

**TEXAS BOARD OF RESPIRATORY CARE
PRACTICE AUTHORIZATION COMMITTEE MEETING MINUTES**

October 7, 2016

The meeting was called to order 9:45 a.m. by Chair, Latana Jackson-Woods, RCT. Committee members present were Joe Ann Clack, Timothy Chappell, M.D. and Debra Patrick, RCT.

Agenda Item 2 - Discussion, recommendation and possible action regarding applicants appearing concerning eligibility.

Applicant #1846 appeared before the Committee on referral by the Executive Director. The applicant presented a brief summary and the Committee members asked questions. Following discussion, **Dr. Chappell moved that the committee recommend to the full Board that the applicant be granted a Temporary Respiratory Care Practitioner certificate. Ms. Pool seconded the motion. All voted in favor with the exception Ms. Patrick who was opposed. The motion passed.**

A motion was made by Dr. Chappell to reconsider Applicant #1846 as Ms. Pool is not on the Committee and unable to second a motion. Ms. Jackson-Woods seconded the motion to reconsider #1846. All voted in favor and the motion passed.

Dr. Chappell moved that the committee recommend to the full Board that the applicant be granted a Temporary Respiratory Care Practitioner certificate. Ms. Jackson-Woods seconded the motion. Dr. Chappell and Ms. Jackson-Woods voted in favor with the exception of Ms. Clack and Ms. Patrick who were opposed. The motion died due to a deadlock.

Ms. Patrick moved to recommend to the full Board that the applicant be granted a Texas Temporary Respiratory Care Practitioner certificate under a non-disciplinary Remedial Plan, subject to the following terms and conditions:

- **Complete 4 hours of Continuing Education in Ethics**

Ms. Clack seconded the motion. After discussion, all voted in opposition.

Dr. Chappell moved that the committee recommend to the full Board that the applicant be granted a Temporary Respiratory Care Practitioner certificate. Ms. Patrick seconded the motion. All voted in favor. The motion passed.

Applicant #1878 appeared before the Committee on referral by the Executive Director. The applicant presented a brief summary and the Committee members asked questions. Following discussion, **Dr. Chappell moved that the committee recommend to the full Board that the applicant be granted a Respiratory Care Practitioner certificate. Ms. Patrick seconded the motion. All voted in favor. The motion passed.**

Applicant #1876 appeared before the Committee on referral by the Executive Director. The applicant presented a brief summary and the Committee members asked questions. Following discussion, **Dr. Chappell moved that the committee recommend to the full Board that the applicant be granted a Respiratory Care Practitioner certificate. Ms. Patrick seconded the motion. All voted in favor. The motion passed.**

Applicant #1897 appeared before the Committee on referral by the Executive Director. The applicant presented a brief summary and the Committee members asked questions. Following discussion, **Dr. Chappell moved that the committee recommend to the full Board that the applicant be granted a Respiratory Care Practitioner certificate. Ms. Patrick seconded the motion. All voted in favor. The motion passed.**

Applicant #1888 appeared before the Committee on referral by the Executive Director. The applicant presented a brief summary and the Committee members asked questions. Following discussion, **Dr. Chappell moved that the committee recommend to the full Board that the applicant be granted a Respiratory Care Practitioner certificate. Ms. Patrick seconded the motion. All voted in favor. The motion passed.**

Applicant #1886 appeared before the Committee on referral by the Executive Director. The applicant presented a brief summary and the Committee members asked questions. Following discussion, **Dr. Chappell moved that the committee recommend to the full Board that a determination be deferred until such time the applicant provides satisfactory completion of the following requirements that will need to be completed in a six month period from the date of this meeting:**

- **Passage of the voluntary National Board for Respiratory Care certification examination.**
- **Shadow a Texas licensed Respiratory Care Practitioner who is certified as a Registered Respiratory Therapist for 20 hours a week for 6 weeks (to be completed within 6 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 failure to meet active practice within the last 12 month period preceding the date of application and his practice plans to perform invasive procedures. **Ms. Patrick seconded the motion. All voted in favor. The motion passed.**

Applicant #1883 appeared before the Committee on referral by the Executive Director. The applicant presented a brief summary and the Committee members asked questions. Following discussion, **Dr. Chappell moved that the committee recommend to the full Board that the applicant be privately referred to the Texas Physician's Health Program and upon receipt of resolution be granted a Respiratory Care Practitioner certificate.** This recommendation is due to concern for the applicant's future fitness to practice related to her mental and physical illness. **Ms. Patrick seconded the motion. All voted in favor. The motion passed.**

Applicant #1874 appeared before the Committee, with counsel, on referral by the Executive Director. The applicant presented a brief summary and the Committee members asked questions. Following discussion, **Dr. Chappell moved that the committee recommend to the full Board**

that the applicant be issued a Temporary Respiratory Care Practitioner certificate, subject to the following terms and conditions:

Dr. Chappell moved that the committee recommend to the full Board that the applicant be allowed to withdraw his current application and reapply with correct responses. Further, upon reapplication, the applicant be required to provide satisfactory completion of the following requirements that will need to be completed in a six month period from the date of this meeting:

- **Passage of the voluntary National Board for Respiratory Care certification examination.**
- **Shadow a Texas licensed Respiratory Care Practitioner who is certified as a Registered Respiratory Therapist for 20 hours a week for 6 weeks (to be completed within 6 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 submitting a false statement to the Board and failure to meet active practice within the last 12 month period preceding the date of application and his practice plans to perform invasive procedures. **Ms. Patrick seconded the motion. All voted in favor. The motion passed.**

Applicant #1880 appeared before the Committee on referral by the Executive Director. The applicant presented a brief summary and the Committee members asked questions. Following discussion, **Dr. Chappell moved that the committee recommend to the full Board that the applicant be granted a Respiratory Care Practitioner certificate. Ms. Patrick seconded the motion. All voted in favor. The motion passed.**

Applicant #1881 appeared before the Committee on referral by the Executive Director. The applicant presented a brief summary and the Committee members asked questions. Following

discussion, **Dr. Chappell moved that the committee recommend to the full Board that the applicant be granted a Respiratory Care Practitioner certificate. Ms. Patrick seconded the motion. All voted in favor. The motion passed.**

Applicant #1875 appeared before the Committee on referral by the Executive Director. The applicant presented a brief summary and the Committee members asked questions. Following discussion **Ms. Jackson-Woods moved that the committee recommend to the full Board that the applicant be allowed to withdraw his current application and reapply with correct responses. Upon receipt of the new application, the applicant be granted a Respiratory Care Practitioner certificate.** This recommendation is due to the applicant submitting a false statement to the Board. **Ms. Patrick seconded the motion. All voted in favor. The motion passed.**

Applicant #1879 appeared before the Committee on referral by the Executive Director. The applicant presented a brief summary and the Committee members asked questions. Following discussion **Dr. Chappell moved that the committee recommend to the full Board that the applicant be granted a Respiratory Care Practitioner certificate. Ms. Patrick seconded the motion. All voted in favor. The motion passed.**

Applicant #1877 appeared before the Committee on referral by the Executive Director. The applicant presented a brief summary and the Committee members asked questions. Following discussion, **Ms. Patrick moved that the committee recommend to the full Board that the applicant be allowed to withdraw their current application and reapply with correct responses. Upon receipt of the new application, the applicant be granted a Respiratory Care Practitioner certificate.** This recommendation is due to the applicant submitting a false statement to the Board. **Dr. Chappell seconded the motion. All voted in favor. The motion passed.**

Applicant #1884 appeared before the Committee on referral by the Executive Director. The applicant presented a brief summary and the Committee members asked questions. Following discussion, **Ms. Jackson-Woods moved that the committee recommend to the full Board that the applicant be granted a Respiratory Care Practitioner certificate. Ms. Patrick seconded the motion. All voted in favor. The motion passed.**

Applicant #1885 appeared before the Committee on referral by the Executive Director. The applicant presented a brief summary and the Committee members asked questions. Following discussion, **Dr. Chappell moved that the committee recommend to the full Board that the applicant be privately referred to the Texas Physician's Health Program and upon receipt of resolution be granted a Respiratory Care Practitioner certificate. Ms. Patrick seconded the motion. All voted in favor. The motion passed.**

Applicant #1900 was referred to the committee by the Executive Director, however the applicant was not able to appear. The committee reviewed the application in the applicant's absence. Following discussion, **Dr. Chappell moved that the committee recommend to the full Board that the applicant be allowed to withdraw his current application and reapply with correct responses. Upon receipt of the new application, the applicant be granted a Respiratory Care Practitioner certificate.** This recommendation is due to the applicant submitting a false statement to the Board. **Ms. Patrick seconded the motion. All voted in favor. The motion passed.**

Ms. Johnston requested Committee direction on the following issues when evaluating applications:

Active Practice:

- Staff can approve with current certification and current CEUs if applicant is out of active practice up to 3 years.
- Shadowing and passage of voluntary NBRC examination if applicant is out of active practice for more than 3 years up to 5 years.
- Refer to Committee if applicant is out of active practice for 5 years or longer.

Falsification:

Follow standards parameters already in place by TMB.

- WAR
- Remedial Plan
- Agreed Order

Criminal History Guidelines

Ms. Johnston presented the standard guidelines that are applied by staff for other license types when evaluating an applicant's criminal history. After discussion, the Committee directed staff to implement the guidelines when evaluating an applicant's criminal history.

Agenda Item 3. Discussion, recommendation and possible action regarding proposed orders offered by the Executive Director. Ms. Johnston reported on 2 remedial plans and agreed orders offered by the Executive Director and accepted by applicants. **Dr. Chappell moved to recommend to the full Board that the remedial plans and orders be approved. Ms. Patrick seconded. All voted in favor. The motion passed.**

Agenda Item 4 - There being no further business, the meeting was adjourned at 12:59 p.m.