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FLORIDA | Board of Clinical Laboratory Personnel

MINUTES
December 5, 2014

Teleconference
Department of Health
4042 Bald Cypress Way
Tallahassee, FL 32399-3257



Michele Morgan, DBA
Chair

Carleen Van Siclen, MSHA, MLS
Vice-Chair

Adrienne Rodgers, BSN, JD
Executive Director

1 **General Board Business started: 9:02 a.m.**

- 2
3 I. The meeting was called to order by Dr. Morgan, Chair, at approximately 9:02 a.m. Those present for all or part of the
4 meeting 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:

Jose Montalvan, Regulatory Supervisor/Consultant
Savada Knight, Regulatory Specialist II
Kelly Woodard, Regulatory Specialist II

BOARD COUNSEL:

Deborah Bartholow Loucks, Assistant Attorney General
Office of Attorney General

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

9 **General Board Business started at 9:04 a.m.**

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

11 **II. APPROVAL OF PREVIOUS MEETING'S MINUTES OF THE BOARD OF CLINICAL LABORATORY**
12 **PERSONNEL**

13 Minutes of the October 8, 2014 General Business Meeting were reviewed.
14 Motion to accept the minutes was made by Mr. Hernandez and seconded by Ms. Montoya
15 Vote 6 yeas/ 0 opposed; motion carried
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17 Minutes of the August 8, 2014 General Business Meeting were reviewed.
18 Motion to accept the minutes was made by Mr. Hernandez and seconded by Mr. Shelfer
19 Vote 6 yeas/ 0 opposed; motion carried
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21 Page 3, Line 12 of the minutes for the February 1, 2011 General Business Meeting were reviewed at the request of Board
22 staff to correct the word "Technologist" to "Technician."
23 Motion to accept the correction to the minutes was made by Ms. Van Siclin and seconded by Mr. Shelfer
24 Vote 6 yeas/ 0 opposed; motion carried
25

26 Discussion was held by the Board to also change correct the word "Technologist" to "Technician" on Page 3, line 17 and
27 Page 3, line 27.
28 Motion to accept the correction to the minutes was made by Ms. Van Siclin and seconded by Mr. Shelfer
29 Vote 6 yeas/ 0 opposed; motion carried
30

31 **Section II ended at 9:09 a.m.**

32 **Section III started at 9:09 a.m.**

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

34 **Magdalena Orosz, PhD – Rule 64B3-5.003, F.A.C. – Technologist**

35 Petitioner was present and was not represented by counsel.

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37
38 Petitioner applied for initial Florida licensure as a clinical laboratory technologist in the area of clinical chemistry.
39 Transcripts received from Rutgers State College show a Bachelor's degree in biochemistry and chemistry, and from
40 University of Michigan a PhD in chemistry. (1) Petitioner suggests that she has 15 years of experience in clinical
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laboratory/toxicology that should be considered and asks that the Board waive the requirement of 3-years of experience with a minimum of 6 months experience in each specialty; and (2) Petitioner submitted evidence of experience in Florida for clinical chemistry from November 2010 to May 2014, during which time she held no Florida license for any Clinical Laboratory Personnel. Board staff asked if the experience was considered unlicensed activity.

The Board members suggested that Dr. Orosz could apply for a Directors license. Applicant is schedule to take the NRCC national examination in the spring 2015. She agreed to submit an application for Director and request a temporary license. Dr. Orosz withdrew Petition for Variance/Waiver of Rule 64B3-5.003, F.A.C.

No vote required.

Section III ended at 9:19 a.m.
Section IV started at 9:19 a.m.

IV. RECONSIDERATION TO AMEND NOTICE OF INTENT TO APPROVE

Midrelle M. Sephir

Petitioner was not present and was not represented by counsel.

On August 8, 2014 the Board entered a Notice of Intent to Approve licensure in chemistry and hematology, but declined to approve licensure in microbiology and serology due to a lack of documented experience in those specialties. Petitioner subsequently submitted evidence of experience and requested the Board reconsider its decision.

The Board concluded that Ms. Sephir had not demonstrated sufficient experience in Microbiology and Serology to allow licensure in these areas.

Motion to deny the request to amend the Board's Notice of Intent to Approve and approve the additional specialties made by Ms. Van Siclen, second by Ms. Valdes.

Vote: 6 yeas / 0 opposed; motion carried

Section IV ended at 9:25 a.m.
Section V started at 9:25 a.m.

V. APPLICANTS PRESENTED FOR BOARD REVIEW

Reza Semirovi Davoodi – Supervisor

Applicant was present and was not represented by counsel.

Ms. Loucks stated Dr. Davoodi applied for licensure as a clinical laboratory supervisor in the area of clinical chemistry. Dr. Davoodi did not train in a Florida approved training program, and lacked the 1-year of experience necessary for licensure in clinical chemistry. Dr. Davoodi gained experience by running archived specimens in parallel with a licensed technologist. He is an American Board of Medical Genetics and Genomics trainee fellow in biochemical genetics.

Dr. Davoodi doesn't meet did not demonstrate the required experience for licensure as a supervisor. He had not conducted direct testing, only parallel testing as a trainee. The University of Miami was not a Florida approved training program. Dr. Davoodi withdrew his application.

Motion to withdraw application for licensure made by Dr. Morgan second by Van Siclen.

Vote: 6 yeas / 0 opposed; motion carried

9:58 a.m.

Bruce David LaVere – Trainee

Applicant was present and was not represented by counsel.

Ms. Loucks stated that Mr. LaVere responded in the affirmative to health history question #3 of the application. Mr. LaVere submitted information from his health care practitioner regarding his health.

1 Motion to approve application for licensure made by Ms. Van Siclen, second by Ms. Valdes.
2 Vote: 6 yeas / 0 opposed; motion carried

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4 **10:00 a.m.**

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6 **Gerard Majella Meenan – Supervisor**

7 Applicant was present and was not represented by counsel.

8
9 Ms. Loucks stated Mr. Meenan applied for licensure as a Supervisor in the area of clinical chemistry. A transcript from
10 Fordham College shows a Bachelor's degree and a Master's degree in biological science. Mr. Meenan does not have ASCP
11 certification in clinical chemistry. However, the American Board of Bioanalysis (ABB) submitted verification of his
12 certification as a Technical Supervisor in Chemistry. Mr. Meenan's work experience includes recent 12 years of experience
13 in serology/immunology, clinical chemistry and hematology.

14
15 Mr. Meenan withdrew his petition and requested the board act on his application only. The board determined Mr. Meenan
16 met the educational and national certification requirements for licensure as a Supervisor in the area of clinical chemistry.

17
18 Motion to approve application for licensure for licensure as a Supervisor in the area of clinical chemistry made by Ms. Van
19 Siclen, second by Ms. Valdes.
20 Vote: 6 yeas / 0 opposed; motion carried

21
22 **10:03 a.m.**

23
24 **Neil Alan Fortner – Supervisor**

25 Applicant was present and was not represented by counsel.

26
27 Ms. Loucks stated Mr. Fortner applied for licensure as a clinical laboratory supervisor in clinical chemistry under option 2b,
28 which requires a Master's degree. Transcripts received from Western Kentucky University show a Bachelor's degree in
29 biology with more than 8 hours in biology and 23 quarter hours in chemistry. Mr. Fortner passed the NRCC Toxicological
30 Technologist specialty examination.

31
32 Board members suggested adding NRCC to the matrix.

33
34 Motion to approve application for licensure made by Ms. Van Siclen, second by Ms. Montoya.
35 Vote: 6 yeas / 0 opposed; motion carried

36
37 **10:05 a.m.**

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39 **Aleida M. Gaeda Garcia – Technologist**

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

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42 Ms. Loucks stated Ms. Gaeda Garcia applied for licensure as a clinical laboratory technologist. Josef Silny & Associates,
43 Inc. opined that Ms. Gaeda Garcia's education from the University of Havana, Cuba is equivalent to a Bachelor of Science
44 in biochemistry. However, the extent of Ms. Gaeda Garcia's experience could not be determined.

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46 Based on the experience letter received by the board office from the University of Havana, Cuba only the specialties of
47 Microbiology, Chemistry, Immunohematology could be documented.

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49 Motion to approve application for licensure only in the specialties of Microbiology, Chemistry and Immunohematology
50 made by Ms. Van Siclen, second by Ms. Valdes.
51 Vote: 6 yeas / 0 opposed; motion carried

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53 **10:07 a.m.**

54 **Yannery Gonzalez Fundora - Technologist**

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

56
57 Ms. Loucks stated Ms. Gonzalez-Fundora applied for licensure as a technologist in chemistry. Josef Silny & Associates, Inc.
58 opined that Ms. Gonzalez-Fundora's education from the University City Jose Antonio Echeverria (CUJAE) Cuba is

1 equivalent to a Bachelor of Science in chemical engineering. However, the extent of Ms. Gonzalez-Fundora's experience
2 could not be determined.

3
4 The Board concluded that Ms. Gonzalez-Fundora had not met the required experience listed in Rule 64B3-5.003, F.A.C.

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6 Motion to deny application for licensure as a technologist in chemistry made by Ms. Van Siclen, second by Mr. Hernandez.
7 Vote: 6 yeas / 0 opposed; motion carried

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9 **10:09 a.m.**

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11 **Ebony Y. Suarez Rodriguez – Public Health Technician**

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

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14 Ms. Loucks stated Ms. Suarez Rodriguez applied for licensure as a Clinical Laboratory Public Health Technician in the area
15 of clinical chemistry. A transcript from the University of North Florida (UNF) shows a Bachelor's degree in Health
16 Administration. Transcripts from St Johns River State College and UNF show 12 credits in biology and 5 credits in
17 chemistry. It did not appear that Ms. Suarez Rodriguez meet the educational requirements for licensure.

18
19 The Board concluded that Ms. Suarez Rodriguez had not met the 24 academic sciences as required by Section 483.824, F.S.

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21 Motion to deny application for licensure made by Ms. Van Siclen, second by Dr. Morgan.
22 Vote: 6 yeas / 0 opposed; motion carried

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24 **Section V ended at 10:11 a.m.**

25 **Section VI started at 10:11 a.m.**

26
27 **VI. RATIFICATION OF LICENSURE**

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29 1. Clinical Laboratory Personnel

30 Motion to ratify issuance of Clinical Laboratory Personnel license numbers 46267 through 46627 made by Dr. Morgan,
31 second by Ms. Valdes.

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33 Vote: 6 yeas / 0 opposed; motion carried

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35 2. Clinical Laboratory Personnel Trainees

36 Motion to ratify issuance of Clinical Laboratory Personnel Trainees license numbers 10231 through 10426 made by Dr.
37 Morgan, second by Ms. Valdes.

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40 Vote: 6 yeas / 0 opposed; motion carried

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42 3. Clinical Laboratory Personnel Training Programs

43 Motion to ratify issuance of Clinical Laboratory Personnel Training Programs number 293 made by Ms. Valdes, second by
44 Mr. Shelfer.

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46 Vote: 6 yeas / 0 opposed; motion carried

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48 **Section VI ended at 10:13 a.m.**

49 **A 13 minute break was taken.**

50 **Section VII resumed at 10:26 a.m.**

51
52 **VII. DISCUSSION OF EDUCATION OPTIONS FOR MEDICAL LABORATORY TECHNOLOGISTS –**
53 **Rule 64B3-5.003, F.A.C. regarding Technologist Qualifications.**

54
55 Maritza Cintron, BSMT (AMT), MPA – CTAE/MLT Program Director was present.

56
57 Ms. Cintron requested the Board change option # 2 of the matrix from 90 semester hours to 76 semester hours to
58 accommodate her training program, which is 1 year certificate with no post secondary degree. She indicated that AAB

1 only requires 60 semester hours to sit for the national MT examination. The request was opposed by Ms. Van Sieten and
2 Mr. Shelfer concurred. After discussion, the Board concluded that 90 semester hours was needed for adequate training.
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4 **VIII. CHAIR/VICE CHAIR REPORT**

5 Discussion was held regarding what specialty licensing was indicated on licenses.
6

7 New Business
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9 Discussion regarding specialty licensing indicated on licenses- Item was pulled from the agenda
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11 **Section VIII ended at 10:47a.m.**

12 **Section IX began at 10:47 a.m.**

13 **IX. EXECUTIVE DIRECTOR'S REPORT**

14 1. Information Added to Website:

15 The Board was informed that the following information had been added to the website:

16 Question: Can I be approved for an upgrade to my license in the same year that my biennium renewal period ends?

17 Answer: Yes. However, you must still separately renew your current license.

18 There are two steps that you must take when upgrading your license. The first is to apply and be approved for an upgrade.

19 The second is to timely renew your license. When you renew, the upgrade will be noted on your license.
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21 2. FYI – BOC Newsletter
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23 3. FYI Renewal Report
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25 **Section IX ended at 10:52 a.m.**

26 **Section X began at 10:52 a.m.**

27 **X. BOARD COUNSEL'S REPORT**

28 Ratification of Annual Regulatory Plan
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30 Motion to ratify the Annual Regulatory Plan made by Mr. Hernandez, second by Ms. Valdes.
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32 Vote: 6 yeas / 0 opposed; motion carried
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34 Ms. Loucks updated the Board on the status of Rules in process.
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36 **Section X ended at 11:00 a.m.**

37 **Section XI began at 11:03 a.m.**

38 **XI. COMMITTEE REPORTS:**

39 1. Budget – Dr. Morgan- No report.
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41 2. Continuing Education – Ms. Valdes

42 a. Audit from CEBroker for fractional CEUs

43 b. CE Providers and Courses Approved by CE Committee
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45 Motion to approve listed committee certification by Mr. Shelfer, second by Dr. Montoya.

46 Vote: 6 yeas / 0 opposed; motion carried
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48 c. Optional Reporting Cycle Report
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50 d. Discussion of Rule 64B3-11.002(6), F.A.C. – allowance/disallowance of fractional hours
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52 3. Credentials – Ms. Van Sieten- No report.
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4. Disciplinary Compliance – Mr. Hernandez -No report.
 5. Examination – Dr. Montoya- No report.
 6. Health Weight– Mr. Hernandez - No report.
 7. Legislative – Mr. Hernandez - No report.
 8. Probable Cause– Dr. Morgan presented the PCP Statistics.
 9. Professional Associations – Mr. Shelfer -No report.
 10. Rules – Ms. Van Siclen – No report.
 11. Training Programs – Mr. Shelfer -No report.
 12. Unlicensed Activity – Ms. Valdes -No report.

Section XI ended at 11:19 am.

NEXT MEETING – January 23, 2015 – Teleconference

General Board Business concluded at 11:24 a.m.

The meeting was adjourned at 11:24 a.m.