



## **PUBLIC SESSION MINUTES**

**Friday, June 30, 2017**

**1625 North Market Blvd.  
First Floor Hearing Room  
Sacramento, Ca 95834**

Members Present: Alan Roth, MS MBA RRT-NPS FAARC, President  
Thomas Wagner, BS, RRT, FAARC, Vice President  
Mary Ellen Early  
Rebecca Franzoia  
Mark Goldstein, MPA, RCP, RRT  
Michael Hardeman  
Sam Kbushyan, MBA  
Ronald Lewis, M.D.  
Judy McKeever, RCP, RRT

Staff Present: Jason Hurtado, Legal Counsel  
Rebecca Bon, Legal Counsel  
Stephanie Nunez, Executive Officer  
Christine Molina, Staff Services Manager

### **CALL TO ORDER**

The Public Session was called to order at 8:32 a.m. by President Roth. A quorum was established.

Roll Call (present: Early, Franzoia, Goldstein, Hardeman, Lewis, McKeever, Wagner, Roth). Sam Kbushyan joined the meeting at 8:40.

### **PUBLIC COMMENT**

President Roth explained that public comment would be allowed on agenda items, as those items are discussed by the Board during the meeting. He added that under the Bagley-Keene Open Meeting Act, the Board may not take action on items raised by public comment that are not on the Agenda, other than to decide whether to schedule that item for a future meeting.

## APPROVAL OF MARCH 10, 2017 MEETING MINUTES

Dr. Lewis moved to approve the March 10, 2017 Public Session minutes as written.

M/Lewis /S/Early

In favor: Early, Franzoia, Goldstein, Hardeman, Lewis, McKeever, Wagner, Roth

Not Present: Kbushyan

MOTION PASSED

Upon Mr. Kbushyan's arrival, President Roth introduced and welcomed him to the Board, then asked him to provide a brief biography.

### 3. CONSIDERATION TO AMEND SECTION 1399.395 OF DIVISION 13.6 OF TITLE 16 OF THE CALIFORNIA CODE OF REGULATIONS TO INCREASE FEES

The Board discussed proposed regulatory language that would raise the license renewal fees as follows:

July 1, 2018 From \$250 to \$275

July 1, 2019 From \$275 to \$300

July 1, 2020 From \$300 to \$330

President Roth stated the fee increases would address the Board's structural imbalance and would maintain the Board's solvency.

Ms. McKeever stated RCP's would not be happy with this decision.

Ms. Franzoia commented this fee increase has been carefully considered by the Board with much thought into the impacts both with and without the increase.

Dr. Lewis moved to approve the language to increase the fees as proposed.

#### **Request for Public Comment:**

No public comment was received.

M/Lewis /S/Goldstein

In favor: Early, Franzoia, Goldstein, Hardeman, Lewis, McKeever, Wagner, Roth

Abstain: Kbushyan

MOTION PASSED

### 4. DISCUSSION AND POSSIBLE ACTION TO EXTEND THE INITIAL LICENSING PERIOD FROM 13-24 MONTH TO 25-36 MONTHS

Staff provided the Board with information regarding the impact of extending the period of time for an initial license from 13-24 months to 25-36 months.

Dr. Lewis stated a discussion is applicable but did not agree with making a motion at that time.

Mr. Kbushyan inquired as to who initiated this proposal.

President Roth stated the idea was brought up at the last Board meeting in an effort to offset the impact of raising the licensing fee. The Board had requested staff provide information regarding the impact of an extended initial licensing period.

**Request for Public Comment:**

No public comment was received.

Ms. McKeever stated she would like the Board to pursue and discuss this further as a lot of students graduate from respiratory care programs with \$60,000 in debt. She believes it is a good idea to help new licensees starting out in the respiratory profession.

Ms. Nunez suggested the Board revisit this in the future as it may be feasible at a later date.

President Roth agreed it would be a good idea to revisit this in the future as the current impact of this proposal would negatively impact the Board's viability and the fund reserve putting it well below the 6 months requirement.

Ms. McKeever suggested shortening the extended period to see if that makes it a more viable option.

Ms. Early inquired if the negative financial impact of this proposal takes into account the renewal fee increase being implemented July 1, 2017 to which Ms. Nunez responded that it did.

President Roth stated respectfully looking at new ways to help RCPs entering the field is admirable. However, the current liability of the Board is tantamount to the twenty-plus thousand respiratory care practitioners in the State and both must be weighed together. He added this can be revisited and placed back on the agenda in the future after the increases have gone into effect.

**5. LEGISLATION OF INTEREST: REVIEW OF AND POSSIBLE ACTION TO SUPPORT/OPPOSE/WATCH**

Ms. Molina brought AB 387 and AB 391 to the Board's attention identifying them as potential legislation of interest identified after the March Board meeting. In accordance with Board policy, the Executive Committee was made aware of the bills and they approved the positions as noted below:

- AB 387: Minimum wage: health professionals: interns  
Status: Ordered to Assembly Inactive File at the request of the author. May become a 2-year bill.  
Board's Position: Oppose
- AB 391: Medi-Cal: asthma preventive services  
Status: Senate Committee on Rules, Pending Referral.  
Board's Position: Support if Amended
- AB 208: Deferred entry of judgement: pretrial diversion  
Status: Senate Committee on Rules, Pending Referral  
Board's Position: Oppose
- AB 654: Pediatric home health care  
Status: This bill was held under submission in Assembly Appropriations and failed the house of origin deadline  
Board's Position: Support if Amended
- AB 703: Professions and vocations: fee waivers  
Status: This bill failed passage in Assembly Business and Professions Committee and failed the house of origin deadline

- Board's Position: Watch
- AB 827: Department of Consumer Affairs: task force: foreign trained professionals  
Status: Senate Committee on Rules, Pending Referral  
Board's Position: Watch
- SB 27: Professions and vocations: licensees; military service  
Status: This bill was held under submission in Senate Appropriations and failed the house of origin deadline. Has become a 2-year bill,  
Board's Position: Watch
- AB 227: Vocational nurse: feeding tube services: neurodegenerative conditions.  
Status: This bill was held under submission in Senate Business, Professions and Economic Development and failed the house of origin deadline.  
Board's Position: Watch
- SB 572: Healing arts licensees: violations: grace period  
Status: This bill failed passage in Senate Business Professions and Economic Development Committee and failed the house of origin deadline. Has become a 2-year bill.  
Board's Position: Oppose
- SB 715: Department of Consumer Affairs: regulatory boards: removal of board members.  
Status: Assembly Business and Professions Committee  
Board's Position: Watch
- SB 796: Healing arts: boards.  
Status: In Assembly, Pending Referral  
Board's Position: Support

President Roth moved to ratify the positions recommended by the Executive Committee.

**Request for Public Comment:**

No public comment was received.

M/Roth /S/Lewis

In favor: Early, Franzoia, Goldstein, Hardeman, Lewis, McKeever, Kbushtyan, Roth, Wagner

Unanimous

MOTION PASSED

**6. WORKFORCE STUDY PRESENTATION**

Tim Bates, Associate Director of Research Strategy, Center for the Health Professions, Phillip R. Lee Institute of Health Policies Studies, University of California, San Francisco reviewed the key findings from the 2016 California Respiratory Care Workforce Study.

**Request for Public Comment:**

No public comment was received.

Dr. Lewis praised the report as very complete and educational, but noted that it appeared to lack interaction with students.

Mr. Bates explained when conducting the focus groups, they were careful to include RTs with a range of experience to include those from all parts of the State, various settings and recent graduates which are not far removed from the educational programs.

Ms. Early thanked Mr. Bates for the study and inquired if the report reflects licensees from other countries who came to the United States and took the exam and if so, what types of prior degrees they held.

President Roth explained that foreign graduates can only sit for exams if they come from approved schools in the United States whose curriculum has been CoARC approved and meets the minimum standards. Most of the graduates usually obtain a BS and may be required to take additional courses.

Ms. McKeever stated she appreciated the amount of work put into the study and commented on the table on page 46, "Single-topic course by degree program" stating it does not reflect her experience obtaining her Associate Degree and believes most schools teach all of the tasks on the list at the Associate Degree level.

Mr. Bates stated the report was not indicating Associate Degree programs do not have this content but rather their assumption is, when you have a single course focused on a single topic, it potentially allows the student to get into that content at a greater depth than when you have a course that covers a range of content.

Ms. McKeever added she is a Respiratory Care Practitioner not a "Technician" as listed in the report. She also inquired if the directors had information about pay increases for those achieving their Baccalaureate Degree or allowing for schedule adjustments to help those working practitioners in trying to obtain their Baccalaureate Degree.

Mr. Bates explained that the term technician was not their perspective of respiratory therapy. The report is saying that among the stakeholder focus groups interviewed, they all acknowledged there is a perception of respiratory therapy being a technical occupation, and their level of critical knowledge and expertise is not respected by their professional peers. They attributed that to the history of respiratory therapy and the fact that it is still a two-year degree program. He added there is no pay differential and it is a big issue but there is also a widely held perception that it is needed for professional standing and not necessarily for financial gain.

President Roth clarified that from a Federal government perspective (as it relates to Medicare reimbursement), respiratory care is viewed a technical profession because it requires an Associate Degree not a Baccalaureate Degree.

Mr. Hardeman stated he agrees with Dr. Lewis as this appears to be a "top down" report. He added it is a national trend, regardless of the industry, where training is scarce and expectations are high. Employers want and expect more but not at their expense.

Mr. Bates did not disagree with his statement but added the report's focus groups with practicing RTs were specifically those who did not work in management or director roles and did reflect the workforce.

Vice President Wagner agreed with most of the report stating the profession needs to advance to the Baccalaureate Degree level. He added, as a faculty member at one of the colleges, they pack their two-year program full of material to try to prepare the therapist for entering clinical practice. He agreed, however, that there are a lot of schools pumping out students who are not fully prepared to go into the workforce. He stated, there is a depth of knowledge deficiency. The Baccalaureate Degree program would give the students the education needed to be serious critical care, critical thinking practitioners, at the acute care level.

Mr. Kbushyan applauded the work behind the study. He stated, after leaving academia, most things learned are on the job or through “hands on training.” He added, as this profession deals with health and people’s lives, he feels it would benefit from a residency type program similar to that of a physician where the student is guided by their peers through clinical practice processes.

President Roth moved to accept the report as delivered to be able to disseminate this information to the website and interested parties to be able to help move the profession forward.

M/Roth /S/Wagner

Affirmative: Early, Franzoia, Hardeman, Lewis, McKeever, Kbushyan, Roth, Wagner

Absent: Goldstein

MOTION PASSED

## **7. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

Mr. Hardeman asked the Board to acknowledge Ms. McKeever’s first day of retirement. Ms. McKeever was congratulated by the Board.

Ms. Nunez advised the Board will be changing committee assignments in the near future.

President Roth added the new strategic plan will facilitate a need for more input from committee members. The Executive committee and staff will be reaching out to committee members to speak and be more involved in a concerted effort to move the strategic items forward.

## **8. FUTURE AGENDA ITEMS**

No future items were identified.

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The Board convened into Strategic Planning from 11 a.m. to 2:30 p.m.

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## **ADJOURNMENT**

The Public Session Meeting was adjourned by President Roth at 2:30 p.m.

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ALAN ROTH  
President

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STEPHANIE A. NUNEZ  
Executive Officer