



ALABAMA STATE BOARD OF RESPIRATORY THERAPY

400 S. Union Street, Suite 270 (36104)
Post Office Box 303770
Montgomery, AL 36130
(334) 265-7125

MINUTES

June 18, 2021

Present:

Ronda Hood	Board Chair
Ed Goodwin	Vice Chair
Vernon Johnson	Board Member
Glenn Pippen	Board Member
Dr. Erin Ozgun	Board Member
Elizabeth Utley Sheehan, Esq.	Executive Director

Also Present:

John Selden	AG's Office
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The Alabama State Board of Respiratory Therapy held a meeting on June 18, 2021, in the Bailey Building located at 400 South Union Street, Montgomery, Alabama 36104. The meeting was posted on the Secretary of State's website, as well as the Board's website, in compliance with the Open Meetings Act.

I. CALL TO ORDER

Board Chair Ronda Hood called the meeting to order at 10:00 a.m. and welcomed everyone present.

II. ADOPTION OF AGENDA

Board Chair Hood requested a review of the June 18, 2021, meeting agenda. A motion was made, seconded, and unanimously carried, to accept the June 18, 2021, meeting agenda as presented.

Votes in favor of the motion: Ronda Hood, Ed Goodwin, Vernon Johnson, Glenn Pippen, and Dr. Erin Ozgun. Opposed: None.

III. APPROVAL OF PREVIOUS MINUTES

Board Chair Hood requested a review of the March 26, 2021, minutes.

A motion was made, seconded, and unanimously carried, to accept the March 26, 2021, minutes.

Votes in favor of the motion: Ronda Hood, Ed Goodwin, Vernon Johnson, Glenn Pippen, and Dr. Erin Ozgun. Opposed: None.

IV. Rule Change

Board Chair Hood requested a motion to recess from the regular meeting to conduct a public hearing for the purpose of considering:

- Amendment of *Alabama Administrative Code 798-X-1 et seq., APPENDICES I Fee Schedule*

A motion was made, seconded and unanimously carried to recess to conduct a public hearing.

Votes in favor of the motion: Ronda Hood, Ed Goodwin, Vernon Johnson, Glenn Pippen, and Dr. Erin Ozgun. Opposed: None.

Board Chair Hood declared the Board in a public hearing at 10:06 a.m. for the purpose of public input prior to the Board's consideration of proposed amendment of *Alabama Administrative Code 798-X-1 et seq., APPENDICES I Fee Schedule*

Ms. Sheehan explained the intent of this public hearing is to allow all stakeholders the opportunity to voice their opinions to Board members either in favor or opposition to the proposed regulation. This public hearing is not intended to be a debate with Board members. If Board members choose, they may sit silently and listen to all comments without any obligation to respond. However, any Board member is more than welcome to ask follow-up questions of those presenting their views here today. At the appropriate time and when recognized by the chair, you will be given the opportunity to express your views about the proposed regulation.

1. Ms. Sheehan explained the proposed regulation changes to *Alabama Administrative Code 798-X-1 et seq., APPENDICES I Fee Schedule*
2. Ms. Sheehan received no comments on the rule change.
3. No Members of the Public were present for comment.
4. Board Members' Discussion of rule change.
5. Board Chair Hood called for a motion to end this public hearing on the proposed amendment to the Alabama State Board of Respiratory Therapy's Administrative Code and reconvened the regular board meeting at 10:12 a.m.

A motion was made, seconded and unanimously carried to reconvene the regular board meeting.

Votes in favor of the motion: Ronda Hood, Ed Goodwin, Vernon Johnson, Glenn Pippen, and Dr. Erin Ozgun. Opposed: None.

V. NEW BUSINESS

a. Executive Director Sheehan presented the Financial Statement to the Board. It is noted that dates contained within the Financial Statement indicating a date in the future of 2021, should obviously be reflected as dates in 2020.

A motion was made, seconded, and unanimously carried, to accept the Financial Statement with the understanding that dates contained within the Financial Statement indicating a date in the future of 2021, should obviously be reflected as dates in 2020.

Votes in favor of the motion: Ronda Hood, Ed Goodwin, Vernon Johnson, Glenn Pippen, and Dr. Erin Ozgun. Opposed: None.

b. Ms. Sheehan discussed and presented the Board with a draft of proposed statute changes. The Board unanimously agreed to the formation of a Legislative Committee to include Ronda Hood, Ed Goodwin and Glenn Pippen.

A motion was made, seconded, and unanimously carried, to table the statute changes until the next meeting.

Votes in favor of the motion: Ronda Hood, Ed Goodwin, Vernon Johnson, Glenn Pippen, and Dr. Erin Ozgun. Opposed: None.

c. Ms. Sheehan advised due to statute-imposed timelines the early opening of renewals will be moved to August 16, 2021, and postcard notices to go out by August 2, 2021.

A motion was made, seconded, and unanimously carried, to move the early opening of renewals to August 16, 2021.

Votes in favor of the motion: Ronda Hood, Ed Goodwin, Vernon Johnson, Glenn Pippen, and Dr. Erin Ozgun. Opposed: None.

d. Assistant Director Haisten discussed the changes being made to the Board's website as well as the updates to the online forms, all of which will greatly increase the user-friendly aspects of renewals.

At 11:40 the Board took a ten-minute break and reconvened at 11:50 a.m.

VI. OLD BUSINESS

a. AG Attorney John Selden held discussions with the Board and Executive Director Sheehan relative to the Attorney General's Opinion issued May 4, 2021.

b. Executive Director Sheehan held discussions with the Board relative to the Legal Compliance Audit Report.

A motion was made, seconded, and unanimously carried that the Executive Director Sheehan shall respond to the negative findings of the Legal Compliance Audit Report by including same within the Board minutes of June 18, 2021.

Votes in favor of the motion: Ronda Hood, Ed Goodwin, Vernon Johnson, Glenn Pippen, and Dr. Erin Ozgun. Opposed: None.

c. The Board and Ms. Sheehan again discussed the pros and cons of reinstating a lapsed/expired Alabama license versus issuing a new license to previously licensed Alabama therapists. The Board instructed Assistant Director Haisten to research whether a history of renewal dates showing lapses in license can be included in the Board's website licensee searches.

A motion was made, seconded, and unanimously carried, to table this issue until the next meeting on August 20, 2021.

Votes in favor of the motion: Ronda Hood, Ed Goodwin, Vernon Johnson, Glenn Pippen, and Dr. Erin Ozgun. Opposed: None.

VII. EXECUTIVE SESSION:

At 12:07 p.m., Board Chair Hood moved the Board go into Executive Session to consider the general reputation and character, physical condition, professional competence, and mental health of applicants, in accordance with Section VII (1) of the Open Meetings Act. The motion was seconded, and Board Chair Hood stated the Board would reconvene at the conclusion of the Executive Session in approximately one hour.

Votes in favor of the Motion to enter Executive Session: Ronda Hood, Ed Goodwin, Vernon Johnson, Glenn Pippen, and Dr. Erin Ozgun. Opposed: None.

At 1:05 p.m., Board Chair Hood made motion for the Board to reconvene in Open Session.

Votes in favor of the motion: Ronda Hood, Ed Goodwin, Vernon Johnson, Glenn Pippen, and Dr. Erin Ozgun. Opposed: None.

C-2020-01 [SJ] A motion was made, seconded and unanimously carried to impose a fine of \$500 for: 1) failure to report; 2) \$500 for guilty of misdemeanor; and 3) \$500 for positive urine drug test. Total fine to be \$1,500.00, with payment to be received within

thirty (30) days from notice. In addition, Licensee must agree to enter the Board's Wellness Program. In the alternative, Licensee can voluntarily surrender the LRT license, or the Board will schedule an administrative hearing to revoke the license of Licensee.

Votes in favor of the Motion to enter Executive Session: Ronda Hood, Ed Goodwin, Vernon Johnson, Glenn Phippen, and Dr. Erin Ozgun. Opposed: None.

C-2020-02 [MP] This matter is pending a subpoena to obtain drug test results.

A motion was made, seconded and unanimously carried to have the Investigator get the subpoena for the drug test results. If those results return positive, the Board shall impose a fine of \$500 for: 1) failure to report; and 2) \$500 for failing drug test. Total fine to be \$1,000.00, with payment to be received within thirty (30) days from notice. In addition, Licensee must agree to enter the Board's Wellness Program. In the alternative, Licensee can voluntarily surrender the LRT license, or the Board will schedule an administrative hearing to revoke the license of Licensee.

Votes in favor of the Motion to enter Executive Session: Ronda Hood, Ed Goodwin, Vernon Johnson, Glenn Phippen, and Dr. Erin Ozgun. Opposed: None.

C-2020-03 [JH] A motion was made, seconded, and unanimously carried to dismiss this complaint as unfounded.

Votes in favor of the Motion to enter Executive Session: Ronda Hood, Ed Goodwin, Vernon Johnson, Glenn Phippen, and Dr. Erin Ozgun. Opposed: None.

C-2020-04 [SM] This matter is pending a subpoena to obtain drug test results.

A motion was made, seconded and unanimously carried to have the Investigator get the subpoena for the drug test results. If those results return positive, the Board shall impose a fine of \$500 for: 1) failure to report; and 2) \$500 for failing drug test. Total fine to be \$1,000.00, with payment to be received within thirty (30) days from notice. In addition, Licensee must agree to a ninety (90) day suspension, then entry to the Board's Wellness Program immediately upon the end of said suspension. In the alternative, Licensee can voluntarily surrender the LRT license, or the Board will schedule an administrative hearing to revoke the license of Licensee.

Votes in favor of the Motion to enter Executive Session: Ronda Hood, Ed Goodwin, Vernon Johnson, Glenn Phippen, and Dr. Erin Ozgun. Opposed: None.

C-2021-01 [EP] A motion was made, seconded and unanimously carried to impose a fine of \$500 for: 1) failure to report; and 2) \$500 for stealing prescription drugs at work. Total fine to be \$1,000.00, with payment to be received within thirty (30) days

from notice. In addition, Licensee is to voluntarily surrender the LRT license, or the Board will schedule an administrative hearing to revoke the license of Licensee.

Votes in favor of the Motion to enter Executive Session: Ronda Hood, Ed Goodwin, Vernon Johnson, Glenn Pippen, and Dr. Erin Ozgun. Opposed: None.

APP-2021-09 [LY] A motion was made, seconded and unanimously carried to request the following from applicant LY: 1) obtain and provide to the Board two personal character references; 2) three professional character witnesses; and, 3) an affidavit outlining her response to be sworn to the truthfulness of said response and signed in front of a Notary Public.

Votes in favor of the Motion to enter Executive Session: Ronda Hood, Ed Goodwin, Vernon Johnson, Glenn Pippen, and Dr. Erin Ozgun. Opposed: None.

APP-2021-10 [BM] A motion was made, seconded and unanimously carried to license applicant if applicant agrees to immediately enter in the Board's Wellness Program.

VIII. OTHER BUSINESS

Ms. Sheehan presented the Board with a listing of new licensees for the quarter. After a review of the listing a motion made, seconded, and unanimously carried, to accept the listing as presented.

Votes in favor of the motion: Ronda Hood, Ed Goodwin, Vernon Johnson, Glenn Pippen, and Dr. Erin Ozgun. Opposed: None.

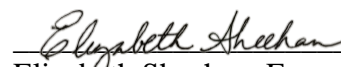
VIII. NEXT MEETING DATES

- a. August 20, 2021
- b. December 3, 2021

IX. ADJOURNMENT

At 1:17 p.m. a motion was made, seconded, and unanimously carried to adjourn the meeting. The meeting was adjourned at 1:17 p.m.


Ronda Hood, Board Chair


Elizabeth Sheehan, Executive Director