

**South Carolina Board of Medical
Examiners Respiratory
Care Committee Minutes**

Committee Meeting of April 22, 2016
10:00 a.m., Room 202-02
Synergy Business Park, Kingstree Building, 110 Centerview
Drive Columbia, South Carolina 29210

Committee members present were:

Garrett Galloway, RCP
Jerry Alewine, RCP
Fady Nassif, MD
Scott Simms, RCP
Scott Crego, RCP
Christopher Perry, MD

Committee members absent were:

Dr. Luca Paoletti
Allan Dunphy, RCP

Staff present were:

Candace Gunter, RCP Program, Administrative
Assistant Sheridan Spoon, Administrator
Adam Russell, Advice Counsel

Court Reporter:

Nadine Garrett, Creel Reporting

Public present were:

Brian Leatherwood, President of the South Carolina Respiratory Care Practitioner
Kathy Sperry, Self Regional Healthcare, Greenwood SC
Tracy Whitten, MA, Anderson Sleep and Lung Center

The meeting was conducted in person and called to order at 10:00 a.m. A quorum was noted as present.

1. Meeting Agenda approved. Minutes from the January 15, 2016 Committee meeting were approved, as amended.

2. Discussions held:

(A) Respiratory Therapist Education, Position Statement on Continuing Ed., American Association for Respiratory Care.

This position statement was reviewed, discussed and received as information by the committee.

(B) Coram Continuing Education. Request from Kathleen Burgess, Clinical/Education Coordinator, Bon Secours St. Francis Health System to implement free contact hours provided for Respiratory Care Practitioners online but are approved from other healthcare professionals be considered and approved as CME credit hours. Mr. Garrett Galloway noted that this course is not sponsored by or on the list of approved organizations. Mr. Alewine advised after reviewing the modules, not all apply to Respiratory Care. After discussion, the committee determined that only continuing education sponsored by an organization listed in Regulation 81-202 would be considered for approval. Mr. Crego moved therefore that the request to be denied. Second by Mr. Alewine. Motion carried.

(C) American College of Surgeons Continuing Education David Dunlap, Critical Care Supervisor, Palmetto Health made a request for the committee to consider adding American College of Surgeons to the list of approved Respiratory Care Practitioner Continuing Education Programs. Mr. Galloway noted that some of the curriculum may not be applicable to respiratory care. Motion made by to deny the request by Mr. Crego, second by Mr. Simms. Motion carried.

(D) Exemption Process and Policy, 40-47-530, Regulation 81-203, Advisory Opinions (2). Tracy Whitten, MA, Anderson Sleep and Lung Center.

Ms. Whitten is a Medical Assistant. Ms. Whitten has been with the Anderson Sleep and Lung Center for almost 10 years and has worked with pulmonary and sleep medicine since 1997. Ms. Whitten has received training from the Respiratory Therapists and Sleep Technicians in the center and has the ability to set pressures, do cleanings and mask fittings, and conduct patient awareness. She has taken continuing education courses on CPAP, Mask Fittings and Titration. Compliance monitoring is performed daily. Dr. Gowdhami Mohan is present at the office. BCBS and Tri-Care is the only insurance accepted at the center. Mr. Alewine questioned the setting of machines, where Ms. Whitten states this is done by Sleep Technicians or Dr. Mohan. Dr. Perry also questioned the administration of CPAP and BiPAP and whether the center is a DME Provider. The center provides DME equipment under the guidance of Dr. Mohan and the lab is accredited. Mr. Galloway explained the course required for the exemption. Mr. Galloway explained to Ms. Whitten that providing pressure is within the scope of a Respiratory Care Practitioner. Ms. Whitten states she understands and that there must be an order from a physician to change the pressure and that no one in her office changes pressures without a physician order. The committee reiterated that the Sleep Medicine Policy, Section F: Unlicensed Healthcare Individuals specifically states "Unlicensed health care individuals (i.e.; CNA, MA, etc.) are not eligible to apply for or receive a PAP titration exemption since they do not meet the licensing or credentialing requirements as outlined in the SC Respiratory Care Practice Act and may not perform PAP titration under any circumstances." Mr. Alewine made the motion to deny the exemption request. Mr. Simms seconded. Motion carries.

(E) May an RCP administer *LEXISCAN* stress tests? Kathy Sperry, Self Regional, Greenwood SC Ms. Sperry asked whether an RCP may administer Lexiscan.

With proper training and supervision, Respiratory Care Practitioners can administer controlled substances, run ECHMO (Extracorporeal Membrane Oxygenation) machines, and perform arterial line insertions among other procedures. Mr. Galloway stated it is appropriate for a Respiratory Care Practitioner to provide care within this setting so long as there is ACLS certification. Mr. Galloway's concern is if there is something in the practice act that would prevent an RCP from performing this procedure. Mr. Galloway proposed a motion as follows "*A Respiratory Care Practitioner may perform Cardiac Stress Tests as long as the hospital/facility is willing to train, certify, supervise, and provide medical direction for and establish proper policy and procedure and for the Respiratory Care Practitioner's performance of the procedure to include ACLS certification*". Mr. Galloway questions as to why the Controlled substance and Echmo policies were carved out (Sheridon Spoon will review).

Motion by Dr. Perry. Seconded by Mr. Simms. Motion carries.

Sheridon Spoon, Administrator noted that the board will meet May 2-3 to review and approve the motion at that time and extended the invitation to the committee to attend.

(F) (1) Prior to delivering a BiPAP/CPAP to a patient's home, is the HME allowed to pre-set the pressures, under the guidance of a licensed Respiratory Therapist and in accordance with the physician's prescription? (2) Is remote programming allowed? (3) Is it permissible for a licensed Respiratory Therapist to instruct a non-licensed individual telephonically on how to set these pressures, contingent upon a follow-up visit by the licensed Respiratory Therapist?

The committee noted that the primary purpose of the board and the committee is to protect the public. After discussion, the committee determined

(1) It is the recommendation of the Respiratory Care Committee that it is not appropriate for CPAP or BiPAP to be preset before being delivered to the patient's home even under the guidance of a licensed Respiratory Care Therapist and even in accordance with a physician's order. Motion was made to accept by Mr. Alewine. All in favor. Motion carried.

(2) It is the recommendation of the Respiratory Care Committee that remote programming by a Non-Respiratory Care Practitioner is not appropriate. Motion to accept by Mr. Simms. All in favor. Motion carried.

(3) It is the recommendation of the Respiratory Care Committee that it is not permissible for a licensed Respiratory Care Practitioner to instruct an unlicensed individual telephonically on how to set pressures even contingent upon a follow up by a licensed Respiratory Therapist. Motion to accept by Dr. Perry. Seconded by Mr. Simms. All in favor. Motion carried.

(4) It was also the recommendation of the committee that remote programming should be allowed if done by a Respiratory Care Practitioner and/or Physician with a valid order from that Physician. Motion to accept by Dr. Perry. Seconded by Mr. Simms. Motion carried.

3. Review and approval of applicants with “YES” answers

4. Approval of temporary to permanent licenses

Name	Credential Number	Expiration Date	City	State
Jean Genel Aristhil	RCP.5734	5/31/2016	COLUMBIA	SC
Ethel Danielle Bakazan	RCP.5728	5/31/2016	Dillon	SC
Rebecca Christine Billet	RCP.5802	5/31/2016	Asheville	NC
Ebony Nicole Booker	RCP.5813	5/31/2016	Thomson	GA
STEVEN BOUFFARD	RCP.5809	5/31/2016	LAKE MARY	FL
Tasha Michelle Brantley	RCP.5707	5/31/2016	Florence	SC
Kelly M Burrow	RCP.5808	5/31/2016	Mt Gilead	NC
Catherine Broderson Chamis	RCP.5805	5/31/2016	Charlotte	NC
Anna Marlene Cockrum	RCP.5733	5/31/2016	West COLUMBIA	SC
Tonnie Lenor Coleman	RCP.5791	5/31/2016	Cuthbert	GA
JULIE D CULBERTSON	RCP.5705	5/31/2016	NEWBERRY	SC
CARMITA ADRIA EDISON	RCP.5799	5/31/2016	CHARLOTTE	NC

Stephanie Derrick Frost	RCP.5735	5/31/2016	West Columbia	SC
Lesley Griffin Gleave	RCP.5795	5/31/2016	LEXINGTON	SC
Therese M Griffin	RCP.5811	5/31/2016	Matthews	NC
SKYLAR MARIE HARRIS	RCP.5803	5/31/2016	MYRTLE BEACH	SC
Tanea Shamika Clark Heyward	RCP.5714	5/31/2016	Marion	SC
BOBBIE GAIL JONES	RCP.5812	5/31/2016	PEMBROKE	NC
Janelle Brown Leach	RCP.5748	5/31/2016	Columbia	SC
Jessica Marie Levi	RCP.5665	5/31/2016	EASLEY	SC
Niccole Marie Limbach	RCP.5814	5/31/2016	Kansas City	MO
Autumn Frances Lindler	RCP.5762	5/31/2016	Newberry	SC
Shanda Terry Martin	RCP.5690	5/31/2016	Edgefield	SC
NIKOLAY PAVLOVICH MASALYKA	RCP.5801	5/31/2016	BOILING SPRINGS	SC
Brittany Michelle Mendoza	RCP.5807	5/31/2016	Ellenboro	NC
Racquel D. Morrow	RCP.4259	5/31/2016	TAYLORS	SC
Jennifer Reneice Moss	RCP.5797	5/31/2016	Spartanburg	SC
Brandon Jerod Murchison	RCP.5815	5/31/2016	Columbus	GA
Kelly V Olin	RCP.5680	5/31/2016	W Union	SC
SUZANNE MICHELE PIERCE	RCP.5804	5/31/2016	CONCORD	NC
CASSANDRA DELAINE ROBINSON	RCP.5810	5/31/2016	INDIAN TRAIL	NC
Patricia Lee Shaver	RCP.5721	5/31/2016	Laurens	SC
DANA SHERROD	RCP.5796	5/31/2016	RICHMOND HILL	GA
Monet Cherene Shook	RCP.5806	5/31/2016	Spartanburg	SC
Antysha Chemise Simpson	RCP.5708	5/31/2016	Clinton	SC
CHRISTINA EVELYN STEWART	RCP.5793	5/31/2016	LADSON	SC
Kristen Nicole Thornton	RCP.5727	5/31/2016	Laurens	SC
BRITTNEY SHAMIKA TRIBBLE	RCP.5704	5/31/2016	NEWBERRY	SC
Tonja Renee Turner	RCP.5703	5/31/2016	Cheraw	SC
Jennifer Grayson Wagner	RCP.5800	5/31/2016	Charlotte	NC
MARVIN WALKER	RCP.5794	5/31/2016	EVANS	GA
Sandra L Wall	RCP.5792	5/31/2016	Punta Gorda	FL
Hether Sue Watkins	RCP.5715	5/31/2016	Sumter	SC

ETHEL DANIELEE BAKAZAN:

answered yes to question #11, "have you ever been arrested, indicted, or convicted, pled guilty, or pled nolo contendere for violation of any federal, state or local law (other than a minor

traffic violation)”? Ethel states “I was arrested when I was 18 for a stupid mistake. I have since learned from that mistake and hope to better myself for the better of my family. The charge was dropped and was able to have a second chance. I was young and stupid and have learned from that experience.”

STEVEN BOUFFARD:

answered “yes” to question #10, “have you ever discontinued the practice as a Respiratory Care Practitioner for any reason for three consecutive months or more?” Steven states “Any periods of not practicing respiratory therapy, over the past 5 years, were related to pursuing other interests unrelated to the practice of respiratory therapy.”

CATHERINE B CHAMIS:

answered “no” to question #13, “have you ever been convicted, pled guilty or pled nolo contendere to a felony of any kind or to a non-felony crime involving drugs or moral turpitude?” Return of her Criminal Background Check notes an arrest in Sullivan County, October 2008 involving a Traffic Control Device incident. Catherine’s response was that “In 2008, I received a traffic ticket in Sullivan /county TN for “rolling through a stop sign”. I was given a court date and was planning to appear in court and contest the ticket, however, in the meantime my mother became very ill and was hospitalized the same week that I was supposed to appear in court. My mother died and as a result I completely forgot about the ticket. At some point later, a local law enforcement office came to my home informing me that I had missed the court date. I paid the ticket and the “charges” were dismissed.”

CARMITA ADRIA EDISON:

answered “yes” to question #1, “has your Respiratory Care Practitioner certificate/license ever been revoked, suspended, reprimanded, restricted, disciplined, or placed on probation by the medical licensing board or other entity?” Answered “yes” to question #12, “have you ever been discharged involuntarily from employment?” Carmita responded, “I received a reprimand in October 2009 for not following Physicians order from the NCRCB. I totally acknowledged and accepted my error. There was a patient that mom requested for me to not place the patient on his home ventilator. I in turn did not follow the order of placing patient on ventilator for HS and I did not document on the patient throughout the shift. When I sat down to document I was called to a Pediatric Rapid Response and did not save my documentation and forgot to complete. I accepted full responsibility for my actions and since have made a conscientious effort to follow MD orders and document properly. (Appearance not necessary, per Garrett. Galloway, RCP)

STEPHANIE DERRICK FROST:

answered “yes” to question #14, “have you ever been discharged involuntarily from employment?” Stephanie states “I was let go from my position at Service Printing, however I was not given a reason as to why I was being let go by the company.”

NIKOLAY MASALYKA:

answered "no" to question #13, "have you ever been convicted, pled guilty or pled nolo contendere to a felony of any kind or to a non-felony crime involving drugs or moral turpitude?" per the Criminal Background Check, the City of Inman issued a warrant for Mr. Masalyka by mistake for No Proof of Insurance. Mr. Masalyka provided proof of insurance before the court on 3/3/15 and was told that the ticket would be dismissed. Unfortunately, the paperwork was lost before the court date and the Officer didn't realize the mistake and issued a warrant. Mr. Masalyka was picked and held for that charge. The case was found "Not Guilty" and the judge issued the order to show. (Documentation provided on file)

BRANDON J MURCHISON:

answered "no" to question #13, "have you ever been convicted, pled guilty or pled nolo contendere to a felony of any kind or to a non-felony crime involving drugs or moral turpitude?" Brandon has submitted a revision of his answer and states "In regards to the driving while license suspended in 2011 and 2013 they both were the results of minor traffic violation. I was unable to make it to court at the assigned time due to not being able to leave work. Once leaving work I went straight to the Records court and paid the fines. The clerk stated that a warrant was put out since I failed to appear at court at the assigned time but will be dismissed since I paid the fines in full. To my understanding I was clear of all charges, fines and was good to go. A few weeks later I get pulled over for a minor traffic violation and the officer stated my license was suspended. I was puzzled because I had no clue to why they were suspended. The officer stated that his system said I failed to appear at court and my license was immediately suspended. So all in all the clerk at the Records Court didn't update the system when I paid all the fines so my license was suspended and I was unaware of this. Once I showed all the proper documentation everything was fixed and my license was reinstated."

SUZANNE MICHELE PIERCE:

answered "yes" to question #10, "have you ever discontinued the practice as a Respiratory Care Practitioner for any reason for three consecutive months or more?" Suzanne states she was not employed as a Respiratory Therapist as of August 16 with Piedmont Medical and haven't been working since moving from Indiana.

MONET CHERENE SHOOK:

answered "yes" to question #10, "have you ever discontinued practice as a Respiratory Care Practitioner for any reason for three consecutive months or more?" Monet states she discontinued practicing from September 2012 until present because of her enrollment full time in the doctoral program.

BRITTNEY SHAMIKA TRIBBLE:

answered "yes" to question #14, "have you ever been discharged involuntarily from employment?" Brittney states "I got discharged involuntarily from employment seven years ago. A coworker persuaded me to charge less for merchandise at a retailer. I realized it was wrong and admitted to it. I paid full

restitution to the employer. I was young and made a huge mistake. I've learned my lesson and it will not happen again."

TONJA RENEE TURNER:
arrested,

answered "yes" to question #11, "have you ever been indicted, or convicted, pled guilty, or pled nolo contendere for violation of any federal, state or local law (other than a minor traffic violation)?" Tonya states "I was involved in a domestic violence in April of 2003 which resulted in my arrest. The case went to trial and I was found not guilty and charges were dropped."

MARVIN WALKER:

answered "yes" to question #12, "have you ever been discharged involuntarily from employment?" Marvin states "I was asked to be dismissed from Atlanta Medical Center due to excessive tardiness. I was working 2 jobs and at the time I was moving my family to another home. I traded days with another co-worker to complete the move and I forgot about the trading of days. I could not be tardy anymore and that was the last time."

HETHER SUE WATKINS:
arrested,

answered "yes" to question #11, "have you ever been indicted, or convicted, pled guilty, or pled nolo contendere for violation of any federal, state or local law (other than a minor traffic violation)?" Hether states "I was held in jail on July 1, 1998 (17 years ago) in Alexander County, NC for failure to pay child support. I paid it within 4 hours. I obtained a second job immediately which prevented this from ever happening again until I obtained full sole custody of the children, and their biological father gave up his rights. They live with me to this day.

-Arrest October 20, 2003 "I was married 12 years ago, and after two weeks, found out he was on supervised probation in another state. I asked for dissolution of marriage and in anger, he sent out an inflammatory mailing in my name to the authorities resulting in my arrest. It was determined I was a victim of domestic violence, and all charges were dismissed and expunged."

A motion was made by Mr. Simms to approve all temporary licenses for update to permanent with the exception of applicants Ethel Bakazan and Tonja Turner. This approval also included YES answers. Dr. Nassif seconded the motion. Motion carried.

There was discussion concerning including the federal background check to the committee is there is a 'hit. Letters of reference will also be included. Mr. Spoon advised that the actual FBI CBC document cannot be provided unless both the committee and the board underwent SLED certification. Ms. Gunter advised the background checks had not been previously included in the application packets for the Committee to review. Dr. Perry stated the background checks were always included in the prior meetings. Mr. Galloway suggested requesting additional documentation and narrative to support positive background checks in lieu of statements.

***Recommendation amended for Ethel Bakazan to provide further information pertaining to**

the arrest admitted to at the age of 18 years of age on the application. Motion made to accept by Mr. Simms. Mr. Alewine seconded the motion. The Temporary license will be continued until receipt.

***Recommendation for Tonja Turner to provide further information pertaining to a domestic violence incident that lead to her arrest in 2003. Motion made to accept by Mr. Crego. All in favor. Motion carries.**

5. Committee Chair Report: Discussion was intended on Pulmonary Function Testing but will be moved to the July 22, 2016 Committee Meeting to include Dr. Dunphy, LouAnn Wagoner (conference call), and possibly Selma Watson. The Committee received feedback from Dr. Paoletti on this topic to be discussed in July 2016.
6. Public Comment: None.

Motion to adjourn by Garret Galloway at 11:57am
Mr. Simms seconded the motion. Motion carried. The next meeting is scheduled for July 22, 2016 at 10:00A.M.

Respectfully submitted,

Candace Gunter
Administrative Assistant