



TEXAS BOARD OF RESPIRATORY CARE
BOARD MEETING MINUTES
June 23, 2022

The meeting was called to order Thursday, June 23, 2022 at 9:02 a.m. by Sam G. Marshall, Ph.D., RCP, Assistant Presiding Officer. Other board members present were Debra E. Patrick, RCP, Secretary/Treasurer; Samuel L. Brown, Jr.; Timothy R. Chappell, M.D; Kandace D. Pool; and Hammad N. Qureshi, M.D. Not present was Latana T. Jackson, RCP, Presiding Officer; Shad J. Pellizzari, RCP; and 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 #2, Board Member Report. Nothing to report.

Agenda Item #3, Executive Director’s Report.

Budget Update –Joey Estrada, CFO gave an update on the current budget and projections through the end of May.

Personnel Update – Nothing to report.

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

Agenda Item #4, Medical Director’s Report. Dr. Bredt reported that there is no current need for RCP experts, but suggestions are welcome, particularly for critical care physicians or intensivists.

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.

21-1005 – After discussion, **Dr. Qureshi moved, Mr. Marshall seconded and the motion passed for the participant to remain with TXPHP.**

21-0101 – After discussion, **Dr. Chappell moved, Mr. Marshall seconded and the motion passed for the participant to remain with TXPHP.**

B. Report on Emergent Referrals.

There was one 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 #2513 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: :



- **Pass voluntary NBRC CRT exam;**
- **Complete 36 hours CEUs (24 hours live/in person; 12 hours online);**
- **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 18 months.**

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 #2530 was deferred to the September board meeting.

Agenda Item 8, Discussion, recommendation, and possible action regarding proposed orders and/or Remedial Plans offered by the Executive Director. Ms. Unterborn presented one Remedial Plan offered by the Executive Director and accepted by the applicant. After discussion Dr. Qureshi moved to recommend to the full Board that the Remedial Plan be approved. Mr. Marshall seconded the motion. All voted in favor and the motion passed.

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

- A. Report on Warning Letters.** Mr. Palazola gave a report on Enforcement Activity and Criminal Case Review.
- B. Files for Review (assigned to D&E committee members).** After discussion, Ms. Pool moved, Dr. Qureshi seconded, and the motion passed to accept the dismissal of all non-standard of care cases as recommended.
After discussion, Dr. Chappell moved, Ms. Patrick seconded, and the motions passed to accept the dismissal of all standard of care cases as recommended.
- C. Rules Review.** There were none.
- D. Follow-up Files.** There were none.
- E. Appeals.** There were none.

**Agenda Item #10, Consideration and approval of Determination of Default.
Jeff Haynes, RCP, SOAH #503-21-3463.RCP**

Amy Swanholm, Litigation Manager, gave a brief overview of the case. After discussion, Dr. Qureshi moved, Ms. Pool seconded and the motion passed to accept the Determination of Default and revoke the certification for Jeff Haynes, RCP.

There were no items for Agenda Items #11-18.



Agenda Item #19, Consideration and approval of Consent Orders. After discussion, **Mr. Brown moved, Ms. Patrick seconded and the motion passed to approve the Consent Order for Tamika Lawson, RCP.**

There were no items for Agenda Items #20-23.

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

Agenda Item #25, Consideration and Approval of the February 3, 2022 Respiratory Care Board Meeting Minutes. After consideration, **Mr. Brown moved, Ms. Patrick seconded, and the motion passed to approve the February 3, 2022, Respiratory Care Board meeting minutes.**

Agenda Item #26, Adjourn. There being no further items, **Dr. Qureshi moved, Ms. Patrick seconded, and the motion passed to adjourn the meeting at 9:53 a.m.**