

**North Carolina Respiratory Care Board
Special Meeting July 30, 2009
Meeting Minutes**

Members Present:

Sherry Samuels
Thomas Goodin, MD
Karl Karlson, MD
Ralph Webb, RRT, RCP
Kimberly Roseman

Others Present:

Floyd Boyer, RRT, RCP –Executive Director
William Shenton –Board Counsel
Jane Carter – Administrative Secretary
Valerie Bateman – Attorney General’s Office
Susie Holloway – Attorney General’s Office
Tina Hlabse– Attorney General’s Office

Members Present by Phone:

Arnold Frazier, MD
Timothy Safley, RCP
William Croft, RRT, RCP
Margaret A. Mitchell, RRT, RCP

Absent:

Wayne Beauford, MD

Call to Order:

Mr. Webb called the meeting to order at 2:03 PM.

Conflict of Interest Notice:

Mr. Webb read the North Carolina Board of Ethics’ Conflict of Interest Reminder, indicating that if there are any conflicts of interest on any matters that come before the Board; Board members should refrain from voting and inform the Chair at that time.

Mr. Webb 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.

Dr. Karlson made a motion to enter into Executive Session to consider the pending litigation Angelique Thompson and Kight’s Medical Corporation vs. Floyd E. Boyer, now pending in Wake County Superior Court as Case Number 09 CV013735 and Angelique Thompson vs. NCRCB pending NC Industrial Commission Hearing, Docket TA-21336 and Kight’s Medical Corporation vs. NCRCB pending NC Industrial Commission Hearing, Docket TA-21337. The motion was seconded and carried unanimously.

Executive Session:

Ms Samuels made a motion to enter into Public Session. It was seconded and carried unanimously.

Public Session:

Old Business:

- Ms Samuels presented the annual budget for the year July 2009 – June 2010. There is an expected increase in income due to the increase in fees, the number of renewals, and the number of new graduates. There is an expected increase in expenses due to the pending litigation. Ms Mitchell noted a typing mistake for the expense of Background Checks for the month of September 2009. It was listed as \$14,000 and should have been \$1400. The difference of \$12,600 will be spread out each month under Legal Fee Expenses. Dr. Karlson made a motion to amend the budget. The motion was seconded and carried unanimously. Dr. Karlson made a motion to approve the budget as amended. The motion was seconded and carried unanimously.
- Mr. Boyer reported that House Bill 819 has been ratified and sent to the Governor. There was a change under the Listing Requirements. The listing will be with the Medical Board instead of the Secretary of State.

House Bill 221 is now Session Law 2009-125 and has been signed by the Governor and will add some more requirements of the State Occupational Licensing Boards and more reporting. The Joint Legislative Administrative Procedure Oversight Committee will have the power to review the activities of State occupational licensing boards to determine if the boards are operating in accordance with statutory requirements and if the boards are still necessary to achieve the purposes for which they were created. This review shall not include decisions concerning board personnel matters or determinations on individual licensing applications or individual disciplinary actions. It also added two more reporting requirements to be sent to the Secretary of State, the Attorney General, and the Joint Legislative Administrative Procedure Oversight Committee which will provide the number of official complaints received involving licensed and unlicensed activities, the number of disciplinary actions taken against licenses, or other actions taken against non-licensees, including injunctive relief. These are changes to GS 120.70.

House Bill 1411 has been ratified and sent to the Governor. It will require that Occupational licensing boards shall adopt rules to postpone or waive continuing education, payment of renewal and other fees, and any other requirements or conditions relating to the maintenance of licensure by an individual who is currently licensed by and in good standing with the board, is serving in the armed forces of the United States, and to whom G.S. 105-249.2 grants an extension of time to file a tax return. It doesn't have a time frame for the Board to adopt a rule.

Dr. Karlson made a motion to adjourn. The motion was seconded and carried unanimously.

Adjournment:

The meeting was adjourned at 3:20 PM.