board members present were: Debra E. Patrick, RCP, Secretary/Treasurer; Samuel L. Brown, Jr.; Timothy R. Chappell, M.D; Shad J. Pellizzari, RCP; Kandace D. Pool; Hammad N. Qureshi, M.D.; and Sonia K. Sanderson. Not present was Sam G. Marshall, Ph.D., RCP, Assistant Presiding Officer. Staff members present were Stephen “Brint” Carlton, J.D., Executive Director; Scott Freshour, J.D., General Counsel; Robert Bredt, M.D., Medical Director; and various other board staff.

Agenda Item #2, Board Member Report. Nothing to report.

Sonja K. Sanderson arrived at 9:30a.

Agenda Item #3, Executive Director’s Report.

Budget Update –Joey Estrada, CFO gave an update on the current budget.

Internal Audit Update – Christopher Palazola gave an update on the Internal Audit.

Building Update – Mr. Palazola gave an update on the move to the new building.

Agenda Item #4, Medical Director’s Report. Dr. Bredt reported that there are more than enough RCP experts but there is a need for physician experts.

Agenda Item #5, Consideration, and possible action regarding Pending Litigation. Mr. Freshour gave an update on pending litigation.

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

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

18-0181 – After discussion, **Mr. Brown moved, Ms. Patrick seconded and the motion passed for the participant to remain with TXPHP.**

10-0326 – After discussion, **Dr. Qureshi moved, Ms. Pool seconded and the motion passed for the participant to remain with TXPHP.**

21-0411 – After discussion, **Dr. Qureshi moved, Mr. Pellizzari seconded and the motion passed for the participant to remain with TXPHP.**

21-0809 – After discussion, **Mr. Pellizzari moved, Ms. Pool seconded and the motion passed for the participant to remain with TXPHP.**

B. Report on Emergent Referrals.

There were no emergent referral.

C. Other discussion items. A TXPHP Participant report was provided.

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



Applicant #2545 – appeared before the Board on referral by the Executive Director. The applicant presented a brief summary and the members asked questions. Following discussion, **Dr. Chappell moved that the Applicant be granted a Respiratory Care Practitioner certificate. Dr. Qureshi seconded the motion. All voted in favor. The motion passed.**

Applicant #2544 - appeared before the Board on referral by the Executive Director. The applicant presented a brief summary and the members asked questions. Following discussion, **Dr. Chappell moved that the Applicant be granted a Respiratory Care Practitioner certificate. Dr. Qureshi seconded the motion. All voted in favor. The motion passed.**

Applicant #2530 - Applicant was scheduled to appear before the Board in June 2022 but was unable to do so. Applicant was deferred to appear during the September 2022 meeting but again notified the Board that they were unable to appear. **Mr. Pellizzari moved that the Applicant’s appeal be denied and the original determination by the Executive Director stands.** This is due to the Applicant’s time out of active practice.

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

Agenda Item #9, Cases Recommended for Dismissal.

- A. Report and Discussion re: the Investigation, Litigation and Compliance Departments.** Mr. Palazola gave a report on Enforcement Activity and Criminal Case Review.
- B. Consideration and Approval of Membership of the Expert Physician Panel.** None.
- C. Discussion and Possible Action Regarding Review of Probationers’ Appearances.** There were none.
- D. Rules Review.** There were none.
- E. Follow-up Files.** There were none.
- F. Cases Recommended for Dismissal.** After discussion, **Ms. Pool moved, Mr. Pellizzari seconded and the motion passed to dismiss cases 22-0515 and 19-4337.** After discussion, **Ms. Sanderson moved, Ms. Patrick seconded and the motion passed to dismiss case 22-0382.** After discussion, **Dr. Chappell moved, Ms. Pool seconded, and the motion passed to dismiss case 22-5230.** After discussion, **Mr. Pellizzari moved, Ms. Patrick seconded, and the motion passed to dismiss cases 22-7199 and 21-0144.**



After discussion, **Mr. Pellizzari moved, Dr. Qureshi seconded and the motion passed to dismiss cases 22-8690.**

G. Appeals. None.

Agenda Item #10, Consideration and approval of Determination of Default.

a. Terri A. Johnson-Lewis, RCP, SOAH #503-22-0188.RCP

Amy Swanholm, Litigation Manager, gave a brief overview of the case. After discussion, **Dr. Chappell moved, Ms. Pool seconded and the motion passed to accept the Determination of Default and revoke the certification for Terri A. Johnson-Lewis, RCP.**

b. Paul Joseph Lopez, RCP, SOAH #503-22-01079.RCP

Ms. Swanholm gave a brief overview of the case. After discussion, **Dr. Chappell moved, Ms. Pool seconded and the motion passed to accept the Determination of Default and revoke the certification for Paul Joesph Lopez, RCP.**

Agenda Item #11, Consideration and approval of Proposal for Decision. There were none.

Agenda Item #12, Discussion, recommendation, and possible action regarding Modification/Termination Requests. After discussion, **Dr. Qureshi moved, Mr. Pellizzari seconded and the motion passed to approve the Termination Request for Esteban Alcazar, RCP.**

Agenda Item #13, Discussion, recommendation, and possible action regarding Agreed Orders. After discussion, **Dr. Qureshi moved, Ms. Patrick seconded and the motion passed to approve the Agreed Order for Tamika M. Lawson, RCP.**

There were no items for Agenda Items #14-23.

Agenda Item #24, Open forum for public comments. No one signed in to make public comments.

Agenda Item #25, Consideration and Approval of the June 23, 2022 Respiratory Care Board Meeting Minutes. After consideration, **Dr. Chappell moved, Mr. Pellizzari seconded, and the motion passed to approve the June 23, 2022, Respiratory Care Board meeting minutes.**

Agenda Item #26, Adjourn. There being no further items, **Mr. Pellizzari moved, Dr. Qureshi seconded, and the motion passed to adjourn the meeting at 10:18 a.m.**