



# Advisory Board of Respiratory Care Practitioners

December 11, 2023 at 9:00 AM  
7 Eagle Square, Concord NH 03301

## Attendance

### Members Present:

Sarah Stone (SS); Christy Baker-Eble (CBE)

### Staff Present:

Jeanne Webber, Board Administrator; Brenda Golden-Hallisey, Esq., Board Counsel; Lindsey Courtney, Executive Director

#### I. Call to Order

Meeting called to order at 9:03 a.m., with a quorum of the Board present.

#### II. Approval of Minutes

##### A. June 26, 2023

#### **Motion:**

Upon a motion by CBE, with a second by SS, the Board voted to approve the minutes as stated; motion passed.

#### III. Public Appearances – No items

#### IV. Board Administrator Updates - Informational

##### A. Administrative Law Training

Refresher also available in the resources folder

##### B. Press Releases

New process - Media will be notified of all emergency suspensions, suspensions, or revocations of licensure via a press release.

#### V. Tabled – No items

#### VI. New Business

##### A. Position statement on Paramedics in Respiratory Care Departments - Informational

RCPs require specific credentials, there is concern with people pretending to be RCPs. When non-RCPs provide respiratory therapy they can't bill per CMS. If organizations are using paramedics and billing is that billing fraud we're allowing. What is the State's liability? On pre-hospital side paramedics can perform RCP

function but have to have medical control under the paramedic scope of practice. The Board can send to Enforcement for concern of unlicensed practice.

- B. NBRC and Renewals – Online renewals are requiring NBRC credentials; however, some licensees are grandfathered and do not require credentialing. The credentials awarded by the NBRC before July 1, 2002, do not expire and are not subject to the NBRC's Continuing Competency Program. The credentials awarded by the NBRC on or after July 1, 2002, must be renewed annually and are subject to the NBRC's Continuing Competency Program. Board Admin will work with IT to correct the issue.

## VII. Legislative and Rules Review

- A. Legislative Update – OPLC is requesting feedback on Legislation the Board would like to monitor.
- B. Plc 313 – Feedback from the Board: Change the Plc 313 requirements from a “state approved” education program to a “respiratory care educational program” as defined by RSA 326-E:1, XI.
- C. Plc 1500s - Informational  
Final Proposal has been submitted to JLCAR for review at their December meeting.

## VIII. Non-Public Session

At 9:51 a.m., upon a motion by SS, with a second by CBE, the Board voted to conduct a Non-Public session for the purpose of discussing investigations of alleged licensee misconduct and other confidential Board business. Such a non-public session is authorized by RSA 91-A:3, II (c), RSA 91-A:3 II (e), RSA 91-A:5, IV, Lodge v. Knowlton, 119 N.H. 574 (1978), and the Board’s executive and deliberative privileges. **[Minutes kept separately].**

## IX. Resume Public Session

### **Motion:**

At 10:01 a.m., upon a motion by SS, with a second by CBE, the Board voted to resume public session.

## X. Seal the Minutes of the Non-Public Session

Upon a motion by SS, with a second by CBE, the Board voted to seal the minutes of the non-public session to maintain the privacy of the items discussed in non-public session pursuant to RSA 91-A:3, II (c), on the grounds that public disclosure may adversely affect the reputation of a person other than a Board member or render the proposed action ineffective.

XI. Adjournment

Meeting adjourned at 10:05 a.m. Next meeting will be held in June 2024, or as needed.