

**COMMONWEALTH OF MASSACHUSETTS**

**BOARD OF RESPIRATORY CARE**

**THIS AGENDA CONSTITUTES NOTICE OF THE REGULARLY SCHEDULED MEETING OF THE  
BOARD OF RESPIRATORY CARE  
IN COMPLIANCE WITH THE OPEN MEETING LAW, M.G.L. c. 30A, § 20**

**Tuesday, April 18, 2017  
1:00 p.m.**

**239 Causeway Street ~ 4<sup>th</sup> Floor ~ Room 418  
Boston, Massachusetts 02114**

**Agenda**

<b>Time</b>	<b>Item #</b>	<b>Item</b>	<b>Exhibits</b>	<b>Staff Contact</b>
<b>1:00 p.m.</b>	<b>I</b>	<b>Call to Order Determination of Quorum Notice of electronic recording</b>		
	<b>II</b>	<b>Approval of Agenda &amp; Conflict of Interest</b>	Draft Agenda	Chair
	<b>III</b>	<b>Approval of Minutes</b> A. March 21, 2017 Board Meeting	Draft Minutes	Chair
	<b>IV</b>	<b>GMC Review for Renewal</b> A. Daljit Singh, RT9887	Memo	PB
	<b>VII</b>	<b>Flex Session</b> A. Announcements 1- Conflict of Interest Training B. Topics for next agenda	Verbal	Chair

2:00 p.m.	VII	<p><b>Executive Session (Roll call vote): N/A</b></p> <p>The Board will meet in Executive Session as authorized pursuant to M.G.L. c.30A, § 21(a)(1) for the purpose of discussing the reputation, character, physical condition or mental health, rather than professional competence, individuals, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual.</p> <ol style="list-style-type: none"> <li>1. Specifically, the Board will discuss and evaluate the <u>Good Moral Character</u> provisions of certain applications as required for registration for pending applicants.</li> <li>2. In addition, the Board will discuss and evaluate the reputation, character, physical condition or mental health, rather than professional competence, of licensee(s) relevant to their petitions for license status change.</li> <li>3. In addition, the Board will consider approval of prior executive session minutes in accordance with M.G.L. c.30A, § 22(f) for sessions held during for previous executive sessions of the Board.</li> </ol> <p><b>The Board will not reconvene in open session subsequent to the executive session.</b></p>	Closed Session	Chair
3:00 p.m.	VIII	<p><b>Adjournment-next Board meeting scheduled for May 16, 2017</b></p>		

COMMONWEALTH OF MASSACHUSETTS  
BOARD OF RESPIRATORY CARE  
**BOARD MEETING**

Tuesday, April 18, 2017

239 Causeway Street  
Room 418  
Boston, MA 02114

**MINUTES**

Board Members Present: Paul Nuccio, RT, Respiratory Therapist 1  
Phillip Bort, Consumer 2  
Jordan Sage Rettig, M.D., Physician 1  
Martha DeSilva, RT, Respiratory Therapist 2

Staff Present: Roberlyne Cherfils, Executive Director, Multi-Boards, BHPL  
Philip Beattie, Deputy Executive Director, Multi-Boards, BHPL  
Mary Strachan, Board Counsel, Office of the General Counsel, DPH  
Anson Chu, Office Support Specialist, Multi-Boards, BHPL

Guests: Stephen Nelson  
Holly Saurman

I. Call to Order - Determination of Quorum

A quorum of the Board was present. Mr. Nuccio, Board Chair, called the meeting to order at 1:10 p.m.

II. Review of the Agenda & Conflict of Interest

The meeting agenda was reviewed.

DISCUSSION: Ms. Cherfils asked the Board members to review the agenda and disclose if there are any conflicts of interest regarding the items on the agenda.

No member noted any conflict with the agenda items.

ACTION: Ms. DeSilva made a motion to approve the agenda as presented; Dr. Rettig seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Document: April 18, 2017 Board Meeting Agenda

III. Approval of Minutes

A. March 21, 2017 Regularly Scheduled Board Meeting

The minutes of the March 21, 2017 regularly scheduled board meeting were reviewed.

ACTION: Ms. DeSilva made a motion to approve minutes as presented; Mr. Bort seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Documents: March 21, 2017 Regularly Scheduled Board Meeting Minutes

IV. GMC Review for Renewal  
A. Daljit Singh, RT9887

Mr. Beattie presented the renewal status for the Board regarding this Licensee. The Licensee answered “yes” to the Good Moral Character (“GMC”) questions on the 2016 renewal Application. Mr. Beattie requested additional information from the Licensee two times. –The Licensee has yet to respond or supply the information. Mr. Beattie brings this matter to the Board for guidance as to next steps.

DISCUSSION: Mr. Nuccio asked the Board Staff why the Licensee is able to renew if there is a “yes” answer on the GMC questions. Ms. Strachan explained to the Board that if a licensee renews on line, in a timely manner, the Board cannot prevent the renewal or take a license away without a hearing. This would be a violation of due process, because the license is what allows the individual to earn a living. Mr. Bort commented that maybe after opening a complaint against this Licensee, they will respond to us.

ACTION: Mr. Bort made a motion to open a complaint against Licensee and send a certified letter informing him of the decision; Ms. DeSilva seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Document: Memo

V. Flex Session

A. Announcements

Ms. Cherfils informed the Board that they have to complete the Conflict of Interest training through the PACE website if they haven’t already. Mr. Bort said he is having trouble navigating through the website and logging in. Board staff will send him the contact person to troubleshoot the login issue.

B. Topics for next agenda

1. Mr. Nuccio mentioned to bring back the CEU related discussion on the next scheduled Board meeting as to the required/specific category such as ethics and patient safety, etc. Board members will submit a list of specific categories to Ms. Strachan so she can draft a memo/policy.

VI. Executive Session (Roll call vote)

At 1:26 p.m., Mr. Nuccio announced that the Board will meet in Executive Session as authorized pursuant to M.G.L. c. 30A, §21(a)(1) for the purpose of discussing the reputation, character, physical condition or mental health, rather than the professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. Specifically, the Board will discuss and evaluate the Good Moral Character provisions of certain applications as required for registration for pending applicants. In addition, the

Board will discuss and evaluate the reputation, character, physical condition or mental health, rather than professional competence, of licensee(s) relevant to their petitions for license status change.

Mr. Bort made a motion to enter into Executive session at 1:26 p.m.; Ms. DeSilva seconded the motion. Motion passed with Board members present and voting in favor: Mr. Bort-yes; Mr. Nuccio-yes; Dr. Rettig-yes; Ms. DeSilva-yes; Abstained: None; Opposed: None; Recused: None

The Board adjourned the Executive Session at 2:36 p.m. and resumed its Regularly Scheduled Board Meeting.

VII. Adjournment

There being no other business before the Board, Ms. DeSilva made a motion to adjourn the meeting; Dr. Rettig seconded the motion. Motion passed with Board members present and voting in favor unanimously. The meeting adjourned at 2:36 p.m.

The next meeting of the Board of Respiratory Care is scheduled for Tuesday, May 16, 2017, at 1:00 p.m. in Boston, MA.

Respectfully submitted:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Position

\_\_\_\_\_  
Date