

Minutes of the March 3, 2020 Board of Respiratory Care Conference Call Meeting

1. ROLL CALL

Jill Sand, Chairperson, called the conference call meeting of the Board of Respiratory Care to order at 9:11 a.m. on Tuesday, March 3, 2020 in the First Floor Licensure Unit Conference Room at the Nebraska State Office Building located at 301 Centennial Mall South, Lincoln, Nebraska. The meeting was duly publicized by distribution of the Notice of Meeting and Agenda prior to the meeting and posting the agenda at the entrance of the Department of Health and Human Services Division of Public Health at least twenty-four (24) hours prior to the meeting.

Sand announced that this is a public meeting and the Open Meetings Law is posted.

Members Present: The following members answered roll call:

Jill Sand, Chairperson

Dr. Ryan Martin, Member

Dr. Adam Case, Member (via telephone)

Members Absent:

Joseph Rush, Vice-Chairperson

Others Present:

Natalee Hart, Assistant Attorney General

Anna Harrison, Compliance Monitor

Jeff Newman, Investigator

Claire Covert-ByBee, Program Manager

Antonio Carranza, Health Licensing Coordinator

2. ADOPTION OF AGENDA

MOTION: Martin moved, seconded by Sand to adopt the agenda. Voting aye: Case, Martin, and Sand. Voting nay: None. Absent: Rush. Motion carried.

3. APPROVAL OF OCTOBER 21, 2019 MEETING MINUTES

MOTION: Martin moved, seconded by Sand to approve the minutes from the October 21, 2019 meeting. Voting aye: Case, Martin, and Sand. Voting nay: None. Absent: Rush. Motion carried.

4. INVESTIGATIONAL & CONFIDENTIAL INFORMATION/REPORTS – CLOSED SESSION

MOTION: Martin moved, seconded by Sand to go into closed session at 9:13 a.m. to hear discussions regarding confidential information and to protect the reputation of individuals named or referenced in such discussions. Voting aye: Case, Martin, and Sand. Voting nay: None. Absent: Rush. Motion carried.

5. BOARD RECOMMENDATIONS – OPEN SESSION

The Board returned to open session at 9:29 a.m.

MOTION: Case moved, seconded by Sand to recommend issuing a Respiratory Care license to Kathryn Hibberd. Voting aye: Case, Martin, and Sand. Voting nay: None. Absent: Rush. Motion carried.

6. 172 NAC 162 PROMULGATION UPDATE

Covert-ByBee stated the regulations are currently with the Attorney General's office being reviewed for constitutionality. If they are approved there they will go on to the Governor's office to be reviewed for approval. If approved, they would go to the Secretary of State's office for filing and would be promulgated and go into effect five days after filing.

7. LEGISLATIVE UPDATE

Covert-ByBee covered two bills that may affect this Board. LB 1167 addresses open meetings and would mandate that every meeting subject to the Open Meetings Law would be required to provide a time for public comment. LB 1187 is related to the Occupational Board Reform Act focusing on creating reciprocity for individuals working in other states.

8. LICENSURE APPLICATION PROCESSING REPORT

Carranza presented the Licensure Application Processing Report, it was for informational purposes only.

9. ELECTION OF OFFICERS

MOTION: After discussion, Martin moved, seconded by Sand to elect Rush as Chairperson, Case as Vice-Chairperson, Martin as Secretary and Sand as investigative consultant. Voting aye: Case, Martin, and Sand. Voting nay: None. Absent: Rush. Motion carried.

10. NOTICE OF MEETING PUBLICATION

The Board is required to inform the public each year of the method by which it will provide notice of meetings. In the past, the Board has elected to post meeting agendas at the Nebraska State Office Building, to email the agenda to the interested parties list, and to post agendas on the Department's website. The Department would like to continue with these methods.

MOTION: Martin moved, seconded by Sand to continue with the current notification process. Voting aye: Case, Martin, and Sand. Voting nay: None. Absent: Rush. Motion carried.

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

11. MAIL BALLOT APPROVAL OF MEETING MINUTES

Carranza stated that in an effort to continue to improve communication with stakeholders and provide information to the public as quickly as possible the Department is changing the approval of meeting minutes to a mail ballot approval process. Once the minutes are prepared by the Department, they will be emailed to the Board members to approve via mail ballot and posted to the website as soon as they are approved. If there are corrections to be made, the Board can defer to discuss at the next meeting and approve an amended version at that time.

12. PUBLIC COMMENT

There were no comments.

13. TOPICS FOR NEXT MEETING

Suggested topics for next meeting include a Palliative Care presentation, legislative update and regulations update.

14. ADJOURNMENT

There being no further business, the meeting adjourned at 9:48 a.m.

Respectfully submitted,

Dr. Ryan Martin, Secretary