



State Board of Respiratory Care

November 12, 2002
(Final)

The November 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 Act.

Chairman Kenneth Capek convened the meeting at 10:00 a.m. A roll call was taken and the following attendance was recorded for these minutes:

Present:

Janet Castronovo Jeffrey Brozowski
Kenneth Capek John Kalynovych
Dr. Robert Malovany James Brophy

Absent: None

Also in Attendance: Dorcas K. O' Neal, Executive Director; Joyce Brown, DAG, Toby Palan, DAG, Dion McCutcheon, Staff

Public Attendees: Joseph Goss, New Jersey Society for Respiratory Care (NJSRC)

I. RATIFICATION OF MINUTES-September 10, 2002

The Board reviewed the Public Minutes approved in Committee on September 10, 2002. *On a motion by James Brophy, seconded by Janet Castronovo, the minutes were unanimously approved and ratified.*

II APPROVAL OF PUBLIC SESSION MINUTES - October 01, 2002

The Board reviewed the Public Session Minutes for October 01, 2002. Redactions were made as follow:

Page 2, Section II, first paragraph, line 5, the minutes were reacted to replace "*respiratory therapists*" with "*polysomnographic technologists*".

On a motion by James Brophy, seconded by Jeffrey Brozowski, the Board unanimously approved the minutes as redacted.

III. ELECTION OF OFFICERS

Executive Director, O' Neal opened the floor for nominations for the office of Chairman. Janet Castronovo nominated

Kenneth Capek. The nomination was seconded by Jeffrey Brozoski. There being no other nominations from the floor, the nominations were closed and a vote was taken. **The Board unanimously re-elected Kenneth Capek as Chairman.**

Chairman Kenneth Capek opened the floor for nominations for the office of Vice-Chairman. Janet Castronovo nominated Jeffrey Brozoski. The nomination was seconded by John Kalynovych. There being no other nominations from the floor, the nominations were closed and Chairman Capek called for a vote. **The Board unanimously re-elected Jeffrey Brozoski as Vice-Chairman.**

IV OLD BUSINESS/REAGENDIZED

A. Notice to Polysomnographic Technologists (PSGT'S)

David Goss presented and read a letter from David Gorley, President of the New Jersey Society of Respiratory Care. The Board accepted the letter as an update of the Society's efforts to sponsor legislature.

B. Gary D. Hightower (PFT), of Magnolia, NJ responded to a letter sent by the Board which provided a listing of institutions in New Jersey that offer a respiratory care program and suggested that he contact the New Jersey Society of Respiratory Care for additional assistance. Mr. Hightower had received the Board notice sent to all pulmonary function technologists in New Jersey, Pennsylvania and New York advising that licensure as a respiratory therapist must be obtained by September 1, 2005. He indicated that continuing education courses are offered for pulmonary function technologists and that there are schools that offer a degree program for pulmonary function technologists. He requested that the Board consider these facts as opposed to requiring licensure as a respiratory therapist for pulmonary function technologists. He enclosed information regarding the programs. The Board offered no further comment on the matter.

V. NEW BUSINESS

A. NBRC Visit Formal and Informal Highlights - Chairman Kenneth Capek The Board reviewed the NBRC Visit Formal and Informal Highlights provided by Chairman Kenneth Capek as informational.

B. Proposed Meeting Dates for Calendar Year 2003

The Board reviewed the proposed meeting dates for year 2003. **On a motion by James Brophy, seconded by Dr. Robert Malovany, the proposed meeting dates for the Calendar Year 2003 were approved by the Board.**

C. Ann M. Lavares, of Hillside, NJ

Ms. Lavares sent a letter inquiring as to whether equipment technicians with documented competencies in the use of CPAP/BIPAP home equipment may deliver and set-up in patient homes. The Board determined that pursuant to N.J.A.C.. 13: 44F-3.3(b)5(i), an equipment technician may deliver but shall not setup C-PAP/ Bi-PAP equipment as both are considered life support systems.

D. Chairman Capek submitted a letter from Robert B. Sigler, Director of Respiratory Care at Pascack Valley Hospital, regarding the issue of polysomnographic technologists. The Deputy Attorney General recommended that such correspondence be sent directly to the Board office. The letter was accepted as informational.

VI INFORMATIONAL/FYI

A. The Board reviewed the Press Release from the Board of Registered Polysomnographic Technologists as informational.

B. The Board reviewed the NPDB-HIPDB Data bank News, November 2002 as informational.

VII LEGISLATION AND REGULATIONS

A. SENATE BILL NO. 1977- The Board reviewed Senate Bill No. 1977 which provides that a licensed health care provider will be subject to fine, suspension, or revocation of licensure by the provider's licensing Board if the provider's expert testimony in court or by affidavit, pursuant to PL.1995c.139 (C.2A:53A26 et seq) on professional negligence does not conform to currently recognized protocols or currently accepted medical standards or varies substantially from that individual's testimony as to the same protocols in other cases. The bill also provides that the health care provider must be licensed in the State to provide that testimony or execute the affidavit. The Board concurs with the bill with the proviso that respiratory therapists be included at line 24, under definition of "Health Care Provider." *On a motion by John Kalynovych, seconded by Jeffrey Brozski, the Board unanimously approved the bill with the proviso of including respiratory therapists at line 24, under definition of Health Care Provider.*

VIII. OTHER BUSINESS

There was no other business

IX DISCIPLINARY ACTION

There was no disciplinary action taken.

There being no other business to come before the Board in Public Session, on a motion by Janet Castronovo, seconded by John Kalynovych, the Public Session was adjourned, and the Board convened in Executive Session for the purpose of receiving counsel, to review eight ongoing matters and review one item of new business.

The Board reconvened in Public Session. The next scheduled meeting will be held December 03, 2002. There being no other business to come before the Board, on a motion by Jeffrey Brozski, seconded by John Kalynovych, the meeting was adjourned at 1:30p.m.

Respectfully submitted;
Board of Respiratory Care

Dorcas K. O' Neal
Executive Director

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Posted February 2003