

**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, G.L. c. 30A, § 20**

Wednesday, May 16, 2012  
1 p.m.  
239 Causeway Street, Room 419  
Boston, MA 02124

**Agenda**

- I. Call to Order
- II. Approval of Agenda
- III. Approval of Minutes
  - A. March 21, 2012 Regularly Scheduled Meeting
- IV. Adjudicatory Session (closed session)
  - A. None
- V. M.G.L. c. 112, § 65C Session (closed session)
  - A. None
- VI. Limited Permit Applications
  - A. Bennett, Jeffrey  
Application disclosures: Board Review
  - B. Robinson, John  
Application disclosure: Board Review
  - C. Hounane, Hassan  
Application disclosure: Board Review
- VII. Full License Applications
  - A. Shea, Patrick  
Application disclosures: Board Review
- VIII. License Reactivation Applications

A. MacDonald, Cathryn	RT303	Expired 5-31-1996
B. Boyd, Carol	RT1947	Expired 5-31-1992
C. O'Connor, Kim	RT2813	Expired 5-31-2010

IX. Staff Assignments

A. SA-INV-2060      Hurd, David    RT3171      Expires 5-31-2012  
Allegation: Inappropriate/Unprofessional Conduct

X. Complaints

A. REP-2011-004      Shields, Randy      License No. RL9719 (expired 7-31-11)  
Disclosure of criminal history; case closed; application for full licensure: Board Review

B. REP-2010-019      Charles, Darly      License No. RL9661 (expired 9-23-10)  
REP-2012-003      Charles, Darly      License No. RT10274 (issued 3-30-12;  
suspended 3-3-12)  
Signed consent agreement

C. REP-2012-002      DeMarco, Cheryl      License No. RT3604 (expired 5-31-10)  
Final Decision: Deny Reactivation Application

XI. Scope of Practice Inquiries

A. None

XII. Other Business/Announcements

A. Plan for Regulations Review

B. Massachusetts Society for Respiratory Care (MSRC): May 10, 2012 MSRC Board Meeting

C. Frequently Asked Questions About the Practice of Respiratory Care: Board discussion

XIII. Adjourn

**COMMONWEALTH OF MASSACHUSETTS**

**BOARD OF RESPIRATORY CARE**

**BOARD MEETING**

**Wednesday, May 16, 2012**

239 Causeway Street

Room 419

Boston, MA 02114

Board Members Present: Armand Riendeau, RT, RN, Chair  
Edward Burns, RT, Member

Board Members Not Present: Carol Mack, RT, Vice-Chair

Staff Present: Sally Graham, Executive Director  
Joelle Stein, Board Counsel, OGC, DPH  
Maura Drury, Administrative Assistant (came in at 1:25pm)  
Anson Chu, Administrative Assistant

I. Call to Order

Mr. Riendeau, Board Chair, called the meeting to order at 1:03 p.m.

II. Approval of the Agenda

The meeting agenda was reviewed. Mr. Riendeau made a motion to approve the agenda as presented; Mr. Burns seconded the motion. The motion passed unanimously.

Document: May 16, 2012 Meeting Agenda

III. Review and Approval of Minutes

A. March 21, 2012 Regularly Scheduled Board Meeting

The minutes of the March 21, 2012 Regularly Scheduled Board Meeting were reviewed. Mr. Riendeau made a motion to approve the minutes as presented; Mr. Burns seconded the motion. The motion passed.

Document: Minutes of the March 21, 2012 Regularly Scheduled Board meeting

IV. Adjudicatory Session

None.

V. M.G.L. c. 112, § 65C Session (closed session)

None.

VI. Limited Permit Applications

A. Bennett, Jeffrey

Approve

Application disclosures: Board review

B. Robinson, John

Approve

Application disclosures: Board review

C. Hounane, Hassan

Approve

Application disclosures: Board review

Mr. Riendeau made a motion to approve the Limited Permit applications; Mr. Burns seconded the motion. The motion passed unanimously.

Documents: Limited Permit Applications and related materials

VII. Full License Applications

A. Shea, Patrick

Approve

Application disclosures: Board review

Mr. Riendeau made a motion to approve the Full License application; Mr. Burns seconded the motion. The motion passed unanimously.

Documents: Full License Application and related materials

VIII. License Reactivation Applications

A. MacDonald, Cathryn RT303 (license expired 5-31-1996)

Mr. Riendeau made a motion to approve the reactivation application after the licensee has submitted 2.25 contact CEUs that comply with Board regulations; Mr. Burns seconded the motion. The motion passed unanimously.

Documents: Reactivation application and related materials

B. Boyd, Carol

RT1947 (license expired 5-31-1992)

Approve

C. O'Connor, Kim

RT2813 (license expired 5-31-2010)

Approve

Mr. Burns made a motion to approve the reactivation applications; Mr. Riendeau seconded the motion. The motion passed unanimously.

Documents: Reactivation applications and related documents

IX. Staff Assignments

- A. SA-INV-2060 Hurd, David RT3171 (license expires 5-31-2012)  
Allegation: Inappropriate/Unprofessional Conduct

Mr. Burns made a motion to open a complaint based on the licensee's admission of inappropriate conduct and to resolve it with a consent agreement for a reprimand; Mr. Riendeau seconded the motion. The motion passed unanimously.

Mr. Riendeau made a motion to require the licensee to submit documentation of CEUs in compliance with Board regulations for the 2006-2008 and 2008-2010 renewal cycles within thirty (30) days or the Board will initiate further disciplinary action; Mr. Burns seconded the motion. . The motion passed unanimously.

Documents: Staff Assignment and related investigation documents

X. Complaints

- A. Update: REP-2010-004 Shields, Randy RL9719 (license expired 7-31-11)  
Ms. Graham informed the Board that Mr. Shields submitted documentation to the Board that the criminal matter has been closed and all terms of probation have been met. A full license has been issued.

Documents: Complaint investigation and related documents

- B. Update: REP-2010-019 Charles, Darly RL9661 (license expired 9-23-10)  
REP-2012-003 Charles, Darly RT10274 (issued 3-30-12;  
suspended 3-3-12)

Ms. Graham informed the Board that the licensee signed the consent agreement offered in resolution of the complaint identified as Docket No. REP-2012-003; her license has been suspended pending documentation of compliance with the Agreement's terms and conditions.

Documents: Complaint investigations and related documents

- C. Update: REP-2012-002 DeMarco, Cheryl RT3604 (license expired 5-31-10)  
Ms. Graham informed the Board that the licensee did not request an opportunity for a hearing on the Board's Preliminary Denial of License Reactivation and has been sent a Final Decision to Deny License Reactivation.

Document: Final Decision to Deny License Reactivation

XI. Scope of Practice Inquiries

None.

XII. Other Business/Announcements

- A. Plan for Regulations Review

The Board agreed to set aside time at Board meetings to begin a review of Board

regulations to determine what updates are necessary.

B. Massachusetts Society for Respiratory Care (MSRC): 5/10/12 MSRC Board Meeting  
Ms. Graham provided the Board with a summary of the meeting with the MSRC Board that she, Ms. Mack, and Mr. Burns were invited to attend.

C. Frequently Asked Questions About the Practice of Respiratory Care: Board Discussion  
Ms. Stein distributed draft revisions to the Board's 1994 "Interpretations" of Board statutes. The Board deferred discussion to June 2012 Board meeting.

XIII. Adjourn

There being no other business before the Board, Mr. Riendeau made a motion to adjourn the meeting; Mr. Burns seconded the motion. The motion passed unanimously. The meeting adjourned at 2:53 p.m.

The next meeting of the Board of Respiratory Care is scheduled for Wednesday, June 20, 2012, at 1 p.m. at 239 Causeway Street, Boston, MA.

Respectfully submitted:

  
Name

CHAIR  
Position

6/20/12  
Date