



BOARD OF RESPIRATORY CARE
BOARD MEETING MINUTES
FEBRUARY 8, 2018

The meeting was called to order February 08, 2018 at 9:34 a.m. by Joe Ann Clack, Presiding Officer. Board members Latana T. Jackson-Woods, RCP, Assistant Presiding Officer; Timothy R. Chappell, M.D.; Sam G. Marshall, Ph.D., RCP; Debra E. Patrick, RCP, Secretary/Treasurer; Shad J. Pellizzari, RCP and James M. Stocks, M.D. were present. Kandace D. Pool and Sonia K. Sanderson were absent. Scott Freshour, J.D., Interim Executive Director; Megan Goode, Governmental Affairs and Public Information Manager; Monique Johnston, Licensure Manager; Assistant General Counsels Yvette Yarbrough, J.D., Rob Blech, J.D., Amy Swanholm, J.D., and Wendy Pajak, J.D.; and various other staff were present.

There were no items for Agenda item #2.

Agenda item #3, Executive Director Report.

Budget Update. Ms. Goode presented and reviewed the budget.

Legislative Update. Ms. Goode gave an update on the ongoing limited Sunset review. Public comments for this review ended in October. The Sunset report will be published at the end of March or April with public comment opportunities available. Sunset staff has reviewed the implementation status on recommendations that passed. Ms. Goode then provided a summary on interim committee charges on the opioid epidemic, medical billing and transparency issues.

Audit Update. Ms. Goode reported staff is working with the contracted internal auditor on determining an audit topic for the current fiscal year. This determination includes surveying managers and the Presiding officers of all the Boards. It is anticipated that the selection will be identified at the March Medical Board meeting.

E.D. position Update. Mr. Freshour reported that the TMB Executive Search Committee has screened and interviewed applicants; the process is still in progress.

Agenda item #4, Medical Director Report. Dr. Bredt reported that the consultant positions for Respiratory Care expert panelists have been filled.

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

There were no items for Agenda items #6-8.

Agenda item #9, Discussion, recommendation, and possible action regarding Agreed Orders. After discussion, **Dr. Stocks moved, Dr. Chappell seconded, and the motion passed to approve the Agreed Orders for: Salvador DeLeon, RCP; Michael Morales, RCP; Lisa R. Reed, RCP; Mark L. Russell, RCP; Little Joe Scott, RCP; Franklyn A. Solano, RCP and Brenda Dickens, RCP.**

There were no items for Agenda items #10-17.

Agenda item #18, Discussion, recommendation, and possible action regarding scope of practice issues. Ms. Yarbrough gave a report on scope of practice issues. No action was taken.

There were no items for Agenda item #19.

Agenda item #20, Discussion, recommendation, and possible action regarding proposed rules to 22 T.A.C. Chapter 186. Respiratory Care Practitioners.

§186.2 Definitions
§186.4 Procedural Rules and Qualifications for Certificate Applicants
§186.6 Biennial Renewal of Certificate
§186.7 Temporary Permit
§186.8 Inactive Certificate
§186.10 Continuing Education Requirements
§186.13 Identification Requirements
§186.17 Grounds for Denial of Certification and for Disciplinary Action
§186.28 Retired Certificate

Ms. Yarbrough presented proposed rule changes for adoption. No comments were received. After discussion, **Dr. Stocks moved, Ms. Jackson- Woods seconded, and the motion passed to adopt the proposed amendments to 22 T.A.C. Chapter 186. Respiratory Care Practitioners: §186.2 Definitions, §186.4 Procedural Rules and Qualifications for Certificate Applicants, §186.6 Biennial Renewal of Certificate, §186.7 Temporary Permit, §186.8 Inactive Certificate, §186.13 Identification Requirements, §186.17 Grounds for Denial of Certification and for Disciplinary Action, and §186.28 Retired Certificate.**

Agenda item #21, Open Forum for Public Comments. Richard Hernandez, Vice President of Texas Society for Respiratory Care, signed in to present public comments. Board directed staff to set an agenda item for the next board meeting to consider the issue of shadowing.

The board recessed at 10:25 a.m.

The board reconvened at 10:29 a.m.

Agenda item #22, Consideration and Approval of the November 9, 2017 Respiratory Care Board Meeting Minutes. After consideration, **Dr. Chappell moved, Dr. Marshall seconded, and the motion passed to approve the November 9, 2017, board meeting minutes and action items.**

Agenda item #23, Committee reports and the consideration and approval of minutes and action items of committees meeting during the board meeting.

Dr. Stocks gave a report of the Discipline and Ethics Committee. **Dr. Stocks moved, Mr. Pellizzari seconded, and the motion passed to approve the Discipline and Ethics Committee minutes and action items.**

Agenda item #24, Adjourn. There being no further agenda items, the meeting adjourned at 10:38 a.m.