

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

FINAL

The March 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:

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

Absent: Robert Malovany, M.D. Tajwar Aamir, 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 February 6, 2007. On a motion by James Brophy, seconded by Jeffrey Brozoski, 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 Requirements (CRCE) was reauthorized.

## **III. NEW BUSINESS**

a. Draft Notification to licensees regarding publication of the CE regulation and amendments in the March 5, 2007, New Jersey Registrar.

The Board reviewed and approved the draft notice of the Continuing Education Requirement and Question and Answers. Notification will be mailed to all licensees and the law will be posted on the Board of Respiratory website.

b. The Board reviewed an e-mail from Albert Gutmaker inquiring as to whether OJT together with having passed the CRTT and RRT would make him eligible for licensure in New Jersey. On a motion by James Brophy, seconded by Jeffrey Brozoski, the Board determined to waive the education requirement provided that his license is in good standing in Pennsylvania. Mr. Gutmaker will be so advised and an application will be mailed to him.

## **IV. INFORMATIONAL/FYI**

None.

## **V. LEGISLATION ANF REGULATION**

a. Sunset review of the Regulations N.J.A.C.13:44F (start at N.J.A.C.13:44F3.3 (b) )

Reagendized.

b. The Board reviewed SENATE Bill No 2534 which requires licensed health care professionals and facilities to bill Medicare Beneficiaries within six months of providing health care service and took no position.

c. The Board reviewed ASSEMBLY Bill No 4044 - "New Jersey Health information technology promotion Act" which establishes New Jersey Health information Technology Commission and provides for Statewide Health information technology plan and took no position.

## **VI. OTHER BUSINESS**

a. The Board reviewed the Division of Law Billing for the second quarter of Fiscal Year 2007, as informational.

## **VII. PUBLIC COMMENTS**

None.

## **VIII. ADJOURNMENT**

There being no 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 two investigative inquiries to review nine items of old business, one application and one item of other business.

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

### **DISCIPLINARY ACTION TAKEN:**

a. I/M/O ANDREW E. SZANTO -Consent Order filed February 7, 2007. Respondent cited for diverting Fentanyl from patient C.S. in the pediatric unit at Monmouth Medical Center, Long Branch, New Jersey, on or about January 19, 2007. Respondent's 2006 to 2008 biennial renewal license to practice respiratory care in the State of New Jersey was delivered to the Board.

A Consent Order was entered with conditions prior to any application for reinstatement. "Respondent shall appear before the Board or a committee thereof subsequent to the entry of this Order to discuss his readiness to reenter the practice of respiratory care, provide the Board with evidence that he is capable of discharging the functions of a licensee in a manner consistent with the public's health, safety and welfare and that he is not then suffering from any impairment of limitation resulting from the use of alcohol or C.D.S. which could affect his practice of respiratory care and provide the Board with reports from each and every mental health professional (including but not limited to: psychologists, counselors, therapists and psychiatrists) who have participated in respondent's care."

The next scheduled meeting is April 3, 2007, in the Somerset Conference Room. There being no other business to come before the Board, on a motion by Jeffrey Brozoski, seconded by Janet Castronovo, the Board adjourned in Public meeting at 3:30 p.m.

Respectfully submitted,

Dorcas K. O'Neal

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