

**MINUTES**

**UTAH  
RESPIRATORY CARE LICENSING  
BOARD MEETING**

**June 25, 2009**

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

**CONVENED:** 9:02 a.m.

**ADJOURNED:** 10:00 a.m.

**Bureau Manager:**

Clyde Ormond

**Board Secretary:**

Kristy Haueter

**Board Members Present:**

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

**Board Members Absent:**

**DOPL Staff Present:**

Ronda Trujillo, Compliance Assistant

**Guests:**

M. Corey Summerville  
Joshua Davis

**TOPICS FOR DISCUSSION**

**DECISIONS AND RECOMMENDATIONS**

**ADMINISTRATIVE BUSINESS:**

Introduction of new Division Director – Mr. Mark B Steinagel

Mr. Ormond explained that Mr. F. David Stanley had retired from the Division at the end of April. Mr. Mark B. Steinagel became the new Division Director as of June 8, 2009.

**APPOINTMENTS:**

9:15 a.m. Compliance

Ms. Trujillo explained that at this time Mr. Somerville is currently in compliance with his Stipulation and Order.

Ms. Trujillo reviewed with the board Mr. Somerville's total time of actively working in the field since the beginning of his probation on December 11, 2006. This totaled respectively 15 to 16 months. For one year Mr. Somerville's was not actively involved in the field. In addition, it was noted by Ms. Trujillo that due to financial hardship the Division has waived three drug tests for Mr. Somerville.

Ms. Trujillo explained that at this time Mr. Davis is currently in compliance with his Memorandum of Understanding and Order (MOU).

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

Mr. Somerville appeared for his scheduled appointment with the board. Mr. Somerville is currently in compliance with his Stipulation and Order.

Mr. Somerville is currently working two jobs, a full time position in this profession where he works the night shift, three/ twelve hour days a week and one day a week that is not in this profession. Mr. Somerville commented that he has been on that schedule for almost two months. Mr. Somerville is currently in a 12 step program, which due to his schedule he attends frequently but at random times. Mr. Somerville is in touch with his sponsor, Mr. Olson every week or two. Dr. Brinton asked Mr. Somerville how he is managing his pain and stress. Mr. Somerville replied with Tylenol and Advil.

Mr. Somerville's Stipulation and Order was then reviewed. After a detailed discussion, the board expressed their concern to Mr. Somerville regarding the totaled hours in the field as presented by Ms. Trujillo and the drug tests that were missed due to financial hardships. Mr. Fried stated it was a concern to him and the board that his drug tests had not been taken as requested and expressed it is Mr. Somerville's responsibility financially and otherwise to take these tests.

After a brief discussion it was determined that Mr. Somerville's probation will be reviewed at the next board meeting, on September 24, 2009, and that a decision will be made at that time on whether to release Mr. Somerville from probation on December of 2009 or to extend the probation a years time to accommodate the year he was not working in the profession and not in compliance with his Stipulation and Order. This was explained to Mr. Somerville in addition to the importance of being in full compliance of his Stipulation and Order.

Mr. Ormond suggested that Mr. Somerville write a letter to be reviewed by the board detailing the reasons why he feels he should be released from probation this coming December.

It is determined that Mr. Somerville should meet with the board at the next meeting on September 24, 2009.

9:45 a.m. Davis, Joshua – Probation Interview

Mr. Davis appeared for his scheduled appointment with the board. Mr. Davis is currently in full compliance with his

Memorandum of Understanding and Order (MOU). Performance evaluation reports for Mr. Davis will now be submitted quarterly in compliance with his MOU.

The Board determined that if Mr. Davis continues to be in compliance with his MOU he will not need to meet with the board until the December 2009 board meeting. At which time a phone interview is possible if Mr. Davis continues to be in compliance with his MOU.

10:00 a.m. Webster, Joel – Application Review

Mr. Webster’s application for licensure was reviewed by the board. After an extensive discussion and review of Mr. Webster’s criminal history, application, education, resume, exams, work experience, certifications and licenses in other states it was determined that this charge will not be a conflict of interest with the profession.

A Motion for full licensure to be issued for Mr. Webster was made by Ms. Austin, Ms. Nylander seconded the motion, all voted in favor.

**NEXT MEETING SCHEDULED FOR:**

September 24, 2009

**ADJOURN:**

10:00 a.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 24, 2009

(ss) Jack L Fried

Date Approved

Chairperson, Utah Respiratory Care Licensing Board

October 6, 2009

(ss) Clyde Ormond

Date Approved

Bureau Manager, Division of Occupational & Professional Licensing