



## TEXAS BOARD OF RESPIRATORY CARE

### BOARD MEETING

Thursday, June 26, 2025

1801 Congress Ave., Suite 9.900, Austin, Texas 78701/Videoconference

9:00 a.m.

*This meeting will be open to the public at the above location and will proceed by videoconference, as allowed under Texas Government Code Sec. 155.127. The location above shall have two-way audio video communication with each of the other locations during the meeting. The President or Presiding Officer of the board will be physically present at the location and room listed above.*

Please note accommodations will be available for members of the public to physically attend the meeting at the above location but will be subject to limitations set out by the Texas Facilities Commission seating. Members of the public are encouraged to attend the meeting by accessing the videoconference or audio link below.

6/26/2025 RCP – <https://bit.ly/062625RCP>

Dial in by phone (audio only) [+ 1 512-596-3865](tel:+15125963865), [192109241](tel:+192109241) United States, Austin

For instructions using Microsoft Teams, please go to

<https://techhelp.tmb.state.tx.us/Documentation/Teams/Publicmeeting.aspx>

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- 9:00 a.m.
1. Full Board call to order and roll call.
  2. Board Member Report.
  3. Executive Director Report.
  4. Medical Director Report.
  5. Consideration and possible action regarding pending litigation.
  6. Texas Physician Health Program
    - A. Discussion, recommendation, and possible action regarding referrals
      - i. Accept the Referral
      - ii. Return to TXPHP
    - B. Report on Emergent Referrals
    - C. Program Activity Report

7. Discussion, recommendation, and possible action regarding applicants appearing concerning eligibility.
8. Discussion, recommendation, and possible action regarding proposed orders offered by the Executive Director.
9. Reports and discussion regarding the Investigation, Litigation and Compliance Departments.
  - A. Enforcement Activity Report
  - B. Warning Letters Report
  - C. Criminal Case Review Report
  - D. Reports Regarding Cases Over One Year Old
  - E. Temporary Suspensions Report
  - F. Rehearing Request Report
10. Consideration and Approval of Membership of the Expert Consultant Panel.
11. Discussion and Possible Action Regarding Review of Probationers' Appearances.
12. Follow-up Files.
13. Cases Recommended for Dismissal.
  - A. Non-Standard of Care
  - B. Standard of Care
14. Appeals.

Agenda item #15 at 9:05 a.m.

15. Consideration and approval of Determination of Default.
  - A. Julie Herrera RCP, SOAH Docket No. 503-25-11561
16. Consideration and approval of Proposal for Decision.
17. Discussion, recommendation, and possible action regarding Modification/Termination Requests.
18. Discussion, recommendation, and possible action regarding Agreed Orders.
19. Discussion, recommendation, and possible action regarding Remedial Plans.
20. Discussion, recommendation, and possible action regarding Mediated Settlement Agreed Orders.
21. Discussion, recommendation, and possible action regarding Cease-and-Desist Agreed Orders.
22. Discussion, recommendation, and possible action regarding Nunc Pro Tunc Orders.

23. Consideration and approval of Agreed Resolutions.
24. Consideration and approval of Consent Orders.
25. Report on Cease-and-Desist Orders approved by Executive Director.
26. Report on Automatic Orders/Actions.
27. Discussion, recommendation, and possible action regarding proposed rules to 22 T.A.C. Chapter 187. Respiratory Care Practitioners.
28. Discussion, recommendation, and possible action regarding adoption of rules to 22 T.A.C. Chapter 187. Respiratory Care Practitioners.
29. Open forum for public comments.
30. Consideration and Approval of the February 6, 2025, Board of Respiratory Care meeting minutes and action items.
31. Texas Society for Respiratory Care presentation
32. Adjourn.

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**Executive Sessions:** The Texas Board of Respiratory Care may close the meeting to the public and continue in executive session for the following reasons:

- a. Private consultation and advice of counsel concerning pending or contemplated litigation, settlement offers, and/or legal matters subject to the attorney-client privilege under the authority of the Open Meetings Act Section 551.071, Government Code.
- b. Deliberations concerning personnel matters under the authority of the Open Meetings Act Section 551.074, Government Code.

While in executive session, the Board will not take any action, make any decision, or vote with regard to any matter that may be considered or discussed. A certified agenda of any executive session will be made.

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Persons requiring special accommodations, including the use of an interpreter, due to a disability should contact Alicia Freeman at the Board office phone 512-971-7205 or [alicia.freeman@tmb.state.tx.us](mailto:alicia.freeman@tmb.state.tx.us) at least five (5) working days prior to the Board meeting.

**Board Members (9)**

Sam “Gregg” Marshall, PhD., RCP, Presiding Officer  
Samuel L. Brown, Jr.  
Timothy R. Chappell, MD  
Latana T. Jackson, RCP  
Debra E. Patrick, RCP  
Kandace “Kandi” D. Pool  
Hammad N. Qureshi, MD  
Nathan “Nate” Rodrigues, RCP  
Sonia K. Sanderson