

**THE BOARD OF RESPIRATORY CARE  
PUBLIC SESSION MINUTES  
124 HALSEY STREET  
MONMOUTH CONFERENCE ROOM  
6th Floor  
February 6, 2007**

Final

The February 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 Tajwar Aamir, M.D.  
Robert Malovany, M.D.

Absent: None.

Also in attendance: Dorcas K. OfNeal, Executive Director; Tobey Palan, Deputy Attorney General; Maryann Sheenan, Regulatory Analyst and Bernadette Abercrombie; staff.

### **I. APPROVAL OF MINUTES**

The Board reviewed the Public Minutes of January 9, 2007. On a motion by Janet Castronovo, seconded by 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 reauthorized.

### **III. NEW BUSINESS**

a. The Board reviewed a Letter of Understanding by and between American Academy of Sleep Medicine (AASM), American Thoracic Society (ATS) and American College of Chest Physicians (ACCP), as informational.

b. The Board reviewed a letter from Michael Alberts, M.D. President of American College of Chest Physicians to Lawrence J. Epstein, M.D., immediate Past President of American Academy of Sleep Medicine advising that the American College of Chest Physicians is withdrawing its agreement and rendering the Letter of Understanding null and void, as informational.

c. The Board reviewed a letter from Mike Runge, RRT, President of the American Association for Respiratory Care to Michael Alberts expressing disappointment with recent actions of ACCP and ATS, as informational.

d. The Board reviewed a fax from Stanley W. Whetzel, Jr., from the firm of PEDLEY ZIELKE GORDINIER & PENCE, PLLC, inquiring as to how New Jersey laws addressing sentinel event and adverse event requirements in long-term care skilled nursing facilities apply to providers of ventilators and authorized DAG Palan to contact Mr. Whetzel regarding his inquiry.

#### **IV. INFORMATIONAL**

None

#### **V. LEGISLATION AND REGULATION**

a. Sunset review of the Regulations Chapter 44F State Board of Respiratory Care- Maryann Sheenan, Regulatory Analyst. The Board reviewed Subchapter 1, N.J.A.C.13:44F1.1. through N.J.A.C. 13:44F-3.3(a)of the regulations as follows:.

N.J.A.C.13:44F-1.1 - Purpose and Scope - No change.

N.J.A.C.13:44F-1.2 - Definitions -g Respiratory Careh before management insert gdiseaseh; on second line replace cardio-respiratory with gcardiac and pulmonaryh

N.J.A.C. 13:44F-3.1 - Scope of Practice

N.J.A.C 13:44F - 3.1 (a) 1- 4 - No change

N.J.A.C.(a) 5 - replace respiratory with gpulmonaryh

N.J.A.C.13:44F-3.1.(a) 6-10 - No change

N.J.A.C.13:44F-3.1 (a) 11, delete comma and insert gmaintenance of peripheral arterial and venous catheters.h

N.J.A.C.13:44F-3.1(a) (12)iii - delete

N.J.A.C.14:44F3.1(a) (13)- No change

N.J.A.C.13:44F- 3.1 (b) (c), (d) - No change

N.J.A.C.13:44F-3.2 Practice by Trainees

N.J.A.C.13:44F-3.2 (a) and (b) - No change

N.J.A.C.13:443.3 (a) Delegation by a Respiratory Care Practitioner to unlicensed persons -No change

Start at N.J.A.C.13:44F3.3 (b).

This matter was reagendaized for the continued review for Sunset at the next meeting.

b. The Board reviewed the Legislative Affairs Report as informational.

c. the Board reviewed SENATE, No. 2473 (S - 2473) authorizes court to waive license revocation process for certain child support obligors. On a motion by James Brophy seconded by Michael G. Brown, the Board unanimously supports the bill.

d. The Board reviewed ASSEMBLY, No. 3899 (A - 3899 ) clarifies time by which public bodies are required to make minutes of meetings available to the public. On a motion by Jeffrey Brozoski, seconded by Janet Castronovo, the Board unanimously supports the bill.

#### **VI. OTHER BUSINESS**

a. The Board reviewed Board of Respiratory Care Total Revenue for January, 2006 - December 31, 2006, as informational.

## VII. PUBLIC COMMENTS

None

There being no other business to come before the Board in Public Session, on a motion by James Brophy, seconded by Jeffrey Brozski, the Board adjourned the Public Session and moved into Executive Session for the purpose of receiving counsel, to conduct one investigative inquiry, to review eight items of old business and two items of new business.

The Board reconvened in Public Session. The next scheduled meeting is March 6, 2007, in the Somerset Conference Room. There being no other business to come before the Board, on a motion by Jeffrey Brozski, seconded by Dr. Robert Malovany, the Board adjourned the Public meeting at 3:00 p.m.

Respectfully submitted,

Dorcas K. O'Neal  
Executive Director

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