



**TEXAS BOARD OF RESPIRATORY CARE
BOARD MEETING
THURSDAY, FEBRUARY 4, 2021
Video Conference**

The Texas Board of Respiratory Care is posting the following Notice per Texas Government Code Sec. 551.041 and 551.127 and Texas Occupations Code Section 604.028.

On March 13, 2020, the Governor of Texas certified COVID-19 as posing an imminent threat of disaster to the public health and safety and declared a state of disaster in all counties of Texas. Pursuant to the certification, the Governor suspended certain open-meeting provisions that require government officials and members of the public to be physically present at a specified meeting location, in an effort to reduce meetings that assemble large groups of people.

Accordingly, the meetings will proceed by Microsoft Team video conference, as allowed under Texas Government Code, Sec. 551.127 and the Governor's suspension referenced above. The public and members may join the meetings by using the respective internet link or phone number specified below. Members of the public will have an opportunity to attend and participate virtually, and may address the Texas Board of Respiratory Care through public comment.

<http://bit.ly/39ljQQ0>
[+1 512-596-3865](tel:+15125963865),833832669#

- 9:00 a.m.
1. Full Board call to order and roll call.
 2. Board Member Report.
 3. Executive Director's Report.
 - Budget Update
 - Internal Audit Update
 - COVID-19
 - Personnel Update
 - New Ethics Content Requirement
 4. Medical Director Report.
 5. Consideration and possible action regarding pending litigation.

6. Discussion, recommendation, and possible action regarding applicants appearing concerning eligibility.
7. Discussion, recommendation and possible action regarding proposed orders offered by the Executive Director.
8. Texas Physician Health Program (TXPHP):
 - A. Discussion, recommendation, and possible action regarding referrals
 - . Report on Emergent Referrals
 - B. Other discussion items
9. Review, discussion, and possible action regarding selected files and cases.

Agenda item #11 at 9:15 a.m.

10. Consideration and approval of Determination of Default.
 - Wamui Mwiya, RCP, SOAH #503-20-3078.RCP
11. Consideration and approval of Proposal for Decision.
12. Discussion, recommendation, and possible action regarding Modification/ Termination Requests.
13. Discussion, recommendation, and possible action regarding Agreed Orders.
14. Discussion, recommendation, and possible action regarding Remedial Plans.
15. Discussion, recommendation, and possible action regarding Mediated Settlement Agreed Orders.
16. Discussion, recommendation, and possible action regarding Cease and Desist Agreed Orders.
17. Discussion, recommendation, and possible action regarding Nunc Pro Tunc Orders.
18. Consideration and approval of Agreed Resolutions.
19. Consideration and approval of Consent Orders.
20. Report on Cease and Desist Orders approved by Executive Director.
21. Report on Automatic Orders.
22. Report of Suspension by Operation of Law.
23. Report on Temporary Suspensions.

24. Report Automatic Revocation Letters by ED.
25. Discussion, recommendation, and possible action relating to whether work in the field of sleep technology qualifies as active practice for an RCP certificate applicant.
26. Physician delegation to respiratory care practitioners providing authority to administer COVID-19 vaccinations.
27. Discussion, recommendation, and possible action regarding propose rules to 22 T.A.C. Chapter 186. Respiratory Care Practitioners.
28. Discussion, recommendation, and possible action regarding adoption of rules to 22 T.A.C. Chapter 186. Respiratory Care Practitioners.
29. Open forum for public comments.
30. Nomination and election of board officers.
31. Consideration and Approval of the September 24, 2020 Respiratory Care Board Meeting Minutes.
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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