

MINUTES

UTAH RESPIRATORY CARE LICENSING BOARD MEETING

June 24, 2008

Room 402 – 4th Floor – 1:00 P.M.
Heber Wells Building
Salt Lake City, UT 84111

CONVENED: 1:07 p.m.

ADJOURNED: 2:38 p.m.

Bureau Manager:

Clyde Ormond

Board Secretary:

Jacky Adams

Board Members Present:

Anita Austin, Board Chairperson
Beverly J. Lambdin
Georgine Bills
Jennifer G. Brinton, MD

Board Members Absent:

Jack Fried

DOPL Staff Present:

Kent Barnes, Compliance

Guests:

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

MINUTES:

Ms. Lambdin seconded by Dr. Brinton made a motion to approve the March 25, 2008 Board Meeting minutes, with corrections, motion carried unanimously.

APPOINTMENTS:

1:15 p.m. Compliance

Mr. Barnes explained that the Division has updated the “Confidential Probation Report”, which Board members complete after each probationary interview. He further explained that the Board Member conducting the interview must complete the “Board Recommendations” section of the form, noting if the probationer is or is not in compliance with their MOU (Memorandum of Understanding) or Stipulation and Order, and the date of the probationer’s next appointment.

1:30 p.m. M. Corey Somerville

Mr. Barnes explained that at this time Mr. Somerville is not in compliance with his Stipulation and Order, due to Mr. Somerville’s failure to timely submit his required Therapist Report, and a letter from his direct supervisor indicating

that the supervisor has read and understands the requirements of Mr. Somerville Stipulation and Order. Mr. Barnes added that a positive "Employer Report" was received by the Division on June 23rd, from Ms. Hubbard, of AltaPro Medical. The Board determined that a deadline will be given to Mr. Somerville to come into full compliance. If he fails to do so further action may be taken against his license.

Mr. Somerville appeared for his scheduled appointment with the Board. He submitted an "attendance sheet" from Assessment & Referral Services indicating his attendance of meetings on April 22nd, May 6th, and June 10th, 2008 he added that each meeting lasts for one hour and a licensed psychologist is present for the full meeting. Mr. Somerville then stated that he has not completed his additional psychological evaluation due to his inability to pay the required fee, he further stated that he did not feel that he should be required to under go this evaluation due to his probation arose from his abuse of drugs not a psychological issue. It was explained to Mr. Somerville that the psychological evaluation is a requirement of his Stipulation and Order, and failure to comply is a violation, and could cause the Board and Division to take further action against his license to practice.

The Board determined that a letter must be submitted from Mr. Somerville's direct supervisor, indicating the supervisors understanding of Mr. Somerville's Stipulation and Order, prior to July 11th. Also prior to July 15th documentation must be submitted from Assessment & Referral Services indicating the qualifications of the instructors, goals of therapy, and Mr. Somerville's individual progress, the Board will review the documents to determine if the therapy meets the requirements of Mr. Somerville's Stipulation and Order. Mr. Barnes than stated that the Board members will be notified by July 20th of Mr. Somerville's compliance status.

Mr. Somerville was again reminded that not remaining in full compliance with his Stipulation and Order that further action could be taken against his license to practice. The Board determined, Mr. Somerville is **not in compliance** with his Stipulation and Order and must appear at 9:30 a.m. on September 23, 2008, for his next probation interview.

Ms. Austin then expressed her concern that Mr. Somerville seemed to not be taking his probation seriously.

DISCUSSION ITEMS:

Respiratory Care Questions.

a. Can a student in a Respiratory Care program

Mr. Ormond explained that the Division was questioned regarding:

apply to take the NBRC exam prior to completing the educational requirements?

b. What are the modalities of Respiratory Care?

If a student in a Respiratory Care program could apply to take the NBRC exam prior to completing the educational requirements? Mr. Ormond explained that he spoke with a representative of NBRC (National Board for Respiratory Care), who had explained that an individual could apply to take the exam once they had obtained an Associates Degree in Respiratory Care, and were enrolled in a Baccalaureate Program for Respiratory Care. Ms. Bills added that the individual could not be certified until they had obtained the Baccalaureate Degree.

The Division was also questioned regarding what the modalities of Respiratory Care were? Ms. Bills explained that this is a difficult question to answer based on the differences between what each individual medical institution will allow a RCP (Respiratory Care Practitioner) to perform and the continued changes in the duties required of a RCP. Ms. Austin added that if, a task meets the definition of 58-57-2 (3) it is considered to be part of the scope of practice.

Mr. Ormond then questioned the Board regarding why there is not a CE (Continuing Education) requirement for this profession. Ms. Bills explained that if a licensee became certified by the NBRC prior to 2002 no recertification or CE was required. However, if certification was obtained after 2002, every five years the individual must either obtain fifteen hours of CE, or take either the CRT or RRT examinations, prior to being recertified. She then added that without certification from NBRC an individual could not be licensed. Mr. Ormond reminded the Board that there is no requirement for a licensee to remain certified with NBRC after becoming licensed with the Division.

After a detailed discussion it was determined that Mr. Ormond and Ms. Bills would further review this issue to determine what action could be taken. The issue was then tabled until the September 23, 2008 meeting, for further discussion.

Extracorporeal Membrane Oxygenation

An email was received from Mr. Tim MacKnight regarding if "Extracorporeal Membrane Oxygenation" was within the scope of practice for a RCP.

Ms. Austin explained that Extracorporeal Membrane Oxygenation is a specialized treatment commonly accepted for infants. Adding that if the RCP is qualified by education

and experience, Extracorporeal Membrane Oxygenation is within the scope of practice for RCP.

Military Program Certification with CoARC

The Division was questioned regarding what Military Branches had approved training programs with CoARC (Committee on Accreditation for Respiratory Care)? Mr. Ormond explained that he contacted Ms. Jana Anderson of CoARC who responded that there are currently two approved programs:

The AMEDD (Army Medical Department) program at Fort Sam Houston, Texas, and
The Air Force program at Sheppard AFB, Texas.

Ms. Bill reminded the Board that both military programs are minimal competency.

Mittendorf, Brian – Education Review

Mr. Ormond explained that the Division is concerned with Mr. Mittendorf’s application, due to his transcripts indicating that he obtained an Associate of Applied Science degree in Radiography.

After a brief discussion it was determined that Mr. Mittendorf did obtain the appropriate Respiratory Therapy degree. The confusion arose due to Mr. Mittendorf’s apparent change in his major.

Mr. Mittendorf’s application for licensure was approved.

CORRESPONDENCE:

New deadline to earn the RRT credential

This issue was discussed in combination with “Respiratory Care Questions”, previously discussed.

NEXT MEETING SCHEDULED FOR:

September 23, 2008

ADJOURN:

2:38 p.m.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

September 23, 2008

(ss) Jack Fried

Date Approved

Chairperson, Utah Respiratory Care Licensing Board

September 25, 2008

(ss) Clyde Ormond

Date Approved

Bureau Manager, Division of Occupational & Professional Licensing