

1 The Florida Board of Clinical Laboratory Personnel held a meeting on Friday, December
2 2, 2016, commencing at 9:00 a.m. This meeting was held at the Department of Health,
3 4042 Bald Cypress Way, Tallahassee, Florida at meet me number (888) 670-3525,
4 participant code 7342425515, to which all persons were invited to attend. Participants in
5 this public meeting were made aware that these proceedings were being recorded and that
6 an audio file of the meeting will be posted to the board's website.

7
8 **AGENDA**

9
10 **I. CALL TO ORDER (Roll Call):**

11
12 **Board Members Present:**

13 Carleen P. Van Siclen, MS, MLS (ASCP), Chair
14 Linda Valdes, MS, MT (ASCP), Vice-Chair
15 Michele Morgan, D.B.A.
16 Beatriz E. Montoya, MBA, BSMT, AMT
17 Steven G. Shelfer, MT (ASCP)
18 Yvette McCarter, Ph.D.

19
20 **Board Staff Present:**

21 Gail Curry, Program Operations Administrator
22 Brandi May, Regulatory Supervisor
23 Kelly Woodard, Regulatory Specialist
24 Austin Fletcher, Regulatory Specialist
25 Nicole Wiley, Regulatory Specialist

26
27 **Board Counsel:**

28 Deborah Loucks, Assistant Attorney General
29 Office of Attorney General

30
31 **Court Reporter:**

32 For the Record
33 (850) 222-5491

34
35 **II. APPROVAL OF MINUTES:**

36
37 a. September 9, 2016 – Draft

38
39 Linda Valdes - Page 3 Valdes is misspelled.
40 Linda Valdes Page 10 Develop is misspelled.
41 Deborah Loucks – Council needs to be changed to Counsel

42
43 **ACTION:** Motion to approve the September 9 minutes, with corrections, was
44 made by Ms. Van Siclen, seconded by Dr. McCarter.

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

1
2 **III. PETITIONS FOR WAIVER AND VARIANCE:**
3

4 Ms. Loucks gave an overview of the requirements for when a Waiver and
5 Variance should be approved according to 120.542(2).
6

7 **a. Clifford M. Morris**

8 Not on the call at this time. Mr. Morris was heard after Ms. Phillips.
9

10 **b. Miguel H. Estevez**

11 Present / Not represented by Counsel.
12

13 Ms. Loucks presented the waiver/variance. Dr. Estevez is a Technologist
14 applying for a Generalist. He has a medical doctor degree from Cuba.
15 He has worked in Cuba for many years as a doctor and is looking for a
16 waiver to use this experience to get the Generalist license. Dr. Estevez
17 described his experience working in Cuba. Ms. Montoya asked for more
18 detail about his experience in testing.
19

20 **ACTION:** Motion to deny the waiver based on the fact that he doesn't
21 meet the experience required and doesn't meet the petition by other means
22 and the rule doesn't affect him any differently than any other applicant
23 made by Ms. Van Siclén, seconded by Ms. Valdes.

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

26 Acting on the application.

27 Ms. Van Siclén gave Dr. Estevez the opportunity to withdraw his
28 application. Dr. Estevez would like to withdraw his application at this time.
29

30 **ACTION:** Ms. Van Siclén made a motion to accept the withdrawal of Dr.
31 Estevez's application. Seconded by Ms. Montoya.

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

34 **c. Gregory S. Hendricks**

35 Present / Not represented by Counsel.
36

37 Colonel Hendricks is requesting a waiver for passing the certification
38 exam for Histocompatibility and the Molecular Pathology. He is applying
39 to be a Supervisor/ Generalist subject to certification.

40 Colonel Hendricks described his experience in the U.S. Air Force in
41 Histocompatibility and Molecular Pathology.
42

43 **Discussion:** Several board members asked for more details of his
44 experience.
45

46 **ACTION:** Motion to deny the petition of Waiver/Variance based on the

1 fact that he doesn't have the National certification in the two specialties
2 he is requesting was made by Ms. Van Siclen. Seconded by Dr. McCarter.
3 Vote: 6 yeas / 0 opposed; motion carried
4

5 **ACTION:** Motion to approve the application for Supervisor in the areas
6 of Chemistry, Immunohematology, Microbiology and approve him for a
7 Medical Technologist in Histocompatibility and Molecular Pathology.
8 Seconded by Ms. Valdes.
9 **Vote:** 6 yeas / 0 opposed; motion carried
10

11 d. **William Marena**

12 Present / Not represented by Counsel.
13

14 Mr. Marena is applying for a Supervisor license. He has file a
15 Waiver/Variance asking the board to waive the requirements because he
16 has a bachelor's degree with 24 hours academic science and 8 hours of
17 biologic sciences and 8 hours of chemistry sciences.
18

19 Mr. Marena addressed the board with his experience. He has a degree
20 from 1979. Has been a technologist, in good standing, in the state since
21 1991. He works as a Supervisor in the Blood Bank at Florida Hospital.
22 Worked in management roles at the University of Florida, Clinical Trails
23 and research for over 12 years. If he had to go back to school this would
24 create a hardship for him.
25

26 **Discussion:** Ms. Valdes asked if someone would double check the
27 transcript to see how many hours he has in Biology? Dr. McCarter said
28 she counted 23 listed as academic sciences. The rest are applied science
29 courses.
30

31 **Action:** Ms. Van Siclen motioned to deny the petition for variance from
32 educational requirements based on the Rule 64B3-5.001, F.A.C., because
33 it doesn't meet the purpose of the petition meaning that the rule does not
34 affect him any differently than any other applicant. Seconded by Ms.
35 Valdes.
36 **Vote:** 6 yeas / 0 opposed; motion carried.
37

38 The Board is now acting on the application.

39 Ms. Van Siclen gave Mr. Marena the opportunity to withdraw his
40 application. Mr. Marena would like to withdraw his application at this
41 time.
42

43 **ACTION:** Ms. Van Siclen made a motion to accept the withdrawal of Mr.
44 Marena application. Seconded by Ms. Montoya.
45 **Vote:** 6 yeas / 0 opposed; motion carried.
46

1 **e. Teresa Phillips**

2 Present / Not represented by Counsel.

3
4 Ms. Phillips is applying for a Supervisor license. She has filed a
5 Waiver/Variance asking the board to waive the requirements for a
6 bachelor's degree. She has two associates' degrees. One is in biological
7 sciences and the other in Medical Laboratory Technology.

8
9 **Discussion:** There was no discussion held.

10
11 **Action:** Ms. Van Siclen motioned to deny the petition for variance from
12 educational requirements based on the Rule 64B3-5.002, F.A.C.; because
13 it doesn't meet the purpose of the petition meaning that the rule does not
14 affect her any differently than any other applicant. Seconded by Mr.
15 Shelfer.

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

17
18 The Board is now acting on the application.

19 Ms. Van Siclen gave Ms. Phillips the opportunity to withdraw his
20 application. Ms. Phillips would like to withdraw his application at this
21 time.

22
23 **Action:** Ms. Van Siclen made a motion to accept the withdrawal of Ms.
24 Phillips application. Seconded by Mr. Shelfer.

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

26
27 **c. Clifford M. Morris**

28 Present / Not represented by Counsel.

29
30 Ms. Loucks presented the waiver/variance. Mr. Morris has filed a petition
31 for a waiver for the 3 year experience requirement. He doesn't meet the
32 requirements as he has not taken the certification exam and met the HIV
33 requirement.

34
35 Mr. Morris gave details of his experience. He has just started working as a
36 Chemist. He is also a doctoral student in chemistry and bioanalytical
37 instrumentation at Florida Atlantic University. It would take 3 years to get
38 a Medical Technologist license and 2 years to get a Director's license. He
39 will be graduating with his PHD in Chemistry in August 2018.

40
41 **Discussion:** Ms. Van Siclen asked if he thought that this affects him any
42 differently than any other applicant. He believes that it does because he
43 can get a Director license in 2 years and it would take him 3 years to get
44 the Medical Technologist license. He is eligible for the AABMT exam in
45 Clinical Chemistry and will be taking that on February 16. At that time he

1 will be eligible for the director license. Ms. Valdes asked if he was signing
2 out patients results. To which he answered no.

3
4 **Action:** Ms. Van Siclen motioned to deny the petition for variance from
5 the training requirement based on the Rule 64B3-5.003, F.A.C.; because it
6 doesn't meet the purpose of the petition meaning that the rule does not
7 affect him any differently than any other applicant. Seconded by Ms.
8 Valdes.

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

10
11 The Board is now acting on the application.

12 Ms. Van Siclen gave Ms. Phillips the opportunity to withdraw his
13 application or leave it in a pending status until he takes the exam. Mr.
14 Morris would like to leave his application in a pending status at this
15 time.

16
17 **f. Yeni Baez**

18 Present / Not represented by Counsel.

19
20 Ms. Loucks presented the waiver/variance. Ms. Baez has filed a petition
21 for waiver/ variance for the experience requirement for Technologist in the
22 specialty of Microbiology. The rule requires 3 years' experience and 6
23 months in that particular specialty.

24
25 Ms. Baez said she has a bachelor's degree in Microbiology and her
26 certification is in Medical Technology but only in Microbiology.

27
28 **Discussion:** Ms. Van Siclen asked if she had thought about applying for a
29 license under Section 483.813, F.S. as a Public Health Laboratory
30 Scientist? Looking at the application she would qualify for the Public
31 Health Laboratory Scientist. Ms. Van Siclen asked if Ms. Baez could use
32 this application to apply for the Public Health Laboratory Scientist. To
33 which Ms. Loucks answered yes she could change the application today if
34 she understood the difference. Ms. Loucks explained this to Ms. Baez.

35
36 **Action:** Ms. Van Siclen motioned to deny the petition for waiver because
37 it does not affect her any differently than any other applicant. Seconded by
38 Ms. Valdes.

39 Vote: 6 yeas / 0 opposed; motion carried

40
41 The Board is acting on the application.

42 Ms. Van Siclen gave Ms. Baez the opportunity to withdraw or change her
43 application to Public Health Technician. Ms. Baez would like to change
44 her application to Public Health Technician.

45
46 **Action:** Ms. Van Siclen motioned to accept her request to change her

1 application to Public Health Technician. Seconded by Dr. McCarter.
2 Vote: 6 yeas / 0 opposed; motion carried.

3
4 BREAK 10:32

5
6 IV began at 10:48

7
8 Ms. Van Siclen called roll, all Board member are in attendance.

9
10 **IV. APPLICANTS PRESENTED FOR BOARD REVIEW:**

11
12 **a. Cheska Burleson**

13 Present

14
15 Ms. Burleson gave her educational training. The Board would like to see a
16 letter from the University verifying that he Doctoral degree is equal to a
17 degree in Chemical Science.

18
19 Ms. Van Siclen delegated Dr. McCarter to review the letter when it has
20 been received in the Board office.

21
22
23 **b. Mark Keen**

24 Present

25
26 Mr. Keen answered yes to the Health History question on the application.

27
28 Mr. Keen addressed the Board and asked them to ask him any questions
29 that might have. The Board had no questions.

30
31 **Action:** Ms. Morgan made a motion to approve the application. Second by
32 . McCarter.
33 6 yeas / 0 opposed; motion passes.

34
35 **c. Nicholas Dragun**

36 Present

37
38 Mr. Dragun answered affirmatively to the Health History question on the
39 application.

40
41 **Action:** Ms. Van Siclen made a motion to approve the application. Second
42 by Ms. Morgan.
43 6 yeas / 0 opposed; motion passes.

44
45 **d. Supervisor**

1 **Laura Kuras**

2 Present

3
4 Ms. Kuras is asking for her transcripts to be reviewed for the Academic
5 Science requirement.

6
7 Ms. Van Siclen and Ms. Morgan can only count 6 hours which doesn't
8 meet the requirement.

9
10 Ms. Van Siclen asked Ms. Kuras if she would like to withdraw her
11 application. Ms. Kuras answered "yes."

12
13 **Action:** Motion was made by Ms. Van Siclen to accept Ms. Kuras's
14 withdrawal. Second by Dr. McCarter.
15 6 yeas / 0 opposed; motion passes.

16
17 **Dominique Kirkland**

18 Present

19
20 Ms. Kirkland addressed the Board and gave the history of her work
21 experience.

22
23 There were questions from the Board members about Ms. Kirkland's
24 about her responsibilities at this time and her education history.

25
26 **Action:** Motion to approve the application was made by Dr. McCarter.
27 Second by Ms. Montoya.
28 6 yeas / 0 opposed; motion passes.

29
30 **e. Trainee**

31 **Brianna Jo Brown**

32 Present

33
34
35 Ms. Brown answered affirmatively to the Health History question on the
36 application.

37
38 Ms. Brown explained that the felony charge had been dropped to a
39 misdemeanor. She is on probation at this time. Ms. Brown told the Board
40 she had learned her lesson.

41
42 **Action:** Motion to approve the Trainee application, but if Ms. Brown
43 submits an application for Technologist or Technician those applications
44 would need to come before the Board for review was made by Dr.
45 McCarter. Second by Ms. Montoya.
46 5 yeas / 1 opposed, Ms. Morgan; motion passes.

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Joshua Quintanilla

Not present

Mr. Quintanilla is seeking to upgrade to a Supervisor from a Technologist.

The Board reviewed Mr. Quintanilla’s education documents to see if he meets the requirements for licensure.

Action: Motion to deny the application based on not meeting the education requirements for Biological Chemical or Laboratory Sciences was made by Dr. McCarter. Second by Mr. Shelfer.
6 yeas / 0 opposed; motion passes.

Lerene Archer

Not present

Mr. Archer is trying to upgrade from a Technologist to a Supervisor.

The Board reviewed Mr. Archer’s education documents and do not see that he meets the requirements. The Board is waiving the rule. She has the education to meet the requirements. This rule will also be addressed later in the agenda.

Action: Motion to approve the application was made by Ms. Van Siclen. Second by Dr. McCarter.
6 yeas / 0 opposed; motion passes.

Jenny G. Perez

Not present

Ms. Perez answered affirmatively to the Health History question on the application.

Action: Motion to approve the Training application was made by Dr. McCarter. Second by Ms. Van Siclen.
6 yeas / 0 opposed; motion passes.

V. RATIFICATION:

a. Licensure

Clinical Laboratory Personnel 48424 – 48447

Action: Motion to approve Clinical Laboratory Personnel license number 48424 – 48447 was made by Mr. Shelfer. Seconded by Ms. Montoya.

1 Vote: 6 yeas / 0 opposed; motion carried

2
3 Clinical Laboratory Personnel Trainees 11293 - 11318

4
5 **Action:** Motion to approve Clinical Laboratory Personnel Trainees license
6 number 11293 – 11318 was made by Mr. Shelfer. Seconded by Dr.
7 McCarter.

8 Vote: 6 yeas / 0 opposed; motion carried

9
10 Clinical Laboratory Personnel Training Program

11
12 **Action:** Motion to approve Clinical Laboratory Personnel Training
13 Programs license number 300 was made by Ms. Van Siclen. Seconded by
14 Mr. Shelfer. Vote: 6 yeas / 0 opposed; motion carried

15
16 b. Continuing Education

17
18 Motion to approve Continuing Education was made by Dr. McCarter.
19 Seconded by Ms. Montoya.

20 Vote: 6 yeas / 0 opposed; motion carried

21
22 Continuing Education Providers & Courses approved by CE

23
24 Motion to approve Continuing Education & Courses approved by CE was
25 made by Dr. McCarter. Seconded by Dr. Morgan.

26 Vote: 6 yeas / 0 opposed; motion carried

27
28 Continuing Education Providers & Courses approved by Board Staff

29
30 Motion to approve Continuing Education Providers & Courses approved
31 by Board staff was made by Dr. McCarter. Seconded by Ms. Morgan.

32 Vote: 6 yeas / 0 opposed; motion carried

33
34 **VI. PROSECUTION REPORT:**

35
36 **Action:** Motion to accept the Prosecution Report and continue prosecuting cases
37 that are greater than 1 year. Seconded by Ms. Montoya

38 Vote: 6 yeas / 0 opposed; motion carried

39
40 **VII. RULE 64B3-5.007, F.A.C.:**

41
42 Dr. McCarter will draft the language to be presented at the next board meeting.

43
44 **VIII. BOARD COUNSEL REPORT:**

45
46 a. Rules Report September 2016

1 No action at this time.
2 b. Rules Report October 2016
3 No action at this time.

4
5 c. 2016-2017 Annual Regulatory Plan

6
7 Ms. Van Siclen helped Ms. Loucks to ratify the Regulatory Plan.

8
9 Action: Motion to approve the Annual Regulatory Plan was made by Dr.
10 McCarter. Seconded by Ms. Van Siclen.
11 Vote: 6 yeas / 0 opposed; motion carried

12
13 d. Quasi-Judicial/Quasi-Legislative

14
15 At the Board Chair/Vice Chair meeting this topic was addressed by Ed
16 Tellecha. Ms. Loucks asked if anyone had any questions.

17
18 **IX.** Rule 64B3-2.003, F.A.C. DEFINITIONS:

19
20 All Board members agree Vetnary Medicine will not be added to the definition.
21 These will be looked at on a case by case basis.

22
23 **X.** APPLICATION RULES:

24
25 a. Rule 64B3-5.002, F.A.C. SUPERVISOR

26
27 Ms. Van Siclen wanted to clarify why the board rule is different than the
28 CLIA or CAP. Ms. McCarter wouldn't mind getting rid of the verbiage
29 regarding he academic science requirement if the rule stays in line with the
30 Bachelor's degree required by CLIA or CAP. Mr. Shelfer disagrees
31 because they have a Bachelor's of Science degree and then go back to
32 school to get a 2 year Applied Science degree and have knowledge that
33 could apply to working in a lab but they do not hold a degree in
34 Bachelor's degree in Medical Technology. This will be brought back for
35 further discussion.

36
37 b. Rule 64B3-5.003, F.A.C. TECHNOLOGIST

38
39 Ms. Loucks will draft language changes and bring them back to the
40 meeting.

41
42 c. Rule 64B3-5.004, F.A.C. TECHNICIAN

43
44 d. Rule 64B3-5.008, F.A.C. PUBLIC HEALTH LABORATORY
45 PERSONNEL

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XI. CHAIR/VICE CHAIR REPORT:

Ms. Van Siclen brought the 30 day Healthy Weight Challenge to the Board and would hope Board members would use this and encourage family and friends to use State Parks for exercise. Also, get this information out to other people. They also talked about the Stragic Plan and the SWOT Analysis.

XII. EXECUTIVE DIRECTOR’S REPORT:

Nothing to report at this time.

XIII. OLD BUSINESS:

At the last meeting there was some discussion about a board audit being done for Medical Training Programs. Ms. Van Siclen asked for some discussion on the issue. Mr. Shelfer gave a suggestion for using another profession such as Nursing to do the audits. He also believes it should be reviewed on a case by case basis. Ms. Van Siclen asked if the board office has information on the percentage of the training programs are NAACLS approved vs. Board approved. Ms. May will have that information for the next board meeting.

XIV. NEW BUSINESS:

a. Scope of Practice – Andrology and Embryology

Ms. Loucks explained that the language is already in the rule. There are no approved Andrology and Embryology trainings in the State of Florida. Ms. Loucks will draft new language for the rule discussed by the Board and Ms. Van Siclen will review it.

XV. COMMITTEE REPORTS:

a. Budget – Ms. Morgan

Nothing to report at this time.

b. Continuing Education – Ms. Valdes

Nothing to report at this time.

c. Credentials – Ms. Van Siclen

Nothing to report at this time.

d. Disciplinary Compliance – Ms. Montoya

Nothing to report at this time.

e. Examination – Ms. Montoya

Nothing to report at this time.

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- f. Healthiest Weight – Ms. Morgan
Healthiest Weight was already addressed earlier in the agenda.
 - g. Legislation – Dr. McCarter
Nothing to report at this time
 - h. Probable Cause – Ms. Morgan
Nothing to report at this time
 - i. Professional Association – Mr. Shelfer
Nothing to report at this time
 - j. Rules – Ms. Van Siclen
Nothing to report at this time. This was discussed earlier in the agenda
 - k. Training Program – Mr. Shelfer
Approval of the University of Cincinnati Training program.
 - l. Unlicensed Activity – Dr. Valdes
Nothing to report at this time
- Ms. Morgan will take over the Healthiest Weight committee.

XVI. NEXT MEETING DATE – March 10, 2017

XVII. ADJOURNMENT

Ms. Van Siclen adjourned the meeting at 12:42 p.m.