

**BOARD OF RESPIRATORY CARE  
PUBLIC SESSION MINUTES  
HUDSON CONFERENCE ROOM,  
6th Floor  
March 10, 2009**

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 Meetings Act.

Chairman, Capek convened the meeting at 10:15 a.m. A roll call was taken and the following attendance was recorded for these minutes.

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

ABSENT: Robert Malovany, M.D.

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

Public attendance: None.

#### I. APPROVAL OF MINUTES

The Board reviewed the Public Session Minutes of February 3, 2009. On a motion by James Brophy, seconded by Michael G. Brown, the Board unanimously approved the Public Session Minutes as redacted.

#### II. OLD BUSINESS

a. I/M/O Life Support Technologies, Inc.- DAG, Palan, advised the Board that if Mr. James Karaman, of Virtua West Jersey Hospital, Berlin, New Jersey, does not respond within ten days of today's date then an updated letter be sent. Reagendized.

#### III. NEW BUSINESS

a. The Board reviewed Division of Law Billing for the 2nd Quarter of Fiscal Year 2009, as informational.

b The Board reviewed FY2009 Budget Report (1st Half), as informational.

c. The Board reviewed Respiratory Care Total Revenues for January 1, 2008 - December 31, 2008, as informational.

d. The Board reviewed Respiratory Care Total Revenues for January 2009, as informational.

e. The Board reviewed a letter from Larry W. Goldman, B.S. RRT, from Respiratory Health Services, inquiring as to whether the Board would provide his company with a position statement relative to hiring and training respiratory aides in the changing of all respiratory related disposable supplies. The Board determined that pursuant to the current law, an unlicensed individual must comply with, N.J.A.C. 13:44F - 3.3- (b) and (d), Delegation by a respiratory care practitioner to unlicensed persons.

On a motion by Jeffrey Brozoski, seconded by Michael G. Brown, the Board directed that a letter along

with a copy of the regulations be sent to Querist. The Board also authorized, DAG, Palan to call Mr. Goldman regarding his inquiry.

f. The Board reviewed a request by Chairman Capek to speak at Bergen Community College on licensure. A discussion was held on the most commonly asked questions regarding licensure for a new graduate. On a motion by Jeffrey Brozoski, seconded by James Brophy, the Board approved attendance for Chairman Capek to speak at Bergen Community College on licensure.

#### IV. INFORMATIONAL/FYI

a. The Board reviewed a letter from Mr. Brophy to Northwest Commission on Colleges and Universities, inquiring as to any accreditation information on California College Inc., D/B/A Independence University. Executive Director, O'Neal, advised the Board that the school offers an online program and it is accredited by the Distance Education & Training Council.

#### V. LEGISLATION/REGULATIONS

a. The Board reviewed Assembly, No. 3765, which establishes an 18 month moratorium on promulgation new administrative rules and issuance of new policy circular letters by State agencies. On a motion by Jeffrey Brozoski, seconded by Michael G. Brown, the unanimously opposed Assembly No. 3765, because it inhibits the promulgation of new regulations for the protection of the public.

#### VI. OTHER BUSINESS

None.

#### VII. CONTINUING EDUCATION CREDIT REVIEW

#### VIII. PUBLIC COMMENTS

None.

#### IX. ADJOURNMENT

There being no other business to come before the Board in Public Session, on a motion by James Brophy, seconded by Jeffrey Brozoski, the meeting was adjourned and the Board convened into Executive Session for the purpose of receiving counsel, to review five items of old business and to review one application.

The Board reconvened in public Session. The next scheduled meeting of April 7, 2009, will be cancelled. The next meeting will be held May 5, 2009. There being no other business to come before the Board, on a motion by James Brophy, seconded by Janet Castronovo, the Board adjourned the meeting at 1:00 p.m.

Respectfully submitted,

Dorcas K. O'Neal  
Executive Director