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BOARD OF RESPIRATORY CARE PUBLIC SESSION MINUTES

SOMERSET CONFERENCE ROOM, 6th Floor

April 6, 2010
FINAL

The April 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: Kenneth Capek Robert Malovany, M.D.
 Michael G. Brown Christopher Lange
 Janet Castronovo

ABSENT: James Brophy
 Philip Freeman
 Dorcas K. O'Neal, Executive Director

Also in attendance: Tobey Palan, Deputy Attorney and Bernadette Augustus, staff.

Public attendance: None.

I. APPROVAL OF MINUTES

The Board reviewed the **Public Session Minutes of March 2, 2010**. **On a motion by** Michael G. Brown, seconded by Christopher Lange, the Board unanimously approved the Public Session Minutes as amended.

II. OLD BUSINESS/REAGENDIZED

None.

III. NEW BUSINESS

- a. The Board reviewed a fax from Andre Sirgo, RRT, RN BSN, inquiring as to whether it is within the scope of practice for Respiratory Practitioners to administer aerosolized morphine prescribed by a pulmonologist or anesthetist to manage patients on continuous ventilation. On a motion by Michael G. Brown, seconded by Christopher Lange, the Board determined that it falls within the scope of practice of a respiratory practitioner, pursuant to a doctor's order and in accordance with hospital policy.
- b. The Board reviewed an invitation from John Rutkowski, Program Director, UMDNJ for Chairman Capek, to visit the respiratory care programs' graduating students to discuss licensure issues. On a motion by Michael G. Brown, seconded by Janet Castronovo, the Board unanimously approved Chairman Capek, to visit the respiratory care programs' graduating students to discuss licensure issues.
- c. The Board reviewed Respiratory Care Total Revenues for January 1, 2009 to December 31, 2009, as informational.
- d. The Board reviewed Respiratory Care Total Revenues for February, 2010, as informational.
- e. The Board reviewed Board or Respiratory Care Division of Law Billing for the 2nd quarter of Fiscal Year 2010, as informational.
- f. The Board reviewed an e-mail from Sreedhar Chinnapidi, inquiring as to whether he is eligible to apply for a license to practice respiratory care in New Jersey, with his present status. On a motion by Janet Castronovo, seconded by Christopher Lange, the Board determined that based on the limited facts presented the Board authorized DAG Palan to call Mr. Chinnapidi to get more information.

At a break during the Board meeting, DAG Palan spoke to Mr. Chinnapidi, who informed her that he has a H4 visa and is not authorized to work in the U.S., but would still like to apply for a respiratory Care practitioner license to work as a volunteer in non-profit hospitals or colleges. DAG Palan informed Mr. Chinnapidi that, therefore, he cannot apply for a respiratory care practitioner license since he is ineligible to work in the U.S. at this time.

- g. The Board reviewed an anonymous letter from Kessler Inst. Of Rehab, inquiring as to whether respiratory therapists can intubate without being certified; asking what is the guideline for intubation re-certification; whether new doctor orders are required before a therapist can placed a patient on a ventilator. On a motion by

Michael G. Brown, seconded by Christopher Lange, the Board determined it cannot respond to the anonymous letter regarding clinical practices because there is no phone number or address listed. However, the Board stated those questions regarding ventilation settings/management, and transportation orders do not fall under Board jurisdiction and is covered by each individual hospital's policies. Intubation falls under the scope of practice of respiratory care but must also be done in accordance hospital policy.

IV. INFORMATIONAL/FYI

None.

VI. LEGISLATION/REGULATIONS

- a. The Board reviewed a letter from New Jersey Foundation for Aging, regarding professionals licensed by 18 professional board are now legally responsible to report abuse, neglect and exploitation of vulnerable adults.

A 3691, Mandatory Adult Protective Services (APS) Reporting, identifies professionals and their licensing boards (including all New Jersey respiratory therapists) that are mandated to report the abuse or neglect of vulnerable adults who are over 18 years old.

The Board reviewed this matter as informational and acknowledge that all health care professionals are required to adhere to Mandatory Adult Protective Services (APS). The DAG will attempt to have the new law placed on the Board's website.

VII. APPLICATION REVIEW

- a. I/M/O LISA SZYMANSKI - The Board reviewed a letter from Ms. Szymanski, requesting an extension in order to complete the requisite CEU's for reinstatement of her license. On a motion by Janet Castronovo, seconded by Michael G. Brown, the Board unanimously granted an extension to May 31, 2010, based upon her specific circumstances.
- b. I/M/O LESLIE FELDMAN - The Board reviewed a letter from Ms. Feldman, requesting an extension in order to complete the requisite CEU's for reinstatement of her license. On a motion by Janet Castronove, seconded by Michael G. Brown, the Board unanimously granted an extension to June 15, 2010, based upon her specific circumstances.

VII. PUBLIC COMMENTS

None.

VIII. OTHER BUSINESS

- a. The Board reviewed CEU's submitted by licensees who at the time at the biennial renewal, 2010-2012, answered "no" to the question on completing the required continuing education courses. It was addressed by the Board, appropriate letters will be sent out to licensees who are deficient in their CEU's.

There being no other business to come before the Board in Public Session, on a motion by Janet Castronovo, seconded by Michael G. Brown, the meeting was adjourned and the Board moved into Executive Session for the purpose of receiving counsel, to conduct one investigative inquiry to review seven items of old business.

The Board reconvened in public Session. The following disciplinary action is being reported in Public Session.

DISCIPLINARY ACTION

- a. I/M/O VINCENT DeFELICE - Filed Consent Order dated March 15, 2010. On September 25, 2009, Respondent failed to respond to a “rapid response” at Shore Memorial Hospital in New Jersey and left the hospital during his work shift without notifying his supervisor.

Respondent, Vincent DeFelice’s license to practice respiratory care in the State of New Jersey shall be and hereby is surrendered and he shall cease and desist from the practice of respiratory care effective immediately.

The next scheduled meeting is May 4, 2010. There being no other business to come before the Board, on a motion by Michael G. Brown, seconded by Janet Castronovo, the Board adjourned the meeting at 3:00 p.m.

Respectfully submitted,

Dorcas K. O’Neal
Executive Director

