

1 The Florida Board of Clinical Laboratory Personnel held a meeting on Thursday,
2 July 27, 2017, commencing at 9:00 a.m., or shortly thereafter. This meeting was
3 held at the Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida at
4 meet me number (888) 670-3525, participant code 7342425515, to which all
5 persons were invited to attend. Participants in this public meeting were made
6 aware that these proceedings were being recorded and that an audio file of the
7 meeting will be posted to the board's website.

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9 **AGENDA**

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11 **I. CALL TO ORDER (Roll Call): at 9:00 a.m.**

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13 Roll was called by Gail Curry, Program Operations Administrator

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15 **Board Members Present:**

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

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22 **Board Staff Present:**

23 Anthony Spivey, DBA, Executive Director
24 Gail Curry, Program Operations Administrator
25 Brandi May, Regulatory Supervisor
26 Kelly Woodard, Regulatory Specialist II
27 Alisha Mughal, Regulatory Specialist II
28 Nicole Wiley, Regulatory Specialist II

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30 **Board Counsel:**

31 Deborah Loucks, Assistant Attorney General

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33 **Court Reporter:**

34 For the Record
35 (850) 222-5491

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37 **Section I ended: 9:03 a.m.**

38 **Section III began: 9:04 a.m.**

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40 **II. PETITIONS FOR WAIVER AND VARIANCE:**

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42 **Louis Amaya**

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44 Not present. Not represented by counsel. Mr. Amaya is seeking to reinstate his
45 license that went null and void in 2010. That is not possible. Mr. Amaya needs to
46 meet the new requirements by taking the national examination. The board felt the

applicant had a responsibility to know the laws and rules that govern the clinical laboratory profession.

Action: Motion to deny variance and waiver made by Dr. McCarter. Second by Ms. Montoya.

Vote: 5 yeas / 0 opposed. Motion carried.

Action: Motion to deny the application for a histology technologist license due to lack of documented experience and not having graduated from an approved program in addition to not being certified made by Dr. McCarter. Second by Ms. Montoya.

Vote: 5 yeas / 0 opposed. Motion carried.

Action: Motion to allow the applicant 14 days to withdraw his application made by Dr. McCarter. Second by Ms. Van Siclen.

Vote: 5 yeas / 0 opposed. Motion carried.

Sonia Velasquez

Present. Not represented by counsel. Ms. Velasquez is seeking a waiver from the national exam. Ms. Velasquez let the license lapse. Discussion ensued. Ms. Velasquez agreed to take the national exam.

Action: Motion to deny the petition for variance made by Ms. Van Siclen. Second by Dr. McCarter.

Vote: 5 yeas / 0 opposed. Motion carried.

Action: Motion to issue a temporary license contingent upon passing the national examination made by Dr. McCarter. Second by Ms. Montoya.

Vote: 5 yeas / 0 opposed. Motion carried.

III. APPLICANTS PRESENTED FOR BOARD REVIEW:

TECHNOLOGIST

Theresa Schwartz

Present. Not represented by counsel. The applicant answered positive for health history.

Action: Motion to approve the application made by Dr. Morgan. Second by Ms. Van Siclen.

Vote: 5 yeas / 0 opposed. Motion carried.

Benjamin Witten

Present. Not represented by counsel. Mr. Witten requested a reconsideration. Mr. Witten submitted additional experience to add to his application. Mr. Witten stated his experience was in research and development. Ms. Van Siclen reviewed Rule 64B3-2.003 and stated Mr. Witten's experience was acceptable since it used human subjects. Ms. Van Siclen suggested issuing Mr. Witten a limited license in toxicology. Discussion ensued. Ms. Loucks informed the board a limited license does not exist for this profession, however, the conditional license would be a technologist license for clinical chemistry with the condition being he could only work in the toxicology field or mass spectrometry.

Action: Motion to approve the application with the condition it is in mass spectrometry made by Ms. Van Siclen. Second by Ms. Valdes.

Vote: 5 yeas / 0 opposed. Motion carried.

Rob Meinke

Present. Not represented by counsel. The applicant is before the board for positive criminal and health history.

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

Vote: 5 yeas / 0 opposed. Motion carried.

SUPERVISOR

Kenia M. Hernandez

Not present. Not represented by counsel. Ms. Hernandez is out of the country and is unable to attend. Ms. Hernandez is seeking to upgrade from a technologist. Ms. Hernandez's degree is a doctor of medicine from Cuba. The board decided to request an appearance at the next board meeting due to discrepancies in the duties being performed at Physicians Regional Medical Center. Discussion ensued.

Action: Motion to require the applicant at the next board meeting made by Ms. Montoya. Second by Ms. Van Siclen.

Vote: 5 yeas / 0 opposed. Motion carried.

Elsa Pinzon

Present. Not represented by counsel. Ms. Pinzon is requesting an upgrade from technologist licensure. The educational evaluation was outdated. Dr. McCarter could not determine adequate immunohematology experience. Ms. Pinzon claimed experience at Hialeah Hospital. However, due to the age of the personnel records, her experience was hard to prove, so she attained a statement from the hospital that she worked in that area for 3-4 years. Ms. Pinzon attained her Bachelor of Science degree in agricultural engineering from Columbia. She had taken at least 12 hours of chemistry of different disciplines while she was in school. Ms. Van Siclen felt Ms. Pinzon had met the educational requirements.

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

Vote: 5 yeas / 0 opposed. Motion carried.

Section III ended: 9:31 a.m.

Section II began: 9:51 a.m.

IV. BOARD COUNSEL REPORT

Ms. Loucks spoke about Rule 64B3-3.001 which was the Training Program Application Rule for development around one-year ago in August. Ms. Loucks needs to withdraw the rule and the board will need to start over.

V. NEXT MEETING DATE – September 22, 2017

The next meeting will be face to face due to cases coming before the board. Ms. Van Siclen would like to schedule a rules workshop to address the training program applications at that time. Ms. Loucks will be unable to attend.

VI. ADJOURNMENT

9:59 a.m.