

FLORIDA | Board of Clinical Laboratory Personnel

DRAFT MINUTES

August 8, 2014

Orlando, Florida



Michele Morgan, DBA

Chair

Carleen Van Siclen, MSHA, MLS

Vice-Chair

Adrienne Rodgers, BSN, JD

Executive Director

Sharon Guilford, CPM

Program Operations Administrator

1 **General Board Business started: 9:01 a.m.**

2
3 The meeting was called to order by Dr. Morgan, Chair, at approximately 9:01 a.m. Those present for all or part of the meeting
4 included the following:
5

MEMBERS PRESENT:

Michele Morgan., DBA Chair
Carleen Van Siclen, MSHA, MLS (ASCP), Vice Chair
Beatriz Montoya, MBA, DMD, BSMT, AMT
Steven Shelfer, MT (ASCP)
Linda Valdes, MS, MT (ASCP)
Alvaro A. Hernandez, MBA

STAFF PRESENT:

Adrienne Rodgers, Executive Director
Sharon Guilford, Program Operations Administrator
Jose Montalvan, Regulatory Supervisor/Consultant

BOARD COUNSEL:

Deborah Bartholow Loucks, Assistant Attorney General
Office of Attorney General

PROSECUTION COUNSEL:

Elana Jones, Assistant General Counsel
Department of Health, Office of the General Counsel

COURT REPORTER:

Cindy Green
American Court Reporting
(407) 896-9537

6
7 *Please note the minutes reflect the actual order agenda items were discussed and may differ from the agenda outline. AUDIO from*
8 *this meeting can be found online: <http://floridasclinicalabs.gov/meeting-information/past-meetings/>*
9

10 **General Board Business started at 9:05 a.m.**

11 **The Board Chair called attendance of those in audience present for general business discussions.**

12
13 **I. APPROVAL OF PREVIOUS MEETING’S MINUTES OF THE BOARD OF CLINICAL LABORATORY**
14 **PERSONNEL**

15
16
17 Motion to accept the minutes was made by Ms. Van Siclen and seconded by Mr. Hernandez.

18
19 Vote 6 ayes; motion carried

20
21 **Section I ended at 9:05 a.m.**

22 **Section II started at 9:05 a.m.**

23
24 **II. FINAL ORDER ACTIONS**

25
26 **Motion for Determination of Waiver and for Final Order by Hearing Not Involving Disputed Issues of Material Fact.**
27 **Jennifer A. Russell – Case Number 12-16894**

28
29 Respondent was not present and was not represented by counsel.
30 No Board members were recused due to participation on the probable cause panel.

31
32 The Department of Health’s Motion for Determination of Waiver and for Final Order by Hearing Not Involving Disputed
33 Issues of Material Fact was presented to the Board. An administrative complaint filed on September 10, 2013, alleged
34 violation of ss. 483.825(1)(w), Fla. Stat., by testing positive for marijuana on an employer-ordered drug screen. The
35 Administrative Complaint was sent by certified mail and a signed receipt card was returned to the Department.

36
37 a. Motion that the Respondent was properly served made by Ms. Van Siclen second by Mr. Hernandez.

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Vote: 6 yeas / 0 opposed; motion carried

b. Motion that Respondent failed to make an election of rights made by Ms. Van Siclen, second by Mr. Hernandez.

Vote: 6 yeas / 0 opposed; motion carried

c. Motion to accept the findings of fact as stated in the Administrative Complaint and the findings of fact support the violation of the Practice Act as charged in the administrative complaint was made by Ms. Van Siclen, second by Mr. Hernandez.

Vote: 6 yeas / 0 opposed; motion carried

d. Motion to accept the conclusions of law as stated in the Administrative Complaint made by Dr. Morgan, second by Mr. Hernandez.

Vote: 6 yeas / 0 opposed; motion carried

e. Motion that the Board accept into evidence the investigative file for purposes of determining penalty and the opportunity to make a penalty recommendation made by Dr. Morgan, second by Mr. Hernandez.

Vote: 6 yeas / 0 opposed; motion carried

f. Motion to find the Respondent in violation of Florida Statutes as charged in the administrative complaint made by Ms. Van Siclen, second by Ms. Valdes.

Vote: 6 yeas / 0 opposed; motion carried

Department recommendation for discipline:

- suspension until such time as respondent demonstrates rehabilitation and/or ability to practice with reasonable skill and safety as determined by PRN and/or the Board;
- reservation of jurisdiction to impose additional terms and conditions upon the termination of suspension.

g. Motion to impose discipline as recommended by the Department, with a friendly amendment by Dr. Morgan to require compliance with PRN, made by Mr. Hernandez, second by Ms. Van Siclen.

Vote: 6 yeas / 0 opposed; motion carried

Department made a recommendation on costs: administrative costs of \$2,049.39, payable within 90 days of the entry of the Final Order in this case; Department asked the Board to waive all costs.

Following discussion, the following action was taken by the Board:

h. Motion to assess costs in the amount of \$2,049.39 payable within 90 days of the date of the Final Order made by Ms. Van Siclen, second by Ms. Valdes.

Vote: 6 yeas / 0 opposed; motion carried

Ms Jones gave the prosecution report on aging cases.

Motion to continue prosecution of cases over one year of age made by Dr. Morgan and seconded by Ms. Van Siclen.

Vote: 6 yeas / 0 opposed; motion carried

Section II ended at 9:14 a.m.
Section III started at 9:14 a.m.

1 **III. PETITION FOR VARIANCE/WAIVER:**

2
3 **9:14 a.m.**

4
5 **Vanessa Negron-Asencio** – Rule 64B3.5.002(3)(a), F.A.C.
6 Petitioner was present and was not represented by counsel.

7
8 Petitioner was a licensed technologist in the five traditional areas, plus molecular pathology. Petitioner had been
9 grandfathered in for technologist in molecular pathology and did not take any examination. A license for the five traditional
10 areas was granted, but not for molecular pathology due to that rule’s requirement for “certification as required for
11 technologist license” under rule 64B3-5.003(3)(e), F.A.C. Petitioner has 13 years of experience in molecular pathology, but
12 does not meet the criteria under rule 64B3-5.003(3)(e), F.A.C. for certification. Petitioner also avers that two applications
13 and fees are required: one for generalist and one for molecular pathology.

14
15 Discussion ensued regarding the rule as it applied to generalists versus those licensed strictly for molecular pathology. The
16 Board determined that it should take a closer look at the rules regarding generalist licensure for supervisors.

17
18 Motion to grant the Petition for Variance/Waiver of Rule 64B3-11.001, F.A.C., made by Ms. Valdes based upon Petitioner’s
19 years of experience in the field and finding that Petitioner demonstrated that the purpose of the underlying statute has been
20 achieved by other means and application of a rule would create a substantial hardship or would violate principles of fairness.
21 Seconded by Mr. Hernandez.

22
23 Vote: 6 yeas / 0 opposed; motion carried

24
25 **9:22 a.m.**

26
27 **Ae Young Cho** – Rule 64B3-11.001, Florida Administrative Code
28 Petitioner was not present and was not represented by counsel.

29
30 Petitioner attended the Michigan Histotechnologist Society (MSH) 2013 Annual Scientific Symposium and Fall Symposium
31 and received 10 continuing education hours. Petitioner requests credit for these hours against the Florida continuing
32 education requirements. MSH was not approved by the Board as a continuing education provider.

33
34 Discussion ensued. The Board addressed the availability of online courses and that out-of-state residence or practice is not
35 an impediment to taking courses from an approved provider.

36
37 Motion to deny the Petition for Variance/Waiver of Rule 64B3-11.001, F.A.C., made by Ms. Van Siclen based upon the
38 availability of online courses and finding that Petitioner has not demonstrated that the purpose of the underlying statute has
39 been achieved by other means and application of a rule would create a substantial hardship or would violate principles of
40 fairness. Seconded by Ms. Valdes.

41
42 Vote: 6 yeas / 0 opposed; motion carried

43
44 **9:25 a.m.**

45
46 **Christopher J. Skillington** – Rule 64B3-11.011 through 11.004, F.A.C.
47 Petitioner was not present and was not represented by counsel.

48
49 Petitioner’s subspecialty is radioassay for which there are very limited continuing education (CE) courses. Petitioner
50 requests an exemption from having to take CE in this area of practice.

51
52 Discussion ensued. The Board determined that there was a paucity of courses available in this subspecialty.

53
54 Motion to grant the Petition for Variance/Waiver of Rule 64B3-11.001 – 11.004, F.A.C., made by Ms. Van Siclen based
55 upon paucity of courses available in this subspecialty and finding that Petitioner has demonstrated that the purpose of the
56 underlying statute has been achieved by other means and application of a rule would create a substantial hardship or would
57 violate principles of fairness. Seconded by Mr. Hernandez.
58

1 Vote: 6 yeas / 0 opposed; motion carried

2
3 **Section III ended at 9:27 a.m.**

4 **Section IV started at 9:27 a.m.**

5
6 **IV. RECONSIDERATION- NOTICE OF INTENT TO DENY**

7
8 **Thais G. Almarall** - Rule 64B3-5.002, Florida Administrative Code

9 Petitioner was present and was not represented by counsel. Other representative: Sergio Campaniono as translator.

10
11 On March 24, 2014, the Board entered a Notice of Intent to Deny based on Petitioner's failure to demonstrate the requisite
12 three years of experience for licensure. Petitioner was not present at that meeting. Petitioner provided additional verification
13 of experience and asked the board to reconsider its intent to deny.

14
15 Discussion ensued. Ms. Valdes reviewed the additional materials submitted and found sufficient evidence of the required
16 experience. Dr. Morgan concurred.

17
18 Motion to vacate the Board's Notice of Intent to Deny and approve application for licensure made by Mr. Hernandez second
19 by Ms. Valdes.

20
21 Vote: 6 yeas / 0 opposed; motion carried

22
23 **Section IV ended at 9:33 a.m.**

24 **Section V started at 9:33 a.m.**

25
26 **V. NOTICE OF INTENT TO DENY**

27
28 **Tricia Roberson-Singh** – Rule 64B3-5.003, Florida Administrative Code - Experience Requirement

29 Petitioner was present and was not represented by counsel.

30
31 Petitioner failed to appear at the March 11, 2014 meeting of the board and was required, pursuant to section 456.013(3)(c),
32 Fla. Stat., to appear before the board at either of the next two regularly scheduled board meetings. The penalty for failure to
33 appear would be that the application shall be denied. It did not appear that additional information was supplied by Petitioner.

34
35 Discussion ensued. Petitioner described her assigned duties. Ms. Valdes expressed concern that the duties were those for
36 which a license is required and that being assigned those duties was unlicensed practice. Ms. Loucks recommended the
37 facility be investigated for aiding and abetting unlicensed practice. Upon review of the additional material submitted by the
38 Petitioner, the Board determined she would qualify under option 2b. Petitioner waived the 90 day requirement for Board
39 decision in order to revise her application to select option 2b.

40
41 Motion to accept change to option 2b made by Dr. Morgan, second by Ms. Van Siclen.

42
43 Vote: 6 yeas / 0 opposed; motion carried

44
45 **Section V ended at 9:47 a.m.**

46 **Section VI started at 9:48 a.m.**

47
48 **VI. APPLICANTS PRESENTED FOR BOARD REVIEW:**

49
50 **9:48 a.m.**

51 **Elisa R. Cabana** – Technologist

52 Applicant was present and was represented by counsel.

53
54 Applicant appeared to lack experience required under 64B3-5.003, F.A.C. Applicant presented additional information
55 found in the board's addendum material. Applicant's appearance was required.

56
57 Discussion ensued. Ms. Valdes expressed concern that there was insufficient evidence of experience in immunology,
58 histology and molecular pathology. Ms. Van Siclen pointed to additional information received that demonstrated

1 experience in immunology and histology. After additional discussion regarding molecular pathology experience, sufficient
2 experience was determined to exist after applicant provided additional information and explanation where she obtain her
3 experience.
4

5 Motion to approve application for licensure made by Ms. Van Sieten, second by Ms. Valdes.
6

7 Vote: 6 yeas / 0 opposed; motion carried
8

9 **10:06 a.m.**

10
11 **Pamela K. Horvet – Supervisor**

12 Applicant was present and was not represented by counsel.
13

14 Applicant had a Bachelor's of Science in Health Care Administration and appeared to lack the academic sciences required
15 under 64B3-5.002, option 3a, F.A.C.
16

17 Discussion ensued. Applicant agreed to withdraw application and take additional 8 hours of academic science.
18

19 Motion to approve withdrawal of application for licensure made by Mr. Hernandez, second by Mr. Hernandez.
20

21 Vote: 6 yeas / 0 opposed; motion carried
22

23 **10:08 a.m.**

24
25 **Alicia Landolfi – Technician**

26 Applicant was present and was not represented by counsel.
27

28 Applicant answered in the affirmative for criminal history on her trainee application. The incident involved a misdemeanor
29 driving under the influence, and Applicant was placed on probation with random drug and alcohol screens. Probation was
30 terminated on June 28, 2012.
31

32 Discussion ensued. Concern was expressed that applicant did not disclose criminal history on her initial application. The
33 Applicant explained that she made a mistake and immediately corrected the mistake.
34

35 Motion to approve application for licensure made by Mr. Hernandez, second by Ms. Valdes.
36

37 Vote: 5 yeas / 1 opposed; motion carried
38

39 **10:15 a.m. Board took a break**

40 **10:38 a.m. Board reconvened**

41
42 **Alwina McSpadden- Technologist**

43 Applicant was present and was not represented by counsel.
44

45 Applicant had a Bachelor's degree in Pharmacy and is ASCP certified as a Medical Technologist. Applicant appears to lack
46 the examination required under 64B3-5.003, F.A.C.
47

48 Discussion ensued. Ms. Valdes expressed concern regarding a degree in pharmacy as the basis for practicing as a medical
49 technologist; however, after discussion, the Board agreed pharmacy is an appropriate degree for practice in this profession.
50 Ms. Valdes gave a history of changes to the MT/MLS examination.
51

52 Motion to approve application for licensure made by Ms. Van Sieten, second by Mr. Hernandez.
53

54 Vote: 6 yeas / 0 opposed; motion carried
55

56 **10:40 a.m.**

57
58 **Lorna F. Robinson- Technician**

1 Applicant was present and was not represented by counsel.

2
3 In 2011, Applicant had her nursing license disciplined for failing to complete continuing education required for renewal.
4 Applicant was issued a non-disciplinary citation and two public complaints related to this same matter before she complied.

5
6 Discussion ensued. Ms. Valdes asked why the discipline was not disclosed in the trainee application. Ms. Van Siclen stated
7 Applicant was licensed in July 2011 but discipline was not imposed until September 2011.

8
9 Motion to approve application for licensure made by Ms. Van Siclen, second by Ms. Valdes.

10
11 Vote: 6 yeas / 0 opposed; motion carried

12
13 **10:49 a.m.**

14
15 **Catherine J. Stang**- Trainee

16 Applicant was present and was not represented by counsel.

17
18 Applicant answered in the affirmative for criminal history and health history.

19
20 Applicant stated that she had completed treatment, had sufficient family support and was continuing to attend supportive
21 meetings.

22
23 Motion to approve application for licensure made by Dr. Morgan, second by Mr. Hernandez.

24
25 Vote: 6 yeas / 0 opposed; motion carried

26
27 **10:53 a.m.**

28
29 **Midrelle M. Sephir**- Technologist

30 Applicant was present and was not represented by counsel.

31
32 Applicant answered in the affirmative to health history question. Applicant provided information that she is under treatment
33 of a physician, symptoms are controlled and do not interfere with her ability to perform job duties.

34
35 Discussion ensued. The Board expressed concern Applicant's health issues could be impacted by the stressors of the job;
36 however, Applicant had worked in the field for some length of time without incident. Board could only find verification for
37 experience in chemistry and hematology. The Board informed Applicant that additional specialties could be approved if she
38 could provide information on her experience before the Board's Order was filed.

39
40 Motion to approve application for licensure in chemistry and hematology made by Ms. Van Siclen, second by Ms. Valdes.

41
42 Vote: 6 yeas / 0 opposed; motion carried

43
44 **11:05 a.m.**

45
46 **Marguerite Ann Bonacci** - Supervisor

47 Applicant was not present and was not represented by counsel.

48
49 Applicant had a Masters in Community Health and Wellness and appeared to lack the specialty experience under 64B3-
50 5.002, F.A.C., option 2b.

51
52 Discussion ensued. The Board suggested Applicant could be eligible for option 3b.

53
54 Motion to approve application for licensure conditioned upon Applicant completing, and Board staff receiving, a revised
55 first page of the application requesting licensure under option 3b made by Ms. Van Siclen, second by Mr. Hernandez.

56
57 Vote: 6 yeas / 0 opposed; motion carried

58

1 **11:08 a.m.**

2
3 **Jigna Dharmesh Gadani** – pulled from agenda after changing option for licensure. Application approved 7-29-14

4
5 **Judy E. Hemans – Supervisor**

6 Applicant was not present and was not represented by counsel.

7
8 Applicant had a Masters in Public Health and appeared to lack the number of years' experience required under 64B3-5.002,
9 option 2a, F.A.C. The board suggested the Applicant reconsider applying under option 3a.

10
11 Discussion ensued. The Board expressed concern that Applicant had not provided sufficient employment verification to
12 meet licensure under option 3b; and that Applicant's degree in Public Health did not meet the criteria for licensure under
13 option 2b.

14
15 Motion to deny application for licensure made by Dr. Morgan, second by Ms. Van Siclen.

16
17 Vote: 6 yeas / 0 opposed; motion carried

18
19 **11:15 a.m.**

20
21 **Karen Kessler** – Technologist

22 Applicant was not present and was not represented by counsel.

23
24 Applicant had a medical technologist certificate and an Associate degree in Applied Science (Medical Laboratory
25 Technician). She passed the American Medical Technologist (AMT) examination; however, rule 64B3-5.003, F.A.C.,
26 requires that she pass the MTAAB. Sitting for the AMT examination required a bachelor's degree, which Applicant did not
27 have. Applicant presented additional information found in the board's addendum material.

28
29 Discussion ensued. Applicant's degree and examination did not fit the matrix in rule 64B3-5.003, F.A.C., but the Board
30 determined that she met the qualifications otherwise.

31
32 Motion to approve application for licensure made by Ms. Van Siclen, second by Ms. Valdes.

33
34 Vote: 6 yeas / 0 opposed; motion carried

35
36 **11:18 a.m.**

37
38 **Heather Nutting** - Supervisor- pulled from agenda after staff received AMT Scores. Application approved 7-31-14

39
40 **Ann E. Prescott** - Technologist

41 Applicant was not present and was not represented by counsel.

42
43 Applicant answered in the affirmative for criminal history. In January 2002, Applicant was arrested for acquiring or
44 obtaining possession of a controlled substance by misrepresentation. Applicant pled guilty, underwent treatment, AA/NA,
45 and Drug Court and received a mitigated sentence.

46
47 Discussion ensued. Ms. Loucks advised that under section 456.0635, Fla. Stat., Applicant could not be licensed.

48
49 Motion to deny application for licensure made by Mr. Hernandez, second by Ms. Van Siclen.

50
51 Vote: 6 yeas / 0 opposed; motion carried

52
53 **11:27 a.m.**

54
55 **Jeremy A. Rogers** - Supervisor

56 Applicant was not present and was not represented by counsel.

57

1 Applicant had a Bachelor's of Science in Medical Technology but appeared to lack the academic sciences required under
2 64B3-5.002, option 3a, F.A.C.

3
4 Discussion ensued. The Board determined that not all transcripts of education claimed had been provided and therefore,
5 Board could not find that Applicant met the criteria for licensure.

6
7 Motion to deny application for licensure made by Ms. Van Siclen, second by Dr. Morgan.

8
9 Vote: 6 yeas / 0 opposed; motion carried

10
11 **11:29 a.m.**

12
13 **Jose A. Rojas Ramirez**- Technologist - Pulled from agenda after applicant revised the application form. Application
14 approved 7-31-14

15
16 **Shaohan Zhao** - Director

17 Applicant was not present and was not represented by counsel.

18
19 Applicant had a Doctoral degree in Toxicology and passed the American Board of Forensic Toxicology (ABFT)
20 examination. Applicant appeared to lack the specialty examination requirements under 64B3-5.007, F.A.C.

21
22 Motion to approve application for licensure made by Ms. Van Siclen, second by Ms. Valdes.

23
24 Vote: 6 yeas / 0 opposed; motion carried

25
26 **11:31 a.m.**

27
28 **Veronica Larios** - Supervisor

29 Applicant was not present and was not represented by counsel.

30
31 Applicant appeared to lack the academic science required under 64B3-5.002, F.A.C. Transcripts from Miami-Dade College
32 and a foreign credentialing reviewer were provided by the Applicant.

33
34 Discussion ensued. Ms. Van Siclen counted 12 credits in biology and 9 credits in chemistry.

35
36 Motion to deny application for licensure made by Ms. Van Siclen, second by Mr. Hernandez.

37
38 Vote: 6 yeas / 0 opposed; motion carried

39
40 **11:33 a.m.**

41
42 **Danelys Nimo** - Technician

43 Applicant was not present and was not represented by counsel.

44
45 Applicant graduated as a Technician in Clinical Education with a diploma from the Ministry of Education in Cuba. It
46 appeared that this was the equivalent of a high school diploma in the United States. Therefore, Applicant appeared not to
47 have met the educational requirements of rule 64B3-5.004, F.A.C.. Applicant provided evidence of 5 years clinical laboratory
48 experience, which did not meet the requirements under rule 64B3-5.004, F.A.C.

49
50 Discussion ensued. Ms. Van Siclen stated the course appeared to be a "certificate" course and not an associate degree as
51 required under the rule.

52
53 Motion to deny application for licensure made by Ms. Van Siclen, second by Ms. Valdes.

54
55 Vote: 6 yeas / 0 opposed; motion carried

56
57 **11:36 a.m.**

58

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3 **Susan E. Wright**- Technologist
4 Applicant was not present and was not represented by counsel.

5
6 Applicant had a Bachelor 's degree in history. It did not appear that Applicant met the educational requirement for academic
7 sciences under 64B3-5.003, F.A.C.

8
9 Discussion ensued. Ms. Van Siclen counted 4 credits in biology and 3 in chemistry.

10
11 Motion to deny application for licensure made by Dr. Morgan, second by Ms. Van Siclen.

12
13 Vote: 6 yeas / 0 opposed; motion carried

14
15 **11:39 a.m.**

16
17 **Veronica Larios** – Supervisor
18 Board revisited this application.

19
20 Dr. Morgan stated she found additional credits for a total of 28 credits in academic sciences: 12 in biology and 16 in
21 chemistry.

22
23 Motion to reconsider the decision of the Board made by Dr. Morgan, second by Ms. Van Siclen.

24
25 Motion to approve application for licensure made by Dr. Morgan, second by Mr. Hernandez.

26
27 Vote: 6 yeas / 0 opposed; motion carried

28
29 **Section VI ended at 11:41 a.m.**

30 **Section VII started at 11:42 a.m.**

31
32 **VII. RATIFICATION OF LICENSURE**

33
34 1. Clinical Laboratory Personnel

35 Motion to ratify issuance of podiatric license numbers 46034 through 46266 made by Dr. Morgan, second by Ms. Van Siclen.

36
37 Vote: 6 yeas / 0 opposed; motion carried

38
39 2. Clinical Laboratory Personnel Trainees

40 Motion to ratify issuance of podiatric license numbers 10127 through 10230 made by Dr. Morgan, second by Ms. Van Siclen.

41
42 Vote: 6 yeas / 0 opposed; motion carried

43
44 3. Clinical Laboratory Personnel Training Programs

45 Motion to ratify issuance of podiatric license number 292 made by Dr. Morgan, second by Ms. Van Siclen.

46
47 Vote: 6 yeas / 0 opposed; motion carried

48
49 **Section VII ended at 11:44 a.m.**

50 **Section VIII started at 11:44 a.m.**

51
52 **VIII. CHAIR/VICE CHAIR REPORT**

53
54 Dr. Morgan welcomed the new board members.

55 Dr. Morgan stated that the next agenda should include a discussion on radioassay.

56 Dr. Morgan asked that AMT be considered for addition to the matrix.

57
58 **Section VIII ended at 11:46 a.m.**

1
2 Continuing Education Committee Report – Ms. Valdes
3

4 1. CE Providers & Courses Approved by Staff:
5

6 Motion to approve CE courses was made by Ms. Van Siclen and seconded by Dr. Morgan.
7

8 Vote: 6 yeas / 0 opposed; motion carried
9

10
11 2. CE Providers & Courses reviewed by CE Committee:
12

13 a. Committee Chair reported approval of the following courses:

14 Assoc. for Practitioners Infection Contr.: The Best Practices in Reprocessing Reusable Medical Devices
15 Course # 20-444767
16

17 Board did not find any relationship between the course offering and the needs of the profession.
18

19 Motion to deny approval of CE Course # 20-444767 was made by Mr. Hernandez and seconded by Mr. Shelfer.
20

21 Vote: 6 yeas / 0 opposed; motion carried
22

23 b. Edward White Hospital: Alternative Medicine
24 Course #20-350742
25

26 Board did not find any relationship between the course offering and the needs of the profession.
27

28 Motion to deny approval of CE Course # 20-350742 was made by Ms. Van Siclen and seconded by Ms. Valdes.
29

30 Vote: 6 yeas / 0 opposed; motion carried
31

32 c. Sacred Heart Hospital: Special Grand Rounds – Medical Errors/Florida Requirement
33 Course 20-423601 and Sacred Heart Hospital: Preventing Medical Errors
34 Course 20-389860
35

36 Ms. Valdes stated the material was outdated.
37

38 Motion to deny approval of CE Course # 20-423601 and Course # 20-389860 was made by Dr. Morgan and seconded by
39 Mr. Hernandez.
40

41 Vote: 6 yeas / 0 opposed; motion carried
42

43 3. CE Providers & Courses approved by CE Committee:
44

45 Motion to approve CE courses was made by Dr. Morgan and seconded by Ms. Valdes.
46

47 Vote: 6 yeas / 0 opposed; motion carried
48

49 **Section XI started at 12:02 p.m.**
50

51 **IX. EXECUTIVE DIRECTOR'S REPORT**
52

53 Ms Rodgers presented information on license renewal:

54 Clinical Laboratory Personnel renewals are due on or before 8/31/2014. A total of 16,907 renewal notices were mailed and
55 9,105 (54%) had been processed as of July 31, 2014, which is the same percentage processed at that time during the last
56 renewal cycle. Eight thousand seven hundred seventy-two (8,772 or 96.34%) were processed online leaving a very small
57 percentage processed as paper renewals.
58

1 Section IX ended at 12:03 p.m.

2 Section X started at 12:03 p.m.

3
4 **X. BOARD COUNSEL’S REPORT**

5
6 Mrs. Loucks stated that each year the board must review existing rules and regulations to determine if there are duplicative
7 or unnecessarily burdensome rules or regulations that should be modified or eliminated. The board chair had approved the
8 list of rules of this Board that are or may be in need of modification or elimination. The Annual Regulatory Plan will be
9 presented at the next board meeting for Ratification.

10
11 Section X ended at 12:11 p.m.

12 Section XI began at 12:11 p.m.

13
14 **XI. COMMITTEE REPORTS**

- 15 1. Budget – Dr. Morgan: No report.
- 16
- 17 2. Continuing Education – Ms. Valdes requested information from Board staff regarding CEBroker acceptance of fractional
18 credit hours for courses of less than 50 minute duration. Both Ms. Valdes and Ms. Van Siclen found instances in
19 CEBroker recently. Ms. Guilford stated she was not aware that this was an ongoing problem. Board staff was directed to
20 obtain an audit of CEBroker.
- 21
- 22 3. Credentials – Ms. Van Siclen: No report.
- 23
- 24 4. Disciplinary Compliance – Mr. Al Hernandez

25
26 Request to reduce administrative fine and costs due December 12, 2014, submitted by **Richard Stephen Blaha**
27 Mr. Blaha was not present and was not represented by counsel.

28
29 Discussion: Ms. Loucks suggested extending Mr. Blaha’s time to pay. Mr. Hernandez and Dr. Morgan stated they would
30 prefer to see a good faith effort before granting a modification.

31
32 Motion to deny request to reduce administrative fine and costs made by Ms. Van Siclen, second by Mr. Hernandez.

33
34 Vote: 6 yeas / 0 opposed; motion carried

- 35
- 36 5. Examination – Ms. Valdes: No report.
- 37
- 38 6. Health Weight– Mr. Hernandez: Mr. Hernandez provided an update from meeting in Tallahassee on July 14th
- 39
- 40 7. Legislative – Mr. Hernandez: No report.
- 41
- 42 8. Probable Cause– Dr. Morgan presented the PCP Statistics.
- 43
- 44 9. Professional Association – Ms. Valdes: No report.

45
46 **12:40 p.m. Board took a break**

47 **1:00 p.m. Board reconvened**

- 48
49 10. Rules – Ms. Van Siclen presented the following rules for discussion:

50
51 a. **Rule 64B3-2.003, F.A.C.** - Discussion to add Physics as an acceptable academic science to
52 Motion to add Physics as an acceptable academic science to Rule 64B3-2.003, F.A.C. made by Ms. Van Siclen and
53 seconded by Ms. Valdes.

54
55 Vote: 6 yeas / 0 opposed; motion carried

56
57 Discussion of economic impact and impact on regulatory cost.

1 Motion that there is no economic impact or impact on regulatory cost made by Ms. Van Siclen and seconded by Mr.
2 Hernandez.

3
4 Vote: 6 yeas / 0 opposed; motion carried

5
6 **b. Rule 64B3-4.001, F.A.C.** - Discussion to amend Trainee Registration.

7 Motion to amend Rule 64B3-4.001, F.A.C., Trainee Registration as shown in the agenda materials made by Ms. Van
8 Siclen and seconded by Dr. Morgan.

9
10 Vote: 6 yeas / 0 opposed; motion carried

11
12 Discussion of economic impact and impact on regulatory cost.

13 Motion that there is no economic impact or impact on regulatory cost made by Dr. Morgan and seconded by Ms. Van
14 Siclen.

15
16 Vote: 6 yeas / 0 opposed; motion carried

17
18 **c. Rule 64B3-5.002, F.A.C.** – After discussion, Board asked that this be reworded and placed on the next agenda.

19
20 **d. Rule 64B3-5.003, F.A.C.**

21 Motion to amend Rule 64B3-5.003, F.A.C. as shown in the agenda materials made by Ms. Van Siclen and seconded by
22 Dr. Morgan.

23
24 Vote: 6 yeas / 0 opposed; motion carried

25
26 Discussion of economic impact and impact on regulatory cost.

27 Motion that there is no economic impact or impact on regulatory cost made by Dr. Morgan and seconded by Mr.
28 Hernandez.

29
30 Vote: 6 yeas / 0 opposed; motion carried

31
32 **e. Rule- 64B3-5.004, F.A.C.** – not addressed at this meeting.

33
34 **f. Rule -64B3-5.0011, F.A.C.**

35 Discussion to add Physics as an acceptable academic science to Rule 64B3-5.0011, F.A.C.

36 Motion to add Physics as an acceptable academic science to Rule 64B3-5.0011, F.A.C. made by Ms. Van Siclen and
37 seconded by Dr. Morgan.

38
39 Vote: 6 yeas / 0 opposed; motion carried

40
41 Discussion of economic impact and impact on regulatory cost.

42 Motion that there is no economic impact or impact on regulatory cost made by Dr. Morgan and seconded by Mr.
43 Hernandez.

44
45 Vote: 6 yeas / 0 opposed; motion carried

46
47 **g. Rule 64B3-6.002, F.A.C.** - After discussion, Board asked that this be placed on the next agenda.

48
49 **h. Rule- 64B3-10.005, F.A.C.**

50 Motion to amend Rule 64B3-10.005, F.A.C. by adding a weblink made by Dr. Morgan and seconded by Ms. Van Siclen.

51
52 Vote: 6 yeas / 0 opposed; motion carried

53
54 Discussion of economic impact and impact on regulatory cost.

55 Motion that there is no economic impact or impact on regulatory cost made by Dr. Morgan and seconded by Mr. Shelfer.

56
57 Vote: 6 yeas / 0 opposed; motion carried

58

1 **i. Rule- 64B3-11.003, F.A.C.**

2 Motion to amend Rule 64B3-11.003, F.A.C. as shown in the agenda materials made by Ms. Van Siclen and seconded by
3 Ms. Valdes.

4
5 Vote: 6 yeas / 0 opposed; motion carried

6
7 Discussion of economic impact and impact on regulatory cost.

8 Motion that there is no economic impact or impact on regulatory cost made by Dr. Morgan and seconded by Ms. Van
9 Siclen.

10
11 Vote: 6 yeas / 0 opposed; motion carried

12
13 **j. Rule 64B3-6.001, F.A.C.** - After discussion, Board asked that this be placed on the next agenda.

14
15 **k. Rule 64B3-3.001, form DH-MQA 3007**

16 Motion to amend Rule 64B3-64B3-3.001, F.A.C. as shown in the agenda materials made by Dr. Morgan and seconded
17 by Mr. Hernandez.

18
19 Vote: 6 yeas / 0 opposed; motion carried

20
21 Discussion of economic impact and impact on regulatory cost.

22 Motion that there is no economic impact or impact on regulatory cost made by Dr. Morgan and seconded by Mr. Shelfer.

23
24 Vote: 6 yeas / 0 opposed; motion carried

25
26 11. Training Programs – Ms. Van Siclen: No report.

27
28 12. Unlicensed Activity – Ms. Valdes: No report.

29
30 Board asked that an addition to the web page be made informing licensees that one cannot both renew a license and upgrade
31 at the same time.

32
33 **Section XI ended at 2:33 p.m.**

34 **Section XII began at 2:33 p.m.**

35
36 **XII. APPROVAL OF 2015 MEETING DATES**

37
38 The Board approved the following meeting dates:

39 March 6, 2015 Orlando

40 August 7, 2015, 2015 Orlando

41 November 6, 2015- Orlando

42
43 The Board approved the following Telephone Conference Call meeting dates:

44 January 23, 2015

45 May 22, 2015

46 October 2, 2015

47
48 Motion to approve the 2015 meeting and telephone conference calls dates made by Mr. Hernandez, and seconded by Dr.
49 Montoya.

50
51 Vote: 6 yeas / 0 opposed; motion carried

52
53 Dr. Morgan called for redistribution of committee assignments. The final assignments were:

54
55 Ms. Valdes – Continuing Education and Unlicensed Activity

56 Mr. Hernandez – Healthiest Weight, Legislation and Disciplinary Compliance

57 Ms. Van Siclen - Credentials and Rules

58 Mr. Shelfer – Professional Associations and Training Programs

1 Dr. Montoya - Examination
2

3 NEXT MEETING – December 5, 2014 – Orlando
4

5 **General Board Business concluded at 2:44 p.m.**

6 The meeting was adjourned at 2:44 p.m.