

**BOARD OF RESPIRATORY CARE
PUBLIC SESSION MINUTES
SOMERSET CONFERENCE ROOM,
6th Floor
January 6, 2009
FINAL**

The January meeting of the New Jersey State Board of Respiratory Care was convened in accordance with its notice to the Secretary of State, the Bergen Record, the Trenton Times, the Courier Post and the Star-Ledger and was conducted in accordance with the provisions of the Open Public Meetings Act.

Chairman, Capek convened the meeting at 10:00 a.m. A roll call was taken and the following attendance was recorded for these minutes.

PRESENT: Jeffrey Brozoski Kenneth Capek Michael G. Brown James Brophy Janet Castronovo

ABSENT: Robert Malovany, MD.

Also in attendance: Dorcas K. O'Neal, Executive Director, Tobey Palan, Deputy Attorney General and Bernadette Augustus, staff.

Public attendance: Joseph Goss, New Jersey Society for Respiratory Care and Rowan Pragdat, Valley Hospital, Ridgewood, New Jersey.

I. APPROVAL OF MINUTES

The Board reviewed the Public Session Minutes of January 6, 2009. On a motion by James Brophy, seconded by Janet Castronovo, the Board unanimously approved the Public Session Minutes as submitted.

II. OLD BUSINESS

a. I/M/O Life Support Technologies, Inc.-DAG, Palan, spoke with the principle Michael W. Allen, Senior Vice President- Operation & Safety and clarified the law and thanked him for the response. DAG, Palan will contact Dr. Jody Giacomo, regarding the information relative to personnel. Reagendized.

III. NEW BUSINESS

a. The Board reviewed an E-mail from Christopher Menichella, inquiring as to whether a non-licensed professional can do pressure changes on BiPap or C-PAP machines. Based on the limited facts presented, the Board determined that as to question 1, whether a non-licensed professional can do pressure changes on BiPap or C-PAP machines, the answer is no; as to question 2, whether a non-licensed personnel can teach mask fits and refits, the answer is no and as to question 3, whether a non-licensed professional can do humidifier set-ups, the Board determined that a non-licensed person cannot set-up a humidifier because it is a component of BiPap and the C-PAP.

As to what tasks may be delegated to a non-licensed person, refer to N.J.A.C.13:44F-3.3. Querest will be so advised.

b. The Board reviewed a letter from Michael D. Martin, Educational Consulting Services, Inc., with list for courses that have been approved by the AARC for calendar year 2009, as informational.

c. The Board reviewed a fax from Nancy D'Ambrosio, RRT-NPS, Director Respiratory Therapy Allcare Medical, inquiring as to the Board's ruling on its policy regarding Hospice patients under 13:44F-3.3 Delegations, (g). The Board determined that based on the limited facts presented, pursuant to N.J.S.A.45:14E-9)c), nothing in this act is intended to limit, preclude or otherwise interfere with the

practices of other persons and health providers licensed by appropriate agencies of the State of New Jersey, provided such duties are consistent with the accepted standards of the member's profession and if the member does not present himself as a respiratory care practitioner.

Therefore, a nurse may make a follow-up visit to a Hospice patient which may include respiratory treatment and a respiratory care practitioner would not have to adhere to the 24 hour follow up visit provision, in this instance. Where, this is not the case, N.J.A.C.13:44.3.3(g), applies. Ms. D'Ambrosio will be so advised.

d. The Board reviewed Respiratory Care Total Revenues for November, 2008, as informational.

IV. INFORMATIONAL/FYI

a. The Board reviewed "Online Education Works"- The article advises that the AARC offers members a wealth of opportunities to participate in online continuing education. Informational.

V. LEGISLATION/REGULATIONS

a. The Board reviewed a Proposed (Draft) January, 2009, Delegation and Continuing Education, with Maryann Sheehan, Regulatory Analyst. Amendments were made. Reagendized.

VI PUBLIC COMMENTS

None.

VII. OTHER BUSINESS

None.

VIII. CONTINUING EDUCATION CREDIT REVIEW

In the discussion of CE's, it was determined that any courses with .5 credit was not to be counted. Any CE's reviewed by Janet Castronovo and Kenneth Capek which may have .5 credits will be brought to the next meeting for review.

There being no other business to come before the Board in Public Session, on a motion by Michael G. Brown, seconded by Janet Castronovo, the meeting was adjourned and the Board moved into Executive Session for the purpose of receiving counsel, to hold one investigative inquiry, to review four items of old business and to review one application.

The Board reconvened in Public Session. The next scheduled meeting is February 3, 2009. There being no other business to come before the Board, on a motion by James Brophy, seconded by Janet Castronovo, the meeting was adjourned at 1:00 p.m.

Respectfully submitted,

Dorcas K. O'Neal
Executive Director