

FLORIDA | Board of Clinical Lab Personnel

OFFICIAL 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.

I. CALL TO ORDER (Roll Call):

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

Board Staff Present:

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

Board Counsel:

Deborah Loucks, Assistant Attorney General

Prosecution Services:

John Wilson, Assistant General Counsel

Court Reporter:

For the Record
(850) 222-5491

Section I ended: 9:02 a.m.

Section II began: 9:02 a.m.

II. APPROVAL OF MINUTES:

a. December 7, 2017

Action: Motion to approve the minutes made by Dr. McCarter. Second made by Ms. Valdes.

Vote: 3 yeas / 0 opposed. Motion carried.

Section II ended: 9:02 a.m.

Section III began: 9:02 a.m.

III. FINAL ORDER ACTION

a. Johnathan W. Edmonston, T.N.

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

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

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

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

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

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

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

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

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

b. Bobbie S. Hatfield, T.C.

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

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

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.

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

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

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

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

d. Janice D. Conner, T.N.

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

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

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

Section III ended: 9:16 a.m.

Section IV began: 9:16 a.m.

IV. DECLARATORY STATEMENT

a. St. Joseph's Hospital

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

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

Vote: 4 yeas / 0 opposed. Motion carried.

Section IV ended: 9:16 a.m.

Section V began: 9:16 a.m.

V. PETITIONS WITHOUT APPLICATIONS

a. Charles Peloquin

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.

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

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218 **VI. PETITIONS WITH APPLICATIONS**

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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 Jawaaid

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.

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.

Section VI ended: 10:10 a.m.

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

Section VII began: 10:15 a.m.

VII. APPLICANTS PRESENTED FOR BOARD REVIEW:

a. TECHNOLOGIST

Semira Dizdarevic

Not present, nor represented by counsel.

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

Vote: 4 yeas / 0 opposed. Motion carried.

Selene Exposito

Not present, nor represented by counsel.

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

Vote: 4 yeas / 0 opposed. Motion carried.

Anna Sokolova

Not present, nor represented by counsel.

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

Vote: 4 yeas / 0 opposed. Motion carried.

Betty Ann Ray

Not present, nor represented by counsel.

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

Vote: 4 yeas / 0 opposed. Motion carried.

Diane Rohlf

Not present, nor represented by counsel.

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

Vote: 4 yeas / 0 opposed. Motion carried.

Julianne Kaiser

Present. Not represented by counsel.

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

Vote: 4 yeas / 0 opposed. Motion carried.

b. SUPERVISOR

Jesenia Oliva

Present. Not represented by counsel.

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

Vote: 4 yeas / 0 opposed. Motion carried.

Jimmy Mervil

Present. Not represented by counsel.

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

Vote: 4 yeas / 0 opposed. Motion carried.

Janet Mowery

Not present, nor represented by counsel.

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

Vote: 4 yeas / 0 opposed. Motion carried.

John Dumorne

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

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

Vote: 4 yeas / 0 opposed. Motion carried.

Christy Lynn Soileau

Not present, nor represented by counsel.

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

Vote: 4 yeas / 0 opposed. Motion carried.

Vicki Lynne Whitney

Not present, nor represented by counsel.

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

Vote: 4 yeas / 0 opposed. Motion carried.

Joshua Seither

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

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

Vote: 4 yeas / 0 opposed. Motion carried.

Jayne Elizabeth Peraud

Not present, nor represented by counsel.

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

Vote: 4 yeas / 0 opposed. Motion carried.

Ana Hernandez

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

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

Vote: 4 yeas / 0 opposed. Motion carried.

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

Vote: 4 yeas / 0 opposed. Motion carried.

Benjamin Stephen Witten

Present. Not represented by counsel.

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

Vote: 4 yeas / 0 opposed. Motion carried.

c. TRAINEE

Shane Curran

Present. Not represented by counsel.

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

Vote: 4 yeas / 0 opposed. Motion carried.

d. TRAINING PROGRAM

448 **Solutions Medical**

449
450 Present. Not represented by counsel. Brooke Delnista (representative for
451 Solutions Medical) presented information on behalf of the program. Dr. McCarter
452 explained her concerns related to the assessment forms that were submitted. Ms.
453 Delnista waived the 90 day statutory timeframe to act on the application.

454
455 **Action:** Motion to allow continuance of the application made by Ms. Van Siclen.
456 Second made by Dr. McCarter.

457
458 **Vote:** 4 yeas / 0 opposed. Motion carried.

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

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462 **e. TECHNICIAN**

463 **Abner Leps**

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465
466 **Action:** Motion to accept documentation and approve the issuance of the license
467 made by Dr. McCarter. Second made by Dr. Morgan.

468
469 **Vote:** 4 yeas / 0 opposed. Motion carried.

470
471 **Jessica Saintibert**

472
473 **Action:** Motion to deny the application providing option to withdraw made by Dr.
474 McCarter. Second made by Ms. Valdes.

475
476 **Vote:** 4 yeas / 0 opposed. Motion carried.

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478 **Section VII ended: 12:30 p.m.**

479 **Section VIII began: 12:31 p.m.**

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481 **VIII. RATIFICATION:**

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483 **a. Licensure**

484
485 Clinical Laboratory Personnel

486
487 **Action:** Motion to approve the ratification of licensees made by Ms. Van Siclen.
488 Second made by Dr. McCarter.

489
490 **Vote:** 4 yeas / 0 opposed. Motion carried.

491
492 Clinical Laboratory Personnel Trainees

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.

b. Continuing Education

Continuing Education Providers & Courses approved by CE Chair

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

Vote: 4 yeas / 0 opposed. Motion carried.

Section VIII ended: 12:40 p.m.

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

IX. PROSECUTION REPORT:

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

Total Cases: 9 (including the 4 cases on this agenda)

Under Legal Review: 3

Cases older than 1 year continued for prosecution: 1

Action: Motion to authorize continued prosecution of cases older than one year
made by Ms. Van Siclen. Second made by Ms. Valdes.

Vote: 4 yeas/ 0 opposed. Motion carried.

Section IX ended: 10:15 a.m.

Section X began: 12:40 p.m.

X. BOARD COUNSEL REPORT:

a. 64B10-15.001

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

b. 64B3-5.003

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

d. March Rules Report

e. CLP Application (adding specialty)

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.

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

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

Vote: 4 yeas / 0 opposed. Motion carried.

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

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

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

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

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

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

Vote: 4 yeas / 0 opposed. Motion carried.

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

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

Section X ended: 2:06 p.m.

Section XI began: 2:06 p.m.

XI. CHAIR/VICE CHAIR REPORT:

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

Section XI ended: 2:09 p.m.

Section XII began: 2:09 p.m.

XII. EXECUTIVE DIRECTOR'S REPORT:

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

Section XII ended: 2:11 p.m.

Section XIII began: 2:11 p.m.

XIII. OLD BUSINESS:

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

Section XIII ended: 2:12 p.m.

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

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680 **XIV. NEW BUSINESS:**

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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.**

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688 **XV. COMMITTEE REPORTS:**

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690 **a. Budget – Dr. Morgan**

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692 Nothing to Report

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

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696 Nothing to Report

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

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700 Nothing to Report

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

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704 Nothing to Report

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706 **e. Examination – Ms. Montoya**

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708 Nothing to Report

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

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712 Nothing to Report

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714 **g. Legislation – Dr. McCarter**

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716 Nothing to Report

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

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720 Nothing to Report

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

723

Nothing to Report

j. Rules – Ms. Van Siclen

Nothing to Report

k. Training Program – Dr. McCarter

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

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

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

Vote: 4 yeas / 0 opposed. Motion carried.

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

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

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

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

Vote: 4 yeas / 0 opposed. Motion carried.

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

Ms. Loucks asked whether the proposed rules would be subject to a minor 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
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796 **Section XV ended: 2:38 p.m.**
797 **Section XVI began: 2:38 p.m.**
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799 **XVI. ELECTION OF OFFICERS**
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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.
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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.
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811 **Section XVI ended: 2:41 p.m.**
812 **Section XVII began: 2:41 p.m.**
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814 **XVII. NEXT MEETING DATE**

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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.