

**FLORIDA** | Board of Clinical Lab Personnel

**DRAFT MINUTES**

June 15, 2018

Florida Department of Health  
4042 Bald Cypress Way  
Tallahassee, Florida 32399



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, June 15, 2018, at 9:00 a.m. This meeting was held at the at the Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida at meet me number (888) 670-3525, participant code 7342425515, 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**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37

**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.  
Beatriz E. Montoya, MBA, DMD, BSMT, AMT  
Yvette McCarter, Ph.D.

**Board Staff Present:**

Dr. Anthony Spivey, DBA, Executive Director  
Kelly Woodard, Regulatory Supervisor  
Ashley Stelly, Regulatory Specialist  
Nicole Wiley, Regulatory Specialist

**Board Counsel:**

Deborah Loucks, Assistant Attorney General

**Prosecution Services:**

Derrick McBurrows, Assistant General Counsel

**Court Reporter:**

For the Record  
(850) 222-5491

**Section I ended: 9:03 a.m.**  
**Section II began: 9:03 a.m.**

**II. APPROVAL OF MINUTES:**

- a. March 23, 2018**
- b. February 2, 2018**

38 **Action:** Motion to approve the minutes made by Ms. Van Siclen. Second made by  
39 Dr. McCarter.

40  
41 **Vote:** 5 yeas / 0 opposed. Motion carried.

42  
43 **Section II ended: 9:05 a.m.**  
44 **Section X addressed out of order 9:05-9:08 a.m.**  
45 **Section III began: 9:08 a.m.**

46  
47 **III. PETITION FOR VARIANCE/WAIVER:**

48  
49 **a. Christopher J. Skillington**

50  
51 Not present. Not represented by counsel.

52  
53 **Action:** Motion to approve the petition permanently made by Ms. Van Siclen,  
54 Second made by Dr. McCarter.

55  
56 **Vote:** 5 yeas / 0 opposed. Motion carried.

57  
58 **b. Carmen Muniz, MS, MT**

59  
60 Present. Not represented by counsel.

61  
62 **Action:** Motion to approve the petition made by Dr. McCarter. Second made by  
63 Ms. Van Siclen. Motion to approve the application for licensure made by Ms. Van  
64 Siclen. Second made by Dr. McCarter.

65  
66 **Vote:** 5 yeas / 0 opposed. Motion carried.

67  
68 **c. Marchella Bradshaw**

69  
70 Present. Not represented by counsel.

71  
72 **Action:** Motion to deny the petition and made by Dr. Morgan. Second made by  
73 Ms. Valdes.

74  
75 **Vote:** 5 yeas / 0 opposed. Motion carried.

76  
77 **Section III ended: 9:25 a.m.**  
78 **Section IV began: 9:25 a.m.**

79  
80 **IV. PETITIONS WITH APPLICATIONS:**

81  
82 **a. Viviana Y. Bouza**

83

84 Present. Not represented by counsel. Ms. Bouza explained her credentials and  
85 requested that the board consider her experience.

86  
87 **Action:** Motion to approve the petition made by Dr. Morgan. Second made by  
88 Ms. Van Siclen. Motion to approve the application for licensure in the areas of  
89 chemistry and immunohematology only made by Dr. McCarter. Second made by  
90 Dr. Montoya.

91  
92 **Vote:** 5 yeas / 0 opposed. Motion carried.

93  
94 **b. Bassam Abomoelak**

95  
96 Present. Not represented by counsel.

97  
98 **Action:** Motion to approve the petition for continuance made by Ms. Van Siclen.  
99 Second made by Dr. McCarter. Motion to approve the application for licensure  
100 made by Dr. McCarter. Second made by Ms. Valdes.

101  
102 **Vote:** 5 yeas / 0 opposed. Motion carried.

103  
104 **Section IV ended: 10:07 a.m.**

105 **Break 10:08-10:24 a.m.**

106 **Roll Call 10:24-10:27 a.m.**

107  
108 **Section V began: 10:27 a.m.**

109 **Section V (cont'): 12:18 p.m.**

110 **Section V (cont'): 12:45 p.m.**

111  
112 **V. APPLICANTS PRESENTED FOR BOARD REVIEW:**

113  
114 **a. TECHNOLOGIST**

115  
116 **Hen Anny Levy**

117  
118 Present. Not represented by counsel.

119  
120 **Action:** Motion to approve the application for licensure made by Dr. McCarter.  
121 Second made by Ms. Valdes

122  
123 **Vote:** 5 yeas / 0 opposed. Motion carried.

124  
125 **Shaun Davis**

126  
127 Not present. Not represented by counsel.

128

129 **Action:** Motion to require evaluation by PRN and require Mr. Davis' appearance  
130 at one of the next two board meeting made by Ms. Van Siclen. Second made by  
131 Dr. McCarter.

132  
133 **Vote:** 5 yeas / 0 opposed. Motion carried.

134  
135 **Daniel Brumfield**

136  
137 Present. Not represented by counsel. The board discussed grounds for denials and  
138 approval of an application.

139  
140 **Action:** Motion to deny the application for licensure based on previous revocation  
141 and circumstances made by Dr. Morgan. Second made by Ms. Valdes.

142  
143 **Vote:** 5 yeas / 0 opposed. Motion carried.

144  
145 **Harpreet Saini**

146  
147 Present. Not represented by counsel.

148  
149 **Action:** Motion to approve the application for licensure made by Ms. Van Siclen.  
150 Second made by Ms. Valdes.

151  
152 **Vote:** 5 yeas / 0 opposed. Motion carried.

153  
154 **Richard Ellis Underwood**

155  
156 Not present. Not represented by counsel.

157  
158 **Action:** Motion to allow withdrawal of the application made by Ms. Van Siclen.  
159 Second made by Dr. McCarter.

160  
161 **Vote:** 5 yeas / 0 opposed. Motion carried.

162  
163 **Yodany Martinez Soto**

164  
165 Not present. Not represented by counsel.

166  
167 **Action:** Motion to deny the application for licensure and allow option for  
168 withdrawal made by Ms. Van Siclen. Second made by Dr. McCarter.

169  
170 **Vote:** 5 yeas / 0 opposed. Motion carried.

171  
172 **b. SUPERVISOR**

173  
174 **James O'Berry**

175 Present. Not represented by counsel.  
176  
177 **Action:** Motion to approve the application for *technologist* licensure contingent  
178 upon receiving transcripts from University of Cincinnati; and delegate Dr.  
179 McCarter to review and determine approval made by Ms. Van Siclen. Second  
180 made by Ms. Valdes.  
181  
182 **Vote:** 5 yeas / 0 opposed. Motion carried.  
183  
184 **Sarah Kurtz**  
185  
186 Present. Not represented by counsel.  
187  
188 **Action:** Motion to accept the withdrawal of the application for licensure made by  
189 Ms. Van Siclen. Second made by Dr. McCarter.  
190  
191 **Vote:** 5 yeas / 0 opposed. Motion carried.  
192  
193 **Ana Hernandez**  
194  
195 Present. Not represented by counsel.  
196  
197 **Action:** Motion to approve the application for licensure made by Dr. McCarter.  
198 Second made by Ms. Van Siclen.  
199  
200 **Vote:** 5 yeas / 0 opposed. Motion carried.  
201  
202 **Tatyana Birkovsky**  
203  
204 Present. Not represented by counsel.  
205  
206 **Action:** Motion to approve the application for licensure made by Dr. McCarter.  
207 Second made by Dr. Montoya.  
208  
209 **Vote:** 4 yeas / 0 opposed. Ms. Van Siclen recused. Motion carried.  
210  
211 **Alejandro Vazquez**  
212  
213 Not Present. Not represented by counsel.  
214  
215 **Action:** Motion to require Mr. Vazquez' appearance at one of the next two board  
216 meetings made by Ms. Van Siclen. Second made by Dr. McCarter.  
217  
218 **Vote:** 5 yeas / 0 opposed. Motion carried.  
219  
220 **Tania Quintana**

221 Not Present. Not represented by counsel.

222

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

225

226 **Vote:** 5 yeas / 0 opposed. Motion carried.

227

228 **Jayme E. Peraud**

229

230 Present. Not represented by counsel. Dr. Peraud explained her educational  
231 background. Discussion ensued as to which degree to accept for supervisor  
232 licensure.

233

234 **Action:** Motion to downgrade and approve application at a technologist level  
235 made by Dr. McCarter. Second made by Dr. Montoya.

236

237 **Vote:** 5 yeas / 0 opposed. Motion carried.

238

239 **Susan Nimmo**

240

241 Present. Not represented by counsel.

242

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

245

246 **Vote:** 5 yeas / 0 opposed. Motion carried.

247

248 **c. TRAINING PROGRAM**

249

250 **Boca-Delray Pathology**

251

252 Not Present. Not represented by counsel. Discussion ensued regarding the  
253 previous review of the training program renewal. Dr. McCarter advised that the  
254 program had still not met the requirements as previously requested.

255

256 **Action:** Motion to deny renewal based on issues in self-study that were identified,  
257 but never addressed made by Dr. McCarter. Second made by Ms. Valdes.

258

259 **Vote:** 5 yeas / 0 opposed. Motion carried.

260

261 **Gulf Coast Pathologists**

262

263 Present. Not represented by counsel. Discussion ensued regarding documentation  
264 submitted for renewal of the training program. Dr. McCarter requested that the  
265 program provide the following documentation: Affective and cognitive checklists,

266 graduate evaluations, graduate and employer surveys, and assessment tools for  
267 determining outcomes.

268  
269 **Action:** Motion to approve the renewal contingent upon receiving the requested  
270 documentation made by Dr. McCarter. Second made by Ms. Valdes.

271  
272 **Vote:** 5 yeas / 0 opposed. Motion carried.

273  
274 **d. DIRECTOR**

275  
276 **Nadya L. Harry**

277  
278 Present. Not represented by counsel.

279  
280 **Action:** Motion to approve the application for licensure made by Dr. McCarter.  
281 Second made by Ms. Valdes

282  
283 **Vote:** 5 yeas / 0 opposed. Motion carried.

284  
285 **Section V ended: 12:06 p.m.**  
286 **Section V (cont') ended: 12:44 p.m.**  
287 **Section V (cont') ended: 1:13 p.m.**  
288 **Section VI began: 12:06 p.m.**

289  
290 **VI. COMPLIANCE**

291  
292 **a. Arthur E. Pollock**

293  
294 **Case No. 2016-27324**

295  
296 **Action:** Motion to approve the reinstatement of the license and require remaining  
297 fines to be paid within one year made by Dr. Morgan. Second made by Ms. Van  
298 Sclen.

299  
300 **Vote:** 5 yeas / 0 opposed. Motion carried.

301  
302 **Section VI ended: 12:15 p.m.**  
303 **Section VIII addressed out of order at 12:15 p.m.**  
304 **Section VII began: 1:13 p.m.**

305  
306 **VII. CE PROVIDER COMPLIANCE:**

307  
308 **a. Keith Manna**

309  
310 Not present. Not represented by counsel. Discussion ensued regarding continuing  
311 education providers who have failed to report licensee's hours timely. Ms. Van



312 Sielen expressed concerns of the reporting system and asked if the board could  
313 pull a report for average reporting time by providers.

314  
315 **Action:** None

316  
317 **Vote:** None

318  
319 **Section VII ended: 1:24 p.m.**  
320 **Section VIII began: 12:15 p.m. (addressed out of order)**

321  
322 **VIII. EXEMPTIONS:**

323  
324 **a. Carolyn Niesz**

325  
326 **Action:** Motion to approve the request for exemption made by Dr. Morgan.  
327 Second made by Dr. McCarter.

328  
329 **Vote:** 5 yeas / 0 opposed. Motion carried.

330  
331 **Section VIII ended: 12:18 p.m. (Return to Section V Continued)**

332  
333 **Linda Valdes absent beginning at 1:20 p.m.**  
334 **Section IX began: 1:24 p.m.**

335  
336 **IX. RATIFICATION:**

337  
338 **a. Licensure**

339  
340 **Clinical Laboratory Personnel**

341  
342 **Action:** Motion to approve the ratification of licensees made by Ms. Van Sielen.  
343 Second made by Dr. McCarter.

344  
345 **Vote:** 4 yeas / 0 opposed. Motion carried.

346  
347 **Clinical Laboratory Personnel Trainees**

348  
349 **Action:** Motion to approve the ratification of licensees made by Ms. Van Sielen.  
350 Second made by Dr. Montoya.

351  
352 **Vote:** 4 yeas / 0 opposed. Motion carried.

353  
354 **b. Continuing Education**

355  
356 **CE Providers & Courses approved by CE Committee Chair**

357

358 **Action:** Motion to approve the ratification of licensees made by Ms. Van Siclen.  
359 Second made by Dr. Morgan.

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

362  
363 **ASHA course completion from Ivette Andrade (TN30302)**

364  
365 **Action:** Motion to approve 12 hours of the workshop for Ivette Andrade only  
366 made by Ms. Van Siclen. Second made by Dr. Montoya.

367  
368 **Vote:** 4 yeas / 0 opposed. Motion carried.

369  
370 **Section IX ended:**  
371 **Section X began: 9:05 a.m. (addressed out of order)**

372  
373 **X. PROSECUTION REPORT:**

374  
375 Mr. Burrows provided statistics regarding the prosecutions currently open in the  
376 Department.

377  
378 Total cases: 8  
379 Under legal review: 4  
380 Awaiting final order - 1  
381 Probable cause found: 1  
382 No probable cause found: 1  
383 Cases older than 1 year continued for prosecution: 1

384  
385 **Action:** Motion to authorize continued prosecution of cases older than one year  
386 made by Ms. Van Siclen. Second made by Ms. Valdes.

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

389  
390 **Section X ended: 9:08 a.m.**  
391 **Section XI began: 1:28 p.m.**

392  
393 **XI. BOARD COUNSEL REPORT:**

394  
395 **a. May Rules Report**

396 **b. April Rules Report**

397  
398 Ms. Loucks presented the official form number for training program renewal  
399 applications. Ms. Loucks advised that all applications have been revised and  
400 awaiting approval. Ms. Van Siclen presented statistics of the number of licensed  
401 individuals in each rank. Ms. Woodard requested clarification of Florida  
402 Administrative Code, Chapter 64B3-5.003(b) Blood Banking.

403

404 **Action:** Motion to open rule 64B3-5.003 (F.A.C.) for development for addition of  
405 Florida approved training or 3 years of pertinent lab experience in donor  
406 processing made by Ms. Van Siclen. Second made by Dr. McCarter.

407  
408 **Vote:** 4 yeas / 0 opposed. Motion carried.

409  
410 Ms. Loucks asked whether the proposed rules would have adverse impacts on  
411 small business and whether regulatory costs would exceed two hundred thousand  
412 dollars within one year of implementation. Ms. Van Siclen stated there would be  
413 no adverse impact or increase of costs.

414  
415 Ms. Loucks asked whether the proposed rules would be subject to a minor  
416 violation. Minor violation means that it will not directly affect the public health,  
417 safety, or welfare and is able to be resolved with citation or notice of non-  
418 compliance. Ms. Van Siclen stated there would be no minor violations.

419  
420 **Section XI ended:**  
421 **Section XII began: 12:44 p.m. (addressed out of order)**

422  
423 **XII. CHAIR/VICE CHAIR REPORT:**

424  
425 Ms. Van Siclen will address report at the next meeting

426  
427 **Section XII ended: 12:45 p.m. (Return to Section V Continued)**  
428 **Section XIII began: 1:32 p.m.**

429  
430 **XIII. EXECUTIVE DIRECTOR'S REPORT:**

431  
432 Ms. Van Siclen expressed her concerns with unlicensed activity under Senate Bill  
433 622. Ms. Van Siclen asked if the board should refer licensees who sign an  
434 employment verification for unlicensed activity to Consumer Services.

435  
436 **Section XIII ended: 1:55 p.m.**  
437 **Section XIV began: 1:55 p.m.**

438  
439 **XIV. OLD BUSINESS:**

440  
441 Ms. Van Siclen asked where the board is in the process of adding a discipline in  
442 Toxicology. Ms. Loucks advised that the board should await an in-person  
443 meeting.

444  
445 **Section XIV ended: 1:56 p.m.**  
446 **Section XV began: 1:56 p.m.**

447  
448 **XV. NEW BUSINESS:**

449

450 None

451

452 **Section XV ended: 1:56 p.m.**

453 **Section XVI began: 1:57 p.m.**

454

455 **XVI. COMMITTEE REPORTS:**

456

457 **a. Budget – Dr. Morgan**

458

459 Nothing to Report

460

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

462

463 Nothing to Report

464

465 **c. Credentials – Ms. Van Sieten**

466

467 Nothing to Report

468

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

470

471 Nothing to Report

472

473 **e. Examination – Dr. Montoya**

474

475 Nothing to Report

476

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

478

479 Nothing to Report

480

481 **g. Legislation – Dr. McCarter**

482

483 Provided additional comments on SB622

484

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

486

487 Nothing to Report. Ms. Van Sieten requested that the Prosecution Report be  
488 placed after the approval of meeting minutes. Ms. Van Sieten also requested  
489 that Public Comment be placed after applications for review and before  
490 ratification of licenses

491

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

493

494 Nothing to Report

495

496           **j. Rules – Ms. Van Sicen**  
497  
498           Nothing to Report  
499  
500           **k. Training Program – Dr. McCarter**  
501  
502           Nothing to Report  
503  
504           **Section XVI ended: 2:02 p.m.**  
505           **Section XVII began: 2:03 p.m.**  
506  
507 **XVII.    NEXT MEETING DATE:**  
508  
509           **September 7, 2018**  
510  
511           **Section XVII ended: 2:03 p.m.**  
512           **Section XVIII began: 2:03 p.m.**  
513  
514 **XVIII.   PUBLIC COMMENT:**  
515  
516           **Section XVIII ended: 2:03 p.m.**  
517           **Section XIX began: 2:03 p.m.**  
518  
519 **XIX.     ADJOURNMENT:**  
520  
521           Meeting Adjourned at 2:03 p.m.