

Minutes of the January 25, 2023, Board of Respiratory Care Meeting

1. ROLL CALL

Jill Sand, Chairperson, called the meeting of the Board of Respiratory Care to order at 10:01 a.m. on Wednesday, January 25th, 2023, in Conference Room 5F at the Nebraska State Office Building located at 301 Centennial Mall South, Lincoln, Nebraska. In accordance with Neb. Rev. Stat. § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were e-mailed to the Board members and other interested parties, posted on the DHHS website at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>, and posted in the Licensure Unit on January 17, 2023.

Sand announced that this is an open meeting and the Open Meetings Act is posted.

Members Present: The following members answered roll call:

Jill Sand, Chairperson
Rene Botts, Vice-Chairperson
Marcy Wyrens, Member
Dr. Ryan Martin, Secretary (via Conference Call)

Staff Present:

T.J. O'Neill, Assistant Attorney General
Jeanne Burke, Assistant Attorney General
Mindy Lester, Assistant Attorney General
Suzanna Glover-Ettrich, DHHS Legal- Hearing Officer (via Webex)
Claire Covert-ByBee, Program Manager
Amy Blinston, Health Licensing Coordinator
Anna Harrison, DHHS Compliance Monitor
Carla Cue, DHHS Investigations
Linda Rohman, Court Reporter

Others Present:

Shane Marik, Appellant

2. ADOPTION OF AGENDA

MOTION: Botts moved, seconded by Wyrens, to adopt the agenda with the Chair having authority to rearrange agenda items as needed. Voting aye: Wyrens, Martin, Botts, and Sand. Voting nay: none. Motion carried.

3. BOARD HEARING

The Hearing commenced at 10:02 a.m.

The Hearing Officer announced that the Board would go into closed session for review at 10:35 a.m.

The Board returned from closed session at 10:51 a.m. following the conclusion of the Board Hearing review, and the following recommendation was made:

SHANE MARIK, RT- Application for Reinstatement following discipline- request for early release from probation, license #1164.

These minutes were approved by the Board of Respiratory Care via mail ballot 2.16.2023.

MOTION: Botts moved, seconded by Wyrens, to deny reinstatement from discipline and early release from probation due to an insufficient period of sobriety to ensure public safety. Voting aye: Wyrens, Botts, Martin, and Sand. Voting nay: none. Motion carried.

4. INVESTIGATIONAL & CONFIDENTIAL INFORMATION/REPORTS – CLOSED SESSION

MOTION: Wyrens moved, seconded by Sand, to move into closed session at 11:13 a.m. to hear discussions regarding confidential information and to protect the reputation of individuals named or referenced in such discussions. Voting aye: Wyrens, Botts, Martin, and Sand. Voting nay: none. Motion carried.

5. ADJOURNMENT

There being no further business, the meeting adjourned at 11:26 a.m.

Respectfully submitted,

Dr. Ryan Martin, Secretary