



**TEXAS BOARD OF RESPIRATORY CARE
BOARD MEETING MINUTES**

September 23, 2021
Video Conference

The meeting was called to order Thursday, September 23, 2021 at 9:02 a.m. by Latana T. Jackson, RCP, Presiding Officer. Other board members present were Samuel L. Brown, Jr.; Timothy R. Chappell, M.D; Sam G. Marshall, Ph.D., RCP; Debra E. Patrick, RCP; Kandace D. Pool; Shad J. Pellizzari, RCP; and Hammad N. Qureshi, M.D. Not present was Sonia K. Sanderson. 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 #3, Executive Director’s Report.

Budget Update – The board meeting will continue to take place virtually with only the board president attending on site. Due to budget cuts, there is currently no budget available for travel.

Enforcement Report – Mr. Carlton provided a report.

Internal Audit Update – Mr. Carlton reported that TXPHP is the next area that will be audited.

COVID-19 Update – A majority of staff continues to work from home.

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

Agenda Item #4, Medical Director’s Report. Dr. Bredt reported that there is no current need for RCP experts, but recommendations are welcome.

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

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

21-0306 – After discussion, **Dr. Chappell moved, Ms. Patrick seconded and the motion passed to accept TXPHP recommendation for the participant to remain with TXPHP.**

B. Report on Emergent Referrals.

There were no emergent referrals.

C. Other discussion items.

Dr. McQueen gave a report on TXPHP participation.

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

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

Applicant #2470 appeared before the Committee to appeal the Executive Director’s determination of ineligibility due to time out of active practice under Board Rule 186.4(e).



Because the applicant has not actively practiced since 2012, Board staff recommended that they would need to comply with the following:

- Pass voluntary NBRC CRT exam;
- Complete 12 hours CEUs (live/in person with 2 hours in ethics);
- Practice for 6 months under Supervised Temporary Permit with submission of work log and evaluation at the end of 6 months;
- All requirements need to be completed in 12 months.

The applicant presented a brief summary and the members asked questions. Following discussion, **Dr. Chappell moved to deny the applicant's appeal of the Executive Director's determination and the applicant comply with the original recommendation with the exception of passing the voluntary NBRC CRT examination since the applicant recently passed it.**

Upon submission of documentation confirming successful completion of all requirements, the applicant can be issued a Respiratory Care Practitioner certificate upon approval by the Executive Director. This recommendation is due to the applicant's time out of active practice prior to application. Dr. Qureshi seconded the motion. All voted in favor and the motion passed.

Applicant #2482 appeared before the Board on referral by the Executive Director. The applicant presented a brief summary and the members asked questions. Following discussion, **Dr. Qureshi moved that a determination be deferred until such time the applicant provides satisfactory completion of the following requirements that will need to be completed in an eighteen-month period from the date of this meeting:**

- **Passage of the voluntary NBRC RRT exam;**
- **Verification of 12 hours of continuing education (live/in person).**
- **Board staff is directed to issue a supervised temporary permit that will have an expiration date that will allow the applicant to obtain at least 20 hours a week supervised practice for at least 6 months in an 18 month period subject to the following restrictions: that the applicant work full time, only in setting that provides continuous full-time, on-site supervision by a certified Respiratory Care Practitioner or licensed practitioner, as defined under Chapter 604 Texas Occupations Code; the supervising Respiratory Care Practitioner or practitioner shall submit quarterly reports regarding the applicant's work performance; the supervising Respiratory Care Practitioner or practitioner shall submit, two weeks prior to the temporary permit expiring, a log showing time worked and an evaluation regarding the applicant's work performance.**

Upon submission of documentation confirming successful completion of all requirements, the applicant can be issued a Respiratory Care Practitioner certificate upon approval by the Executive Director. This recommendation is due to the applicant's time out of active practice



prior to application. Dr. Chappell seconded the motion. All voted in favor and the motion passed.

Applicant #2490 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 a determination be deferred until such time the applicant provides satisfactory completion of the following requirements that will need to be completed in an eighteen-month period from the date of this meeting:**

- **Passage of the voluntary NBRC RRT exam;**
- **Verification of 4 hours of continuing education (live/in person or online).**
- **Board staff is directed to issue a supervised temporary permit that will have an expiration date that will allow the applicant to obtain at least 20 hours a week supervised practice for at least 6 months in an 18 month period subject to the following restrictions: that the applicant work full time, only in setting that provides continuous full-time, on-site supervision by a certified Respiratory Care Practitioner or licensed practitioner, as defined under Chapter 604 Texas Occupations Code; the supervising Respiratory Care Practitioner or practitioner shall submit quarterly reports regarding the applicant's work performance; the supervising Respiratory Care Practitioner or practitioner shall submit, two weeks prior to the temporary permit expiring, a log showing time worked and an evaluation regarding the applicant's work performance.**

Upon submission of documentation confirming successful completion of all requirements, the applicant can be issued a Respiratory Care Practitioner certificate upon approval by the Executive Director. This recommendation is due to the applicant's time out of active practice prior to application. Dr. Qureshi and Ms. Patrick seconded the motion. All voted in favor and the motion passed.

Applicant #2481 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. Mr. Pellizzari seconded the motion. All voted in favor. The motion passed.**

Applicant #2483 failed to appear and their appearance was deferred to the next regularly scheduled Board meeting in February 2022.

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

Agenda Item #9, Review, discussion, and possible action regarding selected files and cases.

A. Report on Warning Letters. There were none.



- B. Files for Review (assigned to D&E committee members).** Deferred until later in the meeting.
- C. Follow-up Files.** After review, **Dr. Chappell moved, Mr. Qureshi seconded, and the motion passed to dismiss the follow-up files.**
- D. Appeals.** There were none.

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

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 Modification/Termination Request for Cortney Nicole Seay, RCP.**

Agenda Item #13, Discussion, recommendation, and possible action regarding Agreed Orders. After discussion, **Dr. Qureshi moved, Mr. Marshall seconded and the motion passed to approve the Agreed Orders for Jacob Pase, RCP; Lisa Renee Reed, RCP; Marcus Kevin Simmons, RCP; Kristen Gayle Snow, RCP; Laura Joanne Anderson, RCP (Ms. Jackson recused); and Jesse Alvarado, RCP.**

There were no items for Agenda Items #14-22.

Agenda Item #23, Report on Temporary Suspensions. A report on Temporary Suspensions was provided.

There were no items for Agenda Items #24-26.

Agenda Item #27, Open forum for public comments. No one signed in to make public comments.

Agenda Item #28, Consideration and Approval of the June 24, 2021 Respiratory Care Board Meeting Minutes. After consideration, **Dr. Chappell moved, Mr. Marshall seconded, and the motion passed to approve the February 4, 2021, Respiratory Care Board meeting minutes.**

Agenda Item #9, Review, discussion, and possible action regarding selected files and cases. (CONT.)

B. Files for Review (assigned to D&E committee members)
After review, **Mr. Marshall moved, Dr. Qureshi seconded, and the motion passed to approve the accept the cases as resolved on the individual sign off sheets and Mr. Pellizzari's email.**

Agenda Item #29, Adjourn. There being no further items, **Mr. Marshall moved, Ms. Pool seconded, and the motion passed to adjourn the meeting at 10:49 a.m.**