

1 **FLORIDA** | Board of Clinical Lab Personnel

2
3 **DRAFT MINUTES**

4 August 21, 2020

5
6 Department of Health
7 4042 Bald Cypress Way
8 Tallahassee, Florida 32399
9



31 Carleen Van Siclen, MSHA, MLS (ASCP) *Chair*

32 Linda Valdes, MS, MT (ASCP) *Vice-Chair*

33 Anthony Spivey, DBA, *Executive Director*

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43 The Florida Board of Clinical Laboratory Personnel held a meeting on Friday, August 21,
44 2020, commencing at 9:02 a.m. This meeting was held at the Department of Health, 4042
45 Bald Cypress Way, Tallahassee, Florida at meet me number (888) 585-9008, participant
46 code 136-103-141, to which all persons were invited to attend. Participants in this public
47 meeting were made aware that these proceedings were being recorded and that an audio
48 file of the meeting will be posted to the board's website.

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AGENDA

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Section I began: 9:02 a.m.

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I. CALL TO ORDER (Roll Call):

56

Board Members Present:

58

59 Carleen P. Van Siclen, MS, MLS (ASCP), Chair

60 Linda Valdes, MS, MT (ASCP), Vice-Chair

61 Beatriz E. Montoya, MBA, BS, MT, AMT

62 Michele Morgan, D.B.A.

63

Board Members Absent:

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66 Yvette McCarter, Ph.D.

67 Excused by Chair, Ms. Van Siclen

68

Board Staff Present:

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71 Dr. Anthony Spivey, DBA, Executive Director

72 Gail Curry, Program Operations Administrator

73 Sherri Carmichael, Regulatory Specialist II

74 Alisha Mughal, Regulatory Specialist II

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Board Counsel:

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78 Timothy Frizzell, Assistant Attorney General

79

Prosecution Services:

81

82 Christina Shiver, Assistant General Counsel

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Court Reporter:

85

86 For the Record

87 850-222-5491

88

89 **Section II began: 9:04 a.m.**

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91 II. APPROVAL OF MINUTES:

92

93 a. June 12, 2020

94

95 **Action:** Motion to approve the June 12, 2020 meeting minutes made by Ms. Van
96 Siclen. Second made by Dr. Montoya.

97

98 **Vote:** 4 yeas / 0 opposed. Motion carried.

99

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

101

102 III. PROSECUTION REPORT

103

104 **Action:** Motion to continue prosecuting cases older than one year made by Ms.
105 Van Siclen. Second made by Ms. Morgan.

106

107 **Vote:** 4 yeas / 0 opposed. Motion carried.

108

109 SETTLEMENT AGREEMENT

110

111 Maria Eugenia Canetti

112 Ms. Morgan is recused

113

114 **Action:** Motion to accept the settlement agreement made by Ms.
115 Van Siclen. Second made by Dr. Montoya.

116

117 **Vote:** 3 yeas / 0 opposed. Motion carried.

118

119 **Section IV began: 9:14 a.m.**

120

121 IV. PETITION FOR VARIANCE/WAIVER

122

123 a. Ahmed Al-Attar

124 Present

125

126 **Action:** Motion to approve petition made by Ms. Van Siclen. Second made by Ms.
127 Morgan.

128

129 **Vote:** 4 yeas / 0 opposed. Motion carried.

130

131 b. Mavis Masuecos

132 Present

133

134 **Action:** Motion to deny petition doesn't meet the requirement for Supervisor
135 licensure made by Dr. Valdes. Second made by Ms. Van Siclen.

136
137 **Vote:**4 yeas / 0 opposed. Motion carried.

138
139 **Section V began: 9:41 a.m.**

140
141 V. PETITIONS WITH APPLICATIONS:

142
143 a. Grace Kim

144
145 **Action:** Motion to deny petition to waive the National Certification exam made by
146 Ms. Van Siclen. Second made by Ms. Valdes.

147
148 **Vote:**4 yeas / 0 opposed. Motion carried.

149
150 **Action:** Motion to require an appearance at one of the next two board meetings in
151 accordance with Florida statute 456.013 made by Ms. Van Siclen. Second made by Ms.
152 Valdes.

153
154 **Vote:**4 yeas / 0 opposed. Motion carried.

155
156 **Section VI began: 9:45 a.m.**

157
158 VI. APPLICANTS PRESENTED FOR BOARD REVIEW:

159
160 a. TRAINEE
161 Andrew Valdes
162 Not Present

163
164 **Action:** Motion to approve application made by Ms. Morgan Second made by Ms.
165 Van Siclen.

166
167 **Vote:** 4yeas / 0 opposed. Motion carried.

168
169 b. TECHNICIAN
170 Richard Oost
171 Present

172
173 **Action:** Motion to approve application contingent upon a PRN evaluation made by Ms.
174 Morgan. Second made by Ms. Van Siclen.

175
176 **Vote:** 4yeas / 0 opposed. Motion carried.

177
178 c. TECHNOLOGIST
179 Alisa Tinkham

180 Not Present

181

182 **Action:** Motion to require an appearance at one of the next two board meetings made by
183 Ms. Van Siclen. Second made by Ms. Valdes.

184

185 **Vote:** 4yeas / 0 opposed. Motion carried.

186

187 d. Janet Ray

188 Not Present

189

190 **Action:** Motion to deny petition to waive the National exam made by Ms. Van Siclen

191 Second made by Ms. Valdes.

192

193 **Vote:** 4yeas / 0 opposed. Motion carried.

194

195 **Action:** Motion to require an appearance at one of the next two board meetings made by
196 Ms. Van Siclen. Second made by Ms. Valdes.

197

198 **Vote:** 4yeas / 0 opposed. Motion carried

199

200 d. SUPERVISOR

201

202 Freddy B. Bravo

203 Not Present

204

205 No action taken. He has failed to meet the time to supply the additional six hours.

206

207 Brook Delnista

208 Not Present

209

210 **Action:** Motion to accept the Master of Science in Veterinary made by Ms. Valdes.

211 Second made by Ms. Van Siclen.

212

213 **Vote:** 4yeas / 0 opposed. Motion carried.

214

215 Christopher Reeder

216 Present

217

218 **Action:** Motion to approve Supervisor application made by Ms. Van Siclen. Second

219 made by Ms. Valdes.

220

221 **Vote:** 4yeas / 0 opposed. Motion carried.

222

223 James Redding

224 Present

225

226 **Action:** Motion to approve Technologist to Supervisor made by Ms. Valdes. Second
227 made by Dr. Montoya.

228
229 **Vote:** 4yeas / 0 opposed. Motion carried.

230
231 Keyla Quezada
232 Present

233
234 **Action:** Motion to approve made by Ms. Morgan Second made by Ms.
235 Van Siclen.

236
237 **Vote:** 4yeas / 0 opposed. Motion carried.

238
239 Larry Curtis-Madriral
240 Not Present

241
242 **Action:** Motion to approve made by Ms. Morgan Second made by Ms.
243 Van Siclen.

244
245 **Vote:** 4yeas / 0 opposed. Motion carried.

246
247 Ricardo Rodriguez Viera
248 Not Present

249
250 **Action:** Motion to require an appearance. Move this to the next meeting made by
251 Ms. Van Siclen. Second made by Ms. Valdes.

252
253 **Vote:** 4yeas / 0 opposed. Motion carried

254
255 Roland Coichy

256
257 **Action:** Motion to approve application made by Ms. Morgan Second made by Ms.
258 Van Siclen.

259
260 **Vote:** 4yeas / 0 opposed. Motion carried.

261
262 Yafei Xu

263
264 **Action:** Motion to deny, doesn't meet the requirements. Allow 14 days to withdraw the
265 application made by Ms. Van Siclen Second made by Dr. Montoya.

266
267 **Vote:** 4yeas / 0 opposed. Motion carried.

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269 **BREAK 10:48 a.m.**

270 **Resume 11:04**
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Roll Call:

Carleen P. Van Siclen, MS, MLS (ASCP), Chair
Linda Valdes, MS, MT (ASCP), Vice-Chair
Beatriz E. Montoya, MBA, BS, MT, AMT
Michele Morgan, D.B.A.

e. DIRECTOR
Elisa Wagner

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

Vote: 4yeas / 0 opposed. Motion carried.

Jenna Evans
Present

Action: Motion to appear at one of the next two board meeting with additional documentation made by Ms. Van Siclen Second made by Dr. Montoya.

Vote: 4yeas / 0 opposed. Motion carried.

Jiyeon Lee
Not Present

Action: Motion to deny doesn't meet the requirements. Allow 14 days to withdraw the application made by Ms. Van Siclen Second made by Dr. Montoya.

Vote: 4yeas / 0 opposed. Motion carried.

Shonetta Smith
Not Present

Action: Motion to appear at one of the next two board meeting made by Ms. Van Siclen Second made by Dr. Montoya.

Vote: 4yeas / 0 opposed. Motion carried.

Section VII began: 11:39 a.m.

VII. PUBLIC COMMENT:

None

Section VIII began: 11:40 a.m.

318 VIII. RATIFICATION:

319

320

a. Licensure

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Clinical Laboratory Personnel

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323

Action: Motion to approve Clinical Laboratory Personnel made by Ms. Morgan.

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Second made by Dr. Montoya.

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Vote: 4yeas / 0 opposed. Motion carried.

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328

Clinical Laboratory Personnel Trainees

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330

Action: Motion to approve Clinical Laboratory Personnel made by Ms. Morgan.

331

Second made by Dr. Montoya.

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Vote: 4yeas / 0 opposed. Motion carried.

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335

b. Continuing Education

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CE Providers & Courses approved by CE Committee Chair

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338

Action: Motion to approve all Continuing Education Provider and Courses made by

339

Ms. Valdes. Second made by Ms. Van Siclen.

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341

Vote: 4yeas / 0 opposed. Motion carried.

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Section IX began: 11:42 a.m.

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IX. BOARD COUNSEL REPORT:

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a. August Rules Report

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b. 64B3-6.002

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351

Discussion among counsel, Timothy Frizzell, and board members to add list of degrees

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accepted. Would this still allow for board review and approval of degrees that are not

353

listed?

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c. 64B3-5.003 Technologist

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Option two should reflect changes to the technologist application.

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Action: Motion to approve the changes to the technologist application made by Ms. Van

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Siclen. Second made by Ms. Valdes.

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Vote: 4yeas / 0 opposed. Motion carried.

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Statement of Estimated Regulatory Costs (SERC) Question

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Will the proposed rule amendments have an adverse impact on small business?

Ms. Van Siclen responded no.

Vote: 4 yeas / 0 opposed. Motion carried.

Will the proposed rule amendments be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200K in the aggregate in Florida within 1 year after the implementation of the rule?

Action: Motion to move that the approved revisions to the rules would not require preparation of a SERC by Ms. Van Siclen seconded by Ms. McCarter.

Vote: 4 yeas / 0 opposed; motion carried

Should a violation of this rule or any part of this rule be designated a minor violation?

Ms. Van Siclen responded no.

Vote: 4 yeas / 0 opposed. Motion carried.

d. Annual Regulatory Plan
Must be filed by September 1.

Action: Motion to approve the Annual Regulatory Plan made by Ms. Van Siclen. Second made by Ms. Morgan.

Ms. Van Siclen gave Mr. Frizzell permission to file the Annual Regulatory Plan.

Vote: 4 yeas / 0 opposed. Motion carried.

Section X began: 11:58 a.m.

X. CHAIR/VICE CHAIR REPORT:

Ms. Valdes asked for clarification of the Emergency Order. Dr. Spivey gave details of the Emergency Order.

Action: Motion to approve Public Health Laboratory Scientist applications made by Ms. Van Siclen. Second made by Ms. Morgan.

Vote: 4 yeas / 0 opposed. Motion carried.

Section XI began: 12:02 p.m.

XI. EXECUTIVE DIRECTOR'S REPORT:

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411 Dr. Spivey addressed the Board concerning the appointment of new board members.
412 Addressed staff changes.

413

414 **Section XII began: 12:04 p.m.**

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416 XII. OLD BUSINESS:

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418 None

419

420 **Section XIII began: 12:04 p.m.**

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422

423 XIII. NEW BUSINESS:

424

425 Gary Santigio addressed the board to request to add Histology to 64B3-10.005

426

427 **Section XIV began: 12:06 p.m.**

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429 XIV. COMMITTEE REPORTS:

430

431 **a. Budget – Dr. Morgan**

432

433 Nothing to report.

434

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

436

437 Nothing to report.

438

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

440

441 Ms. Van Siclen commended the staff on their efforts to decrease the
442 amount of credential files.

443

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

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446 Nothing to report

447

448 **e. Examination – Ms. Montoya**

449

450 Ms. Van Siclen asked that this committee be eliminated.

451

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

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454 Nothing to report.

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- 456 **g. Legislation – Dr. McCarter**
457
458 Nothing to report.
459
460 **h. Probable Cause – Dr. Morgan**
461
462 Nothing to report.
463
464 **i. Professional Association – Ms. Valdes**
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466 Nothing to report.
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468 **j. Rules – Ms. Van Sicen**
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470 See Section XIV. Nothing else to report.
471
472 **k. Training Program – Dr. McCarter**
473
474 Nothing to report.
475
476 **l. Unlicensed Activity – Ms. Valdes**
477
478 Nothing to report.

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481 **Section XV began: 12:07 p.m.**
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483 XV. NEXT MEETING DATE – November 20, 2020
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485 **Section XVI began: 12:10 p.m.**
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487 XVI. ADJOURNMENT:
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489 **Adjourned at 12:10 p.m. by Ms. Van Sicen.**
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