

**BOARD OF RESPIRATORY CARE
PUBLIC SESSION MINUTES
124 HALSEY STREET
MORRIS CONFERENCE ROOM
6th Floor
January 9, 2007**

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

Absent: Tajwar Aamir, M.D. Robert Malovany, M.D.

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

I. APPROVAL OF MINUTES

The Board reviewed the Public Minutes of December 12, 2006. On a motion by James Brophy, seconded Michael G. Brown, the Board unanimously approved the Public Session Minutes as submitted.

II. OLD BUSINESS

a. Consideration of the American Association for Respiratory Care (AARC) Continuing Respiratory Care Education Accreditation Requirements (CRCE) was reagendaized.

III. NEW BUSINESS

a. The Board reviewed PROPOSED NEW RULE N.J.A.C.13:44F-10, CONTINUING EDUCATION CREDITS - Bernie Gerard, Jr., Vice President at Health Professionals and Allied Employees (HPAE), commented on the new proposed rule stating that N.J.A.C. 13:44F-10.1 & 2, as written, is somewhat confusing as to when the licensee will be required obtain CE credits for re-licensure. He believes that the Board could simply state that the requirements of re-licensure is 30 CE's for the next two years.

Daniel Swensen, Regulatory Analyst stated that the regulation at N.J.A.C. 13:44 F 10.2 (a) 1, clarifies in N.J.A.C.13:44F (a)1- that a licensee must complete 15 CE's if this section of the law becomes effective on or before April 1, 2007. In N.J.A.C.13:44-10.1(a)2, the law states that licensee be exempt from the CE requirement if the law becomes effective after April 1, 2007. Because the initiation date of the law by the legislature is uncertain, the regulations are pertinent to the requirement. Those sections of the regulation may be revisited at Sunset in November, 2007.

He inquired as to whether it is the Board's intention to allow other organizations' CE credits to be counted as well, such as, the American Nurses Credentialing Center. HPAE offers Continuing Education that is accredited through this organization and would like to be able to offer its Respiratory Therapist courses related to health care. Danielle Swensen, Regulatory Analyst stated that respiratory care therapists may not take courses, sponsored by the American Nursing Credentialing Center as they do not specifically conform to the requirement at N.J.A.C.13:44-10.2(a). A CE course accreditation by American Nursing Credentialing Center must be approved

by New Jersey Society for Respiratory Care (NJSRC) or American Association for Respiratory Care (AARC). Mr. Gerard will be so advised.

On a motion by Jeffrey Brozoski, seconded by Michael G. Brown, the Board unanimously adopted the following rules as proposed: Applicant Qualifications; Board -Approved Examination; Licensure Renewals; Continuing Education Proposed Repeals and New Rules:N.J.A.C.13:44F-7.2 and 7.3 Proposed Amendments: N.J.A.C. 13:44F-10.

b. The Board reviewed a letter from Larry W. Goldman, B.S., RRT, Regional Manager, Respiratory Health Services, inquiring as to whether EMT's are permitted to administer Oxygen not only in an emergency clinical situation, but in the hospital setting and in his particular area of work, the post-acute care facility. The Board determined that administrating oxygen and performing other relevant respiratory tasks requiring 'hands on' patient care, fall within the scope of practice of respiratory care for which a license is required.

On a motion by Michael G. Brown, seconded by James Brophy, the Board determined that pursuant to N.J.A.C.13:44F- 3.1 and N.J.A.C.13:44F-3.3, administrating oxygen and other relevant respiratory tasks requiring 'hands on' patient care fall within the scope of practice of respiratory care for which a license is required . Mr. Goldman will be advised to contact the Department of Health which oversees acute care facilities to ascertain its requirements regarding EMTs. Querist Goldman will also be advised of the determination of the Board.

c. The Board reviewed Board of Respiratory Care Total revenues for Jan-Dec 2006, as informational.

IV. INFORMATIONAL/FYI

None

V. LEGISLATION AND REGULATION

None

VI. OTHER BUSINESS

None

VII. PUBLIC COMMENTS

Joseph Goss, President of the New Jersey Society for Respiratory Care attended the Public meeting. Mr. Goss stated that New Jersey Society for Respiratory Care is not a clearing house for crediting centers. He stated the New Jersey Society for Respiratory Care (NJSRC) will review submissions on a course by course basis. Mr. Goss stated that CE course accreditation by American Nurses Credentialing Center (ANCC), may be approved by New Jersey Society for Respiratory Care (NJSRC) upon submission of course materials, curricula vitae and other relevant materials.

The Board may review this matter at Sunset November, 2007.

VIII. ADJOURNMENT

There being on other business to come before the Board in Public Session, on a motion by Michael G. Brown, seconded by Jeffrey Brozoski the Board adjourned the Public Session and moved into Executive Session for the Purpose of receiving Counsel, to conduct five investigative inquiries, to review eight items of old business and two items of new business.

The Board reconvened in Public Session. The next scheduled meeting is February 6, 2007, in the Monmouth Conference Room. There being no other business to come before the Board, on a motion by James Brophy, seconded by Jeffrey Brozoski, the Board adjourned the meeting at 5 p.m.

Respectfully submitted,

Dorcas K. O'Neal
Executive Director