

# North Carolina Respiratory Care Board

## Meeting Minutes

July 1, 2004

### **Members Present:**

Joseph Coyle, MD  
Mary Lou Fleming  
Nancy M. Hall  
Margaret A. Mitchell, RRT, RCP  
Wayne Beauford, MD  
Bruce K. Rubin, MEngr, MD  
Ralph Webb, RRT, RCP  
William Croft, RRT, RCP  
Thomas Goodin, MD  
Lisa Fox

### **Others Present:**

Floyd Boyer, RRT, RCP –Executive Director  
William Shenton –Board Counsel  
Jane Carter – Administrative Secretary  
Judy Green – Board Investigator

### **Absent:**

### **Call to Order:**

Dr. Coyle called the meeting to order at 10:00 AM.

### **Conflict of Interest Notice:**

Dr. Coyle read the North Carolina Board of Ethics' Conflict of Interest Reminder. If there are any conflicts of interest on any votes, Board members should refrain and inform the Chair at that time.

Dr. Coyle reminded the audience that the Board meetings are recorded and are a matter of public record. Comments and questions raised by the audience are recorded and may be part of the minutes.

### **New Board Members:**

Dr. Coyle introduced Dr. Thomas Goodin from Hickory and Dr. Wayne Beauford from High Point.

### **Executive Session:**

Ms. Fleming made a motion at 10:05 AM to go into Executive Session. The motion was seconded. Mr. Webb made a motion at 10:15 AM to return to the Public Session. It was seconded.

### **Public Session:**

Dr. Coyle announced that a settlement had been reached between the Board and Robert Strickland, and therefore, his hearing scheduled for 1:00 PM today is cancelled.

**Approval of Minutes:**

Ms. Fleming read the minutes from the April 1, 2004 Board meeting. Ms. Fleming made a motion to strike “and the Board of Pharmacy” from the Board’s position on the fitting and application of a C-PAP mask. The motion was seconded and passed unanimously. Mr. Webb made a motion to approve the minutes as amended. The motion was seconded and carried unanimously.

**Treasurer’s Report:**

Ms. Fleming reported that the year-to-date is on budget. There is \$25,648 in the checking and account and \$90,000 in the savings account.

**Executive Director’s Report:**

Since the last Board meeting, Mr. Boyer has completed the following:

- Ms. Green and Mr. Boyer attended the Council on Licensure, Enforcement and Regulation (CLEAR) National Certified Investigator Training course in Richmond, VA on May 10-12. They passed the certification examination and are now certified Investigators/Inspectors.
- Mr. Webb and Mr. Boyer met with Senator Purcell on May 13, 2004, to discuss the possibility of amending the Practice Act to include language the State Bureau of Investigation requires in order for the SBI to provide background checks for licensure applicants. Senator Purcell introduced SB 1254 which has made it through the Senate. Representative Tolson will carry it through the House.
- Presented a Licensure Update to the Respiratory Care Technology Advisory Committee at Sandhills Community College on June 11, 2004.
- Completed a survey concerning RCP education levels for the SHEP’s Center. The information will be included in the Respiratory Care Workforce study to be discussed in the Education Committee report.
- Ms. Green completed compliance checks of 58 facilities in Western North Carolina. 3 facilities and/or individuals were found to be out of compliance.
- Mr. Boyer completed compliance checks of 8 facilities in Eastern North Carolina. 3 facilities and/or individuals were found to be out of compliance.
- The server has been installed and is performing well. The website has been updated to allow RCP’s to change their address and practice site. Online renewal is being tested and should be ready within 2-3 weeks.
- As of June 30, 2004, 3966 licenses have been issued. There are 3358 Active, 40 Inactive, 7 Temporary, and 153 Provisional licenses. The Board has issued 46

current RCA registrations. There are 66 pending applicants, 315 expired licenses, 9 practitioners deceased, 10 withdrawn applications, 1 voluntarily surrendered license, 2 revoked licenses, and 5 denied applications.

**Ethics Committee Report:** Dr. Rubin reported that the Statement of Economic Interest forms must be updated each year by May 15. The NC Ethics newsletter is emailed to the entire Board by Mr. Boyer.

**Practice Committee Report:** No Report.

**Rules Committee Report:** Mr. Webb reported that the rules changes were approved by the Board at the April 1, 2004 Board meeting. The changes were related to the application process and license renewal. He presented the timetable for the approval of the proposed rules. The effective date for these rules will be November 1, 2004.

**Education Committee Report:**

#### **BSRT Program**

Mr. Croft suggested that the program should include advanced skills and that the respiratory care faculty at the Community Colleges could be adjunct instructors for the UNC System until the faculty could be hired. There are 40 stand alone BS programs in the United States. There was a discussion by the Board and the public.

#### **SHEPS Center Workforce Study**

The report is complete and will be ready for distribution in two weeks. This includes: how many respiratory therapists per population, how many therapists in each county, the supply of therapists excluding travelers, the diversity of therapists, average salaries, and vacancy rates. The survey from facilities on the education of therapists shows 84% with Associate degrees, 13% with Baccalaureate degrees, 1.4% with Masters degrees, and .3% with a Doctorate degree.

#### **Background Checks on Respiratory Care Students**

The Respiratory Care program at the Community Colleges will begin background checks on students this year. The Board will be doing SBI background checks on new applicants. The Board's response to students is that no decision can be made until an application is made for licensure. The Board will look at the procedures of other Boards. Mr. Boyer and Mr. Shenton will draft a statement for the next Board meeting.

## **NC College Foundation Program for Respiratory Care Students**

There are scholarships available for Respiratory Care students.

### **Request from Gary Mims: CE Requirements**

Gaston Memorial has requested that all CE's, regardless of the content, be accepted for renewal. The Board rule states that CE's must be directly related to respiratory care or expanding the scope of practice. Following a discussion by the Board and the public, Mr. Boyer was charged with writing a draft Position Statement to be given to the Education Committee at its next meeting for discussion and then presented to the Board at its next meeting.

### **ACLS Concern**

With the rules changes effective April 1, 2004, the number of CE credits was reduced for ACLS, PALS, and NRP. If a RCP took the course before April 1, they are given the original number of credit hours.

### **Refresher Course for Inactive RCP Applicants**

The committee discussed the possibility of a refresher course that would be administered by the Community College as a way for respiratory therapists who have been out of the field to get back into the work force. With the rules changes, a RCP who has been out of the field for five years must take and pass the CRT as an assessment. The committee will continue to look at this.

### **AARC Report from South Georgia**

Fewer RCP's are taking the Registry Exam today than in the past. The committee and some facilities feel that there should be more emphasis on taking and passing the Registry. Some facilities are offering incentives and/or reductions.

### **Report on Recent Graduates**

There were 162 graduates as of June 30, 2004: 143 applications have been received and 126 Provisional licenses have been issued. 52 students passed the CRT on their first attempt and 7 failed.

### **Investigation and Informal Settlement Committee:**

Ms. Mitchell reported that the committee met on June 30, 2004 to interview 20 individuals for alleged violations of the Respiratory Care Practice Act. 18 individuals were interviewed and 2 individuals did not show up for the interviews. Any resulting disciplinary actions are pending for these individuals and awaiting the closed session of today's Board meeting.

**Unfinished Business:** The Board hearing for Terry Lee has been continued until the Board meeting on October 7, 2004. Mr. Shenton will look into the cost of taking depositions in Greensboro and Mr. Boyer will look into the cost of having the hearing in Greensboro.

**New Business:** The Pharmacy Board is currently looking into the issue of Oxygen Bars in North Carolina. Dr. Coyle reported on one concern that has been brought up to him regarding the ruling on the supervision of trainees in Sleep Labs. The question has been raised on whether there could be some intermediate level of certification or credentialing for trainees who have completed six months of training and have already passed competencies for oxsemety, O2, and C-PAP. They would be supervised with someone available by phone immediately and by presence within 20 minutes. Dr. Coyle charged the Practice Committee to discuss this matter at its next meeting and bring back a recommendation to the Board at its next meeting.

**Other New Business:** There was none.

**Executive Session:** Dr. Rubin made a motion at 12:05 to go into Executive Session. Ms. Fleming seconded the motion.

Mr. Webb made the motion to return to the Public Session at 1:54 PM. It was seconded by Ms. Fleming.

**Adjournment:** The meeting was adjourned at 1:55 PM.