

**THE STATE BOARD OF RESPIRATORY CARE  
SOMERSET CONFERENCE ROOM  
6TH FLOOR  
PUBLIC SESSION MINUTES  
March 7, 2006 10:00 A.M.**

The March meeting of the 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 Acts.

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

**ABSENT:** Mayor Harry Zikas  
Dr. Tajwar Aamir  
Dr. Robert Malovany

Also in attendance: Dorcas K. OfNeal, Executive Director; Tobey Palan, Deputy Attorney General; Monica Carrington and Bernadette Abercrombie, Staff.

Public Attendance: Joseph Goss, President of the New Jersey Society for Respiratory Care.

#### 1. APPROVAL OF MINUTES

The Board reviewed the Public Minutes for February 7, 2006, amendments were made as follows: page 2, section III (b) line 6, replace gdoeh with gdoesh. Add N.J.A.C. 13:44F-3.3 (g) to the response on page 2, item III, section c, line 3; (g)

On a motion by Jeffrey Borzoski seconded by James Brophy, the Board unanimously accepted the Public Session Minutes as amended.

#### II. OLD BUSINESS

NONE.

#### III. NEW BUSINESS

- a. The Board reviewed Respiratory Care total Revenues for January, 2005 - December 31, 2005, as informational.
- b. The Board reviewed a letter from Leslie R. Jones, Esq., representing a client from a disease management company with operations in New Jersey. Inquiring as to whether educators who are licensed in another State, also employed by the company solely to provide education to its licensed respiratory therapists in New Jersey, required to be licensed to provide such training and monitoring. On a motion by Jeffrey Brozoski seconded by James Brophy, the Board determined that based on the limited facts presented, a license is required to practice respiratory care in the State of New Jersey. The NBRC entry level exam is a criteria. However, licensure is not required for educators who monitor and educate licensed respiratory care therapists, who are not providing direct patient care. Mr. Jones, Esq. will so advised, a copy of the statutes and regulations will also be provided.
- c. The Board reviewed Division of Law Billing for the second quarter of Fiscal Year 2006, as informational.

#### IV. INFORMATIONAL

a. The Board reviewed a letter from Cheryl A. West, MHA, Director of Government Affairs for American Association for Respiratory Care regarding State Licensure Contacts, as informational.

## V. LEGISLATION AND REGULATIONS

a. The Board reviewed SENATE BILL No. 1276 - Revised procedures for suspension or revocation of licenses for overdue child support. (Introduced February 6, 2006) On a motion by Jeffrey Brozoski seconded by Janet Castronovo, the Board agreed to support the Bill.

In favor: James Brophy, Jeffrey Brozoski, Janet Castronovo and Michael G. Brown.

Abstained: Kenneth Capek

b. The Board reviewed SENATE BILL No. 1930 - Revised procedures for suspension or revocation of license for overdue child support. (Introduced October 14, 2004) as informational.

c. EXTERNSHIP - Chairman Capek proposed an externship be added to the requirements for licensure. The ED advised that the statutes would have to be amended and there is a cost. She recommended that schools look at expanding the clinical portion of the curriculum. Mr. Goss agreed stating that the NJSRC does not have the finances wherewithal, but that there are advisory councils at each school that could look at expanding the clinical portion of the curriculum. Mr. Goss stated that there five schools in New Jersey with a respiratory program: Bergen Community College, N.W. Consorcian, New Jersey , UMDNJ (North),

UMDNJ (South) and Brookdale Community College.

d. Continuing Education Sponsors - New Continuing Education Sponsors requirements (American Association for Respiratory Care (AARC) and New Jersey Society for Respiratory Care (NJSRC) approved) were recommended by the Board. Independent CE sponsors are to apply to New Jersey Society for approval of CE courses.

## VI. PUBLIC COMMENTS

Mr. Goss, President of the New Jersey Society for Respiratory Care (NJSRC) attended the Public meeting. Mr. Goss agreed that an externship should be added to the requirements for licensure. He stated that the NJSRC does not have the finances wherewithal, but that there are advisory councils at each school that could look at expanding the clinical portion of the curriculum.

There being no other business to come before the Board in Public Session, on a motion made by Jeffrey Brozoski seconded by Michael G. Brown, the Public Session was adjourned and the Board convened in Executive Session for the purpose of receiving counsel, to review six items of old business, one item of new business and one application review.

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

## DISCIPLINARY ACTION

I/M/O MICHAEL SETTANI - Violation of paragraph #8 of the April 29, 2004 Consent Order, for failing to notify a responsible official at his place of employment when he began working at Columbus Hospital in February 2005. Consent Order signed and filed March 8, 2006.

Respondent shall cease and desist from violating paragraph #8 of the April 29, 2004 Consent Order and shall comply in all respects with the Order. Mr. Settani was assessed and paid penalty of \$250.00, on March 9, 2006 for violation of N.J.S.A. 45:1-25.

The next scheduled meeting is April 4, 2006. 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 4:00 p.m.

Respectfully submitted,

Dorcas K. OfNeal  
Executive Director

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