

**MINUTES**

**UTAH  
RESPIRATORY CARE LICENSING  
BOARD MEETING**

**March 26, 2009**

**Room 475 – 4<sup>th</sup> Floor – 9:00 A.M.  
Heber Wells Building  
Salt Lake City, UT 84111**

**CONVENED:** 9:01 a.m.

**ADJOURNED:** 9:52 a.m.

**Bureau Manager:**

Clyde Ormond

**Board Secretary:**

Jacky Adams

**Board Members Present:**

Anita Austin, Acting Chairperson  
Jennifer G. Brinton, MD  
Beverly J. Lambdin  
Michelle Nylander

**Board Members Absent:**

Jack Fried

**DOPL Staff Present:**

F. David Stanley, Division Director  
Rhonda Trujillo, Compliance Assistant

**Guests:**

**TOPICS FOR DISCUSSION**

**DECISIONS AND RECOMMENDATIONS**

**MINUTES:**

Ms. Nylander seconded by Dr. Brinton made a motion to approve the December 30, 2008 Board Meeting minutes, the motion carried unanimously.

**APPOINTMENTS:**

9:15 a.m. Compliance

Ms. Trujillo explained that at this time Mr. Somerville is in compliance with his Stipulation and Order. Ms. Trujillo then suggested allowing Mr. Somerville to submit a combined Supervisor/Employer report on a quarterly basis, due to Mr. Somerville's current compliance.

Ms. Trujillo then explained that Mr. Somerville is currently working two jobs, a fulltime position which is not in this profession, and a part time one which is. She then added that Mr. Somerville's last two drug tests have been excused, by the Division, due to a financial issue with Mr. Somerville.

A detailed discussion ensued regarding, why Mr.

Somerville is unable to pay for his drug tests, when he is currently working two jobs. The Board then agreed to allow Mr. Somerville to submit a combined Supervisor/Employer Report on a quarterly basis.

9:30 a.m. Somerville, M. Corey

Mr. Somerville appeared for his scheduled appointment with the Board. Ms. Austin explained that due to his full compliance with his Stipulation and Order, the Board had determined to allow him to submit a combined Supervisor/Employer Report, on a quarterly basis. Ms. Trujillo then reminded Mr. Somerville that all reports will be due on the first day of his scheduled meeting month, Mr. Somerville understood.

Ms. Lambdin was concerned that due to Mr. Somerville's current work schedule, and level of stress, he may begin to use again. Mr. Somerville insured the Board that he has learned to handle his stress, and would not begin to use again.

Mr. Somerville is in compliance with his Stipulation and Order, and will next meet with this Board on June 25, 2009 at 9:15 a.m.

Ms. Trujillo then reminded the Board that Mr. Somerville is scheduled to be released from this probation on December 11, 2009. She inquired if this would be allowed due to Mr. Somerville having only worked in this profession sporadically the past two years. After a brief discussion it was determined that Ms. Trujillo will review Mr. Somerville's file to determine the amount of time he has work in this profession, since the beginning of this probation on December 11, 2006.

#### **CORRESPONDENCE:**

CoARC - Separation from CAAHEP letter

At the December 30, 2008 Board Meeting this issue was discussed, it was determined to table the issue, until next meeting for further discussion.

Ms. Austin explained that after reviewing the document, the Board should monitor the issue for a year, and determine, at that time, if the separation will effect this profession. She then suggested, contacting Ms. Georgine Bills, who is a site inspector, for CoARC (Committee on Accreditation for Respiratory Care) for further details

Respiratory Care Practitioners – Credentialing

Ms. Austin questioned what action would be taken regarding requiring Respiratory Care Practitioners to maintain credentialing, as a requirement for renewal of licensure. Ms. Nylander stated that a letter was submitted to USRC (Utah Society of Respiratory Care), explaining that

due to the current wording of Section 58-57-6, that Title 58 Chapter 57 would need to be changed prior to initiating this requirement.

Dr. Brinton then reminded the Board that prior to beginning this process to contact all related Associations to ensure that there will not be any surprise changes, during the legislative session.

Unlicensed Persons

Ms. Austin questioned Mr. Ormond regarding an email he had forwarded to her. Mr. Ormond explained that the Division had received an email from an individual questioning what duties an unlicensed person could perform while delivering and setting up a CPAP (Continuous Positive Airway Pressure) machine.

Mr. Ormond then explained that he had responded to the individual with Ms. Austin's and Mr. Fried's suggested answers.

**NEXT MEETING SCHEDULED FOR:**

June 25, 2009

**ADJOURN:**

9:52 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.*

April 27, 2009

(ss) Jack Fried

Date Approved

Chairperson, Utah Respiratory Care Licensing Board

April 27, 2009

(ss) Clyde Ormond

Date Approved

Bureau Manager, Division of Occupational & Professional Licensing