

**THE STATE BOARD OF RESPIRATORY CARE  
MONMOUTH CONFERENCE ROOM  
7TH FLOOR  
PUBLIC SESSION MINUTES  
December 13, 2005**

The December 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 provision 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:**

Kenneth Capek Jeffrey Brozowski  
James Brophy John Kalynovych  
Janet Castronovo Dr. Tajwar Aamir

**ABSENT:** Dr. Robert Malovany Harry Zikas

Also in attendance: Dorcas K. O'Neal, Executive Director, Tobey Palan, Deputy Attorney; General; Susan Gartland, Managing Executive Director; Monica Carrington, Bernadette Abercrombie; Staff.

**PUBLIC ATTENDEES:** None.

**I. APPROVAL OF PUBLIC SESSION MINUTES**

The Board reviewed the Public Minutes of November 1, 2005. Amendments were made as follow: Page 2, Section III a, fourth paragraph third and fourth lines insert licensed in front of health and PFT's" end of fourth line. On a motion by James Brophy, seconded by Jeffrey Brozowski, the Board unanimously approved the Public Session Minutes as amended.

**II. OLD BUSINESS**

The Board reviewed a Memorandum from Anthony Miragliotta, Deputy Director; regarding New Jersey Professional Responsibility and Reporting Enhancement Act as informational.

**III. NEW BUSINESS**

a. The Board reviewed a letter from John D. Hiser, MED., RRT, FAARC; President of the American Association for Respiratory Care (AARC) send to Senator Singer urging him and his colleagues to vote against the pending Polysomnographic licensure legislation, SB2279 and AB-2621, as informational.

b. The Board reviewed a letter from John D. Hiser, MED., RRT, FAARC; President of the American Association for Respiratory Care. (AARC) to acting Governor Richard Codey urging that he veto AB - 2621 and SB - 2279 and not enact this legislation, as proposed in the assurances to NJSRC, are not specified in the bill, as informational.

c. I/M/O ROY R. PETKOVYAT - Submitted a letter requesting that the Board consider a grandfathering clause for Continuing Education for respiratory therapist registered before licensure became law. A letter of acknowledgment will be sent to Mr. Petkovyat also advising him that CEU's are now required.

d. The Board reviewed monthly revenues for October and November 2005, as informational.

e. The Board reviewed the Division of Law Billing - Bill for the first quarter of Fiscal year 2006, as informational.

f. The Board reviewed a memorandum from Darlene Kane, Budget Officer; advising that a change in fee is not anticipated for this biennial cycle 2006-2008.

#### **IV. INFORMATIONAL (FYI)**

a. The Board reviewed an article on Values Matter - "Decision making is more than choosing between right and wrong." by Dayton Fandray (Ethics), as informational.

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

a. The Board reviewed N.J.A.C.13:44F 5.1 Temporary License - On a motion bade by Jeffrey Brozoski seconded by James Brophy the Board unanimously accepted the amended regulations.

b. The Board reviewed Proposed New Rules - Prefatory Language and Amended Rules - Continuing Education N.J.A.C.13:44F - 10.1 through 10.4 - Inactive and Active reinstatement proposal: Authority: N.J.S.A. 45:E-7, N.J.S.A. 45:14E-14, 45:1-7.1 and 7.2. On a motion by James Brophy seconded by Jeffrey Brozoski the Board unanimously approved the Prefatory Language and Amended Rules, to be sent to the Department of Law.

#### **VI. OTHER BUSINESS**

NONE.

#### **VII. PUBLIC COMMENTS**

NONE.

There being no other business to come before the Board in Public Session, on a motion made by James Brophy seconded by Janet Castronovo the Public Session was adjourned and the Board convened in Executive Session for the purpose of receiving counsel, to hold one Investigative Inquiry, to review seven items of old business, and three items of new business.

The Board reconvened in Public Session at 1:25 P.M.

The next scheduled meeting for January 3, 2006, is cancelled and has been tentatively rescheduled for January 10, 2006. There being no other business to come before the Board, on a motion by Jeffrey Brozoski seconded by James Brophy the meeting was adjourned at 1:30 P.M.

Respectfully Submitted

Dorcas K. O'Neal  
Executive Director