

Minutes of the March 7, 2024, Board of Respiratory Care

1. ROLL CALL

Rene Botts, Vice-Chairperson, called the virtual meeting of the Board of Respiratory Care to order at 9:25 a.m. on March 7, 2024, in the Goldenrod Conference Room 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 February 26, 2024.

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

Members Present: The following members answered roll call:

Rene Botts, Vice-Chairperson (via Webex)
Marcy Wyrens, Member (via Webex)
Dr. Ryan Martin, Secretary

Staff Present:

Claire Covert-ByBee, DHHS Program Manager
Kim Hitzel, DHHS Health Licensing Coordinator
Jeff Newman DHHS Investigations
T.J. O'Neill, Assistant Attorney General
Suzanna Glover-Etrich, DHHS Legal- Hearing Officer (via Webex)

2. ADOPTION OF AGENDA

MOTION: Wyrens moved, seconded by Martin, to adopt the agenda. Voting aye: Wyrens, Martin, and Botts. Voting nay: none. Motion carried.

3. REAFFIRMATION OF MAIL BALLOT

The following mail ballot was brought before the Board:

Approval of the September 27, 2024, meeting minutes. Voting aye, Botts, Wyrens, Sand.
Voting nay, none. Not voting, Martin. Minutes were approved October 10, 2024.

Sand joined the meeting at 9:24 am (via Webex)

4. INVESTIGATIONAL & CONFIDENTIAL INFORMATION/REPORTS – CLOSED SESSION

MOTION: Wyrens moved, seconded by Martin to move into closed session. Voting aye: Botts, Martin, Wyrens, and Sand. Voting nay, None. Motion Carried. Board went into closed session at 9:25 am.

5. BOARD RECOMMENDATIONS ON APPLICATIONS – OPEN SESSION

The Board returned to open session at 10:37 am

MOTION:

In the Matter of the application for Respiratory Care Practitioner for Tekakawitha Galvin-Siebenaler Martin moved, seconded by Wyrens to recommend issuing a license to practice Respiratory Care. Voting aye, Botts, Martin, Wyrens, and Sand. Voting nay, none. Motion carried.

In the matter application for Respiratory Care Practitioner for LaKeisha Tucker, Wyrens moved, seconded Martin to recommend to deny the application based on misrepresentation of material facts in attempting to procure a credential, failure to report a misdemeanor or felony, history of convictions, and failure to complete the application by providing all requested documents. Voting Aye, Botts, Martin, Wyrens, and Sand. Voting Nay, None. Motion carried.

6. Election of Officers

Motion: Botts moved, seconded by Martin to vote the following slate of officers for 2024. Chair Marcy Wyrens, Vice-Chair Rene Botts, Secretary Dr. Ryan Martin. Investigative Consultant and Education Consultant Jill Sand. Voting aye, Botts, Wyrens, Martin, and Sand. Voting nay, none. Motion carried.

7. Per Diem Discussion

Motion: Wyrens moved, seconded by Botts to keep the Per Diem at the current rate of \$50 per day. Voting aye, Botts, Wyrens, Martin, and Sand. Voting nay, none. Motion carried.

8. Notice of Meeting Publication

Motion: Covert-ByBee advised that meeting agenda are posted at the Nebraska State Office Building on the Licensure Unit Bulletin board at 301 Centennial Mall South, Lincoln, NE, emailed to interested parties and stakeholders who have requested notification, and posted on the Department of Health and Human Services website. Wyrens moved, seconded by Botts to keep the current Notice of Meeting Publication. Voting aye, Botts, Sand, Martin, and Wyrens. Voting nay, none. Motion carried.

9. Legislative Update

Covert-ByBee informed the Board that LB 16 was passed and will impact some licensure content. Covert-ByBee will keep the Board informed when those changes take place.

10. Respiratory Care Compact

Covert-ByBee stated that a Respiratory Care compact is still in the beginning stages of development.

11. UNMC APRT Program Report Out: Wyrens

Wyrens reported that University of Nebraska Medical Center is developing a Master's Degree Program for Respiratory Care. The program is considering the ramifications of independent practice Respiratory Care which would be similar to a physician's assistant that Ohio is already using. Nebraska may need to look at the scope of practice expansion if independent practice respiratory Care Practitioners becomes more wide-spread.

12. Speciality Certification for CE: ACCS

Wyrens presented information to the Board about the Adult Critical Care Speciality examination and discussion was held how that may effect Continuing Education Credits in the future. It was noted that the Chapter of Regulations would have to be opened and revised to make those changes.

13. Scope of Practice Question:

The Board considered the following Scope of Practice question.

Are Nebraska Licensed Respiratory Care Practitioners allowed to perform standard trach care? Does this include application of creams/ointments/powders surrounding the trach stoma? Does this include placement of specialty trach dressings if physician ordered?

Motion: Martin moved, seconded by Botts. Voting aye, Botts, Martin, Wyrens, and Sand. Voting nay, none. Motion carried for the following opinion.

"It is the opinion of the Board that it is within the scope of practice of a Respiratory Care Practitioner to perform standard tracheostomy care, topical administration of creams, ointments, and powders surrounding the tracheal stoma that are ordered by a physician and placement of specialty dressings ordered by a physician provided that the Respiratory Care Practitioner has the additional training and competency necessary to perform such functions confirmed within the facility. "

14. Licensure Application Processing Report

Covert-ByBee stated this is for informational purposes only.

15. Update on New Licensure Database

Covert-Bybee stated that the database is still on track to become operational in late 2024 or early 2025.

16. Topics for Next Meeting

Topics to be on the agenda for the next meeting include Legislative Update, Application Processing report, Compact Update, Public Comment, and Update on New Licensure Database.

17. Public Comment

There were no public comments.

18 Adjournment

Respectfully submitted,

Dr. Ryan Martin, Secretary