

Members in attendance (Exhibit A):	1
Agenda item #1: CALL MEETING TO ORDER	2
Agenda item 1.a: Approval of Board Meeting Agenda (Exhibit B).....	2
Agenda item 1.b: Approval of Prior Meeting Minutes – April 18, 2012 (Exhibit C).....	2
Agenda item #2: OFFICER AND STAFF REPORTS	2
Agenda item 2.a: President’s Report.....	2
Agenda item #3: PROBABLE REVIEW COMMITTEE REPORT	3
Agenda item 3.b: Approval of Opportunity for Hearing Notices (Exhibit D)	3
Agenda item 3.c: Consent Agreement Approval (Exhibits E-G)	3
Agenda item 3.d: Closed Case Report.....	4
Agenda item 3.e: Probation Compliance Report.....	5
Agenda item #4: NEW BUSINESS	5
Agenda item 4.a: Application ratification for Respiratory Care Licenses and Limited Permits (Exhibit H).....	5
Agenda item 4.b: Application ratification for Home Medical Equipment Licenses and Certificates of Registration (Exhibit I).....	5
Agenda item 4.c: Order to Adopt Amended Rule 4761:1-14-02 (Exhibit J).....	5
Agenda item 4.d: Recognition of Service (Exhibit K and L)	6
Agenda item 4.e: NBRC Licensure Liaison Group Meeting.....	6
Agenda item #2a: PRESIDENT’S REPORT CONT’D	6
Agenda item #5: ADJOURNMENT	6

OHIO RESPIRATORY CARE BOARD

77 SOUTH HIGH STREET, 16TH FLOOR

COLUMBUS, OHIO 43215-6108

OFFICIAL SPECIAL BOARD MEETING MINUTES OF JUNE 21, 2012

Special Business Meeting

Members in attendance (Exhibit A):

Marc Mays, R.R.T., R.C.P., President

Carol Gilligan, HME Member

Joel Marx, HME Member

Robert Slabodnick, MEd, R.R.T., R.C.P.

Steven A. Pavlak, M.S., R.R.T., R.C.P.

Staff in attendance:

Christopher H. Logsdon, Executive Director

Anthony Isom, Investigator

Others in Attendance:

Michelle T. Sutter, Assistant Attorney General

Matthew Ourednik

Agenda item #1: CALL MEETING TO ORDER

Mr. Mays called the meeting to order at 10:30 AM. Mr. Mays asked Ms. Gilligan to call the roll. Present were Joel Marx, Marc Mays, Robert Slabodnick, Steven Pavlak, and Carol Gilligan. Having a majority of the members, Mr. Mays announced there was a quorum to conduct business.

Agenda Item 1.a: Approval of Board Meeting Agenda (Exhibit B)

Motion #1: Mr. Slabodnick moved to approve the meeting agenda for June 21, 2012. Mr. Pavlak seconded the motion.
Discussion: None. Motion carried: 5 - 0.

Agenda Item 1.b: Approval of Prior Meeting Minutes -- April 18, 2012 (Exhibit C)

Mr. Mays inquired if there were any changes or corrections to the minutes.

Motion #2: Mr. Marx moved to approve the April 18, 2012 meeting minutes. Ms. Gilligan seconded the motion.
Discussion: None. Motion carried: 5 - 0.

Agenda item #2: OFFICER AND STAFF REPORTS

Agenda Item 2.a: President's Report

Mr. Mays stated that he would defer his official report until Ms. Sutter arrived.

Mr. Mays stated that the position of Board Secretary was now vacant. He asked for nominations for the open position. Ms. Slabodnick nominated Ms. Gilligan for Secretary. Mr. Marx seconded the nomination. Hearing no other nominations, Mr. Mays inquired if there was any opposition to the nomination and appointment. Hearing none, Ms. Gilligan was unanimously elected to serve as Board Secretary until April 2013.

Agenda item #3: PROBABLE REVIEW COMMITTEE REPORT

Motion #3: Mr. Slabodnick moved to enter Executive Session for the purpose of discussing proposed disciplinary action against licensees under R.C. 121.22(G)(3) and involves matters that are required to be kept confidential under R.C. 149.43(A)(2) and R.C. 4761.031 and 4752.08 (B). Mr. Pavlak seconded the motion. Discussion: None. Roll Call vote:

Marc Mays -	Yes	Carol Gilligan -	Yes
Robert Slabodnick -	Yes	Steven Pavlak -	Yes
Joel Marx -	Yes		

Motion carried.

The Board entered executive session at 10:36 a.m. and returned to regular, public session at 10:55 a.m. Five Board members were present during executive session. Mr. Isom, Mr. Logsdon, and Ms. Sutter were present during Executive Session.

**Names and identifying information was redacted from discussion and proposed notices of opportunity for hearing during the course of executive session deliberation and the public meeting. Matters were referred to only by case number in documentation and referenced by case number verbally. Identifying information based upon the correlating case number was added during the writing of the minutes after approval of the proposed notices of opportunity for hearing through a motion on the record during public session.*

Agenda Item 3.b: Approval of Opportunity for Hearing Notices (Exhibit D)

Motion #4: Mr. Pavlak moved to issue an opportunity for hearing notice as presented to the Board in the matters of:

RCB Opportunity for Hearing Notices

<u>Exh. #</u>	<u>Case no. /Respondent</u>	<u>Allegation</u>	<u>ORC Code</u>
D.	2012ORCB061 (Kristina M. Blake, Lic. No. N/A)	Conviction of offense of moral turpitude	OCR 4761.09 (A) (1)

Ms. Gilligan seconded the motion. Discussion: None. Motion carried: 5 – 0.

Agenda Item 3.c: Consent Agreement Approval (Exhibits E-G)

**Names and identifying information was redacted from discussion and proposed consent agreements during the course of executive session deliberation and the meeting. Matters were referred to only by case number in documentation and referenced by case number verbally. Identifying information based upon the correlating case number was added during the writing of the minutes after approval of the proposed consent agreements through a motion on the record during public session.*

Motion #5: Mr. Pavlak moved to approve the consent agreement between the Board and the following cases:

RCB Agreements

<u>Exh. #</u>	<u>Case no. /Respondent</u>	<u>Violation</u>	<u>Action</u>
---------------	-----------------------------	------------------	---------------

E.	Case #2012ORCB031 (Steven d. Sagun, L1.6523)	Conviction of offense of moral turpitude	Probation ending February 17, 2013
F.	Case #2012ORCB052 (Matthew J. Ourednik, L1.5831)	Unlicensed Practice	Reprimand/Fine

HME Agreements

<u>Exh. #</u>	<u>Case no. /Respondent</u>	<u>Violation</u>	<u>Action</u>
G.	Case #2012HME015 (Technical Gas Products, Inc.) HMEL.11473	Unlicensed Practice	Reprimand/Fine

Noting that he must abstain from the vote, Mr. Marx asked if the motion could be withdrawn. Mr. Pavlak agreed to withdraw the motion.

Motion #5 restated: Mr. Marx moved to approve the consent agreement between the Board and the following cases:

RCB Agreements

<u>Exh. #</u>	<u>Case no. /Respondent</u>	<u>Violation</u>	<u>Action</u>
E.	Case #2012ORCB031 (Steven d. Sagun, L1.6523)	Conviction of offense of moral turpitude	Probation ending February 17, 2013
F.	Case #2012ORCB052 (Matthew J. Ourednik, L1.5831)	Unlicensed Practice	Reprimand/Fine

Mr. Slabodnick seconded the motion. Discussion: None. Motion carried: 5 – 0.

Motion #6: Mr. Pavlak moved to approve the consent agreement between the Board and the following cases:

HME Agreements

<u>Exh. #</u>	<u>Case no. /Respondent</u>	<u>Violation</u>	<u>Action</u>
G.	Case #2012HME015 (Technical Gas Products, Inc.) HMEL.11473	Unlicensed Practice	Reprimand/Fine

Ms. Gilligan seconded the motion. Motion carried: 4 – Yes, 1 – abstained (Mr. Marx).

Agenda Item 3.d: Closed Case Report

Motion #7: Mr. Slabodnick moved to approve the closed case report for cases:

1. 2012ORCB53
2. 2012ORCB46
3. 2012ORCB48
4. 2012ORCB50
5. 2012ORCB51
6. 2012ORCB54
7. 2012ORCB55
8. 2012ORCB56
9. 2012ORCB56
10. 2012ORCB58

11. 2012ORCB59
12. 2012ORCB60
13. 2012ORCB63
14. 2012ORCB64
15. 20121HME16

Mr. Pavlak seconded the motion. Discussion: None. Motion carried: 5 – 0 on all ORCB cases, 4 – Yes, 1 – abstained (Mr. Marx) on all HME cases.

Agenda Item 3.e: Probation Compliance Report

Motion #8: Ms. Gilligan moved to approve the probation compliance report. Mr. Slabodnick seconded the motion. Discussion: None. Motion carried: 5 – 0.

Agenda item #4: NEW BUSINESS

Agenda Item 4.a: Application ratification for Respiratory Care Licenses and Limited Permits (Exhibit H)

Motion #9: Mr. Pavlak moved to ratify respiratory care professional licenses and limited permits issued on the following dates:

Limited Permits issued on April 12, 2012, April 19, 2012, April 26, 2012, May 3, 2012, May 10, 2012, May 17, 2012, May 24, 2012, May 31, 2012, June 7, 2012, and June 14, 2012.

Respiratory Care Professional Licenses issued on April 12, 2012, April 19, 2012, April 26, 2012, May 3, 2012, May 10, 2012, May 17, 2012, May 24, 2012, May 31, 2012, June 7, 2012, and June 14, 2012.

Mr. Slabodnick seconded the motion. Discussion: None. Motion carried five - 0.

Agenda item 4.b: Application ratification for Home Medical Equipment Licenses and Certificates of Registration (Exhibit I)

Motion #10: Ms. Gilligan moved to ratify HME licenses and certificates of registration issued on the following dates:

HME License issued on May 3, 2012, May 9, 2012, May 16, 2012, June 8, 2012, and June 15, 2012.

HME Certificates of Registration issued on April 13, 2012, April 16, 2012, April 17, 2012, April 19, 2012, April 24, 2012, April 25, 2012, April 26, 2012, April 30, 2012, May 1, 2012, May 9, 2012, May 11, 2012, May 16, 2012, May 17, 2012, May 22, 2012, May 31, 2012, June 7, 2012, June 8, 2012, June 11, 2012, and June 15, 2012.

Mr. Pettinichi seconded the motion. Discussion: None. Motion carried: 5 – 0.

Agenda Item 4.c: Order to Adopt Amended Rule 4761:1-14-02 (Exhibit J)

Motion #11: Mr. Marx moved to approve the Order to final file proposed rule 4761:1-14-02 in compliance with ORC 119.03. Mr. Slabodnick seconded the motion. Discussion: None. Motion carried: 5 – 0.

Agenda Item 4.d: Recognition of Service (Exhibit K and L)

The Board reviewed two resolutions recognizing the service of past board members: Anita Adams and Sandra Stabile Harwood

Motion #12: Mr. Slabodnick moved to approve the resolutions recognizing the service of Ms. Adams and Ms. Stabile Harwood and to hold the resolutions for signature at the next scheduled board meeting. Ms. Gilligan seconded the motion. Discussion: None. Motion carried: 5 – 0.

Agenda Item 4.e: NBRC Licensure Liaison Group Meeting

Motion #13: Ms. Gilligan moved to order the Executive Director to attend the 2012 NBRC Licensure Liaison Group meeting in September 2012 and to authorize the necessary and regular expenditures to support his attendance. Ms. Slabodnick seconded the motion. Discussion: None. Motion carried: 5 – 0.

Agenda item #2a: PRESIDENT'S REPORT CONT'D

Motion #14: Mr. Pavlak moved to go into Executive Session pursuant to ORC 121.22 (G) (1) to consider the appointment/employment of a public employee. Mr. Slabodnick seconded the motion. Discussion: None.

Roll call vote:

Marc K. Mays – Yes

Joel Marx – Yes

Carol Gilligan – Yes

Steven Pavlak – Yes

Robert Slabodnick – Yes

Motion passed.

The Board excused visitors and staff from the meeting. All five Board members in attendance and Ms. Sutter attended during Executive Session. The Board entered Executive Session at 11:36 a.m. and re-entered public session at 11:45 a.m.

Mr. Logsdon returned to the meeting.

Following Executive Session, Mr. Mays informed Mr. Logsdon that he had investigated methods to increase Mr. Logsdon's compensation; however, after consultation with the Board's legal counsel it is not possible. Mr. Mays stated that the Board believes that Mr. Logsdon should be better compensated, but without some type of position reclassification, which does not seem likely, it is not possible. Mr. Logsdon expressed his gratitude for the consideration.

Agenda item #5: ADJOURNMENT

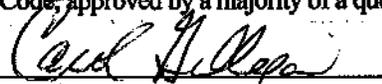
Hearing no objection, Mr. Mays adjourned the meeting at 11:47 p.m.

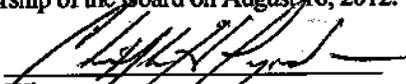
Page 7
Ohio Respiratory Care Board
Meeting Minutes
June 21, 2012

Following adjournment, Mr. Logsdon inquired if the meeting could be reopened so that he could review the August hearing schedule. Before considering re-opening the meeting, Mr. Logsdon contacted Mr. Ourednik to determine if he would like to attend. Mr. Ourednik declined. The meeting reopened with all Board members, Ms. Sutter and Mr. Logsdon present at 11:50 a.m. Mr. Logsdon summarized the hearing schedule and the planning the business meeting on August 15 and 16, 2012.

Motion #15: Mr. Pavlak moved to adjourn. Ms. Gilligan seconded. Motion carried: 5 - 0.

Board President's Certification: These are a true account of the proceedings in accordance with Section 121.11 of the Ohio Revised Code, approved by a majority of a quorum of the membership of the Board on August 16, 2012.


Board Secretary


Witness