

OHIO RESPIRATORY CARE BOARD

77 SOUTH HIGH STREET, 16TH FLOOR

COLUMBUS, OHIO 43215-6108

OFFICIAL BOARD MEETING MINUTES OF AUGUST 12, 2008

NOTE ON COMMITTEE MEETINGS

The Board's Scope of Practice, Home Medical Equipment, and Rules Committees met prior to the regular business meeting. Official minutes of the committee meetings were taken and are maintained separate of this journal. Committee Chairpersons for each committee gave a report during the course of the regular business meeting.

Regular Business Meeting

Agenda items #1: CALL MEETING TO ORDER

Presiding: Marc Mays, President, called the meeting to order on August 12, 2008 at 1:36 p.m. in room East B, 31st Floor of the Vern Riffe Building for Government and the Arts, 77 South High Street, Columbus, OH, 43215 for the purpose of holding a regular board meeting and public rules hearing. Present were Marc Mays, President, Susan Ciarlariello, R.R.T., R.C.P., Joel Marx, Carol Gilligan, E. Lucille Kester, R.R.T., R.C.P., Anita Adams, R.R.T., R.C.P., and Eugene Andrews, R.R.T., R.C.P. Mr. Mays noted that Robert Cohn, M.D., Vice President had been excused from attending the meeting. Mr. Mays noted for the record that a quorum of the members of the board was present and that business could be conducted.

Members in attendance (Exhibit A):

Marc Mays, R.R.T., R.C.P., President

Anita Adams, R.R.T., R.C.P.

Susan Ciarlariello, R.R.T., R.C.P.

E. Lucille Kester, R.R.T., R.C.P.

Eugene Andrews, R.R.T., R.C.P.

Joel Marx, HME Provider Member

Carol Gilligan, HME Provider Member

Staff in attendance:

Christopher H. Logsdon, Executive Director

Jason McLean, Investigator

Marcia Tatum, HME Manager

Others in Attendance:

Darrell L. Heckman, Attorney at Law

Agenda item 1.1: Approval of Board Meeting Agenda (Exhibit B)

The proposed meeting agenda was mailed in advance of the meeting. Mr. Mays inquired if there were any amendments to the business agenda. Hearing no amendments, Mr. asked if there was a motion to approve the agenda.

Motion #1: Ms. Adams moved to approve the agenda for August 12, 2008. Ms. Gilligan seconded the motion.
Discussion: None. Motion carried: 7 - 0.

Agenda item 1.2: Approval of previous Board Meeting Minutes

Mr. Mays asked the membership if they had the opportunity to review the minutes. All answered affirmatively. Mr. Mays asked if there was a motion to approve the minutes.

Motion #2: Mr. Andrews moved to approve the meeting minutes from June 17 & 18, 2008. Ms. Gilligan seconded the motion. Discussion: None. Motion carried: 7 - 0.

Agenda item #2: BOARD OFFICER AND STAFF REPORT

Agenda item 2.1: President's Report

Mr. Mays informed the Board members that he has every reason to believe that Mr. Darrell Heckman will be the Board's new member. Mr. Heckman has not been appointed yet, but Mr. Mays stated that he has confirmed that the Governor's office has every intention to do so. Mr. Heckman was present and Mr. Mays introduced him.

Mr. Mays then brought up the issue of ethics training and reminded members that they are obligated to attend qualifying ethics training once every two years. He also reminded members that they must document attendance by logging it on the Governor's ethics training website.

Last, Mr. Mays discussed the Executive Director's performance review. He stated that he would be soliciting comments from members in the next month or so and then draft a document for their review.

Agenda item 2.2: Executive Director's Report (Exhibit C)

Mr. Logsdon filed a written report. A verbal review of his report was provided.

1. Mr. Logsdon presented the FY 2008, expense and revenue statistics. He stated that expenses and revenues at the time he analyzed the data was fairly close to final, although it may fluctuate some. Mr. Logsdon then reviewed FY 2009 budget allotments and financial activity since the beginning of the new fiscal year on July 1, 2007. Mr. Logsdon reported no remarkable issues.

2. Mr. Logsdon provided the Board a draft FY 2010/2011 budget. He stated the draft is likely to change after additional deliberation and analysis. Mr. Logsdon informed the Board that he recently re-classed Ms. Pepper's position from a License Examiner I to a License Examiner II position. He stated that he will be seeking additional funding in the budget to change this position from part-time to full-time. He informed the Board that the draft budget did not contain any payroll increase assumptions since the new contract had not been finalized. Mr. Logsdon also summarized estimated cost increases for purchased services, support services and equipment.

3. Mr. Logsdon provided the Board with a written review of revenue collected since the beginning of fiscal year 2009 and the current statistics showing the number of active, inactive, active in renewal, or expired licensees.

7. Mr. Logsdon provided an update on legislation and rules activity. He reported that a series of rules were filed after the Board's last business meeting and these rules will become effective on August 15, 2008.

8. Mr. Logsdon reported that the Board's website was updated to DotNetNuke format. The site will address inefficiency found on the current site and will streamline information flow.

9. Last, Mr. Logsdon reported on a Pilot Project being considered by the Ohio Attorney General's Office in cooperation with the Governor's office. The Ohio Attorney General's Office is proposing a joint agency project to use centralized hearing officer pools to hear scheduled hearings. Mr. Logsdon stated that the Ohio Respiratory Care Board was asked to participate because it hears its own cases.

Discussion: Ms. Ciarlariello asked how many hearings the Board holds each year. Mr. McLean stated that eight was an average. Ms. Ciarlariello stated that the Board does a small number of hearings, which is not advantageous to a good pilot program. Mr. Mays asked how much the program would cost. Mr. Logsdon explained that the pilot phase would not include significant costs. Ms. Adams asked if refusal to participate would be politically uncomfortable for the Executive Director. Mr. Logsdon stated that he works at the pleasure of the Board and he would communicate the Board's desires. Mr. Logsdon recommended that the Board delineate its reasoning. Mr. Mays asked how long the Board had to make a decision. Mr. Logsdon indicated that the pilot panel would like to know the Board's position. Ms. Ciarlariello asked how many times the Board has used a hearing officer. Mr. Logsdon stated that the Board had used a hearing officer very infrequently, but the project administrators might argue that the Board hiring its own hearing officer would have an appearance of conflict. Ms. Ciarlariello stated that she could not see that position giving the very few hearings held. Mr. Logsdon asked, "Are you saying this Board is not a good fit for this project?" Mr. Mays stated, "Yes, that's exactly what we are trying to say."

Motion #3: Ms. Ciarlariello moved to inform the Office of the Ohio Attorney General that the Ohio Respiratory Care Board is not interested in being part of the pilot project for centralized hearing officers. Ms. Gilligan seconded the motion. Discussion: None. Motion carried: 7 – 0.

Agenda item 2.3: HME Manager's Report (Exhibit D)

Ms. Tatum filed a written report. She summarized her report and addressed the following:

1. Ms. Tatum reported that the Board staff approved 11 new HME licenses and 34 new HME certificates of registration since the Board's last meeting in June 2008.

2. Ms. Tatum reported that since the Board's last meeting, she added no new inspections to the list. She stated that inspectors have contacted out of state facilities currently scheduled and she is awaiting results of these inspections. Ms. Tatum also reported that new contracts have been sent to all five members of the Board's current inspector pool. She stated that two signed contracts have been received since the report was written.

3. Ms. Tatum reported on the total revenue collected through licensing fees and inspections for FY 2008 and FY 2009.

4. Last, Ms. Tatum provided the Board with an update on several ongoing projects.

Motion #4: Ms. Ciarlariello moved to approve the Staff reports. Ms. Kester seconded the motion. Discussion: None. Motion carried: 7-0.

Any other matters: Mr. Logsdon reviewed the proposed investigation conference in Chicago, IL. Mr. Logsdon stated that he is proposing to send Mr. McLean to this conference. Mr. Logsdon reviewed the conference contents and recommended approval of the expenditures to send Mr. McLean to the program.

Motion #5: Ms. Kester moved to approve expenditures to send Mr. McLean to the Reid Interview Conference in Chicago, IL. Ms. Adams seconded the motion. Discussion: None. Motion carried: 7-0.

Agenda item #3: BOARD COMMITTEE REPORTS

Agenda item 3.1: Scope of Practice Committee Report – Marc Mays, Acting Chairperson

Mr. Mays reported that the Scope of Practice Committee met prior to the regular business meeting at 9:00 a.m. Mr. Mays reported that the Committee reviewed two inquiries requesting clarification of the scope of respiratory care or HME practice.

The first inquiry reviewed by the committee, he stated, asked if non-licensed delivery personnel in the home medical equipment environment could educate and instruct a patient on how to use a pulse oximeter. After reviewing the scope of HME practice for HME facilities under Section 4752.01 ORC, the Committee determined that the procedure is not within the scope of an unlicensed HME delivery person. The Committee, Mr. Mays stated, requests approval of the response letter drafted by the Board's Executive Director.

Discussion: Mr. Marx stated that many mail order companies deliver these devices through the mail with only written instructions. He stated that the instructions should be developed by authorized licensed providers. Mr. Mays stated that the Board's response should still accommodate mail order deliver, because it only provides direction on the issue of person to person education. Mr. Mays stated that the Committee's response focused only on the writer's actual question. Mr. Mays stated that the Committee concentrated only on the inquiry, which asked about the education and instruction of patients on the use of pulse oximeters. Mr. Logsdon stated that the Committee determined that there was a difference between educating a patient on the use of a piece of HME vs. demonstrating a piece of HME equipment, which is permitted under the HME statute. Mr. Marx stated that HME provider isn't interested in why a pulse oximeter does what it's supposed to do. Mr. Marx stated that a pulse oximeter is not an HME device, it's a testing device. Mr. Logsdon reported that pulse oximeters are listed as HME equipment under OAC 4761:1-3-02. Mr. Marx stated that the Board's draft response only addresses demonstration of the equipment. Ms. Gilligan pointed out that the original draft response attempted to differentiate between HME demonstration and clinical instruction on the use of HME equipment. Mr. Logsdon inquired if the sentence removed by the Committee should be reinserted. Mr. Mays asked if there was any opposition to the suggestion. Hearing none, he directed Mr. Logsdon to send the original draft letter.

The second inquiry, Mr. Mays reported, asked if respiratory therapists could treat pressure ulcers formed by equipment used in the practice of respiratory care. Mr. Mays stated that while the Committee did not find any legal reference that would restrict a therapist from performing the care, they also could not find language that permits the practice. Optimally, he stated, the Committee supports the proposition that good respiratory care should engage in preventative observation and techniques. The Committee recommended that the individual contact other health related Board's to determine if doing so would violate their scope of practice.

Discussion: The members engaged in lengthy discussion over the draft response prepared by the Scope of Practice Committee. The debate was focused on the educational preparation for therapists to treat pressure ulcers. Mr. Logsdon stated that the Committee clearly agreed that the therapist has an obligation to be trained in the recognition and mitigation of pressure ulcers caused by their equipment. Ms. Kester stated that therapists are often the first health providers to recognize when skin breakdown is occurring. She proposed that assessment is part of the scope of respiratory care practice. Ms. Gilligan agreed, stating therapists cannot ignore obvious skin breakdown issues. Ms. Adams stated that respiratory therapist do not have the skill set to treat pressure ulcers. Mr. Marx stated that the issue seems to be, "can a therapist seek treatment for a pressure ulcer." Ms. Ciarlariello stated it is within every therapist's scope to assess the application of equipment used and to mitigate the occurrence of the pressure ulcer. Mr. Andrews stated that he did not see a problem with treatment intervention for minor pressure sores. Mr. Mays asked if the Board was stating that treatment was within the scope. Ms. Ciarlariello stated that mitigating the occurrence of a pressure ulcer is within the scope, as well as recognizing when notification to others needs to occur. By concurrence, the Board asked that the response include some mention of a therapist's responsibility to assess, mitigate and refer.

Agenda item 3.2: HME Committee Report – Joel Marx (Exhibit E)

Mr. Marx reported that the HME Committee met prior to the regular business meeting at 9:40 a.m. After approving the minutes, the Committee reviewed the report on HME licenses and certificates of registration issued and the Committee will be recommending ratification of 45 new applications for those authorizations. The Committee, he stated, also reviewed the legislation that recently passed concerning Home Medical Equipment licensing. Mr. Marx reported that the legislation will go into effect in September and will allow the Board to begin issuing licenses and certificates of registration that are valid through June 30th of the next even year. The Board may waive part of the fee if the license or certificate of registration is issued within six months of the expiration date. The new legislation also allows the agency to prorate renewal fees for licenses and certificates of registration currently scheduled to expire on June 30, 2009. Mr. Marx reported that the Board will be required to promulgate rules.

Motion #6: Ms. Ciarlariello moved to ratify HME licenses and certificates of registration issued on the following dates:

HMEL

July 1, 2008, July 9, 2008, July 15, 2008, July 16, 2008, and July 28, 2008

HMER

July 1, 2008, July 2, 2008, July 4, 2008, July 8, 2008, July 15, 2008, July 16, 2008, July 21, 2008, and July 28, 2008

Mr. Andrews seconded the motion. Discussion: Mr. Marx stated that he would abstain from the vote based on a personal interest in one of the facilities. Mr. Logsdon stated that the list will be attached as an exhibit to the record. Motion carried: 6 Yes, 1 abstained (Marx).

Agenda item 3.3: Education Committee Report – E. Lucy Kester

Ms. Kester reported that the Education Committee met prior to the regular business meeting at 10:10a.m. Ms. Kester reported that the only item of business considered by the Education Committee was presenting the Education Conference. Ms. Kester reported that many representatives of Ohio's respiratory care programs attended and she thought the program was received very well. Ms. Kester stated that the Board should continue to promote the annual event.

Discussion: Ms. Ciarlariello asked if the Committee intended to write a 2008 education report. Mr. Mays asked Mr. Logsdon to recruit Mr. Douce for drafting the Education Report. Mr. Logsdon stated that the Education Committee already directed him to complete the report.

Motion #7: Ms. Ciarlariello moved to draft a 2008 Ohio Education Report and to approve a contract for Mr. F. Herbert Douce to assist the Committee draft the document. Ms. Kester seconded the motion. Discussion: None. Motion carried: 7-0.

Other matters: Mr. Mays stated that the last Education Report indicated one of the Ohio programs in Southern Ohio was having some probation issues with CoARC accreditation. Mr. Mays asked if Mr. Logsdon could review the matter and report back to the Education Committee. Mr. Logsdon reported that the Education Committee has a responsibility to inquire about program status and review those matters.

Motion #8: Ms. Adams move to approve the Committee reports and all of the recommendations made by the Committees. Mr. Andrews seconded the motion. Discussion: None. Motion carried: 7-0.

The Board took a short break.

Agenda item #4: PROBABLE REVIEW COMMITTEE REPORT

Motion #9: Mr. Marx moved to enter executive session pursuant to Revised Code Section 121.22, for the purpose of considering the investigation of charges or complaints against licensees or regulated individuals under the board's jurisdiction. Ms. Gilligan seconded the motion. Discussion: None. Roll Call vote:

Susan M. Ciarlariello -	Yes	Carol Gilligan -	Yes
Joel Marx -	Yes	Eugene Andrews-	Yes
Anita Adams -	Yes	Marc Mays -	Yes
E. Lucile Kester -	Yes		

Motion carried.

The board entered executive session at 3:27 p.m. and returned to regular, public session at 3:52 p.m. All voting members of the board, Mr. Logsdon, Mr. McLean, and Mr. Heckman were present during executive session.

**Names and identifying information was redacted from discussion and proposed notices during the course of executive session deliberation. Matters were referred to only by case number. Identifying information was added during the writing of the minutes based upon the correlating case number.*

Agenda item 4.1: Approval of PRC Active Case Report

Motion #10: Ms. Gilligan moved approve the PRC active case report. Mr. Andrews seconded the motion. Discussion: None. Motion carried: 7 – 0.

Agenda item 4.2: Approval of Opportunity for Hearing Notices

Motion #11: Mr. Andrews moved to issue an opportunity for hearing notice as presented to the Board in the matters of :

<u>Case no./Respondent</u>	<u>Issue</u>	<u>ORC Code</u>
2007RCB072 (James Stegmaier)	Deceit/Fraud/Ethics Violation	ORC 4761.09 (A)(2) and (7)
2008RCB031 (Jeffrey Merringer)	Concealment of Material Facts	ORC 4761.09 (A)(4)
2008RCB036 (Timothy Wolfe)	Use of Credential	OAC 4761-10-02/ORC 4761.09 (A)(2)
2008RCB040 (James Montgomery)	Felony Conviction	ORC 4761.09 (A)(1)
2008RCB043 (Kimberly Romes)	Concealment of Material Facts	ORC 4761.09 (A)(4)
2009RCB001 (Robin Adkins)	Concealment of Material Facts	ORC 4761.09 (A)(4)
2009RCB003 (Rhonda Manegold)	Failure to complete RCCE within Term	ORC 4761.09 (A)(2)
2009RCB004 (Gary Foreman)	Failure to complete RCCE within Term	ORC 4761.09 (A)(2)
2009RCB005 (Otis Hankton)	Failure to complete RCCE within Term	ORC 4761.09 (A)(2)
2009RCB006 (Michelle Williams)	Failure to complete RCCE within Term	ORC 4761.09 (A)(2)
2009RCB007 (Timothy Eidel)	Unlicensed Practice	ORC 4761.09 (A)(2)
2009RCB008 (Jennifer Gifford)	Failure to complete RCCE within Term	ORC 4761.09 (A)(2)
2008HME024 (Specialized Medical Services, Inc.)	Failure to Respond to Request	ORC 4752.09 (A)(7)
2008HME116 (Therapy Support, Inc)	Unlicensed Practice	ORC 4752.09 (A)(1)
2008HME117 (Best Home Medical)	Unlicensed Practice	ORC 4752.09 (A)(1)
2008HME118 (Robert Sibilia, M.D., Inc.)	Unlicensed Practice	ORC 4752.09 (A)(1)
2008HME119 (Nasky & Goldfinger, Inc.)	Failure to Respond to Request	ORC 4752.09 (A)(1)

and to issue Opportunity for Hearing Notices to all license and limited permit renewal applicants that have incomplete applications on file with the Board. Ms. Adams seconded the motion. Discussion: Mr. Logsdon stated that case numbers for incomplete renewal applicants will be assigned when the Opportunity for Hearing Notices are drafted. The violations for each will be similar, stating it would be related to an incomplete application or failure to complete continuing education. Mr. Logsdon stated that he would attach a list of applicants as an exhibit to the record (**Exhibit F**). No further discussion. Motion carried: 7 - 0.

Other matters:

Mr. Mays asked Mr. Logsdon to discuss case # 2007ORCB072. Because the hearing was approved by the board, the respondents name was mentioned. The staff is concerned that the Board may not be able to have a quorum to properly hear

the matter. In any case, one person is automatically recused, Mr. Logsdon stated. Mr. Logsdon felt he needed to count available members to determine if the Board could seat a quorum in this matter. Mr. Logsdon stated that the respondent has expressed some concern over knowing many of the sitting Board members. Mr. Heckman asked to make a comment. Mr. Mays recognized him. Mr. Heckman stated that he is very familiar with Ohio law in these matters and it takes more than simply knowing a person to require recusal. A show of hands of persons seeking recusal was completed. Five persons were available to hear the matter, which constitutes a quorum of the Board.

Agenda item 4.3: Approval of Consent Agreements (Exhibit G collective)

Motion #12: Mr. Marx moved to approve consent agreements between the Board and the following respective respondents:

Case no.

Respondent

RCB Agreements

2008ORCB39 Steven Hudson
2008ORCB037 James Caffero

HME Agreements

2008HME05 Omnicare Respiratory Services-Mason, Ohio
2008HME 84 Team Post-Op
2008HME87 Omnicare of N.W. Ohio
2008HME88 Omnicare Canoga Park, CA
2008HME89 Home Care Pharmacy, LLC Cincinnati
2008HME90 Home Care Pharmacy, LLC Ashland, KY
2008HME91 Omnicare Central Ohio
2008HME92 Royal Care of Michigan
2008HME97 RXO2, Inc.
2008HME108 Home Town Medical Supply
2008HME109 Premier Medical Equipment and Supplies
2008HME110 Bellevue Home Medical Services
2008HME111 A.Z. Medical
2008HME015 McKesson – Surgical Medi Mart, Inc.
2008HME016 McKesson – Surgical Medi Net, Inc.

Ms. Gilligan seconded the motion. Discussion: None. Motion carried: 7 – 0.

Motion #13: Mr. Andrews moved to withdraw the following Opportunity for Hearing Notices:

Case no.

Respondent

2008HME062 BOK Medical Services Reason: Facility Closed
2008HME079 Pulmonary Solutions Reason: Facility Closed
2008HME013 Orbital Enterprises, LLC Reason: Facility Closed
2008HME020 Mid-US Medical, Inc. Reason: Facility Closed
2008HME104 Pro Tem Medical, Inc. Reason: Facility Closed
2008HME105 Life Quest Medical Supply, Inc. Reason: Facility Closed

Ms. Ciarlariello seconded the motion. Discussion: None. Motion carried: 6 – yes, 1 abstained (Marx)

Agenda item 4.4: Approval to close investigations

Mr. Mays noted for the record that the Board reviewed two (2) cases recommended for closure by the enforcement staff. Names and identifying information were redacted. Mr. Mays asked if there was a motion to close the investigations.

Motion #17: Ms. Ciarlariello moved to close investigation cases 2008ORCB003 and 2008ORCB018 as non-jurisdictional or unfounded. Mr. Andrews seconded the motion. Discussion: None. Motion carried: 7-0.

Agenda item #5: NEW BUSINESS

Agenda item 5.1: Application ratification for licenses and limited permits
(Exhibit H collective)

Lists of licenses and limited permits issued since the Board's June 18, 2008, meeting pursuant to Rule 4761-2-02 of the Ohio Administrative Code were mailed to members in advance of the meeting.

Motion #18: Ms. Adams moved to place upon the minutes of the August 12, 2008 meeting, the names of respiratory therapists and limited permit applicants who met the qualifications for their respective authorization, pursuant to Sections 4761.04 and 4761.05 of the Revised Code and associated rules there under, and who were issued a license or limited permit by the Executive Director of the Board on the following dates: June 19, 2008, July 1, 2008, July 2, 2008, July 9, 2008, July 10, 2008, July 17, 2008, July 24, 2008, August 6, 2008, August 8, 2008. Mr. Andrews seconded the motion. Discussion: None. Motion carried: 7 - 0.

Agenda item 5.2: Application ratification for HME license and certificate of registration

See Motion #6.

Agenda item 5.3: Board Member Pay Policy (Exhibit I)

A draft policy to pay Board Members on an hourly basis rather than per diem was introduced.

Motion #19: Ms. Adams moved to not approve the Board Member Pay Policy. Mr. Andrews seconded the motion. Discussion: Ms. Ciarlariello stated the Board Members have always been paid on a per diem basis, but the policy would break meetings and pay down into a per hour. Ms. Adams stated that members sometimes arrive prior to their Committee times and do attend or participate in meetings. Ms. Ciarlariello stated that most of the members take time off from their work to perform this function. This, she stated, cost the member vacation time from their work place. Mr. Marx inquired why the policy was drafted. Mr. Logsdon stated that members can be paid for any number of activities related to their official function. Some activities, he stated, take very little time. The current policy, he continued, would pay a member for a full day even if it only took a short time to complete the member's task. Some members do not want reimbursement for activities, he stated. Mr. Mays said he had a problem with getting paid for a full day when perhaps an activity only takes him two hours to complete. He stated that he is so close to office that it's not a problem to come by and complete something the Director needs him to complete. Mr. Mays stated that even telephone conference calls lasting ten minutes could result in a member asking for pay, which according to policy is per diem. Mr. Mays asked if that is acceptable. Ms. Ciarlariello stated that she has to take time off to cover Board activities. Ms. Adams stated that she understands the policy now, which would clarify some of the short period use of a member's time. Mr.

Mays proposed a flat per diem for a minimum number of days, then variable thereafter. Mr. Marx suggested leaving the policy alone. Mr. Mays asked for a show of hands to support the motion. Based on a show of hands, the motion would fail.

Ms. Adams withdrew her motion.

Motion #20: Ms. Adams moved to maintain the current per diem pay policy for Board meetings. Mr. Andrews seconded the motion. Discussion: None. Motion carried: 7 - 0.

Agenda item 5.4: HME Inspection and Application Approval Procedures

The Board's Executive Director presented a proposal to change the agency's current HME inspection review policy. Mr. Logsdon proposed delegating this authorization the HME Manager. After some discussion, the membership dropped the agenda item and advised Mr. Logsdon to delegate the activity as he determined.

Agenda item 5.5: RCB Initial Application for License/Limited Permit (Exhibit J)

The Board's Executive Director introduced a revised RCB Initial Application Form.

Motion #21: Mr. Andrews moved to approve the new RCB Initial Application. Ms. Ciarlariello seconded the motion. Discussion: None. Motion carried: 7 – 0.

Agenda item 5.6: Annual Report 2008 Goals and Objectives

Mr. Logsdon reminded the Board Membership that the Board must submit an annual report. Included in the annual report is a traditional list of Goals and Objectives for the following year. After brief discussion, the members asked that the following list be included:

1. Development of an aggregate Education Data Report
2. Development of an aggregate Home Medical Equipment Data Report
3. Hold a strategic planning meeting for Home Medical Equipment regulation
4. Decrease processing time on renewal applications
5. Work toward introducing legislation to clean up HME and RCB language
6. Continue to monitor and develop policies to protect the public.

Agenda item 5.7: Draft Operational Budget Proposal for FY 2010 and 2011

Mr. Mays asked Mr. Logsdon to review the FY 2010/2011 budget proposal. He reviewed each aspect of the budget request. Mr. Logsdon stated that the proposed budget is not fully complete and that the amount may change slightly (within 5 – 10 %). No action taken on the report.

Agenda item #9: OPEN FORUM

No one appeared.

Agenda item #10: FOR THE GOOD OF THE BOARD

None.

Agenda item #10: ADJOURNMENT

Hearing no further matters, the meeting adjourned the meeting at 5:03 p.m.

Secretary's Certification: These are a true account of the proceedings in accordance with Section 121.11 of the Ohio Revised Code, approved by a majority of a quorum of the membership of the Board on October 14, 2008.

Secretary

Witness