

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, March 18, 2014
1:00 p.m.**

**239 Causeway Street ~ 4th Floor ~ Room 417
Boston, Massachusetts 02114**

Agenda

Time	Item #	Item	Exhibits	Staff Contact
1:00 p.m.	I.	Call to Order Determination of Quorum		
	II.	Approval of Agenda	Draft Agenda	
	III.	Approval of Minutes A. February 18, 2014 Board Meeting	Draft Minutes	
	IV.	Adjudicatory Session	Closed Session	
1:15 p.m.	V.	M.G.L. c. 112, § 65C Session	Closed Session	
	VI.	Executive Session (Roll call vote)	Closed Session	
	VII.	Limited Permit Applications None	None	
	VIII.	Full License Applications None	None	

	IX.	License Reactivation Applications None	None	
	X.	Staff Assignments None	None	
	XI.	A. <u>Status Update</u> : Lucien-Calixte, Sandra RT3217 (Expires 05/31/2014)	Newspaper article	MP/IH
	XII.	Scope of Practice Inquiries B. <u>Email Inquiry</u> : Administration of Sedative and Analgesic Medications by Respiratory Therapists C. <u>Email Inquiry</u> : lifting on-line CEUs restriction D. <u>Email Inquiry</u> : Does a licensee need CRT and RRT credentials reinstated before her RT license renewal?	Email Inquiries Handout	MP/IH
	XIII.	Other Business/Announcements A. Nomination and Election of Officers: Appointments of Chair and Vice-Chair B. Delegation of Authority to Executive Director, Mary Phillips C. Delegation of Authority to Executive Director, Mary Phillips a. Proposed Administrative Policy 14-01: Delegation of Signature authority b. Proposed Licensure Policy 14-02: Staff Action to Identify Individual Registration Applications requiring Good Moral Character Evaluation D. Discussion: Plan for Revising the Board Regulations	Policy 14-01 Handout Policy 14-02 Handout	VB/MP/IH
	XIV.	Flex Session A. Topics for April 15, 2014 agenda	Discussion	
3:00 p.m.	XV.	Adjournment		

COMMONWEALTH OF MASSACHUSETTS

BOARD OF RESPIRATORY CARE

BOARD MEETING

Tuesday, March 18, 2014

239 Causeway Street
Room 417
Boston, MA 02114

MINUTES

Board Members Present: Edward Burns, Respiratory Therapist 1, Board Chair
David Polanik, Respiratory Therapist 2
Sadeq Ali Quraishi, M.D., Physician 1
Annemarie Patten, R.N., Nurse

Board Members Susan Binall, Consumer 1

Not Present:

Staff Present: Mary Phillips, Executive Director, Multi-Boards, DHPL
Ichelle Herbu, Assistant Executive Director, Multi-Boards, DHPL
Anson Chu, Office Support Specialist, Multi-Boards, DHPL
Vita Berg, Chief Board Counsel, Office of the General Counsel, DPH
Marjorie Campbell, Nursing Investigator Supervisor, Office of Public Protection, DHPL
Philip Beattie, Board Investigator, Office of Public Protection, DHPL
Beth Oldmixon, Board Prosecutor, Office of the General Counsel, DPH

- I. Call to Order - Determination of Quorum
A quorum of the Board was present. Mr. Burns, Board Chair, called the meeting to order at 1:05 p.m.
- II. Approval of the Agenda
The Meeting Agenda was reviewed.

DISCUSSION: Ms. Berg informed the Board that the minutes for the February 25, 2014 Board meeting require revision. She recommends that the Board defer approval of the minutes to the next regularly scheduled Board meeting. The Adjudicatory and Executive Sessions are cancelled due to no items on the agenda.

ACTION: Mr. Polanik made a motion to approve the agenda as amended; Ms. Patten seconded the motion. The motion passed unanimously with no opposing or abstaining vote.

Document: March 18, 2014 Board Meeting Agenda

III. Approval of Minutes

A. February 25, 2014 Regularly Scheduled Board Meeting

The Minutes of the February 25, 2014 Regularly Scheduled Board Meeting were deferred.

DISCUSSION: None

ACTION: None

Document: February 25, 2013 Regularly Scheduled Board Meeting Minutes

IV. Adjudicatory Session

The Board deferred the Section Adjudicatory Session for the next scheduled Board Meeting.

V. M. G.L. c. 112, § 65C Session

Ms. Patten made a motion to go into the § 65C Session at 1:11 p.m.; Mr. Polanik seconded the motion. The motion passed unanimously with no opposing or abstaining vote.

The Board adjourned the Section 65C Session at 1:18 p.m. and resumed its Regularly Scheduled Board Meeting

VI. Executive Session

The Board deferred the Section Executive Session for the next scheduled Board Meeting.

VII. Limited Permit Applications

None.

VIII. Full License Applications

None

IX. License Reactivation Applications

None

X. Staff Assignments

None

XI. Status Update:

Lucien-Calixte, Sandra RT3217 (Expires 05/31/2014)

DISCUSSION: Ms. Herbu informed the Board that Ms. Lucien-Calixte currently has a investigation pending against her license in the Office of Public Protection (“OPP”). Ms. Campbell noted that OPP has obtained the police report, medical records, and plan on interviewing witnesses. Ms. Lucien-Calixte’s RT MA license is current and due to expire on May 31, 2014. Mr. Polanik request that OPP obtain documentation related to licensee’s work

history and performance.

ACTION: Dr. Quraishi made a motion for Board staff to update the Board every month regarding this case; Ms. Patten seconded the motion. The motion passed unanimously with no opposing or abstaining votes.

Documentation: Newspaper Article

XII. Scope of Practice Inquiries

E. Email Inquiry: Administration of Sedative and Analgesic Medications during Conscious Sedation by Respiratory Therapists

DISCUSSION: Mr. Burns informed the Board that the practice of RT administration of sedative and analgesic medications is an accepted practice by RT and has been determined to be within the scope of practice during conscious sedation at some hospitals around the country. The matter has been brought to the attention of the Board in the past; however, the Board has not taken a position on the matter. Board members noted that this practice could potentially expose an RT to administer medications and maintain airway simultaneously; a licensee could not perform both tasks safely without assistance; and a licensee would be required to complete extensive training. Dr. Quraishi asked if the Board had determined there was a strong interest among Massachusetts respiratory therapists. Mr. Polanik noted that this is a national trend and that the Board previously relied on American Association for Respiratory Care (“AARC”)’s positions.

After the discussion, the Board determined that the Board’s statutes and regulations are silent regarding the administration of sedative and analgesia during conscious sedation, and as of yet, the Board has not issued any specific statements or interpretations on the scope of practice as described in the inquiry.

ACTION: Mr. Burns made a motion for Board staff to inform Mr. Hogan that the Board’s statutes and regulations are silent regarding the administration of sedative and analgesia during conscious sedation, and as of yet, the Board has not issued any specific statements or interpretations on the scope of practice as described in the inquiry. The Board is in support of expanding the scope of practice of respiratory therapists in accordance with the position statement and guidelines issued by the AARC. In the future, the Board will pursue a framework to establish guidelines to expand the scope of practice for a respiratory therapist practicing in Massachusetts; Dr. Quraishi seconded the motion; motion passed unanimously with no opposing or abstaining vote.

Dr. Quraishi made a motion to respond to the inquiry that until the Board establishes guidelines, administration of sedative and analgesic medications is not within the RT’s scope of practice. Mr. Polanik seconded the motion; motion passed unanimously with no opposing or abstaining votes.

Mr. Burns informed the Board that he will contact other states to determine if other states have guidelines and information on the subject. Dr. Quraishi and Mr. Polanik will ask Massachusetts Society of Respiratory Care if they will host a survey. If so Dr. Quraishi and Mr. Polanik will draft survey questions.

Documents: Email Inquiry

- F. Email Inquiry: Can the Board increase the number of CEUs that an RT can obtain online for each renewal cycle?

DISCUSSION: The Board noted that a licensee currently is required to complete 15 CEUs for each renewal cycle for which only six CEUs can be obtained online. The Board acknowledges the concerns; however, the requirements are enumerated in the Board's regulations at 261 CMR 5.02. After discussion, the Board determined this matter should be discussed during the revision of the Board's regulations.

ACTION: Mr. Burns made a motion to respond to the inquiry that the Board recognizes the limitations the CEU requirements places on licensee; however, at this time, licensees are still obligated to comply with the Board's regulation. The Board will discuss this matter during the revision of its regulation; Ms. Patten second the motion; motion passed unanimously with no opposing and abstaining vote.

Mr. Polanik made a motion to add this matter for discussion during the revision of the Board's regulations; Dr. Quraishi second the motion; the motion passed unanimously with no opposing or abstaining vote.

Documentation: Email Inquiry

- G. Email Inquiry: Does a licensee need his/her CRT and RRT credentials reinstated before her RT license renewal?

DISCUSSION: Mr. Burns informed the Board that NBRC require that a licensee obtain 30 CEUS for recertification of their CRT and RRT credentials. The Board regulations are silent regarding whether a licensee is required to have his/her CRT and RRT active during the renewal of his/her MA license. After discussion, the Board determined that a licensee is able to renew his/her license if the licensee is in compliance with the Board requirements of 15 CEUS.

ACTION: Mr. Burns made a motion for Board staff to inform the licensee that she may renew her license if she has 15 CEUs as required by the Board regulations and to add this item for Board discussion during the revision of the Board's regulations; Dr. Quraishi second the motion; motion passed unanimously with no opposing or abstaining vote.

Documents: Email Inquiry

XIII. Other Business/Announcements

- E. Nomination and Election of Officers: Appointments of Chair and Vice-Chair

DISCUSSION: Current Chair: Ed Burns; Current Vice-Chair: None

ACTION: Dr. Quraishi made a motion to nominate Mr. Polanik as the Board Chair; Mr. Burns seconded the motion. The motion passed unanimously with no opposing or abstaining vote.

Dr. Quraishi made a motion to nominate Ms. Patten as the Board Vice-Chair; Mr. Burns seconded the motion. The motion passed unanimously with no opposing or abstaining vote.

F. Policy 14-01, Delegation of Signature Authority to Executive Director, Mary Phillips

DISCUSSION: Ms. Berg reviewed Policy 14-01 and informed the Board that the Policy authorizes the Executive Director, Ms. Phillips, to sign the documents listed in the Policy on behalf of the Board.

ACTION: Mr. Burns made a motion to delegate signature authority to Ms. Phillips, Executive Director; Dr. Quraishi seconded the motion. The motion passed unanimously with no opposing or abstaining vote.

Documentation: Hand-out, Draft of Policy 14-01

G. Policy 14-02, Staff Action to Identify Individual Registration Applications requiring Good Moral Character Evaluation

DISCUSSION: Ms. Berg informed the Board that the purpose of Policy 14.02 is to authorize Board staff to screen individual registration applications and identify those requiring evaluation by the full board to determine if the applicant meets the good moral character requirement for registration. Board members noted that in general the Board does not receive many applications with GMC issues per year.

ACTION: Mr. Polanik made a motion for the Board to not adopt Policy 14-02; Ms. Patten seconded the motion. The motion passed unanimously.

Documentation: Hand-out, Draft of Policy 14-02

XIV. Flex Session

A. Topics for April 15, 2014 agenda

The Board requested the following to be on the agenda for the next scheduled Board meeting:

1. Random CEU Audit
2. add language to CEU Attestation on renewal application forms
3. Revision of Board Regulations
4. Collaboration between other Boards

XV. Adjournment

There being no other business before the Board, Mr. Burns made a motion to adjourn the meeting; Dr. Quraishi seconded the motion. The motion passed unanimously. The meeting adjourned at 3:31 p.m.

The next meeting of the Board of Respiratory Care is scheduled for Tuesday, April 15, 2014, at 1 p.m. in Boston, MA.

Respectfully submitted:

Board Meeting Agenda March 18, 2014

Name

Position

Date