



Health Licensing Office  
Respiratory Therapist and Polysomnographic Technologist Licensing Board

◆ ◆ ◆  
October 16, 2015  
700 Summer Street NE, Suite 320  
Salem, Oregon

---

**MINUTES**

---

**MEMBERS PRESENT**

Joel Glass, chair  
Mark Olsen, vice-chair  
Tony Garberg  
Michael Lefor  
Nicholas Gaffney  
Joe Dwan

**STAFF PRESENT**

Sylvie Donaldson, interim director and division manager  
Bob Bothwell, regulatory operations manager  
Samie Patnode, policy analyst  
Heather A. Vogel song, attorney general  
Joanna Tucker Davis, attorney general  
Trampus Schuck, investigator/ inspector  
Nathan Goldberg, investigator / inspector  
Debra Daniels, qualification specialist  
Maria Gutierrez, board specialist

**MEMBERS ABSENT**

**GUESTS PRESENT**

Janise White  
Erica Kennett  
Joanie Cosgrove

Joel Glass called the meeting of the Respiratory Therapist and Polysomnographic Technologist Licensing Board to order at 10:06 a.m. Roll was called.

**Approval of Agenda:**

Mark Olsen made a motion with a second by Nicholas Gaffney to approve the agenda. Motion passed unanimously.

**Approval of Minutes:**

Mark Olsen made a motion with a second by Nicholas Gaffney to approve the minutes for May 1, 2015, and August 5, 2015. Motion passed unanimously.

**Approval of 2016 meeting dates:**

Board members considered proposed meeting dates for 2016 as follows:

March 18, 2016 at 10 a.m.

June 3, 2016 at 10 a.m.

October 14, 2016 at 10 a.m.

**MOTION:**

Nicholas Gaffney made a motion with a second by Joe Dwan to approve 2016 meeting dates. Motion passed unanimously.

**Approval of chair and vice chair:**

Board members discussed the role of chairperson and vice chairperson and vice chairperson and asked for nominations for 2016.

**MOTION:**

Tony Garberg made a motion with a second by Mark Olsen to elect Joel Glass as chair person and Nicholas Gaffney as vice chairperson. Motion passed unanimously.

Mark Olsen was presented with a plaque for serving on the board for a total of 8 years.

**Adopt permanent administrative rules:**

Members, reviewed the amendments to the administrative rules, hearing officer report and public comment received.

The proposed amendment would add an additional pathway to licensure for individuals who have obtained the RPSGT credential through the BRPT either before or after meeting the combined education and training requirements established by the BRPT as of March 1, 2013.

This will allow individuals who are coming into Oregon from other states where there is no licensing requirements for polysomnography to obtain licensure in Oregon without having to retake the RPSGT examination or be supervised for 18 months.

The proposed rule also requires information be sent directly to the Health Licensing Office from the BRPT including examination results and completion of education and training and defines education as including self-study.

**MOTION:**

Mark Olsen made a motion with a second by Nicholas Gaffney to adopt permanent administrative rules effective January 1, 2016. Motion passed unanimously.

**Approve administrative rulemaking schedule**

During the 2015 Legislative Session SB 230 was enacted adding respiratory therapist and polysomnographic technologist to the list of health care professionals who must provide certain demographic and practice information prescribed by Oregon Health Authority (OHA) in order to renew their license.

SB 230 Specifies the type of information that may collected including but not limited to demographics, education, training, employment information and specialty practice information. This information is collected through an online survey which is sent directly to OHA. Currently other health care professionals, including licensed dietitians, who are required to provide this information pay \$2.50 annually and is collected at time of renewal.

In order to require the online survey be completed at the time of renewal administrative rules must be opened and amended.

Members, of the board are to review and approve administrative rule schedule with public comment from May 1, 2016 through May 28, 2016. A public administrative rule hearing is scheduled for May 20, 2016 at 9am at HLO, Rhoades Conference Room. The board is expected to adopt permanent administrative rules at the June 3, 2016 board meeting.

Members request additional information regarding what the date collected in the survey is being used for.

**MOTION:**

Nicholas Gaffney made a motion with a second by Joe Dwan to approve the administrative rule schedule. Motion passed unanimously.

**Director Report:**

Sylvie Donaldson, interim director and division manager, reported on the following:

- Update on change of director
- Update on latest transition to Public Health
- Update on new website to come
- Update on new minutes and recording system – Granicus
- Update on new attorney

**Licensing and Fiscal Statistical Reports:**

Donaldson, presented an overview of statistics related to the board. Statistics include licensing statistics, license volumes and active license trends.

The statement of cash flow for the period 07/01/2013- 6/30/15 was reviewed with an actual ending cash balance of 221,743.41. The ending cash balance for the period of 07/01/2013- 6/30/15 is projected to be 221,743.41

**Policy Report:**

Samie Patnode, policy analyst, reported on the following:

- OHA OHPR student clinical training:  
The administrative standards for health professional student clinical training rules need to be amended to address issues that were brought up by the advisory committee during the first year of implementation. Issues include adding a time frame for drug testing and criminal background checks, adding specificity to the training standards for CPR/BLS and removing the option for non-medical exemptions from immunizations.

- SB 230:  
Specifies the type of information that may be collected including but not limited to demographics, education, training, employment information and specialty practice information. This information is collected through an online survey which is sent directly to OHA. Currently other health care professionals, including licensed dietitians, who are required to provide this information pay \$2.50 annually and is collected at time of renewal.
- Practice Clarification:  
Board members agreed the role of the board is not to answer specific questions made by individuals or health systems but rather provide general guidance specified in statutes and rules. The Health Licensing Office and the board of Denture Technology will determine on a case-by-case basis if a topic is broad enough to affect all licensees and therefore warrants clarification of statutes and rules.

Donaldson, reported on behalf of our communications coordinator the following:

- Customer service surveys
- Revamp of the new website
- Social media to be added to the website in the near future

### **Regulatory Report**

Bob Bothwell, regulatory operations manager, reported on enforcement activity including:

#### **2013-2015 Biennium**

Between July 1, 2013 and June 30, 2015, 15 complaints were received. Of the 15 complaints 6 remain open. A summary of allegations received by type of complainant was provided as stated below.

Anonymous	Client	Other
1	1	13

#### **2015-2017 Biennium**

Between July 1, 2015 and August 31, 2015, 3 complaints were received. Of the 3 complaints 0 remain open. A summary of allegations received by type of complainant was provided as stated below.

Anonymous	Client	Other
0	1	2

### **Public Comment**

No public comment was received.

### **Executive Session**

- The Board of Respiratory Therapist and Polysomnographic Technologist Licensing Board entered executive session pursuant to ORS 192-660(2)(f) at 11:53 a.m. on October 16, 2016 for

the purpose of considering information or records exempt from public inspection. Records to be considered related to investigative files.

- Executive session concluded and the board reconvened regular session at 1:17 p.m. it was noted that no decision were made and no votes were made in executive session.

**Items for Board Action – Investigative files:**

Donaldson, and members of the board outlined the following recommendations:

In regards to investigation file 14-7431

- Notice of revocation to be issued

**MOTION:**

Nicholas Gaffney made a motion with a second by Tony Garberg. Motion passed unanimously.

In regards to investigation file 14-77667

- A notice of suspension to be issued until the individual corporates with the office.
- Upon corporation a conditional license to be issued for 18 months.
- Under the conditional license a monthly random testing will be required.
- Failure to comply with the conditional license will result in revocation.

**MOTION:**

Mark Olsen made a motion with a second by Michael Lefor. Motion passed unanimously.

In regards to investigation file 14-7711

- Civil penalty of 2,000.00 to be issued

**MOTION:**

Nicholas Gaffney made a motion with a second by Michael Lefor. Motion passed with five ayes votes and one opposed vote from Joel Glass.

In regards to investigation file 15-7718

- Civil penalty of \$500 to be issued, however it will be stayed if individual has no violations for two years.

**MOTION:**

Mark Olsen made a motion with a second by Nicholas Gaffney. Motion passed unanimously.

In regards to investigation file 15-7883

- Civil penalty of \$250.00 to be issued

**MOTION:**

Mark Olsen made a motion with a second by Nicholas Gaffney. Motion passed unanimously.

**Other Board Business**

Members, would like to score rates for the Oregon Laws and Rules examination.

The meeting adjourned at approximately 1:23 p.m.

Minutes prepared by: Maria Gutierrez, board specialist