FLORIDA | Board of Clinical Lab Personnel

DRAFT MINUTES
May 29, 2019

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 Wednesday, May 29, 2019, commencing at 9:00 a.m. This meeting was held at the Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida at meet me number (888) 585-9008, participant code 136-103-141, 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: 9:02 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, BS, MT, AMT
Yvette McCarter, Ph.D.

Board Staff Present:

Dr. Anthony Spivey, DBA, Executive Director
Gail Curry, Program Operations Administrator
Kelly Woodard, Regulatory Supervisor
Alisha Mughal, Regulatory Specialist
Nicole Wiley, Regulatory Specialist

Board Counsel:

Timothy Frizzell, Assistant Attorney General

Prosecution Services:

Chad Dunn, Assistant General Counsel

Court Reporter:

For the Record
850-222-5491

Section I ended: 9:04 a.m.

II. APPROVAL OF MINUTES:
a. March 8, 2019

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

Vote: 5 yeas / 0 opposed. Motion carried.

Section II ended: 9:05 a.m.
Section III began: 9:05 a.m.

III. PROSECUTION REPORT

Mr. Chad Dunn provided statistics regarding the prosecutions currently open in
the Department.

Total cases: 6
Awaiting probable cause determination: 5
Cases older than 1 year continued for prosecution: 3

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

Vote: 3 yeas / 0 opposed. Motion carried.

Section III ended: 9:06 a.m.
Section IV began: 9:06 a.m.

IV. REQUEST FOR EXTENSION

a. Brian Santa

Action: Motion to vacate approval and accept the withdrawal of the application
made by Ms. Van Siclen. Second made by Dr. Morgan.

Vote: 5 yeas / 0 opposed. Motion carried.

Section IV ended: 9:08 a.m.
Technical difficulty from 9:08-9:15 a.m.
Section V began: 9:15 a.m.

V. PETITIONS WITH APPLICATIONS:

a. Lakshmi Chandramohan

Action: Motion to deny the petition made by Dr. McCarter. Second made by Ms.
Van Siclen.
Vote: 5 yeas / 0 opposed. Motion carried.

Action: No action required on licensure application. Application still pending examination.

b. Sreekumar Harilal

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

Vote: 5 yeas / 0 opposed. Motion carried.

Action: Motion to approve the application for licensure under Option 3 made by Ms. Van Siclen. Second made by Dr. McCarter.

Vote: 5 yeas / 0 opposed. Motion carried.

c. Kimberly Johnson, MHSA

Action: Motion to require attendance at one of the next two board meetings and provide additional employment verification made by Dr. McCarter. Second made by Ms. Van Siclen.

Vote: 5 yeas / 0 opposed. Motion carried.

d. Maged Mikhail

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

Vote: 5 yeas / 0 opposed. Motion carried.

Action: No action required on licensure application. Applicant still pending examination.

Vote: 5 yeas / 0 opposed. Motion carried.

e. Maria Del C. Rivera Rosado, MT

Action: Motion to deny the petition made by Ms. Van Siclen. Second made by Ms. Valdes.

Vote: 5 yeas / 0 opposed. Motion carried.
Action: Motion to approve the application for licensure in the areas of Microbiology and Serology made by Ms. Van Siclen. Second made by Dr. McCarter.

Vote: 5 yeas / 0 opposed. Motion carried.

Section V ended: 9:56 a.m.
Section VI began: 9:56 a.m.

VI. APPLICANTS PRESENTED FOR BOARD REVIEW:

a. TECHNICIAN

Linda Clarke

Action: Motion to accept the withdrawal of the licensure application made by Van Siclen. Second made by Dr. McCarter.

Vote: 5 yeas / 0 opposed. Motion carried.

Jamie Silva

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

Vote: 5 yeas / 0 opposed. Motion carried.

b. TECHNOLOGIST

Ramy Aziz

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

Vote: 5 yeas / 0 opposed. Motion carried.

Liudmila Chaviano Hernandez

Action: Motion to deny the application for licensure with the option to withdraw made by Dr. McCarter. Second made by Ms. Van Siclen.

Vote: 5 yeas / 0 opposed. Motion carried.

Felicia M. Cheng
Action: Motion to approve the application for licensure made by Ms. Van Siclen. Second made by Dr. Morgan.

Vote: 5 yeas / 0 opposed. Motion carried.

Belinda Gough

Action: Motion to accept the withdrawal of the licensure application made by Ms. Van Siclen. Second made by Dr. Morgan.

Vote: 5 yeas / 0 opposed. Motion carried.

Kimberley Grieco

Action: Motion to approve the reconsideration of the application contingent upon the completion of one (1) hour of academic science credit made by Dr. Morgan. Second made by Ms. Van Siclen.

Vote: 5 yeas / 0 opposed. Motion carried.

Maritza Fernandez Castrillo

Action: Motion to deny the application for licensure with the option to withdraw made by Ms. Van Siclen. Second made by Dr. McCarter.

Vote: 5 yeas / 0 opposed. Motion carried.

Jennifer Lamm

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

Vote: 5 yeas / 0 opposed. Motion carried.

Cara Meramo

Action: Motion to approve the application for licensure contingent upon receiving a letter from physician indicating ability to practice with skill/safety within 30 days made by Ms. Van Siclen. Second made by Dr. Morgan.

Vote: 5 yeas / 0 opposed. Motion carried.

Ryan Peters

Action: Motion to approve the application for licensure made by Dr. Morgan. Second made by Dr. McCarter
Vote: 5 yeas / 0 opposed. Motion carried.

Charissa Predmore

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

Vote: 5 yeas / 0 opposed. Motion carried.

Jose Resto Pantoja

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

Vote: 5 yeas / 0 opposed. Motion carried.

Livan Rodriguez

Action: Motion to deny the application for licensure with the option to withdraw made by Dr. McCarter. Second made by Ms. Van Siclen.

Vote: 5 yeas / 0 opposed. Motion carried.

Break from 10:56 - 11:19 a.m.

c. SUPERVISOR

Sumith J. Balapanage

Action: Motion to approve the application for licensure contingent upon meeting the experience requirement made by Dr. McCarter. Second made by Ms. Van Siclen.

Vote: 5 yeas / 0 opposed. Motion carried.

Kimberlee Blake

Action: Motion to approve the application for licensure contingent upon receiving transcripts from Eerie Community College made by Ms. Van Siclen. Second made by Dr. McCarter.

Vote: 5 yeas / 0 opposed. Motion carried.

Julie Hoffman
**Action:** Motion to approve the application for licensure in the area of Microbiology made by Ms. Van Siclen. Second made by Dr. McCarter.

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

**Krista Isham**

**Action:** Motion to accept the withdrawal of the application for licensure made by Ms. Van Siclen. Second made by Ms. Valdes.

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

**Michael Nihsen**

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

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

**Adonias Rosario**

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

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

**Connie Sanders**

**Action:** Motion to accept the withdrawal of the application for licensure made by Ms. Van Siclen. Second made by Dr. Morgan.

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

**Bettsy S. Trueba**

**Action:** Motion to deny the application for licensure with the option to withdraw made by Ms. Van Siclen. Second made by Dr. Morgan.

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

**Patricia Tremblay**

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

*Vote:* 5 yeas / 0 opposed. Motion carried.
d. **DIRECTOR**

Oscar Cano Carvajal

**Action:** Motion to approve the issuance of a temporary license made by Ms. Van Siclen. Second made by Dr. McCarter.

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

**Section VI ended: 12:45 p.m.**

**Section VII began: 12:45 p.m.**

VII. **PUBLIC COMMENT:**

None

**Section VII ended: 12:45 p.m.**

**Section VIII began: 12:45 p.m.**

VIII. **RATIFICATION:**

a. **Licensure**

**Clinical Laboratory Personnel**

**Action:** Motion to ratify the approval of licensees made by Dr. Morgan. Second made by Dr. McCarter.

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

**Clinical Laboratory Personnel Trainees**

**Action:** Motion to ratify the approval of licensees made by Dr. Morgan. Second made by Dr. McCarter.

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

b. **Continuing Education**

**CE Providers & Courses approved by Board Staff**

**Action:** Motion to ratify the approval of providers/courses made by Dr. McCarter. Second made by Ms. Valdes.

**Vote:** 5 yeas / 0 opposed. Motion carried.
CE Providers & Courses approved by CE Committee Chair

**Action:** Motion to ratify the approval of providers/courses made by Ms. Valdes. Second made by Dr. McCarter.

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

**Section VIII ended:** 12:48 p.m.
**Section IX began:** 12:48 p.m.

IX. **BOARD COUNSEL REPORT:**

a. **Disciplinary Matters**

Mr. Frizzell presented a case that may impact other boards in relation to discipline and aggravating/mitigating factors.

b. **JAPC 64B3-1.006**

Mr. Frizzell presented suggested revisions to the rule and asked the board to review and approve.

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

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

Mr. Frizzell asked whether the proposed rules would have adverse impacts on small business. Ms. Van Siclen stated there would be no adverse impact.

**Action:** Motion to approve response made by Ms. Van Siclen. Second made by Dr. McCarter.

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

Mr. Frizzell asked whether regulatory costs would exceed two hundred thousand dollars within one year of implementation. Ms. Van Siclen stated there would be no increase of costs.

**Action:** Motion to approve response made by Ms. Van Siclen. Second made by Dr. Morgan.

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

Mr. Frizzell 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.

**Action:** Motion to approve response made by Ms. Van Siclen. Second made by Dr. McCarter.

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

c. **JAPC 64B3-1.008**
d. **JAPC 64B3-1.015**

Mr. Frizzell presented comments made by JAPC (Joint Administrative Procedure Committee).

e. **JAPC 64B3-8.002, 003; 004; 006**

Mr. Frizzell advised that the rules would need to be discussed with board staff and may be addressed at the next meeting.

f. **JAPC 64B3-9.005**
g. **JAPC 64B3-9.009**

Mr. Frizzell presented suggested revisions to the rule(s) and advised that technical changes do not require action.

h. **JAPC 64B3-12.002**

Mr. Frizzell presented suggested revisions to the rule and asked the board to review and approve.

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

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

Mr. Frizzell asked whether the proposed rules would have adverse impacts on small business. Ms. Van Siclen stated there would be no adverse impact.

**Action:** Motion to approve response made by Ms. Van Siclen. Second made by Dr. McCarter.

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

Mr. Frizzell asked whether regulatory costs would exceed two hundred thousand dollars within one year of implementation. Ms. Van Siclen stated there would be no increase of costs.
Action: Motion to approve response made by Ms. Van Siclen. Second made by Dr. McCarter.

Vote: 5 yeas / 0 opposed. Motion carried.

Mr. Frizzell 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.

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

Vote: 5 yeas / 0 opposed. Motion carried.

Mr. Frizzell 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.

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

Vote: 5 yeas / 0 opposed. Motion carried.

Mr. Frizzell presented suggested revisions to rule 64B3-12.006; and advised that it is a technical change and does not require action.

i. JAPC 64B3-12.006

j. JAPC 64B3-13.002

k. JAPC 64B3-13.003, .004

Action: Motion to approve the revisions to 64B3-13.002 and 64B3-13.003 made by Ms. Van Siclen. Second made by Dr. McCarter.

Vote: 5 yeas / 0 opposed. Motion carried.

Mr. Frizzell asked whether the proposed rules would have adverse impacts on small business. Ms. Van Siclen stated there would be no adverse impact.

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

Vote: 5 yeas / 0 opposed. Motion carried.

Mr. Frizzell asked whether regulatory costs would exceed two hundred thousand dollars within one year of implementation. Ms. Van Siclen stated there would be no increase of costs.

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

Vote: 5 yeas / 0 opposed. Motion carried.
Mr. Frizzell 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.

**Action:** Motion to approve response made by Ms. Van Siclen. Second made by Dr. McCarter.

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

Mr. Frizzell presented suggested revisions to rule 64B3-13.004; and advised that it is a technical change and does not require action.

- **May Rules Report**

  Mr. Frizzell presented the rules report.

- **m. 64B3-12.002**

  Addressed in letter (h)

  - Section IX ended: 1:08 p.m.
  - Section X began: 1:08 p.m.

- **X. CHAIR/VICE CHAIR REPORT:**

  Nothing to report. Ms. Valdes referred back to Section VIII.

  - Section X ended: 1:11 p.m.
  - Section XI began: 1:11 p.m.

- **XI. EXECUTIVE DIRECTOR’S REPORT:**

  Dr. Spivey announced that the Chair/Vice Chair meeting has been scheduled for October 2019.

  - Section XI ended: 1:12 p.m.
  - Section XII began: 1:12 p.m.

- **XII. OLD BUSINESS:**

  - **a. 64B3-2.003**

    Ms. Van Siclen asked if the board could conduct a rules workshop on the manual pretesting procedures in lieu of discussion.
XIII. NEW BUSINESS:

a. Training License

Program Director, Dawn Tripolino of Bayfront Health-St. Petersburg requested information related to categorical training and the administrative procedure for notifying the board.

b. National Exam

The board addressed correspondence from the American Medical Technologists board related to the addition of the MDT (Molecular Diagnostic Technologist) examination to the board’s rules.

Action: Motion to open rule(s) 64B3-5.003 to add the examination and 64B3-5.0011 to add the definition made by Ms. Van Siclen. Second made by Dr. McCarter.

Vote: 5 yeas / 0 opposed. Motion carried.

Mr. Frizzell suggested a 2-day board meeting in September 2019 which would allow the board to conduct a rules workshop the day prior to the meeting.

Ms. Van Siclen requested placement of the Initial and Renewal Training program applications on the September 2019 agenda under “New Business”.

Action: Motion to open rule(s) 64B3-5.002 (3) (d) and 64B3-5.003 made by Ms. Van Siclen. Second made by Dr. McCarter.

Vote: 5 yeas / 0 opposed. Motion carried.

Dr. Morgan addressed errors in the formatting of the application questions.

XIV. COMMITTEE REPORTS:

a. Budget – Dr. Morgan

Nothing to report

b. Continuing Education – Ms. Valdes
Nothing to report

c. Credentials – Ms. Van Siclen

Nothing to report

d. Disciplinary Compliance – Dr. Montoya

Nothing to report

e. Examination – Dr. Montoya

Nothing to report

f. Healthiest Weight – Dr. McCarter

Nothing to report

g. Legislation – Dr. McCarter

Nothing to report

h. Probable Cause – Dr. Morgan

Nothing to report

i. Professional Association – Ms. Valdes

Nothing to report

j. Rules – Ms. Van Siclen

Nothing to report

k. Training Program – Dr. McCarter

Nothing to report

l. Unlicensed Activity – Ms. Valdes

Nothing to report

Section XIV ended: 1:59 p.m.
Section XV began: 1:59 p.m.

XV. NEXT MEETING DATE
XVI. **ADJOURNMENT:**

Meeting adjourned at 1:59 p.m.