

1 The Florida Board of Clinical Laboratory Personnel held a meeting on Friday, June 2,
2 2017, commencing at 9:00 a.m., or shortly thereafter. This meeting was held at the
3 Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida at meet me number
4 (888) 670-3525, participant code 7342425515, to which all persons are invited to attend.
5 Participants in this public meeting were made aware that these proceedings were being
6 recorded and that an audio file of the meeting will be posted to the board's website.

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8 **AGENDA**

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10 **I. CALL TO ORDER (Roll Call):**

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12 Roll was called by Dr. Spivey, Executive Director

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14 **Board Members Present:**

15 Carleen P. Van Siclen, MS, MLS (ASCP), Chair

16 Linda Valdes, MS, MT (ASCP), Vice-Chair

17 Michele Morgan, D.B.A.

18 Beatriz E. Montoya, MBA, DMD, BSMT, AMT

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20 **Excused Absence:**

21 Yvette McCarter, Ph.D. (excused absence)

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23 **Board Staff Present:**

24 Anthony Spivey, DBA, Executive Director

25 Brandi May, Regulatory Supervisor

26 Kelly Woodard, Regulatory Specialist

27 Alisha Mughal, Regulatory Specialist

28 Nicole Wiley, Regulatory Specialist

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30 **Board Counsel:**

31 Deborah Loucks, Assistant Attorney General

32 Office of the Attorney General

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34 **Court Reporter:**

35 For the Record

36 (850) 222-5491

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38 **II. APPROVAL OF MINUTES:**

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40 March 10, 2017 – Draft

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42 Motion to approve minutes made by Ms. Valdes. Second by Dr. Montoya.

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44 4 yeas / 0 opposed. Motion carried.

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April 21, 2017 – Draft

Ms. Van Siclen requested a correction for page 2, under the review of training rules where it says “should there be accountability”-the next word should be “by the board”.

Motion to approve the minutes as corrected made by Ms. Van Siclen. Second by Dr. Montoya.

4 yeas / 0 opposed. Motion carried.

III. PETITIONS FOR WAIVER AND VARIANCE:

William K. Vernier

Present. Not represented by counsel. The respondent is unable to document the required 5 years of pertinent laboratory experience.

Motion to deny variance and waiver made by Ms. Van Siclen. Second by Ms. Valdes.

4 yeas / 0 opposed. Motion carried.

Motion to approve application contingent upon Mr. Vernier submitting adequate laboratory experience along with any other pending documentation made by Ms. Van Siclen. Second by Ms. Valdes.

Darlene Keppel

Not present. Not represented by counsel. Ms. Keppel attended a conference for continuing education that is not approved by the board. The board decided the variance and waiver met the purpose of the underlying statute.

Motion to approve continuing education variance and waiver made by Ms. Van Siclen. Second by Ms. Valdes.

4 yeas / 0 opposed. Motion carried.

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IV. APPLICANTS PRESENTED FOR BOARD REVIEW:

TECHNOLOGIST

Pallavi Bhatt

Present. Not represented by counsel. Ms. Bhatt previously held a license that went null & void. Ms. Bhatt was granted a temporary license for 1 year to give her time to pass the national exam.

Motion to approve with a temporary license made by Dr. Morgan. Second by Ms. Van Siclen.

4 yeas / 0 opposed. Motion carried.

Debbie Jenkins

Present. Not represented by counsel. The respondent previously submitted a variance and waiver due to having taken the HHS examination which is not recognized in Florida.

Motion to approve the application and issue a temporary license for a period of 1 year and reversing the former intent to deny upon successful completion of the national certification exam within 1 year of the date of today’s board meeting made by Ms. Van Siclen. Second by Ms. Valdes.

4 yeas / 0 opposed. Motion carried.

Benjamin Witten

Present. Not represented by counsel. The respondent has a provisional AAB/MT but is unable to document enough experience.

Motion to deny the application made by Ms. Valdes. Second Dr. Montoya.

4 yeas / 0 opposed. Motion carried.

Lee Roy Baker

Not present. Not represented by counsel. The board felt the applicant met the qualifications.

Motion to approve the application made by Ms. Van Siclen. Second Dr. Montoya.

139 4 yeas / 0 opposed. Motion carried.

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141 **Sherry Brutt**

142

143 Present. Not represented by counsel. The respondent is certified in cytometry.
144 The applicant has a bachelor's degree in biology and has passed a national
145 certification.

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147 Motion to approve the application made by Ms. Van Siclen. Second by Dr.
148 Montoya.

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150 4 yeas / 0 opposed. Motion carried.

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152 **Erika Badiali**

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154 Present. Not represented by counsel. The respondent lacks pertinent clinical
155 laboratory experience. The board encouraged the respondent to seek an online
156 training program that allows clinical rotations. The respondent waived the 90-
157 day requirement in lieu of withdrawing her application.

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159 Motion to deny the application made by Ms. Van Siclen. Second by Dr. Montoya.

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161 4 yeas / 0 opposed. Motion carried.

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164 **SUPERVISOR**

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166 **Thelma Jimenez**

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168 Present. Not represented by counsel. The applicant lacks chemistry credits for
169 licensure. The board felt the applicant met the purpose of the underlying rule.

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171 Motion to approve the application made by Ms. Van Siclen. Second by Dr.
172 Montoya.

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174 4 yeas / 0 opposed. Motion carried.

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176 **Ihosvani Munoz**

177

178 Present. Not represented by counsel. The respondent lacks immunohematology
179 experience. Discussion ensued.

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181 Motion to approve the application in the specialty areas of serology, immunology,
182 chemistry, and hematology only made by Ms. Van Siclen. Second by Ms. Valdes.

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184 4 yeas / 0 opposed. Motion carried.

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Qin Xu

Not present. Represented by counsel, Wade Stidhan. The applicant was previously denied in March 2017. The applicant is requesting a reconsideration. The applicant has a degree in applied science which does not meet the qualifications. The applicant needs five more months of experience.

Motion to reverse the intent to deny and issue a temporary supervisor’s license made by Ms. Van Siclen. Second by Ms. Valdes.

4 yeas / 0 opposed. Motion carried.

Rose Scrase

Present. Not represented by counsel. The applicant has provided the necessary documentation from her treating physician.

Motion to approve the application made by Ms. Van Siclen. Second by Dr. Montoya.

4 yeas / 0 opposed. Motion carried.

Jamie Williamson

Not present. Not represented by counsel. The applicant’s transcripts do not contain the required amount of academic science.

Motion to deny the application with the ability to withdraw made by Ms. Van Siclen. Second by Ms. Valdes.

4 yeas / 0 opposed. Motion carried.

Chenbo Dong

Not present. Not represented by counsel. Mr. Dong’s application does not contain the required amount of biological science.

Motion to deny the application with the ability to withdraw made by Dr. Morgan. Second by Ms. Van Siclen.

4 yeas / 0 opposed. Motion carried.

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TRAINEE

Megan Sweeney

Not present. Not represented by counsel. The applicant submitted the sufficient documentation.

Motion to approve the application made by Ms. Van Siclen. Second by Dr. Montoya.

4 yeas / 0 opposed. Motion carried.

TECHNICIAN

Abner Leps

Present. Not represented by counsel. The applicant is appearing due to criminal charges while in the military.

Motion to grant the license contingent upon receipt of a current evaluation from PRN within 6 months stating Mr. Leps is capable of practicing made by Dr. Morgan. Second by Ms. Van Siclen.

4 yeas / 0 opposed. Motion carried.

Jeffrey Shelquist

Present. Not represented by counsel. The letter from The University of Central Florida stated the discipline exercise science was a biological science degree.

Motion to approve the application for licensure made by Ms. Van Siclen. Second by Ms. Valdez.

4 yeas / 0 opposed. Motion carried.

V. RATIFICATION:

Licensure

Clinical Laboratory Personnel

Motion to ratify license numbers 48963 thru 49218 made by Ms. Van Siclen. Second by Dr. Montoya.

277 4 yeas / 0 opposed. Motion carried.

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279 **Clinical Laboratory Personnel Trainees**

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281 Motion to ratify license numbers 11505 thru 11602 made by Ms. Van
282 Siclen. Second by Dr. Montoya.

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284 4 yeas / 0 opposed. Motion carried.

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286 **Clinical Laboratory Personnel Training Programs**

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288 Motion to approve the NAACLS approved laboratory training programs:

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290 The University of North Dakota and Keiser University made by Ms. Van Siclen.
291 Second by Dr. Montoya.

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293 4 yeas / 0 opposed. Motion carried.

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295 **Continuing Education**

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297 **Continuing Education Providers & Courses approved by CE Committee**

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299 Motion to approve the continuing education made by Ms. Valdes. Second by
300 Dr. Morgan.

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302 4 yeas / 0 opposed. Motion carried.

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305 **VI. PROSECUTION REPORT:**

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307 Dr. Spivey gave the prosecutor's report as of May 8, 2017.

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309 Cases under legal review: **3**

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311 Open/Active Cases: **10**

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313 Cases recommended for probable cause: **5**

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315 Probable Cause: **1**

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317 Emergency Action Unit Case: **1**

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319 Administrative Complaints: **1**

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321 Cases over 1-year old: **7**

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323 Motion to continue with PSU acting on cases older than 1 year made by Ms.
324 Van Siclen. Second by Dr. Morgan.
325 4 yeas / 0 opposed. Motion carried.
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327 **VII. RULE 64B3-12.004:**
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329 Paragraph 2 and paragraph 5 need to be removed because of the automatic review
330 of CE Broker if the information is not entered at renewal.
331

332 Motion to begin rule development on this made by Ms. Van Siclen. Second by
333 Dr. Montoya.
334

335 4 yeas / 0 opposed. Motion carried.
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337 **VIII. BOARD COUNSEL REPORT:**
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339 Ms. Loucks discussed the anti-trust issue.
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341 Rules Report March 2017
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343 **IX. APPLICATION RULES**
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345 **64B3-3.001, F.A.C.**
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347 The application was not changed for this meeting.
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349 **64B3-4.001, F.A.C.**
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351 Motion to approve this application form made by Ms. Van Siclen. Second by Ms.
352 Valdes.
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354 4 yeas / 0 opposed. Motion carried.
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356 **64B3-5.002, F.A.C.**
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358 There is some confusion about this application when the CLIA requirements are
359 applied.
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361 Motion to approve the changes for this application made by Ms. Van Siclen.
362 Second by Ms. Valdes.
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364 4 yeas / 0 opposed. Motion carried.
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366 **64B3-5.003, F.A.C.**
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368 The CLIA requirements need to be added to this application.

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64B3-5.004, F.A.C.

This application needs the CFR references so we added those and deleted the medical errors portion.

64B3-5.007, F.A.C.

The CFR has been incorporated. The medical errors were deleted. The HIV/AIDS can now be a 6-month affidavit. The F/ABFT Certification was added.

64B3-5.008, F.A.C.

Not contained in the agenda.

64B3-6.001, F.A.C.

64B3-6.002, F.A.C.

An affidavit can be submitted to complete HIV/AIDS can be completed within 6 months. Certified copies of diplomas were obsoleted from the instructions. The medical errors were deleted.

CLP RULES

- i. Director
- ii. Supervisor
- iii. Technologist
- iv. Technician
- v. CLP Trainee
- vi. CLP Training Program
- vii. Specialty

Motion to approve the Rule 64B3-5.002, F.A.C. 64B3-5.004, F.A.C. 64B3-5.007, F.A.C., 64B3-5.008, F.A.C., 64B3-6.001, F.A.C., Rule 64B3-6.002, F.A.C. and all the incorporated application forms made by Ms. Van Siclen. Second by Dr. Montoya.

4 yeas / 0 opposed. Motion carried.

Motion to accept the application rules as proposed made by Ms. Van Siclen. Second by Dr. Montoya.

4 yeas / 0 opposed. Motion carried.

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X. PUBLIC COMMENT SECTION:

No public comments were made.

XI. CHAIR/VICE CHAIR REPORT:

Nothing to report.

XII. EXECUTIVE DIRECTOR'S REPORT:

Dr. Spivey discussed a rules reduction meeting in the future. The chair/vice-chair meeting will be held on September 18, 2017 in Tallahassee.

XIII. OLD BUSINESS:

The 2018 board meeting in December will be on the 14th.

Continuing Education being provided by the licensee vs. the provider needs to be discussed in the future; please place this on the next agenda.

XIV. NEW BUSINESS:

Nothing to report.

XV. COMMITTEE REPORTS:

Budget – Dr. Morgan

Nothing to report.

Continuing Education – Ms. Valdes

Nothing to report.

Credentials – Ms. Van Siclen

Nothing to report.

Disciplinary Compliance – Dr. Montoya

Nothing to report.

Examination – Dr. Montoya

461 Nothing to report.
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463 Healthiest Weight – Dr. McCarter
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465 Nothing to report.
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467 Legislation – Dr. McCarter
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469 Nothing to report.
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471 Probable Cause – Dr. Morgan
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473 Nothing to report.
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475 Professional Association – Ms. Valdes
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477 Nothing to report.
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479 Rules – Ms. Van Siclen
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481 Dr. Spivey will present the request of having a live in-person meeting to Ms.
482 Adrienne Rodgers.
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484 Training Program – Dr. McCarter
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486 Dr. McCarter was absent.
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488 Unlicensed Activity – Ms. Valdes
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490 Nothing to report.
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492 **XVI. NEXT MEETING DATE**
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494 September 22, 2017
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496 **XVII. ADJOURNMENT**
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498 12:58 p.m.