

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**

**Thursday, November 18, 2021
1:30 PM**

General Session is open to the public and will be held via Webex at:

<https://state.ma.webex.com/state/ma/j.php?MTID=m42449da746bebd0e06c1e5fcc8719666>

Call-In Telephone number 1-866-692-3580 (toll-free)

Meeting Number/Access Code: 2435 924 1928

Meeting Password: 6yeSWu9kip8

Agenda

All Votes Must Be Via Roll Call

Time	Item #	Item	Exhibits	Staff Contact
1:30 PM	I	Call to Order Determination of Quorum Notice of electronic recording		Chair
	II	Conflict of Interest Approval of Agenda	Draft Agenda	Chair
	III	Approval of Minutes A. October 21, 2021 Board Meeting Minutes	Draft Minutes	Chair
	IV	Board Elections A. Chairman B. Vice-Chairman C. Secretary	None	ED
	V	Open Investigations: N/A Triage: N/A Staff Assignments: N/A Complaint: N/A		

Board Meeting Agenda November 18, 2021
Board of Respiratory Care

ADA Compliance Notice: If you need reasonable accommodations in order to participate in the meeting, contact the DPH ADA Coordinator Kevin Lovaincy, Phone: 617-909-5085 in advance of the meeting. While the Board will do its best to accommodate you, certain accommodations may require distinctive requests or the hiring of outside contractors and may not be available if requested immediately before the meeting.

	VI	Flex Session A. Announcements B. Topics for next agenda C. DME Companies Discussion-follow-up	Verbal Discussion	ED
2:30 PM	VII	Executive Session (Roll call vote): 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. 1. 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. 2. 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. The Board will not reconvene in open session subsequent to the closed session(s).		Chair
	VIII	65C Session: N/A	Closed Session	Board Counsel
	IX	Adjudicatory Session: See Agenda	Closed Session	Board Counsel
	X	Adjournment -next Board meeting scheduled for December 16, 2021		Chair

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

Thursday, November 18, 2021

1:30 PM

Via WebEx

MINUTES

Board Members Present: Mr. William Beal, Board Member
Dr. Brian Bloom, MD, Board Member
Lindsey Greener, Board Member
Dr. Samy Sidhom, MD, Board Member

Board Members
not present: Amy Keenan, RN, Board Member
Jason Morin, RT, Board Member
Martha DeSilva

Staff Present: Steven Joubert, Executive Director, Multi-Boards, BHPL
Karen Geoghegan, Assistant Executive Director, Multi-Boards, BHPL
Mary Strachan, Board Counsel, Office of the General Counsel, BHPL

- I. Call to Order | Determination of Quorum | Notice of Electronic Recording
Executive Director, Mr. Steven Joubert called the meeting to order at 1:41 P.M. She reminded those present via WebEx that the meeting was being recorded. Board members stated their names for the record. A quorum of the Board of Respiratory Care was established with members present via WebEx as follows: William Beal: present; Brian Bloom: present; Lindsey Greener: present; Samy Sidhom: present. Absent: Martha DeSilva, Amy Keenan, Jason Morin.
- II. Conflict of Interest | Approval of Agenda
The open session meeting agenda was reviewed.

DISCUSSION:

Mr. Joubert asked the Board members to review the general session agenda and disclose if there were any conflicts of interest regarding the items on the agenda. No conflicts of interest were disclosed.

ACTION:

Motion to approve the agenda made by Mr. William Beal, seconded by Dr. Brian Bloom and unanimously passed by roll call vote as follows: William Beal: yes; Brian Bloom: yes; Lindsey Greener: yes; Samy Sidhom: yes. Absent: Martha DeSilva, Amy Keenan, Jason Morin. Abstained: none. Opposed: none. Recused: none.

DOCUMENT:

November 18, 2021 Regular Session Agenda

III. Approval of Minutes

Board members were asked to review the minutes from October 21, 2021.

DISCUSSION:

None.

ACTION:

Motion to approve the October 21, 2021 minutes as presented made by Mr. Beal, seconded by Dr. Bloom and unanimously passed by roll call vote as follows: William Beal: yes; Brian Bloom: yes; Lindsey Greener: yes; Samy Sidhom: yes. Absent: Martha DeSilva, Amy Keenan, Jason Morin. Abstained: none. Opposed: none. Recused: none.

DOCUMENT:

October 21, 2021 General Session Minutes

IV. Board Elections:

Mr. Joubert explained the roles and responsibilities of each role.

DISCUSSION:

Dr. Bloom nominated Jason Morin for the role of Chairman. He indicated that a Respiratory Therapist would be the best Chairman for the Board of Respiratory Care. Dr. Samy Sidhom expressed his agreement.

Dr. Bloom also nominated Mr. Beal for the role of Board Secretary. Since Ms. Amy Keenan and Mr. Morin were absent from this meeting, Board members determined that they would wait until the next meeting to hold Board elections.

V. Open Investigations: N/A

VI. Flex Session

A. Announcements: N/A

B. Topics for Next Session: N/A

C. DME Companies Discussion Follow-Up

Mr. Beal asked Board members to return to this issue and he notified them that he had done some research. He explained that according to his understanding, a licensed Respiratory Therapist must work under the supervision of a Physician. He stated that in Home Health Care, a Physician is not often involved. He noted that he had clarified with the American Association of Respiratory Care

that this could put a Respiratory Therapist's license in jeopardy.

He noted that there is no standard for the training guidelines for Respiratory Therapists. He expressed concern that the training standards are not specifically outlined, especially in the scenario that a Respiratory Therapist would need to make a judgement call for a Home Health Care company. He additionally explained that Respiratory Therapists are providing telehealth services and that the Board has no guidelines for that.

DISCUSSION:

Board Counsel, Ms. Mary Strachan explained the process of amending Board regulations. She presented another option where the Board could issue an advisory ruling to the public. Mr. Beal clarified that as he looks at all the changes in the field, he would like to be proactive rather than reactive. Ms. Strachan offered to look at the research Mr. Beal had done and present a memo to the Board. She explained that the Board sometimes adopts standards from national organizations (in this case, the American Association of Respiratory Care).

Action:

None

VII. Executive Session

Mr. Joubert announced that the Board would 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 would discuss and evaluate the Good Moral Character provisions of certain applications as required for registration for pending applicants.

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. The Board would not reconvene in open session subsequent to the closed session(s).

ACTION:

Motion to enter into Executive Session at 1:57 P.M. made by Dr. Bloom, seconded by Mr. Beal and unanimously passed by roll call vote as follows: William Beal: yes; Brian Bloom: yes; Lindsey Greener: yes; Samy Sidhom: yes. Absent: Martha DeSilva ,Amy Keenan, Jason Morin. Abstained: none. Opposed: none. Recused: none.

DOCUMENT:

None.

VIII. Adjournment:

The Board did not reconvene following Executive Session.

The next meeting of the Board of Respiratory Care is scheduled for **December 16, 2021.**

Respectfully submitted:
Board of Respiratory Care