

COMMONWEALTH OF MASSACHUSETTS

NOTICE OF THE REGULARLY SCHEDULED MEETING OF THE
BOARD OF RESPIRATORY CARE

Tuesday, August 20, 2013
1:00 p.m.

239 Causeway Street ~ 4th Floor ~ Room 419
Boston, Massachusetts 02114

Agenda

| Time | Item # | Item | Exhibits | Staff Contact |
|-----------|--------|---|----------------|---------------|
| 1:00 p.m. | I. | Call to Order | | |
| | II. | Approval of Agenda | | |
| | III. | Approval of Minutes | | |
| | IV. | Adjudicatory Session | | |
| 1:15 p.m. | V. | G.L. c. 112, § 65C Session A. Approval of the Minutes: July 23, 2013 M.G.L. c. 112, § 65C Session B. Complaints: Status of pending complaint C. License Application: Disclosure of Criminal History D. License Reactivation Request: Practice after license expiration | Closed Session | AOB |
| | VI. | Limited Permit Applications | None | |
| | VII. | Full License Applications Please see § 65C Session | Closed Session | AOB |

| | | | | |
|-----------|--------------|--|-------------------|-----|
| | VIII. | License Reactivation Applications 1. Degaetano, Dino. RT4629 2. Caruso, Barbara, RT3508 (expired 5-31-1998) Disclosure of discipline in another jurisdiction (NH) 3. Plachte, Kessa, RT5875 (expired 5-31-2012) | | |
| | IX. | Staff Assignments | None | |
| | X. | Complaints Please see § 65C Session | Closed Session | AOB |
| | XI. | Scope of Practice Inquiries A. <u>Zachary Schiffman, United States Medical Supply, Miami, FL</u> We are a mail order provider of CPAP masks and machines with no nexus to Massachusetts. Do we need to have a Massachusetts Respiratory Therapist on staff in order to simply mail these supplies to a patient pursuant to a signed doctor's order? B. <u>Update: Andrew P. Steinmark, PsyD., Behavioral Medicine Services:</u> As a licensed healthcare provider trained to deliver exposure-based treatment, can he modulate, adjust, etc., anything on a CPAP or BiPAP device? | Scope of Practice | AOB |
| | XII. | Other Business/Announcements A. Discussion about the Sturbridge Conference Meeting on September 25 – 26, 2013 B. Update: Board Members vacant seat. | | |
| 3:00 p.m. | XIII. | Adjournment | | |

COMMONWEALTH OF MASSACHUSETTS

BOARD OF RESPIRATORY CARE

BOARD MEETING

Tuesday, August 20, 2013

239 Causeway Street
Room 417
Boston, MA 02114

MINUTES

Board Members Present: Edward Burns, RT, Board Chair
Armand Riendeau, RT, RN, RN Member
David Polanik, RT, Member
Susan Binnall, Member

Staff Present: Annette O'Brien, Interim Executive Director, DHPL
Anson Chu, Administrative Assistant, Multi-Boards, DHPL
Donna E. Levin, General Counsel, Office of the General Counsel
Marjorie Campbell, Nursing Investigator Supervisor, Office of Public Protection, DHPL
Philip Beattie, Nursing Home Administrator Investigator, Office of Public Protection, DHPL
Carey Lambert, Nursing Investigator, Office of Public Protection, DHPL
Ellen Sandler, Nursing Investigator, Office of Public Protection, DHPL
Mary Matthews, Nursing Investigator, Office of Public Protection, DHPL
Maura Drury, Assistant to the Director, DHPL (left at 3:55 p.m.)
Curtis Jackson, MPRS Coordinator, DHPL (left at 2:40 p.m.)
Paul Moore, Esq., Prosecutor, Office of Public Protection, DHPL (left at 3:52 p.m.)
Asa Seeley, Administrative Assistant, DHPL

Staff Not Present: Ichelle Herbu, Assistant Executive Director, DHPL
Joelle Stein, Board Counsel, Office of General Counsel, DPPL

- I. Call to Order
Mr. Burns, Chair, called the Board Meeting to order at 1:53 p.m.
- II. Approval of the Agenda
The Meeting agenda was reviewed. Mr. Riendeau made a motion to approve the agenda as amended; Ms. Binnall seconded the motion. The motion passed unanimously.

Document: August 20, 2013 Meeting Agenda

III. Review and Approval of Minutes

A. July 23, 2013 Regularly Scheduled Board Meeting

The Minutes of the July 23, 2013 Regularly Scheduled Board Meeting were reviewed. Mr. Riendeau made a motion to approve the Minutes as presented; Mr. Polanik seconded the motion. The motion passed unanimously.

Documents: Minutes of July 23, 2013 Regularly Scheduled Board Meeting

IV. Adjudicatory Session

None.

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

Mr. Burns made a motion to go into the Section 65C Session at 1:57 p.m.; Mr. Riendeau seconded the motion. The motion passed unanimously.

A. Approval of the Minutes: July 23, 2013 M.G.L. c. 112, § 65C Session

B. Complaints: Status of pending complaint

C. License Application: Disclosure of Criminal History

D. License Reactivation Request: Practice after license expiration

[The Board adjourned the M.G.L. c. 112, § 65C Session at 4:36 p.m. and resumed its Regularly Scheduled Board Meeting.]

VI. Limited Permit Applications

None.

VII. Full License Applications

Reviewed in M.G.L. c. 112, § 65C Session

VIII. License Reactivation Applications

A. Degaetano, Dino

RT4629

(Expired 5-31-2012)

After Board's review of Mr. Degaetano's reactivation application, they discussed about his CEUs that he provided. They noted that some of his most recent CEUs were taken during this year and it cannot be used again for the next renewal cycle. Mr. Riendeau made a motion to approve the reactivation of Mr. Degaetano's license and letting him know about the CEU situation; Ms. Binnall seconded the motion. The motion passed unanimously.

B. Caruso, Barbara

RT3508

(Expired 5-31-1998)

Disclosure of discipline in another jurisdiction (NH)

Ms. O'Brien reviewed Ms. Caruso's reactivation application file with the Board. On her application, she disclosed a disciplinary action in NH in regards to her medical condition (3 years of depression). After discussion among the Board members, Mr. Riendeau made a motion

to get a statement from the Licensee's physician to document she is deemed fit and in stable condition to work; Ms. Binnall seconded the motion. The motion passed unanimously.

C. Plachte, Kessa

RT5875

(Expired 5-31-2012)

After Board's review of the reactivation application, Mr. Polanik made a motion to approve the reactivation of Ms. Plachte's license; Mr. Burns seconded the motion. The motion passed unanimously.

Documents: License Reactivation Application

IX. Staff Assignments

None.

X. Complaints

Reviewed in M.G.L. c. 112, § 65C Session

XI. Scope of Practice Inquiries

A. Zachary Schiffman, United States Medical Supply, Miami, FL

We are a mail order provider of CPAP masks and machines with no nexus to Massachusetts. Do we need to have a Massachusetts Respiratory Therapist on staff in order to simply mail these supplies to a patient pursuant to a signed doctor's order?

Following a Board discussion, the Board concluded that this practice, as outlined by Mr. Schiffman, was not a requirement of the Respiratory Care Regulations.

B. Update: Andrew P. Steinmark, PsyD., Behavioral Medicine Services:

As a licensed healthcare provider trained to deliver exposure-based treatment, can he modulate, adjust, etc., anything on a CPAP or BiPAP device?

The practice of modulating a CPAP or BiPAP is within the scope of practice of a licensed Respiratory Therapist only. The Board unanimously denied Dr. Steinmark's the request.

XII. Other Business/Announcements

A. Discussion about the Sturbridge Conference Meeting on September 25 – 26, 2013

Ms. O'Brien discussed with the Board members about the conference in September. Unfortunately, due to another meeting conflict, the Board cannot make it to the conference. Board staff will bring in copies of material for the Board Chair for distribution during the conference in September during the next Board Meeting.

B. Update: Board Members vacant seat.

Ms. O'Brien briefly mention about the remaining vacant seat on the Board and is working hard to get them filled.

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 5:04 p.m.

The next meeting of the Board of Respiratory Care is scheduled for Tuesday, September 17, 2013, at 1 p.m. in Boston, MA.

Respectfully submitted:

| Name | Position | Date |
|------|----------|------|
|------|----------|------|