



### **Respiratory Care Advisory Council Minutes for June 9, 2020**

The meeting was called to order at 2:03 pm on Tuesday, June 9, 2020 via live-streamed video conference.

Council members present: Amy Rodenhausen, RRT; Sanja Keller, RRT; Cindy Groeniger; Robert Pelfrey, RRT; Karen May, RRT; and Harish Kakarala, M.D.

Staff members present: Jill Reardon, Nathan Smith, Cierra Lynch, Jonithon LaCross, and Benton Taylor.

#### **Approval of Minutes from March 10, 2020 meeting**

All council members present voted to approve the March 10, 2020 meeting minutes as presented.

#### **Appointments to the Council**

Ms. Reardon stated that in April 2020 the Medical Board voted on appointments to the Council. Sanja Keller, RRT was reappointed to the Council and Karen May, RRT, was appointed as a new member. Ms. Reardon noted that Ms. May has over 35 years of experience in respiratory care.

#### **Legislative Update**

House Bill 263: Mr. LaCross stated that this bill concerns criminal convictions in occupational licensing. The bill would require the Board to create a specific list of disqualifying felony offenses that would prevent an applicant from receiving a license. In current practice, the Board reviews each applicant individually to determine the appropriateness of granting licensure. This bill would also prevent any felony more than five years old from being a disqualifier for licensure, except for egregious felonies such as murder or rape. The bill also removes considerations of character or moral turpitude. Mr. LaCross stated that the Medical Board is working with other boards to make amendments to the bill.

House Bill 432 and Senate Bill 246: Mr. LaCross stated that these bills would create a reciprocity system whereby someone who holds a license in any other state could easily come to Ohio and practice. Essentially, practitioners in other states could bypass Ohio's requirements and rely on other states' requirements, and there would be no criminal background checks. Mr. LaCross stated that Ohio has very good standards for licensure, so the Board has approached the Senate about this bill. The Senate has indicated that the Board will have an opportunity to add amendments to protect the integrity of its licensure process.

House Bill 606: Mr. LaCross stated that this bill would provide immunity for essential health care workers who transmit COVID-19 by creating a tort liability exemption. The Board would still be able to take action if the minimal standards of care are violated.

House Bills 641 and 650: Mr. LaCross stated that these two bills would allow the use of medical marijuana for treatment of anxiety, autism, and opioid use disorder. The Board's Medical Marijuana Committee has been reviewing these issues extensively. Mr. LaCross stated that there is little appetite in the legislature to move these bills, but they are being monitored.

House Bill 679: Mr. LaCross stated that this bill concerns telehealth services and their continued use after the COVID-19 pandemic. Respiratory care may be included in the bill to allow for minor treatments and follow-up.

Senate Bill 1: Mr. LaCross stated that if this bill is enacted, any order from the Governor's office after the current COVID-19 pandemic would be effective for only 14 days. Extension of the order could be approved by the Joint Committee on Agency Rule Review (JCARR).

Senate Bill 156: Mr. LaCross stated that this bill prohibits defrauding of drug and alcohol urine screening.

Senate Bill 178: This bill would allow podiatrists to administer flu vaccinations. The goal of the legislation is to increase access to vaccinations.

### **2018-2019 CoARC Reports**

Ms. Lynch stated that the Commission on Accreditation for Respiratory Care (CoARC) met in March and made changes in their scoring system. CoARC asked respiratory care school who had remedial issues related to scores to resubmit data. Ms. Lynch hoped to hear back from CoARC before the next Council meeting.

### **COVID-19 Pandemic**

Ms. Reardon stated that in response to the COVID-19 pandemic, the Medical Board voted to suspend continuing education (CE) requirements, effective March 9, 2020. Licenses that expire during order will remain active until 90 days after the Governor's order is lifted, or December 1, 2020, whichever is later. The Board encouraged all licensees to continue CE and renewals unless they are impacted negatively by pandemic.

### **Complaints Against Licensees**

Mr. Smith stated that since January 1, 2020, the Board has received about 72 complaints related to respiratory care professionals. Mr. Smith observed that more than half of the complaints arose from licensure application, such as questions about criminal records and discipline. Of those 72 complaints, about 30 have been closed and about 40 are actively in investigations. The complaints are for a variety of issues, including impairment, criminal conviction, or minimal standards of care.

Mr. Smith briefly reviewed the complaint and investigation process and how complaints can be filed, such as through the Board's website. Mr. Smith also reviewed formal actions that have been taken against respiratory care licenses this year. Since the Medical Board assumed regulation of respiratory care professionals in January 2018, only 15 complaints have been received involving minimal standards of care.

Mr. Smith asked the Council to help educate colleagues that if they witness a problem involving a respiratory care professional, the appropriate thing to do is notify the Medical Board.

The Respiratory Care Advisory Council meeting was adjourned at 2:32 p.m.