

# WV BOARD OF RESPIRATORY CARE

## BOARD MEETING MINUTES

June 21, 2024, 11:00AM

Presiding: Tracy Matthews, President  
Present: Rodney Vest, Barbara Folden, Chris Henderson, Nancy Massey (Staff), Amber Shawver (Staff)  
Guests: Jim Kaufman, President and CEO WVHA  
Amber Furman, Director, Workforce Development WVHA  
Absent: Dr. Rayan Ihle  
Recording: Amber Shawver (Staff)

The Board President called the Board meeting to order at 11:02AM on Friday, June 21, 2024.

### Proposed Agenda -

Chris Henderson motioned to approve the agenda. Barbara Folden seconded the motion. Motion carried.

### Board Minutes -

Rodney Vest motioned to approve the minutes for the January 24, 2024, meeting. Chris Henderson seconded the motion. Motioned carried.

### Delegations or Public Concerns -

Jim Kaufman, President and CEO of the West Virginia Hospital Association (WVHA) presented the WVHA's request for the Board to consider modifying Series 1: Criteria For Licensure.

Rodney Vest motioned to propose a 1-year temporary permit for applicants who have achieved the CRT credential to achieve the RRT credential to the WVHA. There was no second to the motion. Motion failed.

### Executive Session -

Barbara Folden motioned to go into Executive Session at 12:00PM. Chris Henderson seconded the motion. Motion carried.

Barbara Folden motioned to exit Executive Session at 12:36PM. Chris Henderson seconded the motion. Motion carried.

### Discipline -

Sauls; 23-214, Barbara Folden motioned to continue with the agreement prepared by the Attorney General's office. Chris Henderson seconded the motion. Motion carried.

Holbert; 23-523, Barbara Folden motioned to offer a consent agreement to continue suspension until the licensee has successfully completed the Deferred Adjudication Program through the Circuit Court of Monongalia County and successfully abided by the terms of the Plea Agreement with Deferred Adjudication Supervision and has paid all

legal expenses incurred by the Board in the investigation and disposition of this case. Chris Henderson seconded the motion. Motion carried.

23-711, Chris Henderson motioned to continue the investigation of the complaint. Rodney Vest seconded the motion. Motion carried.

23-1112, Chris Henderson motioned to dismiss the case due to lack of probable cause. Rodney Vest seconded the motion. Motion carried.

24-0131, Chris Henderson motioned to dismiss the case due to the individual no longer being licensed in the state of WV. Barbara Folden seconded the motion. Motion carried.

24-0212, Chris Henderson motion to dismiss the case as it was an administrative/organizational issue in which the Board has no jurisdiction. Barbara Folden seconded the motion. Motion carried.

24-0216, Chris Henderson motioned to offer a consent agreement reprimanding the licensee for practicing on an expired license. Barbara Folden seconded the motion. Motion carried.

24-0304, Chris Henderson motioned to offer a consent agreement reprimanding the licensee for practicing on an expired license. Barbara Folden seconded the motion. Motion carried.

#### Consideration of Contracting with the Pharmacists Recovery Network -

Chris Henderson motioned to contract with the Pharmacists Recovery Network in the future when drug screening is required in a consent agreement. Barbara Folden seconded the motion. Motion carried.

#### Office Area Health and Safety Inspection -

The WVBORC Safety Committee reports no safety concerns at this time. Barbara Folden made a motion to accept the safety report. Chris Henderson seconded the motion. Motion carried.

#### Legislative Review -

Series 1: Criteria For Licensure - Consideration of WVHA's Request for Modification -

Chris Henderson motioned to continue researching and to solicit feedback from Respiratory Care leadership. Barbara Folden seconded. Motion carried.

Series 2: Establishment of Fees - Consideration of Licensee Renewal Fee Changes -

The Board discussed fee changes and has tabled any final decisions.

Series 9: Student Temporary Permit - Amended -

The Board discussed the passage of the amended Series 9: Student Temporary Permit -Amended.

Series 10: Prior Criminal Convictions in Initial Licensure Determination Sunset Extension -

The Sunset Extension has been filed with the Secretary of State.

Series 11: Telehealth Practice; Requirements; Definitions -

The rule and the response to public comments have been submitted to the Secretary of State.

#### Board Members -

Nominations Requested for Practicing Member and Home Health Care Member -

Chris Henderson motioned to nominate Eric Rodgers for the vacant Practicing Member position. Rodney Vest seconded the motion. Motion carried.

**Board Officer Elections -**

Barbara Folden motioned to nominate Tracy Matthews as Board President. Chris Henderson seconded the motion. Motion carried.

Chris Henderson motioned to nominate Rodney Vest as Board Secretary. Barbara Folden seconded the motion. Motion carried.

**Administrative Review -**

**Final Purchasing Audit for P-Card Purchases -**

Rodney Vest made a motion to accept the results of the Purchasing Audit for P-Card Purchases. Chris Henderson seconded the motion. Motion carried.

**Consideration of the P-Card Purchases -**

Barbara Folden made a motion to accept the P-Card purchases. Chris Henderson seconded the motion. The motion carried.

**Budget Revenue Review -**

The Board reviewed the Budget Revenue documents.

**Funds Transferred -**

The Board reviewed the Funds Transferred documents.

**Consideration of Upcoming Conferences & Trainings -**

Board members will update the Board office with their availabilities once the WV Society of Respiratory Care's Fall Conference date and the AARC Conference date are nearer. Tracy Matthews, Rodney Vest, Chris Henderson, Barbara Folden, and Amber Shawver plan to attend the 2024 State Auditor's Seminar.

**Consideration of Office Lease Extension -**

Approval of extending the Board office lease upon approval of the Board President after discussing maintenance matters with the landlord.

**Adjourn -**

Chris Henderson motioned to adjourn the Board meeting at 2:18PM. Barbara Folden seconded the motion. Motion Carried.

**Recording -**



**Amber Shawver  
Executive Director**