



**CHRIS CHRISTIE**  
Governor

**KIM GUADAGNO**  
Lt. Governor

## New Jersey Office of the Attorney General

Division of Consumer Affairs  
State Board of Respiratory Care  
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Director

### **BOARD OF RESPIRATORY CARE PUBLIC SESSION MINUTES**

### **SOMERSET CONFERENCE ROOM, 6<sup>th</sup> Floor**

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February 7, 2012

The February meeting of the New Jersey State Board of Respiratory Care was convened in accordance with its notice to the Lieutenant Governor, 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:** Christopher Lange  
Michael G. Brown  
Kenneth Capek  
James Brophy  
Janet Castronovo  
Robert Malovany. MD.

**ABSENT:** Philip Freeman

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

**Public attendance:** Joseph Goss, RRT and Jodie Schock.

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

The Board reviewed the Public Session Minutes of January 3, 2012. **On a motion by James Brophy, seconded by Michael G. Brown, the Board unanimously approved the Public Session Minutes as corrected.**

#### **II. OLD BUSINESS/REAGENDIZED**

- a. **CONTINUING EDUCATION-** (Submitted by Chairman Capek, for Board review). The Board discussed and clarified the following draft forms of application requirement.

i. Application for Performance Based Competency Assessment (PBCA)

**Pursuant to *N.J.A.C. 13:44F-10.2A(a)3*, the director of respiratory care shall submit an application for Board approval of the PBCA at least 60 days prior to the administration of the PBCA. The PBCA shall include only clinical respiratory procedures within the scope of practice of the health care faculty's department of respiratory care.**

ii. CERTIFICATE OF PERFORMANCE

**Pursuant to *N.J.A.C. 13:44F-10.2A(a)5*, A PBCA shall be at least one instructional hour in length which represent a 60 minute clock hour with no less that 50 minutes of material presentation procedures, demonstration and examination content within the hour. One Continuing Education credit shall be awarded for each Board approved PBCA to a maximum of six credits per biennial period.**

iii. PBCA EVALUATION

**The Evaluation form to be used by licensees.**

**On a motion by Janet Castronovo, seconded by Christopher Lange, the Board approved the PBCA forms as clarified and amended.**

**NOTE: Chairman Capek, appointed Michael G. Brown and Christopher Lange to the PBCA Committee.**

- b. **I/M/O JIE LIU-** The Board reviewed a fax from Ms. Liu, inquiring as to whether her Bachelor's degree would satisfy the 30 CEU's requirement for the cycle ending March 31, 2012.

**Board Member Brophy, advised the Board that he reviewed a copy of the official Boise State University transcript and course descriptions. The Board does not accept degree only courses. However, Ms. Liu met the criteria pursuant to *N.J.A.C. 13:44F-10.2(a)3*, as she obtained 42 CEU's, of which thirty can be applied to the biennial period, ending March 31, 2012.**

**On a motion by Michael G. Brown, seconded by Janet Castronovo, the Board approved the thirty CEU's for the cycle ending March 31, 2012.**

### **III. NEW BUSINESS**

- a. The Board reviewed a letter from Alan C. Bowman, RRT, Vice-President & Director, Bowman Home Medical & Respiratory Services, LLC., advising that truck drivers are setting up oxygen on patients. **On a motion by James Brophy, seconded by Michel G. Brown, the Board determined that a letter be sent to**

**Mr. Bowman along with a copy of the DME regulations, advising that if he is aware of any violations or has any information, he may file a complaint with the Board. Also, the Board handles such matters on a case by case basis.**

#### **IV. INFORMATIONAL/FYI**

None.

#### **V. LEGISLATION AND PROPOSED REGULATIONS**

- a. The Board reviewed Assembly, No. 690 - Exempts individuals with certain types of military service from certain professional and occupational fees and continuing education requirements. **On a motion by Dr. Robert Malovany, seconded by James Brophy, the Board supports of the waiver of fees, with the stipulation that the Continuing Education Credits be made up at a later date, consistent with N.J.A.C. 13:44F-10.4(a).**

#### **VI. PUBLIC COMMENT**

None

#### **VII. OTHER BUSINESS**

There being no other business to come before the Board in Public Session, on a motion by James Brophy, seconded by Christopher Lange, the meeting was adjourned and the Board convened to Executive Session for the purpose of receiving counsel, to conduct three investigative inquiries to review three matters of old business, one matter of new business and one application.

The Board reconvened in Public Session. The following disciplinary action is being reported in Public Session.

- a. **I/M/O SANTHIYAPILLAI COLLINS-** Signed Consent Order of Reprimand dated January 6, 2012. Respondent was terminated by Hunterdon Healthcare, in Flemington, New Jersey, for not following hospital clinical procedures necessary to ensure proper patient care.

The next scheduled meeting is March 6, 2012. There being no other business to come before the Board, on a motion by Janet Castronovo, seconded by Christopher Lange, the Board adjourned the meeting at 4:30 p.m.

***Respectfully submitted,***

Dorcas K. O'Neal  
Executive Director





