

**OHIO RESPIRATORY CARE BOARD**

77 S. HIGH STREET, 16TH FLOOR

COLUMBUS, OHIO 43215-6108

**Contents**

**MEMBERS IN ATTENDANCE (Exhibit A).....2**

**CALL REGULAR MEETING TO ORDER.....2**

Agenda item 1: Adoption of Proposed Meeting Agenda (Exhibit B).....3

Agenda item 2: Approval of Previous Meeting Minutes (Exhibit C).....3

**OFFICER AND STAFF REPORTS.....3**

Agenda item 3.a: President’s Report .....3

Agenda item 3.b: Executive Director’s Report (Exhibit D).....3

**PROBABLE REVIEW COMMITTEE REPORTS (Exhibits E – Enforcement Report & F – Probable Review Committee Report).....6**

Agenda item 5a: Enforcement Report .....6

**OFFICER AND STAFF REPORTS (continued).....7**

Agenda item 3.c: HME Manager’s Report (Exhibit H).....6

**COMMITTEE REPORTS.....7**

Agenda item 4.a: Education Committee Report.....7

Agenda item 4.b: HME Committee Report.....7

Agenda item 4.c: Scope of Practice Committee Report.....8

**PROBABLE REVIEW COMMITTEE REPORTS (continued).....9**

Agenda item 5b: Approval of Consent Agreement (Exhibit G).....9

Agenda item 5c: Approval to Close Investigations .....10

Agenda item 5d: Probation Compliance Report .....10

**OLD BUSINESS.....10**

Agenda item 6.a: FY16-FY17 Budget Update (Exhibit I).....10

Agenda item 6.b. House Bill 266 (Exhibit J).....10

Agenda item 6.c. Draft FY2015 Annual Report (Exhibit K).....10

Agenda item 6.d. Newsletter Update (Exhibit L).....10

**NEW BUSINESS.....11**

Agenda item 7.a: Application ratification for RCP Licenses and Limited Permits issued since the last Board meeting (Exhibit M).....11

Agenda item 7.b: Application ratification for Home Medical Equipment Licenses and Certificates of Registration issued since the last Board meeting (Exhibit N).....11

Agenda item 7.c: Ohio Physicians Health Program (Exhibit N).....11  
**EXECUTIVE SESSION – public employee compensation.....11**  
**FOR THE GOOD OF THE BOARD.....12**  
**ADJOURNMENT.....12**

**OFFICIAL BOARD MEETING MINUTES OF AUGUST 12, 2015**

**REGULAR BUSINESS MEETING**

**MEMBERS IN ATTENDANCE (Exhibit A):**

Kenneth Walz, J.D., R.R.T., R.C.P., President

Nancy Colletti, Ph.D., R.R.T., R.C.P.

Melissa Cross, HME Member

Carol Gilligan, HME Member

Marc Mays, M.S., R.R.T., R.C.P.

Andrea Yagodich, R.R.T., R.C.P., Acting Secretary

**Staff in attendance:**

Corey C. Schaal, J.D./M.P.A., Executive Director

Marcia L. Stephenson, HME Manager

Traci L. McDonald, Administrative Professional I

**Others in Attendance:**

F. Herbert Douce, Consultant

Steven R. Kochheiser, Assistant Attorney General – Office of the Ohio Attorney General

Bobby Robbins, Contract Investigator

**CALL REGULAR MEETING TO ORDER**

Mr. Walz called the meeting to order at 11:54 a.m. Mr. Walz asked if an Acting Secretary had been chosen. Mr. Schaal indicated that Ms. Yagodich had been asked and had agreed to serve as Acting Secretary in the absence of the Secretary, Mr. Pavlak. Role was taken by Ms. Yagodich. All Board members were present with the exceptions of

Mr. Pavlak and Dr. Kalra. Mr. Walz indicated that the Board was also still missing the Public member who still has to be appointed by the Governor.

Agenda item 1. Adoption of Proposed Meeting Agenda (Exhibit B)

Mr. Walz asked if members had an opportunity to review the meeting agenda. With affirmations given, Mr. Walz asked for a motion to approve the agenda.

**Motion #1:** Mr. Mays moved to approve the proposed agenda. Ms. Cross seconded the motion. Discussion: None. Motion carried: 6 – 0.

Agenda item 2. Approval of Previous Meeting Minutes (Exhibit C)

Mr. Walz asked if everyone had a chance to read the minutes from the prior Board meeting. Mr. Walz then asked for a motion to approve the minutes.

**Motion #2:** Mr. Mays moved to approve the June 10, 2015 meeting minutes. Dr. Colletti seconded the motion. Discussion: None. With no discussion, Mr. Walz asked for the minutes to be approved. Motion carried: 6 – 0.

## OFFICER AND STAFF REPORTS

Agenda item 3.a: President's Report

Mr. Walz indicated that he did not have time yet to meet with Herb Douce to discuss his future involvement with the Board, but he hoped that Mr. Douce would be able to remain for the meeting and to talk with him later today. Mr. Schaal indicated that there had been some discussions earlier in the day regarding Mr. Douce's involvement with the Board and that would be discussed during the Education Committee report. Mr. Walz indicated that he had nothing more to report on at this time.

Agenda item 3.b: Executive Director's Report (Exhibit D)

Mr. Schaal reported that an outline of his report which had been mailed out in advance of the meeting appeared in the packets, but that he would highlight the following issues:

1. **Biennial State Audit – Management Letter**– A preliminary draft Management Letter has been provided to the Executive Director. Mr. Schaal indicated that a final letter will be issued in 2-3 weeks and that, according to practice, the email addresses of the Board Members were provided to the Auditor of State's office. The Management Letter will be sent directly to each Board member. Overall, the impression of the draft letter indicates that no ambiguities exist within the Ohio Respiratory Care Board's offices. A small incorrect payment amount made to the prior Executive Director during his tenure and a failure of the Treasurer of State to timely note the receipt of a deposit of Board funds delivered by staff from DAS-Central Services Administration had been dealt with during the auditing process. Tentatively, the audit will include a recommendation for the Board to adopt a specific policy related to expenditures. Whereas the Board currently follows procedures set forth by CSA for revenues and expenditures, the Board

has a simple policy for handling revenues essentially mirroring the procedures, but no similar policy mirroring the expenditures procedures. A proposed policy will be recommended for future consideration.

2. **Administrative Rules Hearing** – Mr. Schaal reported that the Administrative Rule Hearing for five-year review rules with proposed changes will be held on October 21st. Reviewed rules with no changes and no adverse impact on business will be shortly filed with JCARR as “No Rule Change.” The staff of the Common Sense Initiative have asked for solicitation of comments with regards to reviewed rules which may have an adverse impact on business – which is broadly defined and is inclusive of rules which involve fees/costs and requirements tied to licensing. For all the reviewed rules, JCARR staff suggested the October hearing to enable the next five year review date to come at a Board meeting after June of 2016, which will enable staff to handle reviews after license and limited permit renewals. Mr. Schaal reported that he had presented on the rules recently at the summer meeting of the Ohio Society for Respiratory Care and an email was going to Kam Yuricich at the Ohio Association of Medical Equipment Services for distribution to members of that organization.
3. **Document Management System** – Mr. Schaal indicated that the Board would be soliciting bids from three MBE/Edge vendors for two replacement computers for staff members, Traci McDonald and Dawn Hux. A recent upgrade for iSynergy and Scadox, software used for reviewing and uploading document images, has already occurred with several issues. While anticipated for in the near future, the upgrade was unscheduled. As such, delays in scanning documents occurred for several hours over multiple days. While the upgraded system appears to be faster and have improved options, the newer hardware will greatly improve the efficiency and operability of the system. While these improvements will help in scanning new documents and items currently stored offsite, it should be noted that Traci McDonald and Marcia Stephenson have nearly completed scanning and disposing of all prior HME records stored at the Board offices.
4. **OCSEA** – The new Ohio Civil Service Employees Association agreement has gone into effect. Under the agreement, the Board’s union employees will receive 2.5% general wage increases in July for each of the next three years along with a one-time bonus of \$750 dollars in late August. The state is providing parity for exempt employees. Our HME Manager is also automatically receiving the bonus and cola of 2.5%. These increased costs should not pose any fiscal problem for the Board’s budget as amounts originally planned for personnel costs in 2016/2017 originally estimated a higher level of compensation for a senior Executive Director who was subject to periodic step increases.
5. **ORCB Investigator** – Earlier this summer, the Board posted for a new Investigator, Mr. Bobby Robbins chose not to apply for the position. Mr. Schaal reported that while the staff will miss working with Mr. Robbins on investigations, the Board may look to utilize his skills with regards to inspections. Mr. Schaal reported that he reviewed more than 600 pages of applications for more than 100 applicants. After narrowing down the group to 22 and then 9 candidates, Mrs.

Stephenson assisted in ranking the top six candidates who were scheduled for interviews. Aside from Mrs. Stephenson, Mr. Schaal was joined in the interviews by an HR staff person from CSA and the Investigator Supervisor from the OTPTAT Board. One candidate withdrew from the process. Of the five interviewees, all of whom looked good on paper, only one did not raise any substantive concerns. Mr. Schaal indicated that the chosen candidate is currently undergoing a reference and criminal background check. Barring any final issues, an offer of employment will be extended and the Board's newest employee will start on either August 24th or September 7th.

6. **Upcoming Meetings & Presentations** – In anticipation of moving House Bill 266 forward, David Corey of the OSRC and Mr. Schaal plan to meet with State Representative Anne Gonzalez, Chair of the House Health and Aging Committee on October 7th, the next meeting date for her committee. It is hoped that the meeting can be rescheduled to an earlier date to facilitate the bill being scheduled for a first hearing with sponsor testimony on October 7th. Mr. Schaal also reported that he had two upcoming presentations scheduled on Respiratory Care Law. On September 10th, a presentation is scheduled at the Mt. Carmel Foundation RCP Symposium here in Columbus and on September 28th at the Northwest Ohio Respiratory Care Association Board Seminar in Toledo. Mr. Walz asked Mr. Schaal if he could send him a copy of the presentation in advance. Mr. Schaal indicated that he would.
7. **LSC Annual Report** – Mr. Schaal reported that he had prepared and submitted responses to questions from the Legislative Service Commission as part of the LSC annual reporting requirement.
8. **Legislative Update** – Mr. Schaal provided a brief update on House Bill 276 which makes changes to Ohio's chiropractic law and proposes to allow Chiropractors the ability to sell durable and non-durable medical goods. The bill has yet to have a first hearing and Mr. Schaal indicated that he is attempting to ascertain the intent of the bill from the sponsor, Representative Kirk Schuring. Mr. Schaal then commented on Senate Bill 194 which relates to alternative health services, but does not presently impact Respiratory Care Professionals.
9. **Expenditures & Credentials** – Mr. Schaal then reviewed the Boards expenditures and summarized the attached Revenue and Credential Reports. Ms. Gilligan inquired as to whether budget line 510 is being used to budget for personnel services, such as inspectors. Mr. Schaal indicated that was correct. Mr. Schaal also shared with the Board total revenues for FY 2015. Ms. Gilligan sought to clarify the number of initial HME licenses issued in FY15, 93, and the number of inspections held in that same time period, 27. Ms. Gilligan asked if inspections occur every two years and Mr. Schaal clarified that although state law requires inspections to be conducted every four years from initial licensure, the Board has operated under the internal goal of inspections every three years.

Mr. Walz indicated his desire to receive most materials earlier than the night before a Board meeting. Mr. Walz then indicated that while the Board waited on Mrs. Stephenson to gather additional information that had been requested earlier in the day, the Board would hold off on most Committee reports and the meeting would resume with the Probable Review Committee Report.

**PROBABLE REVIEW COMMITTEE REPORT (Exhibits E & F)**

Agenda item 5a: Enforcement Report

**Motion #3:** Mr. Mays moved to enter Executive Session for the purpose of considering the investigation of charges or complaints against licensees under R.C. 121.22(G)(1) and which involves matters that are required to be kept confidential under R.C. 149.43(A)(2) and R.C. 4761.03(E) and 4752.08 (B). Ms. Cross seconded the motion. Discussion: None. Roll Call vote:

Kenneth Walz -	Yes	Dr. Maninder Kalra -	absent
Dr. Nancy Colletti -	Yes	Marc Mays -	Yes
Melissa Cross -	Yes	Carol Gilligan -	Yes
Andrea Yagodich -	Yes	Steven Pavlak -	absent

Motion passes.

The Board entered executive session at 1:22 p.m. and returned to regular, public session at 1:59 p.m. As members of the Probable Review Committee, Ms. Yagodich and Ms. Gilligan excused themselves from participating in this portion of the meeting. Aside from the four remaining Board members, also present during executive session were Mr. Schaal, Ms. McDonald, Mr. Robbins and Mr. Kochheiser.

*\*Names and identifying information were redacted from discussion and from proposed consent agreements during the course of executive session deliberation and the public meeting. Matters were referred to only by case number in documentation and referenced by case number verbally. Identifying information based upon the correlating case number was added during the writing of the minutes after approval of the proposed consent agreements through a motion on the record during public session*

**OFFICER AND STAFF REPORTS (continued)**

Agenda item 3.c: HME Manager's Report (Exhibit H)

Mrs. Stephenson reported that since the last meeting staff had approved 6 HME License applications, 12 HME Certificates of Registration applications and there are currently 9 new applications pending. All scheduled inspections have been completed for fiscal year 2015. Due to limitations on inspectors, alleged conflicts of interest, and the number of new inspections, Board staff is considering various inspection options.

As of August 5th, the Licensing Division has collected \$7,350 in revenue so far for FY 2016. Staff is happy to report that all the HME license files have been prepped and scanned and staff only has 150 registration files still yet to scan to complete the HME scanning project.

**Motion #7:** Mr. Mays moved to approve the President's Report, the Executive Director's Report and the HME Manager's Report. Ms. Yagodich seconded the motion. Discussion: None. Motion carried: 6 – 0.

## COMMITTEE REPORTS

### Agenda item 4.a: Education Committee Report

Dr. Colletti reported that the committee met for the first time in two years and discussed working with Herb Douce to produce an Educational Report. To date, reports had been received by Board staff from 14 of the 22 programs. Mr. Schaal will send out a reminder email to the 7 schools (8 programs) which still have yet to respond. In the following year, Dr. Colletti indicated that Mr. Schaal would indicate that the Board would like the information to be submitted no later than July 1st for the following year's data. Dr. Colletti indicated that the Committee also discussed whether the AARC ethics online course would suffice to meet Ohio's ethic requirement. It was determined that it would. There was some discussion about whether all ethics courses needed specific approval by the Board and it was determined that approval for each ethics offering is not required. The Committee also indicated a future desire to discuss what does being in good standing mean for the purposes of a limited permit.

**Motion #8:** Dr. Colletti moved to approve the hiring of Herb Douce as an expert to prepare a report of the educational program outcomes based on the annual submission of data to CoARC and NBRC. Mr. Mays seconded the motion. Discussion: To clarify Mr. Walz asked if this was a repeat of the last report issued in 2010, Ms. Gilligan and Mr. Mays indicated that the report would just contain the overall data and not be broken down by districts as the last report was done at the request of the Ohio Society for Respiratory Care. Mr. Walz asked how long Mr. Douce would expect the report to take. Dr. Colletti indicated that it should take Mr. Douce no longer than it did the last time, 30 hours. Dr. Colletti reported that this report would lay a foundation upon which any future recommendation regarding the Board of Regents policy on the limitation of hours required for degrees could be based. Mr. Schaal reported that this report would also fulfill a mandatory requirement of the Board. Motion carried: 6 – 0.

### Agenda item 4.b: HME Committee Report

Ms. Gilligan reported that the Committee had discussed concerns regarding Certificate of Registration – HMER.23412. The Committee would like the staff to look into what information was submitted in the HMER application. Ms. Gilligan also indicated that the Committee would like a better understanding of how funds are divided and encumbered for inspectors. Mr. Schaal indicated that several options exist and that similar to last fiscal year, funds can be reallocated as need be to ensure that inspectors with the availability to work are scheduled more inspections. Ms. Gilligan indicated that there are a lot of questions that the Committee would like to discuss between this meeting and the next Board scheduled in October. Mr. Schaal asked Mr. Kochheiser if the Board Committee could meet outside of the regular two month schedule if the meeting is advertised and public notice is given. Mr. Kochheiser believed that it was the case, but he would look into the issue. Ms. Gilligan indicated that the Committee would like Mr. Schaal to continue to monitor House Bill 276 which expands the authority of chiropractors to include the ability to sell durable medical goods and services. Mr. Schaal indicated that he has already reached out to Rep. Schuring's office to determine the legislative intent of the bill. Lastly, Ms. Gilligan mentioned that it had been raised in the Committee meeting that one of the inspectors was not accepting some inspection assignments due to alleged conflicts of interest with chiropractic facilities. Mr. Kochheiser indicated that he was unaware of the nature of the conflict, but that it would be appropriate for Mr. Schaal to reach out to this inspector to seek additional clarification on the matter.

Mr. Walz asked if there were any questions. Mr. Mays asked if we have enough inspectors to complete the number of inspections currently required today. Ms. Gilligan responded that the Committee was unsure, but didn't think so and would not clearly know until additional information requested of Mrs. Stephenson could be presented. Mrs.

Stephenson reported that approximately 115 facilities still needed an initial inspection, inclusive of the recently licensed Walgreen Co. facilities. Mr. Mays asked if it was correct then that the Board was not fulfilling its own guidelines with regards to inspections. Mrs. Stephenson responded that we are fulfilling the requirements of our guidelines, but she is working both the top of the list and the bottom of the list of inspections balancing between those facilities which have never had an inspection versus facilities which have had an inspection, but are nearing the time for a required follow-up inspection. Mr. Mays indicated at what point Mrs. Stephenson became aware that we may have needed more inspectors. Mrs. Stephenson responded that it was back from a time when the Board was hit by a wave of applications from chiropractors. Mr. Mays indicated that he believes that people have talked around this issue for some time, but he wanted to know if Mrs. Stephenson believed we were moving quickly enough to hire more inspectors or if we needed to do something else. Mrs. Stephenson responded that the issue has been revisited several times, but nothing has been finalized. Mr. Mays indicated that this seems to have been an ongoing problem, but that he believed Mr. Schaal and Mrs. Stephenson should continue to revisit this issue until a solution can be reached. While appreciative of the fact that there had been a surge in the number of applicants with the recent addition of 50 facilities licensed by Walgreen Co., this still was an issue which has been an issue for apparently some time. Mr. Schaal raised that the number of active inspectors willing to do inspections has decreased. Mr. Mays indicated that he was aware of this, but that something needs to be done. Mr. Schaal responded that he had put forward the idea of having Mr. Robbins possibly serve, with some training, under a new contract and take on some of the needed inspection work. This could be useful in helping the Board meet its MBE requirement and would bring someone onboard with some knowledge of the Board's HME operation. Mr. Mays asked if Mr. Schaal needed anything today further from the Board to facilitate getting more inspectors. Mrs. Stephenson indicated that decisions had yet to be made with regards to what direction to go. Mr. Mays responded that he expected her as a manager to make recommendations and push the matter. While he was not pointing fingers, Mr. Mays wanted the staff to move as quickly as they could. Ms. Cross also indicated that the issue was also one of funding. Mr. Mays responded the Board could always, if needed, seek additional funding from the General Assembly and that if it was not forthcoming, respond that we could not fulfill our statutory obligation due to the lack of funds. Ms. Gilligan inquired to whether the Board had collected inspection fees and commented that the allocation of \$25,000 for purchased personnel service may not be accurate. Mr. Schaal and Mr. Mays responded that any revenues received from inspections do not automatically impact or increase the amount appropriated which could be used for inspections. Mr. Schaal indicated that the Board's staff could move forward on these matters. One question that Mr. Schaal wanted to raise was where in the four-year cycle were the facilities needing an initial inspection. To put things in perspective, none of these facilities are in danger of not being inspected within the required time period. Ms. Gilligan indicated that this raises the issue that HME licensees can operate for several years prior to having an inspection, which is a concern. Mr. Schaal responded that this was one of the issues which was raised with the Ohio Attorney General in the Board's request for an opinion – pre-licensure inspection. Ms. Gilligan asked that the staff think about possible changes that could lead to pre-license inspection. Mr. Walz asked the staff to look at these issues and to see how many inspections can be accommodated.

#### Agenda item 4.c: Scope of Practice Committee Report

Ms. Yagodich indicated that the Committee met that morning and that minutes had been approved from the June 10th meeting. Following that, the Committee reviewed a list of Frequently Asked Questions which had been prepared by Herb Douce. In addition, Mr. Schaal had prepared general background on scope of practice, but the Committee asked Mr. Schaal to rewrite that section to offer the law portions through direct links. Mr. Douce would reword some of the standard responses to the Frequently Asked Questions and would also add a question on administering drugs during ACLS/cardio-pulmonary arrest.

Ms. Yagodich indicated that Mr. Mays had raised some concerns with part of the reply used in recent scope of practice responses which indicated that licensees could do things, if competent and not prohibited to them – if they indicated that what they were doing was not considered respiratory care. Mr. Mays asked how does it come up or how is it explained that the individual is not doing something which is not respiratory care. As such, Ms. Yagodich indicated that this paragraph would be omitted and the responses would indicate that the individuals would need to check with the other Boards if something is not part of our scope of practice.

The Committee reviewed several questions. First, there was an inquiry regard whether a Respiratory Care Professional could push ACLS drugs (bi-carb or epi) during a code blue. The Committee indicated that this was covered under the scope of practice. Second, a licensee had indicated that Respiratory Therapist was to be placed on every unit and asked to do a variety of tasks (bed-pans, foley insertions, blood sugars, etc...) due to a lack of nurses and wanted to know if this posed a scope of practice or license problem. The Committee indicated that activities such as cardio-pulmonary resuscitation would be covered under our scope of practice, but that the licensee should look to the Nursing Board to see if other items were exclusive to the Nursing scope of practice. Mr. Mays indicated that the Board should just comment on items that fall under the Board's scope of practice.

The Committee also decided to move some standard language closer to the beginning of correspondence with regards to no other prohibitions existing under the scope of other boards. Lastly, Ms. Yagodich indicated that Mr. Schaal had sent out a position statement on who can do pulse oximetry in response to an inquiry. Ms. Gilligan asked if that position statement, from 2006, was in any need of review or revision. Several members of the Board responded that the basics detailed still remained the same even though some of the technology may have changed.

**Motion # 9:** Ms. Yagodich moved to approve the Scope of Practice responses. Mr. Mays seconded the motion. Discussion: None. Motion carried: 6 – 0.

**Motion #10:** Dr. Colletti moved to approve the Education Committee Report, the HME Committee Report and the Scope of Practice Committee Report. Mr. Mays seconded the motion. Discussion: None. Motion carried: 6 – 0.

**PROBABLE REVIEW COMMITTEE REPORT (continued)**

In public session, the Board took the following actions:

Agenda item 5.b: Approval of Consent Agreement (Exhibit G)

**Motion #11:** Mr. Mays moved to approve the following consent agreement:

**RCB Agreement**

<u>Exh. #</u>	<u>Case #/Respondent</u>	<u>Allegation</u>	<u>OAC Code</u>
G.	2015-ORCB-17 (Adam Garlock)	Failure to timely achieve RCCE Hours	4761-9-02(B)

Dr. Colletti seconded the motion. Discussion: None. Motion carried: 4 – 0 (Ms. Gilligan and Ms. Yagodich abstained).

Agenda item 5.c: Closed Case Review

**Motion #12:** Mr. Mays moved to approve the closure of the following cases:

2015 ORCB 21  
2015 ORCB 31

Dr. Colletti seconded the motion. Discussion: None. Motion carried: 4 – 0 (Ms. Gilligan and Ms. Yagodich abstained).

Agenda item 5d: Probation Compliance Report

**Motion #13:** Mr. Mays moved to approve the Probation Compliance Report. Dr. Colletti seconded the motion. Discussion: None. Motion carried: 4 – 0 (Ms. Gilligan and Ms. Yagodich abstained).

## OLD BUSINESS

Agenda item 6.a: FY16-FY17 Budget Update (Exhibit I)

Mr. Schaal provided a copy of the Green Book as prepared by the Legislative Service Commission detailing the final budget approved by the General Assembly. Mr. Schaal reiterated that the Board had received what the Governor had recommended and the state's biennial budget was passed shortly after the Board's June meeting.

Agenda item 6.b: House Bill 266 (Exhibit J)

Mr. Schaal reported that the bill had been introduced since the last meeting and has been referred to the House Health & Aging Committee. Mr. Schaal is scheduled, along with David Corey of the Ohio Society for Respiratory Care, to meet with Representative Ann Gonzales on October 7th to discuss moving the bill forward.

Agenda item 6.c: Draft FY2015 Annual Report (Exhibit K)

In their binders, Mr. Schaal indicated that there was a draft version of the FY2015 Annual Report and that he wanted feedback regarding a couple of questions. First, the prior reports don't list members in any particular order. Mr. Walz asked if anyone had any particular preference, none was indicated and Mr. Walz directed Mr. Schaal to use his discretion. Second, Mr. Schaal asked if anyone would object to him reflecting those members who had left the Board in the prior year. Past annual reports only gave a listing of current members at the end of the Fiscal Year. No one objected to including references to Board members who had left in the past year, so Mr. Schaal planned to add references to them. Mr. Schaal indicated that all revisions would be completed and provided to members at the next Board meeting.

Agenda item 6.d: Newsletter (Exhibit L)

Mr. Schaal indicated that he has asked for assistance with working with the program Publisher used to create the most recent newsletters. Mr. Schaal shared the photos he planned to use in the upcoming newsletter.

## NEW BUSINESS

Agenda item 7.a: Application ratification for RCP Licenses and Limited Permits issued since the last meeting (Exhibit M)

**Motion #14:** Mr. Mays moved to ratify respiratory care professional licenses and limited permits issued on the following dates:

Respiratory Care Professional Licenses and Limited Permits issued between 6/4/2015 – 8/6/2015.

Ms. Cross seconded the motion. Discussion: None. Motion carried 6 - 0.

Agenda item 7.b: Application ratification for Home Medical Equipment Licenses and Certificates of Registration (Exhibit N)

**Motion #15:** Mr. Mays moved to ratify HME licenses and certificates of registration issued on the following dates:

Home Medical Equipment Licenses and Certificates of Registration issued between 4/23/2015 – 6/9/2015 with the exception of HMER.23412.

Ms. Gilligan seconded the motion. Discussion: None. Motion carried: 6 – 0.

Agenda item 7.c: Ohio Physicians Health Program (Exhibit O)

Mr. Schaal provided background on information regarding the Ohio Physicians Health Program. The program was brought to Mr. Schaal's attention by a member of the Board. The program provides behavioral health monitoring for several healthcare related boards, including the Medical Board and the Dental Board. In the case of the Medical Board, people participating in the program have the ability avoid sanctioning on first offense – "the first bite rule." Mr. Schaal and Mr. Kochheiser plan to meet with the staff of the Ohio Physicians Health Program to see if there is any potential for use by the Board in the future.

## EXECUTIVE SESSION – public employee compensation

**Motion #16:** Mr. Mays moved to enter Executive Session for the purpose of considering the employment of a public employee under R.C. 121.22(G)(1). Ms. Gilligan seconded the motion. Discussion: None. Roll Call vote:

Kenneth Walz -	Yes	Dr. Maninder Kalra -	absent
Dr. Nancy Colletti -	Yes	Marc Mays -	Yes
Melissa Cross -	Yes	Carol Gilligan -	Yes
Andrea Yagodich -	Yes	Steven Pavlak -	absent

Motion passes.

The Board entered executive session at 3:38 p.m. and returned to regular, public session at 4:18 p.m. Aside from the six Board members, no one else was present during executive session.

**FOR THE GOOD OF THE BOARD**

Mr. Walz asked if anyone had any other matters for the good of the Board. Dr. Colletti raised the issue of having a meeting at some point with educators to discuss the Board of Regents policy limiting the number of hours needed for a degree. After discussing some possible fall conflicts, the AARC annual meeting, and the desire to have the educational report from Herb Douce, it was decided that such a meeting might best be scheduled for after the first of the year. It was decided that a specific date can be discussed at the Board's next meeting.

**ADJOURNMENT**

Mr. Walz asked if there was any other business to bring before the Board.

Hearing none, Mr. Walz adjourned the meeting at 4:24 p.m.

Board 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 21, 2015.

  
Board Secretary

  
Witness