

OFFICE OF LICENSED ALLIED HEALTH PROFESSIONALS

Respiratory Care Practitioners Governing Board



MINUTES of November 12, 2020

The November 12, 2020 meeting of the Respiratory Care Practitioners Governing Board convened at 9:35 A.M. with the following members present:

Sarah Stone, RCP
Jeffrey Reisert, D.O.

Absent: Richard Mozier, Jr., RCP, Chair

PUBLIC MINUTES
QUALIFICATION AND LICENSURE

Sarah Stone volunteered to be acting chair for the meeting. Jeffrey Reisert made the motion and all in were in favor.

Review Minutes of September 10, 2020

The Board reviewed the minutes from the September meeting and with a motion from Jeffrey Reisert and a second from Sarah Stone the Board approved the minutes as written.

RULES/LAWS

Attorney Thomas Broderick asked to address the Board to inform them that Resp 100-200 and Resp 300 rules were ready for the Board to adopt. The Board had no concerns or questions and on a motion from Jeffrey Reisert and a second from Sarah Stone the Board to adopt Resp 100-200 and Resp 300 rules as written

1. QUALIFICATION AND LICENSURE

A. RESPIRATORY CARE PRACTITIONER APPLICATION FOR LICENSURE

None

B. RESPIRATORY CARE PRACTITIONER APPLICATION FOR REINSTATEMENT

On a motion from Jeffrey Reisert and a second from Sarah Stone the Board voted to move the below application to non-public.

Christy Baker - Eble

C. RESPIRATORY CARE PRACTITIONER CONDITIONAL TO FULL REQUEST

None

2. RESPIRATORY CARE PRACTITIONER APPLICATION FOR LICENSURE APPROVED UNDER THE FAST TRACK PROGRAM

Applications to be ratified when the Board meets in person

3. REVIEW STANDING ORDER FROM ENFORCEMENT

Attorney Michael Porter explained to the Board the new proposed OPLC complaint process and standing order. Once a complaint is received the complainant will be given 30 days to respond to the complaint. Enforcement division will do an initial screening of the complaint and then present it to the Board with recommendation to dismiss or to continue with an investigation. If an investigation is warranted the Board will assist enforcement with narrowing down the scope of the investigation. Once the investigation is complete then enforcement will present the Board with a report of investigation (ROI) which then the Board will decide to dismiss or move forward with adjudication. If the Board decides not to dismiss the investigation it is brought to prosecution for settlement or a hearing. If after 60 days a settlement cannot be reached the matter will go to a hearing. If the matter could be criminal then it will be referred to the Attorney General's Office. Jeffrey Reisert asked Attorney Porter if there would need to be any legislative changes for this process to go into effect. Attorney Porter explained that RSA 310-A allows for this process and therefore no new legislation was needed. Jeffrey Reisert also asked when this would begin effect. Attorney Porter said the goal to start would be next month (December) and the Board would begin to receive monthly updates from enforcement with any open complaints/investigations. With no further questions the Board voted to approve the standing order as written on a motion from Jeffrey Reisert and a second from Sarah Stone. Sarah Stone will sign the standing order and return it to OPLC enforcement for it to be on file.

4. TELEMEDICINE RSA 328-F:11-b

Talia Wilson Board Administrator informed the Board that RSA 328-F: 11-b took effect July 2020. This will allow the continuing of telemedicine after the state of emergency is lifted.

ADJOURN: on motion by Jeffrey Reisert with a second by Sarah Stone, the motion to adjourn at 10:12 A.M. carried in the affirmative.

Minutes respectfully submitted by Talia Wilson, Board Administrator.

Approved Via ZOOM

Richard Mozier, RCP, Chair or acting Chair
dated

_____ at meeting

11/12/20

Motion to commence non-public session:

Upon a motion from Jeffrey Reisert with a second by Sarah Stone, the Board voted to conduct a non-public session for the purpose of discussing investigations of alleged licensee misconduct and noting that 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. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present.

[Minutes kept separately]

Motion to keep minutes of non-public session confidential:

Upon the motion Jeffrey Reisert with a second by Sarah Stone, the Board voted to withhold and seal the minutes of the preceding non-public session from public disclosure pursuant to RSA 91-A: 3, III on the grounds that public disclosure would be likely to affect adversely the reputation of a person other than a Board member and to render the proposed action ineffective. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present.