

FLORIDA | Board of Clinical Lab Personnel

OFFICIAL 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.

Section II began: 9:04 a.m.

II. APPROVAL OF MINUTES:

35 **a. March 8, 2019**

36
37 **Action:** Motion to approve the meeting minutes made by Ms. Van Siclen. Second
38 made by Dr. McCarter.

39
40 **Vote:** 5 yeas / 0 opposed. Motion carried.

41
42 **Section II ended: 9:05 a.m.**

43 **Section III began: 9:05 a.m.**

44
45 **III. PROSECUTION REPORT**

46
47 Mr. Chad Dunn provided statistics regarding the prosecutions currently open in
48 the Department.

49
50 Total cases: 6

51 Awaiting probable cause determination: 5

52 Cases older than 1 year continued for prosecution: 3

53
54 **Action:** Motion to authorize continued prosecution of cases older than one year
55 made by Ms. Van Siclen. Second made by Ms. Montoya.

56
57 **Vote:** 3 yeas / 0 opposed. Motion carried.

58
59 **Section III ended: 9:06 a.m.**

60 **Section IV began: 9:06 a.m.**

61
62 **IV. REQUEST FOR EXTENSION**

63
64 **a. Brian Santa**

65
66 **Action:** Motion to vacate approval and accept the withdrawal of the application
67 made by Ms. Van Siclen. Second made by Dr. Morgan.

68
69 **Vote:** 5 yeas / 0 opposed. Motion carried.

70
71 **Section IV ended: 9:08 a.m.**

72 **Technical difficulty from 9:08-9:15 a.m.**

73 **Section V began: 9:15 a.m.**

74
75 **V. PETITIONS WITH APPLICATIONS:**

76
77 **a. Lakshmi Chandramohan**

78
79 **Action:** Motion to deny the petition made by Dr. McCarter. Second made by Ms.
80 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 Erie 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.

Betsy 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.

307 **d. DIRECTOR**

308
309 **Oscar Cano Carvajal**

310
311 **Action:** Motion to approve the issuance of a temporary license made by Ms. Van
312 Siclen. Second made by Dr. McCarter.

313
314 **Vote:** 5 yeas / 0 opposed. Motion carried.

315
316 **Section VI ended: 12:45 p.m.**

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

318
319 **VII. PUBLIC COMMENT:**

320
321 None

322
323 **Section VII ended: 12:45 p.m.**

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

325
326 **VIII. RATIFICATION:**

327
328 **a. Licensure**

329
330 **Clinical Laboratory Personnel**

331
332 **Action:** Motion to ratify the approval of licensees made by Dr. Morgan. Second
333 made by Dr. McCarter.

334
335 **Vote:** 5 yeas / 0 opposed. Motion carried.

336
337 **Clinical Laboratory Personnel Trainees**

338
339 **Action:** Motion to ratify the approval of licensees made by Dr. Morgan. Second
340 made by Dr. McCarter.

341
342 **Vote:** 5 yeas / 0 opposed. Motion carried.

343
344 **b. Continuing Education**

345
346 **CE Providers & Courses approved by Board Staff**

347
348 **Action:** Motion to ratify the approval of providers/courses made by Dr. McCarter.
349 Second made by Ms. Valdes.

350
351 **Vote:** 5 yeas / 0 opposed. Motion carried.

353 **CE Providers & Courses approved by CE Committee Chair**

354
355 **Action:** Motion to ratify the approval of providers/courses made by Ms. Valdes.
356 Second made by Dr. McCarter.

357
358 **Vote:** 5 yeas / 0 opposed. Motion carried.

359
360 **Section VIII ended: 12:48 p.m.**

361 **Section IX began: 12:48 p.m.**

362
363 **IX. BOARD COUNSEL REPORT:**

364
365 **a. Disciplinary Matters**

366
367 Mr. Frizzell presented a case that may impact other boards in relation to discipline
368 and aggravating/mitigating factors.

369
370 **b. JAPC 64B3-1.006**

371
372 Mr. Frizzell presented suggested revisions to the rule and asked the board to
373 review and approve.

374
375 **Action:** Motion to approve the revision made by Dr. Morgan. Second made by
376 Dr. McCarter

377
378 **Vote:** 5 yeas / 0 opposed. Motion carried.

379
380 Mr. Frizzell asked whether the proposed rules would have adverse impacts on
381 small business. Ms. Van Siclen stated there would be no adverse impact.

382
383 **Action:** Motion to approve response made by Ms. Van Siclen. Second made by
384 Dr. McCarter.

385
386 **Vote:** 5 yeas / 0 opposed. Motion carried.

387
388 Mr. Frizzell asked whether regulatory costs would exceed two hundred thousand
389 dollars within one year of implementation. Ms. Van Siclen stated there would be
390 no increase of costs.

391
392 **Action:** Motion to approve response made by Ms. Van Siclen. Second made by
393 Dr. Morgan.

394
395 **Vote:** 5 yeas / 0 opposed. Motion carried.

396
397 Mr. Frizzell asked whether the proposed rules would be subject to a minor
398 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.

i. JAPC 64B3-12.006

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

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.

490 Mr. Frizzell asked whether the proposed rules would be subject to a minor
 491 violation. Minor violation means that it will not directly affect the public health,
 492 safety, or welfare and is able to be resolved with citation or notice of non-
 493 compliance. Ms. Van Siclen stated there would be no minor violations.
 494
 495 **Action:** Motion to approve response made by Ms. Van Siclen. Second made by
 496 Dr. McCarter.
 497
 498 **Vote:** 5 yeas / 0 opposed. Motion carried.
 499
 500 Mr. Frizzell presented suggested revisions to rule 64B3-13.004; and advised that
 501 it is a technical change and does not require action.
 502
 503 **I. May Rules Report**
 504
 505 Mr. Frizzell presented the rules report.
 506
 507 **m. 64B3-12.002**
 508
 509 Addressed in letter (h)
 510
 511 **Section IX ended: 1:08 p.m.**
 512 **Section X began: 1:08 p.m.**
 513
 514 **X. CHAIR/VICE CHAIR REPORT:**
 515
 516 Nothing to report. Ms. Valdes referred back to Section VIII.
 517
 518 **Section X ended: 1:11 p.m.**
 519 **Section XI began: 1:11 p.m.**
 520
 521 **XI. EXECUTIVE DIRECTOR'S REPORT:**
 522
 523 Dr. Spivey announced that the Chair/Vice Chair meeting has been scheduled for
 524 October 2019.
 525
 526 **Section XI ended: 1:12 p.m.**
 527 **Section XII began: 1:12 p.m.**
 528
 529 **XII. OLD BUSINESS:**
 530
 531 **a. 64B3-2.003**
 532
 533 Ms. Van Siclen asked if the board could conduct a rules workshop on the manual
 534 pretesting procedures in lieu of discussion.
 535

536 **Section XII ended: 1:16 p.m.**
537 **Section XIII began: 1:16 p.m.**
538

539 **XIII. NEW BUSINESS:**

540
541 **a. Training License**
542

543 Program Director, Dawn Tripolino of Bayfront Health-St. Petersburg requested
544 information related to categorical training and the administrative procedure for
545 notifying the board.
546

547 **b. National Exam**
548

549 The board addressed correspondence from the American Medical Technologists
550 board related to the addition of the MDT (Molecular Diagnostic Technologist)
551 examination to the board's rules.
552

553 **Action:** Motion to open rule(s) 64B3-5.003 to add the examination and 64B3-
554 5.0011 to add the definition made by Ms. Van Siclen. Second made by Dr.
555 McCarter.
556

557 **Vote:** 5 yeas / 0 opposed. Motion carried.
558

559 Mr. Frizzell suggested a 2-day board meeting in September 2019 which would
560 allow the board to conduct a rules workshop the day prior to the meeting.
561

562 Ms. Van Siclen requested placement of the Initial and Renewal Training program
563 applications on the September 2019 agenda under "New Business".
564

565 **Action:** Motion to open rule(s) 64B3-5.002 (3) (d) and 64B3-5.003 made by Ms.
566 Van Siclen. Second made by Dr. McCarter.
567

568 **Vote:** 5 yeas / 0 opposed. Motion carried.
569

570 Dr. Morgan addressed errors in the formatting of the application questions.
571

572 **Section XIII ended: 1:57 p.m.**
573 **Section XIV began: 1:57 p.m.**
574

575 **XIV. COMMITTEE REPORTS:**

576
577 **a. Budget – Dr. Morgan**
578

579 Nothing to report
580

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

582 Nothing to report
583
584 **c. Credentials – Ms. Van Siclen**
585
586 Nothing to report
587
588 **d. Disciplinary Compliance – Dr. Montoya**
589
590 Nothing to report
591
592 **e. Examination – Dr. Montoya**
593
594 Nothing to report
595
596 **f. Healthiest Weight – Dr. McCarter**
597
598 Nothing to report
599
600 **g. Legislation – Dr. McCarter**
601
602 Nothing to report
603
604 **h. Probable Cause – Dr. Morgan**
605
606 Nothing to report
607
608 **i. Professional Association – Ms. Valdes**
609
610 Nothing to report
611
612 **j. Rules – Ms. Van Siclen**
613
614 Nothing to report
615
616 **k. Training Program – Dr. McCarter**
617
618 Nothing to report
619
620 **l. Unlicensed Activity – Ms. Valdes**
621
622 Nothing to report
623
624 **Section XIV ended: 1:59 p.m.**
625 **Section XV began: 1:59 p.m.**
626
627 **XV. NEXT MEETING DATE**

628 **September 6, 2019**
629
630 **Section XV ended: 1:59 p.m.**
631 **Section XVI began: 1:59 p.m.**
632
633 **XVI. ADJOURNMENT:**
634
635 Meeting adjourned at 1:59 p.m.