

FLORIDA | Board of Clinical Lab Personnel

DRAFT MINUTES

March 23, 2018

Orlando Airport Marriott Lakeside
7499 Augusta National Drive
Orlando, Florida 32820



Carleen Van Siclen, MSHA, MLS (ASCP) *Chair*

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

Anthony Spivey, DBA, *Executive Director*

The Florida Board of Clinical Laboratory Personnel held a meeting on Friday, March 23, 2018, commencing at 9:00 a.m. This meeting was held at the Orlando Airport Marriott Lakeside, 7499 Augusta National Drive, Orlando, Florida 32820, (407) 851-9000, to which all persons were invited to attend. Participants in this public meeting were made aware that these proceedings were being recorded and that an audio file of the meeting will be posted to the board's website.

AGENDA

Section I began: 9:00 a.m.

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

2
3 Carleen P. Van Siclen, MS, MLS (ASCP), Chair
4 Linda Valdes, MS, MT (ASCP), Vice-Chair
5 Michele Morgan, D.B.A. **(Present beginning in Section III)**
6 Beatriz E. Montoya, MBA, DMD, BSMT, AMT **(Not present, absence excused)**
7 Yvette McCarter, Ph.D.

8
9 **Board Staff Present:**

10
11 Dr. Anthony Spivey, DBA, Executive Director
12 Gail Curry, Program Operations Administrator

13
14 **Board Counsel:**

15
16 Deborah Loucks, Assistant Attorney General

17
18 **Prosecution Services:**

19
20 John Wilson, Assistant General Counsel

21
22 **Court Reporter:**

23
24 For the Record
25 (850) 222-5491

26
27 **Section I ended: 9:02 a.m.**

28 **Section II began: 9:02 a.m.**

29
30 **II. APPROVAL OF MINUTES:**

31
32 **a. December 7, 2017**

33
34 **Action:** Motion to approve the minutes made by Dr. McCarter. Second made by
35 Ms. Valdes.

36 **Vote:** 3 yeas / 0 opposed. Motion carried.

37

38 **Section II ended: 9:02 a.m.**

39 **Section III began: 9:02 a.m.**

40

41 **III. FINAL ORDER ACTION**

42

43 **a. Johnathan W. Edmonston, T.N.**

44

45 Neither present, nor represented by counsel. Mr. Wilson presented the facts of the
46 case.

47

48 **Action:** Mr. Wilson requested that the board grant a few motions on behalf of the
49 Department of Health.

50

51 Motion to find that the material facts as alleged in the administrative complaint
52 are not in dispute and adopt the findings of fact as set forth in the administrative
53 complaint made by Ms. Van Siclen. Second made by Ms. Valdes.

54

55 Motion to adopt the conclusions of law as stated in the administrative complaint
56 made by Ms. Van Siclen. Second made by Ms. Valdes.

57

58 Motion to adopt the materials or any other addendum materials into evidence in
59 this proceeding made by Ms. Van Siclen. Second made by Ms. Valdes.

60

61 Motion to find that the respondent is in violation of the board's practice act as
62 charged in the administrative complaint made by Ms. Van Siclen. Second made
63 by Ms. Valdes.

64

65 Motion to accept the terms of the settlement agreement made by Ms. Van Siclen.
66 Second made by Ms. Valdes.

67

68 Motion to request costs in the amount of \$54.93 to be paid within 90 days of entry
69 of the final order (including costs set forth in the settlement agreement) made by
70 Ms. Van Siclen. Second made by Dr. McCarter.

71

72 **Vote:** 3 yeas / 0 opposed. Motion carried. Dr. Morgan Recused.

73

74 **b. Bobbie S. Hatfield, T.C.**

75

76 Neither present, nor represented by counsel. Mr. Wilson presented the facts of the
77 case.

78

79 **Action:** Mr. Wilson requested that the board grant a few motions on behalf of the
80 Department of Health.

81

82 Motion to find that the respondent was properly served and waived rights to a
83 formal hearing in this case made by Ms. Van Siclen. Second made by Ms. Valdes.

84
85 Motion to find that the material facts as alleged in the administrative complaint
86 are not in dispute and adopt the findings of fact as set forth in the administrative
87 complaint made by Ms. Van Siclen. Second made by Ms. Valdes.

88
89 Motion to adopt the conclusions of law as stated in the administrative complaint
90 made by Ms. Van Siclen. Second made by Ms. Valdes.

91
92 Motion to adopt the materials and any other addendum materials into evidence in
93 this proceeding made by Ms. Van Siclen. Second made by Ms. Valdes.

94
95 Motion to find that the respondent is in violation of the board's practice act as
96 charged in the administrative complaint made by Ms. Van Siclen. Second made
97 by Ms. Valdes.

98
99 Motion to accept the terms of the settlement agreement made by Ms. Van Siclen.
100 Second made by Ms. Valdes.

101
102 Motion to request costs in the amount of \$863.28 to be paid within 90 days of
103 entry of the final order made by Ms. Van Siclen. Second made by Ms. Valdes.

104
105 **Vote:** 3 yeas / 0 opposed. Motion carried. Dr. Morgan Recused.

106
107 **c. Caroline J. Schirmer, T.N.**

108
109 Neither present, nor represented by counsel. Mr. Wilson presented the facts of the
110 case.

111
112 **Action:** Mr. Wilson requested that the board grant a few motions on behalf of the
113 Department of Health.

114
115 Motion to find that the respondent was properly served and waived rights to a
116 formal hearing in this case made by Ms. Van Siclen. Second made by Ms. Valdes.

117
118 Motion to find that the material facts as alleged in the administrative complaint
119 are not in dispute and adopt the findings of fact as set forth in the administrative
120 complaint made by Ms. Van Siclen. Second made by Ms. Valdes.

121
122 Motion to adopt the conclusions of law as stated in the administrative complaint
123 made by Ms. Van Siclen. Second made by Ms. Valdes.

124
125 Motion to adopt the materials and any other addendum materials into evidence in
126 this proceeding made by Ms. Van Siclen. Second made by Ms. Valdes.

127 Motion to find that the respondent is in violation of the board’s practice act as
128 charged in the administrative complaint made by Ms. Van Siclen. Second made
129 by Ms. Valdes.

130
131 Motion to accept the terms of the settlement agreement made by Ms. Van Siclen.
132 Second made by Ms. Valdes.

133
134 Motion to request costs in the amount of \$1,487.99 to be paid within 180 days of
135 entry of the final order made by Ms. Van Siclen. Second made by Ms. Valdes.

136
137 **Vote:** 3 yeas / 0 opposed. Motion carried. Dr. Morgan Recused.

138
139 **d. Janice D. Conner, T.N.**

140
141 Neither present, nor represented by counsel. Mr. Wilson presented the facts of the
142 case.

143
144 **Action:** Motion to accept the voluntary relinquishment made by Ms. Van Siclen.
145 Second made by Ms. Valdes.

146
147 **Vote:** 3 yeas / 0 opposed. Motion carried. Dr. Morgan Recused.

148
149 **Section III ended: 9:16 a.m.**

150 **Section IV began: 9:16 a.m.**

151
152 **IV. DECLARATORY STATEMENT**

153
154 **a. St. Joseph’s Hospital**

155
156 Neither present, nor represented by counsel. Ms. Loucks explained that the same
157 petition was reviewed by the Board of Respiratory Therapy and is exempt from
158 the rules regulating clinical laboratory personnel.

159
160 **Action:** Motion to decline comment on petition for declaratory statement made by
161 Ms. Van Siclen. Second made by Dr. Morgan.

162
163 **Vote:** 4 yeas / 0 opposed. Motion carried.

164
165 **Section IV ended: 9:16 a.m.**

166 **Section V began: 9:16 a.m.**

167
168 **V. PETITIONS WITHOUT APPLICATIONS**

169
170 **a. Charles Peloquin**

171
172 Present. Represented by counsel, Andrew Eisman, Esq.

173 **Action:** Motion to grant the petition made by Ms. Van Siclen. Second made by
174 Dr. Morgan

175
176 **Vote:** 4 yeas / 0 opposed. Motion carried.

177
178 **b. Emily Graham**

179
180 Not present. Represented by counsel, Andrew Eisman, Esq.

181
182 **Action:** Motion to grant the petition made by Ms. Van Siclen. Second made by
183 Dr. Morgan.

184
185 **Vote:** 4 yeas / 0 opposed. Motion carried.

186
187 **c. Kyung Kim**

188
189 Not present. Represented by counsel, Andrew Eisman, Esq.

190
191 **Action:** Motion to grant the petition made by Ms. Van Siclen. Second made by
192 Dr. McCarter.

193
194 **Vote:** 4 yeas / 0 opposed. Motion carried.

195
196 **d. Theodore Zagurski**

197
198 Not present. Represented by counsel, Andrew Eisman, Esq.

199
200 **Action:** Motion to grant the petition made by Ms. Van Siclen. Second made by
201 Dr. McCarter.

202
203 **Vote:** 4 yeas / 0 opposed. Motion carried.

204
205 **e. Ruth Fernandez**

206
207 Present. Not represented by counsel. Ms. Fernandez presented her credentials to
208 the board.

209
210 **Action:** Motion to deny the petition made by Dr. Morgan. Second made by Ms.
211 Valdes.

212
213 **Vote:** 4 yeas / 0 opposed. Motion carried.

214
215 **Section V ended: 9:44 a.m.**
216 **Section VI began: 9:44 a.m.**

217
218 **VI. PETITIONS WITH APPLICATIONS**

219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264

a. Michael Anauo

Present. Not represented by counsel.

Action: Motion to deny the petition made by Dr. Morgan. Second made by Ms. Valdes.

Vote: 4 yeas / 0 opposed. Motion carried.

b. Nudratun Jawaid

Not present, nor represented by counsel.

Action: Motion to approve the petition made by Dr. McCarter. Second made by Dr. Morgan.

Vote: 4 yeas / 0 opposed. Motion carried.

Action: Motion to approve the application for licensure made by Dr. McCarter. Second made by Dr. Morgan.

Vote: 4 yeas / 0 opposed. Motion carried.

c. Hen Anny Levy

Not present, nor represented by counsel.

Action: Motion to deny the petition made by Dr. Morgan. Second made by Dr. McCarter.

Vote: 4 yeas / 0 opposed. Motion carried.

Action: Motion to require applicant to appear at one of the next two future board meetings made by Ms. Van Siclen. Second made by Ms. Valdes.

Vote: 4 yeas / 0 opposed. Motion carried.

d. Susan Nimmo

Not present, nor represented by counsel.

Action: Motion to deny the petition made by Dr. McCarter. Second made by Dr. Morgan.

Vote: 4 yeas / 0 opposed. Motion carried.

265 **Action:** Motion to require applicant to appear at one of the next two future board
266 meetings made by Ms. Van Siclen. Second made by Ms. Valdes.

267
268 **Vote:** 4 yeas / 0 opposed. Motion carried.

269
270 **Section VI ended: 10:10 a.m.**

271 **Section IX addressed out of order: 10:10 a.m.**

272 **Section VII began: 10:15 a.m.**

273

274 **VII. APPLICANTS PRESENTED FOR BOARD REVIEW:**

275

276 **a. TECHNOLOGIST**

277

278 **Semira Dizdarevic**

279

280 Not present, nor represented by counsel.

281

282 **Action:** Motion to approve the application made by Ms. Van Siclen. Second made
283 by Dr. McCarter.

284

285 **Vote:** 4 yeas / 0 opposed. Motion carried.

286

287 **Selene Exposito**

288

289 Not present, nor represented by counsel.

290

291 **Action:** Motion to approve the application made by Dr. Morgan. Second made by
292 Dr. McCarter.

293

294 **Vote:** 4 yeas / 0 opposed. Motion carried.

295

296 **Anna Sokolova**

297

298 Not present, nor represented by counsel.

299

300 **Action:** Motion to approve the application made by Dr. McCarter. Second made
301 by Ms. Valdes.

302

303 **Vote:** 4 yeas / 0 opposed. Motion carried.

304

305 **Betty Ann Ray**

306

307 Not present, nor represented by counsel.

308

309 **Action:** Motion to deny the application made by Dr. McCarter. Second made by
310 Ms. Valdes.

311 **Vote:** 4 yeas / 0 opposed. Motion carried.

312

313 **Diane Rohlf**

314

315 Not present, nor represented by counsel.

316

317 **Action:** Motion to approve temporary license for one year to allow applicant to
318 obtain 1 hour of academic science made by Dr. McCarter. Second made by Ms.
319 Valdes.

320

321 **Vote:** 4 yeas / 0 opposed. Motion carried.

322

323 **Julianne Kaiser**

324

325 Present. Not represented by counsel.

326

327 **Action:** Motion to approve the application for licensure made by Dr. Morgan.
328 Second made by Dr. McCarter.

329

330 **Vote:** 4 yeas / 0 opposed. Motion carried.

331

332 **b. SUPERVISOR**

333

334 **Jesenia Oliva**

335

336 Present. Not represented by counsel.

337

338 **Action:** Motion to approve the application for licensure made by Dr. McCarter.
339 Second made by Ms. Van Sicen.

340

341 **Vote:** 4 yeas / 0 opposed. Motion carried.

342

343 **Jimmy Mervil**

344

345 Present. Not represented by counsel.

346

347 **Action:** Motion to approve the application for licensure made by Dr. McCarter.
348 Second made by Dr. Morgan.

349

350 **Vote:** 4 yeas / 0 opposed. Motion carried.

351

352 **Janet Mowery**

353

354 Not present, nor represented by counsel.

355

356 **Action:** Motion to approve the application contingent upon providing
357 documentation from a healthcare provider that she is safe to practice and provide
358 proof that she has complied with previous final order made by Ms. Van Siclen.
359 Second made by Dr. McCarter.

360
361 **Vote:** 4 yeas / 0 opposed. Motion carried.

362
363 **John Dumorne**

364 Present. Not represented by counsel. Mr. Dumorne explained his credentials.

366
367 **Action:** Motion to approve the application for licensure made by Dr. McCarter.
368 Second made by Dr. Morgan.

369
370 **Vote:** 4 yeas / 0 opposed. Motion carried.

371
372 **Christy Lynn Soileau**

373 Not present, nor represented by counsel.

375
376 **Action:** Motion to deny application providing option to withdraw made by Dr.
377 McCarter. Second made by Ms. Valdes.

378
379 **Vote:** 4 yeas / 0 opposed. Motion carried.

380
381 **Vicki Lynne Whitney**

382 Not present, nor represented by counsel.

384
385 **Action:** Motion to approve the application made by Dr. McCarter. Second made
386 by Ms. Valdes.

387
388 **Vote:** 4 yeas / 0 opposed. Motion carried.

389
390 **Joshua Seither**

391 Present. Not represented by counsel. Mr. Seither explained his credentials.

393
394 **Action:** Motion to approve the application for licensure under the limited scope of
395 practice of toxicology made by Dr. McCarter. Second made by Ms. Valdes.

396
397 **Vote:** 4 yeas / 0 opposed. Motion carried.

398
399 **Jayne Elizabeth Peraud**

400 Not present, nor represented by counsel.

402 **Action:** Motion to require appearance at one of the next two board meetings made
403 by Ms. Van Siclen. Second made by Dr. McCarter.

404
405 **Vote:** 4 yeas / 0 opposed. Motion carried.

406
407 **Ana Hernandez**

408
409 Present. Not represented by counsel. Ms. Hernandez explained her credentials and
410 experience. The board determined that Ms. Hernandez' experience was in
411 histocompatibility. Ms. Hernandez waived the 90 day statutory timeframe to act
412 on her application and agreed to obtain verification letter of experience from Cuba
413 and Germany.

414
415 **Action:** Motion to deny the application due to inexperience in immunology and
416 serology made by Ms. Valdes. Second made by Ms. Van Siclen. Previous motion
417 withdrawn by Ms. Valdes.

418
419 **Vote:** 4 yeas / 0 opposed. Motion carried.

420
421 **Action:** Motion to grant the continuance of the application made by Ms. Van
422 Siclen. Second made by Ms. Valdes.

423
424 **Vote:** 4 yeas / 0 opposed. Motion carried.

425
426 **Benjamin Stephen Witten**

427
428 Present. Not represented by counsel.

429
430 **Action:** Motion to approve the application for licensure under the limited scope of
431 practice of toxicology made by Dr. Morgan. Second made by Dr. McCarter.

432
433 **Vote:** 4 yeas / 0 opposed. Motion carried.

434
435 **c. TRAINEE**

436
437 **Shane Curran**

438
439 Present. Not represented by counsel.

440
441 **Action:** Motion to approve the application made by Dr. Morgan. Second made by
442 Ms. Valdes.

443
444 **Vote:** 4 yeas / 0 opposed. Motion carried.

445
446 **d. TRAINING PROGRAM**

447

448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493

Solutions Medical

Present. Not represented by counsel. Brooke Delnista (representative for Solutions Medical) presented information on behalf of the program. Dr. McCarter explained her concerns related to the assessment forms that were submitted. Ms. Delnista waived the 90 day statutory timeframe to act on the application.

Action: Motion to allow continuance of the application made by Ms. Van Siclen. Second made by Dr. McCarter.

Vote: 4 yeas / 0 opposed. Motion carried.

Break- 11:22 a.m. to 11:53 a.m.

e. TECHNICIAN

Abner Leps

Action: Motion to accept documentation and approve the issuance of the license made by Dr. McCarter. Second made by Dr. Morgan.

Vote: 4 yeas / 0 opposed. Motion carried.

Jessica Saintibert

Action: Motion to deny the application providing option to withdraw made by Dr. McCarter. Second made by Ms. Valdes.

Vote: 4 yeas / 0 opposed. Motion carried.

Section VII ended: 12:30 p.m.
Section VIII began: 12:31 p.m.

VIII. RATIFICATION:

a. Licensure

Clinical Laboratory Personnel

Action: Motion to approve the ratification of licensees made by Ms. Van Siclen. Second made by Dr. McCarter.

Vote: 4 yeas / 0 opposed. Motion carried.

Clinical Laboratory Personnel Trainees

494 **Action:** Motion to approve the ratification of licensees made by Ms. Van Siclén,
495 Second made by Dr. McCarter.

496
497 **Vote:** 4 yeas / 0 opposed. Motion carried.

498
499 **b. Continuing Education**

500
501 Continuing Education Providers & Courses approved by CE Chair

502
503 **Action:** Motion to approve the ratification of continuing education courses made
504 by Ms. Valdes. Second made by Dr. Morgan.

505
506 **Vote:** 4 yeas / 0 opposed. Motion carried.

507
508 **Section VIII ended: 12:40 p.m.**

509 **Section IX began out of order: 10:10 a.m.**

510
511 **IX. PROSECUTION REPORT:**

512
513 Mr. Wilson provided statistics regarding the prosecutions currently open in the
514 Department.

515
516 Total Cases: 9 (including the 4 cases on this agenda)
517 Under Legal Review: 3
518 Cases older than 1 year continued for prosecution: 1

519
520 **Action:** Motion to authorize continued prosecution of cases older than one year
521 made by Ms. Van Siclén. Second made by Ms. Valdes.

522
523 **Vote:** 4 yeas/ 0 opposed. Motion carried.

524
525 **Section IX ended: 10:15 a.m.**

526 **Section X began: 12:40 p.m.**

527
528 **X. BOARD COUNSEL REPORT:**

529
530 **a. 64B10-15.001**

531
532 Ms. Deborah Loucks, board counsel, advised that this rule was made part of this
533 agenda in error and applies to another healthcare profession.

534
535 **b. 64B3-5.003**

536 **c. 64B3-5.003(3)(g) Jerry Santiago**

537 **d. March Rules Report**

538 **e. CLP Application (adding specialty)**

539 **f. Technologist**

- 540 **g. Technician**
- 541 **h. Supervisor**
- 542 **i. Director**
- 543 **j. Public Health Laboratory Scientist**
- 544 **k. Adding Specialty**
- 545

546 Ms. Loucks advised that in lieu of the passage of SB622 (de-regulation of clinical
547 laboratories), statutes shall be revised to combine Chapter 483, Part III with 483,
548 Part II. In addition, Part III shall be eliminated.

549
550 Ms. Loucks advised that the training program rules have been noticed for
551 development and are awaiting a separate form to be established by the department
552 for renewal of training programs.

553
554 Ms. Loucks suggested eliminating the inclusion of the matrices in each
555 application and provide a link to the matrices on the applications and website.

556
557 **Action:** Motion to separate application from the matrices made by Ms. Van
558 Siclen. Second made by Ms. Valdes.

559
560 **Vote:** 4 yeas / 0 opposed. Motion carried.

561
562 Ms. Loucks asked whether the proposed rules would have adverse impacts on
563 small business and whether regulatory costs would exceed two hundred thousand
564 dollars within 1 year of implementation. Ms. Van Siclen stated there would be no
565 adverse impact or increase of costs.

566
567 Ms. Loucks asked whether the proposed rules would be subject to a minor
568 violation. Minor violation means that it will not directly affect the public health,
569 safety, or welfare and is able to be resolved with citation or notice of non-
570 compliance. Ms. Van Siclen stated there would be no minor violations.

571
572 The board addressed correspondence from Jerry Santiago (Histology Program
573 Director of Florida State College of Jacksonville). Ms. Dorothy Woessner, Vice
574 President of the Florida Society for Histotechnology spoke on behalf of the
575 correspondence submitted. Ms. Woessner raised concerns about licensure options
576 provided for Histology technologist, specifically Option 3B. Ms. Woessner
577 advised that Option 3B does not specify “Florida” licensure as a technician and
578 explained that Florida licensed technicians would have had to have passed a
579 Florida state exam. It was further suggested that the language be revised to
580 indicate “Florida” licensure as a technician.

581
582 **Action:** Motion to accept the proposed language made by Dr. Morgan. Second
583 made by Ms. Van Siclen.

584
585 **Vote:** 4 yeas / 0 opposed. Motion carried.

586 The board addressed concerns with Option 3 of the Generalist requirements which
587 only allow acceptance of the AAB (American Association of Bioanalysts) exam
588 and discussed adding the additional exams that are required under other options.
589 The board agreed to add the ASCP to Option 3. In addition, the board agreed to
590 change the ASCP examination verbiage from “specialist” to “categorical in single
591 discipline”.

592
593 **Action:** Motion to approve amended language made by Ms. Van Siclen. Second
594 made by Dr. McCarter.

595
596 **Vote:** 4 yeas / 0 opposed. Motion carried.

597
598 Ms. Loucks asked whether the proposed rules would have adverse impacts on
599 small business and whether regulatory costs would exceed two hundred thousand
600 dollars within 1 year of implementation. Ms. Van Siclen stated there would be no
601 adverse impact or increase of costs.

602
603 Ms. Loucks asked whether the proposed rules would be subject to a minor
604 violation. Minor violation means that it will not directly affect the public health,
605 safety, or welfare and is able to be resolved with citation or notice of non-
606 compliance. Ms. Van Siclen stated there would be no minor violations.

607
608 It was further discussed that Option 1 of the Generalist requirements could
609 possibly be changed back to accepting *any* type of bachelors’ degree to avoid a
610 larger amount of board files. Ms. Valdes stressed the importance of maintaining
611 the current degree requirements of Option 1 due to the fact that the previous
612 requirement does not fully demonstrate the applicant’s competency in the field.
613 Ms. Valdes suggested that the requirements be similar to those of CLIA (Clinical
614 Laboratory Improvement Amendments).

615
616 The board discussed increases in the field of toxicology and suggested creating
617 toxicology as a single specialty within the board rule. Dr. McCarter concurred and
618 advised that it would limit applicants from obtaining clinical chemistry without
619 the proper qualifications.

620
621 The board addressed other correspondence from Dr. Nilia Madan (Former board
622 member and Program Director of Miami Dade College) relating to Option 3 of the
623 Generalist requirements. By the board’s previous decision to require an
624 Associates’ degree including 6 semester hours of biological and 6 semester hours
625 of chemical sciences, it has since disqualified all graduating students. Dr. Madan
626 went on to explain that the Department of Education only allows the program to
627 provide a maximum of 76 credit hours. A small amount of the chemical sciences
628 they provide are introductory courses and have been deemed unacceptable by
629 board rule. The board agreed to eliminate the academic science requirement and
630 add the requirement of a clinical laboratory training program.

631

632 **Action:** Motion to approve amended language made by Ms. Van Siclen. Second
633 made by Ms. Valdes.

634
635 **Vote:** 4 yeas / 0 opposed. Motion carried.

636
637 Ms. Loucks asked whether the proposed rules would have adverse impacts on
638 small business and whether regulatory costs would exceed two hundred thousand
639 dollars within 1 year of implementation. Ms. Van Siclen stated there would be no
640 adverse impact or increase of costs.

641
642 Ms. Loucks asked whether the proposed rules would be subject to a minor
643 violation. Minor violation means that it will not directly affect the public health,
644 safety, or welfare and is able to be resolved with citation or notice of non-
645 compliance. Ms. Van Siclen stated there would be no minor violations.

646
647 **Section X ended: 2:06 p.m.**

648 **Section XI began: 2:06 p.m.**

649
650 **XI. CHAIR/VICE CHAIR REPORT:**

651
652 Ms. Van Siclen requested that the governor appoint new board members. Ms. Van
653 Siclen advised that she would not be able to attend the Chair/Vice Chair meeting
654 on April 23 and that Ms. Valdes would be in attendance. Ms. Valdes asked
655 whether SB622 would have any impact on the board. Dr. Spivey presented the
656 current implementation plan for SB622.

657
658 **Section XI ended: 2:09 p.m.**

659 **Section XII began: 2:09 p.m.**

660
661 **XII. EXECUTIVE DIRECTOR'S REPORT:**

662
663 Dr. Spivey advised the board that the department is working on establishing a
664 universal application for all licensure professions. Dr. Spivey presented the
665 Annual Delegation of Authority and requested that Ms. Van Siclen provide her
666 signature in acknowledgment. Dr. Spivey provided the board information on
667 travel authorization.

668
669 **Section XII ended: 2:11 p.m.**

670 **Section XIII began: 2:11 p.m.**

671
672 **XIII. OLD BUSINESS:**

673
674 Ms. Loucks advised that the board is awaiting a form number to separate the
675 renewal of training programs versus initial application.

676
677 **Section XIII ended: 2:12 p.m.**

678 **Section XIV began: 2:12 p.m.**

679

680 **XIV. NEW BUSINESS:**

681

682 Ms. Loucks advised the board that she would update the spreadsheet for the
683 requirements of the certification exams.

684

685 **Section XIV ended: 2:13 p.m.**

686 **Section XV began: 2:13 p.m.**

687

688 **XV. COMMITTEE REPORTS:**

689

690 **a. Budget – Dr. Morgan**

691

692 Nothing to Report

693

694 **b. Continuing Education – Ms. Valdes**

695

696 Nothing to Report

697

698 **c. Credentials – Ms. Van Siclen**

699

700 Nothing to Report

701

702 **d. Disciplinary Compliance – Dr. Montoya**

703

704 Nothing to Report

705

706 **e. Examination – Dr. Montoya**

707

708 Nothing to Report

709

710 **f. Healthiest Weight – Dr. McCarter**

711

712 Nothing to Report

713

714 **g. Legislation – Dr. McCarter**

715

716 Nothing to Report

717

718 **h. Probable Cause – Dr. Morgan**

719

720 Nothing to Report

721

722 **i. Professional Association – Ms. Valdes**

723

724 Nothing to Report

725

726 **j. Rules – Ms. Van Siclen**

727

728 Nothing to Report

729

730 **k. Training Program – Dr. McCarter**

731

732 Dr. McCarter addressed the changes that were previously approved relating to
733 NAACLS approved training programs and renewal. Discussion ensued.

734

735 Dr. Morgan recommended that the board notice Chapter 64B3-3.002 (Florida
736 Administrative Code) and add a certification exam for training instructors.

737

738 **Action:** Motion to amend language in Chapter 64B3-3.002 made by Ms. Van
739 Siclen. Second made by Dr. McCarter.

740

741 **Vote:** 4 yeas / 0 opposed. Motion carried.

742

743 Ms. Loucks asked whether the proposed rules would have adverse impacts on
744 small business and whether regulatory costs would exceed two hundred thousand
745 dollars within 1 year of implementation. Ms. Van Siclen stated there would be no
746 adverse impact or increase of costs.

747

748 Ms. Loucks asked whether the proposed rules would be subject to a minor
749 violation. Minor violation means that it will not directly affect the public health,
750 safety, or welfare and is able to be resolved with citation or notice of non-
751 compliance. Ms. Van Siclen stated there would *be* minor violations.

752

753 Ms. Loucks advised that since there would *be* minor violation, that the board
754 should motion to open Chapter 64B3-12.005 (Florida Administrative Code) -
755 Notice of Non-compliance.

756

757 **Action:** Motion to open Chapter 64B3-12.005 for adding discipline made by Ms.
758 Van Siclen. Second made by Dr. Morgan.

759

760 **Vote:** 4 yeas / 0 opposed. Motion carried.

761

762 Ms. Loucks asked whether the proposed rules would have adverse impacts on
763 small business and whether regulatory costs would exceed two hundred thousand
764 dollars within 1 year of implementation. Ms. Van Siclen stated there would be no
765 adverse impact or increase of costs.

766

767 Ms. Loucks asked whether the proposed rules would be subject to a minor
768 violation. Minor violation means that it will not directly affect the public health,

769 safety, or welfare and is able to be resolved with citation or notice of non-
770 compliance. Ms. Van Siclen stated there would be no minor violations.
771
772 **Action:** Motion to open Chapter 64B3-3.002 for revision made by Dr. Morgan.
773 Second made by Ms. Van Siclen.
774
775 **Vote:** 4 yeas / 0 opposed. Motion carried.
776
777 Ms. Loucks asked whether the proposed rules would have adverse impacts on
778 small business and whether regulatory costs would exceed two hundred thousand
779 dollars within 1 year of implementation. Ms. Van Siclen stated there would be no
780 adverse impact or increase of costs.
781
782 Ms. Loucks asked whether the proposed rules would be subject to a minor
783 violation. Minor violation means that it will not directly affect the public health,
784 safety, or welfare and is able to be resolved with citation or notice of non-
785 compliance. Ms. Van Siclen stated there would *be* minor violations.
786
787 **Action:** Motion to open Chapter 64B3-12.005 for adding discipline made by Ms.
788 Van Siclen. Second made by Dr. Morgan.
789
790 **Vote:** 4 yeas / 0 opposed. Motion carried.
791
792 **I. Unlicensed Activity – Ms. Valdes**
793
794 Nothing to Report
795
796 **Section XV ended: 2:38 p.m.**
797 **Section XVI began: 2:38 p.m.**
798
799 **XVI. ELECTION OF OFFICERS**
800
801 **Action:** Motion to nominate Ms. Van Siclen for Board Chair made by Ms.
802 Valdes. Second made by Dr. McCarter.
803
804 **Vote:** 4 yeas / 0 opposed. Motion carried.
805
806 **Action:** Motion to nominate Ms. Valdes for Vice-Chair made by Dr. Morgan.
807 Second made by Ms. Van Siclen.
808
809 **Vote:** 4 yeas / 0 opposed. Motion carried.
810
811 **Section XVI ended: 2:41 p.m.**
812 **Section XVII began: 2:41 p.m.**
813
814 **XVII. NEXT MEETING DATE**

815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842

June 15, 2018

Ms. Valdes asked if the meeting was live or teleconference.

Section XVII ended: 2:42 p.m.
Section XVIII began: 2:42 p.m.

XVIII. PUBLIC COMMENT:

Ms. Van Siclen requested that Public Comment be moved to a different section of the agenda, specifically after applicant section and before ratification lists.

Section XVIII ended: 2:42 p.m.
Section XIX began: 2:42 p.m.

XIX. ADJOURNMENT

Meeting adjourned at 2:42 p.m. Meeting re-opened to address Chapter 64B3-1.015 (Florida Administrative Code). The rule has Part III listed, but shall be changed to Part II. Ms. Loucks advised that she could update all rules to reflect the technical change.

Action: Motion to allow Ms. Loucks to change board rules to reflect Part II instead of Part III made by Ms. Van Siclen. Second made by Dr. McCarter.

Vote: 4 yeas / 0 opposed. Motion carried.

Meeting re-adjourned at 2:44 p.m.