



## Approval of Minutes

**August 21, 2020-** The chair asked the Board if there were any necessary revisions. Hearing no feedback. Dr. Van Siclen made a motion to approve the meeting minutes. Dr. McCarter seconded the motion and it passed unanimously.

## Prosecution Report

Christina Shideler with the Prosecution Services Unit (PSU) asked that the Board permit the Department of Health to continue to prosecute the year and older cases. Dr. Van Siclen made a motion to allow PSU to continue prosecuting cases that are a year old and older. Dr. McCarter seconded the motion and it passed unanimously.

## Petition for Application

### **Director**

Hongfeng Wang- Present. Dr. McCarter made a motion to approve the application. Dr. Valdes seconded the motion and it passed unanimously.

Shonetta Smith- Required Appearance- 1<sup>st</sup> meeting. Not present. Case will be heard at the next meeting.

### **Public Health Technician**

Andrea Sakelson- Present. Dr. Van Siclen made a motion to approve the application. Dr. McCarter seconded the motion and it passed unanimously.

Christopher Roemer- Present. Mr. Roemer made a request to waive his 90 days. Dr. Van Siclen made a motion to require a personal appearance at one of the next two Board meetings. Dr. McCarter seconded the motion and it passed unanimously.

Seemakumari Soni- Present. Dr. McCarter made a motion to approve the application. Dr. Valdes seconded the motion and it passed unanimously.

Syed Qadri- Present. Mr. Qadri made a request to waive his 90 days. Dr. Van Siclen made a motion to require a personal appearance at one of the next two Boards meetings. Dr. Morgan seconded the motion and it passed unanimously.

### **Supervisor**

Gladys Risco- Not present. Dr. Van Siclen made a motion to deny the application for not meeting requirements, allowing the applicant to withdraw the application within 15 days. Dr. McCarter seconded the motion and it passed unanimously.

Hilda Parmar- Present. Dr. McCarter made a motion to approve the application. Dr. Valdes seconded the motion and it passed unanimously.

Lillian Torres- Not present. Dr. McCarter made a motion to deny the application due to not having the appropriate degree, allowing the applicant to withdraw the application within 15 days. Dr. Van Siclen seconded the motion and it passed unanimously.

Linda Baker- Present. Ms. Baker requested to withdraw her application. A motion was made by Dr. Van Siclen to accept the withdrawal. Dr. Morgan seconded the motion and it passed unanimously.

Misti Vaughn- Not present. Dr. Morgan made a motion to approve the application. Dr. Van Siclen seconded the motion and it passed unanimously.

Nerline Wancique Charles- Not present. Dr. Morgan made a motion to deny the application for failure to meet the requirements, allowing the applicant to withdraw the application within 15 days. Dr. McCarter seconded the motion and it passed unanimously.

Olfa Zahaf- Present. Ms. Zahaf requested to withdraw her application. Dr. Van Siclen made a motion to accept the withdrawal. Dr. McCarter seconded the motion and it passed unanimously.

Ricardo Viera- Required appearance- 2<sup>nd</sup> meeting. Not present. Dr. Van Siclen made a motion to deny the application based on non-appearance. Dr. McCarter seconded the motion and it passed unanimously.

Russell Shaw- Present. Dr. McCarter made a motion to find that Mr. Shaw's education is equivalent and approve the application. Dr. Van Siclen seconded the motion and it passed unanimously.

### ***Technician***

Aimee Maciborski- Not present. Dr. Morgan made a motion to approve the application. Dr. McCarter seconded the motion and it passed unanimously.

Richard Oost- Present. Mr. Oost made a request to withdraw his application. Dr. Van Siclen made a motion to accept the withdrawal. Dr. McCarter seconded the motion and it passed unanimously.

### ***Technologist***

Alexandra Zaragoza- Present. Dr. Van Siclen made a motion to approve the application. Dr. McCarter seconded the motion and passed unanimously.

Keyla Lawhead- Present. Ms. Lawhead made a request to waiver her 90 days. Dr. Van Siclen made a motion to require a personal appearance at one of the next two board meetings with a statement from a licensed health care provider that states she is safe to practice. Dr. McCarter seconded the motion and it passed unanimously.

Alisa Tinkham- Present. Ms. Tinkham made a request to withdraw her application. Dr. Van Siclen made a motion to accept the withdrawal. Dr. McCarter seconded the motion and it passed unanimously.

Janet Ray- Present. Dr. Van Siclen made a motion to approve the application and issuance of a temporary license contingent upon registration for a certification exam. Dr. McCarter seconded the motion and it passed unanimously.

Tonya Vasquez- Present. Dr. Morgan made a motion to approve the application contingent upon receipt of proof of completion of the missing credit hour. Dr. Van Siclen seconded the motion and it passed unanimously.

Mutaz Taha- Not present. Dr. Van Siclen made a motion to approve the application. Dr. Valdes seconded the motion and it passed unanimously.

Shonetta Smith- Required Appearance- 1<sup>st</sup> meeting. Ms. Smith was not present when her application was reviewed on the agenda. She requested that the Board rehear her application. Discussion ensued. Mr. Frizzell indicated he would draft an amended order stating that she appeared and that she will need to appear at the next meeting with proof of employment from 2017 to present. Dr. Van Siclen made a motion to require Dr. Smith to attend the next meeting with additional documentation. Dr. McCarter seconded the motion and it passed unanimously.

### **Ratifications**

**Licensure**- Dr. Van Siclen made a motion to approve the ratification lists. Dr. McCarter seconded the motion and it passed unanimously.

**Trainee**- Dr. Van Siclen made a motion to approve the ratification list. Dr. McCarter seconded the motion and it passed unanimously.

**Continuing Education Courses**- Dr. Valdes made a motion to approve the courses. Dr. Van Siclen seconded the motion and it passed unanimously.

**Continuing Education Providers**- Dr. Van Siclen made a motion to approve the providers list. Dr. Valdes seconded the motion and it passed unanimously.

## Board Counsel Report

**Rules 64B3-4.001, 64B3-5.008, 64B3-6.001, F.A.C., and all the applications-** Mr. Frizzell informed the Board that he had received a letter from JAPC regarding several of the applications. Mr. Frizzell stated that there had been several versions of the applications and he was no longer comfortable with proceeding, so he asked the paralegal to withdraw the rule. He asked the Board to approve all the applications as they are on the agenda inclusive of Rules 64B3-4.001, 64B3-5.008, and 64B3-6.001, F.A.C.

Dr. Van Siclen made a motion to approve the updated applications of trainee, technician, technologist, supervisor, and director and the language in Rules 64B3-4.001, 64B3-5.008, and 64B3-6.001. Dr. McCarter seconded the motion and it passed unanimously.

Mr. Frizzell asked the Board "Will the proposed rule amendments have an adverse impact on small business?" Dr. Van Siclen made a motion that it would not. The motion passed unanimously.

Mr. Frizzell asked the Board "Will the proposed rule amendments be likely to directly or indirectly increase regulatory costs to any entity including government in excess of \$200,000.00 in the aggregate in Florida within one year after implementation?" Dr. Van Siclen made a motion that it would not. The motion passed unanimously.

Mr. Frizzell asked the Board "Should a violation of this rule or any part of this rule be designated as a minor violation?" Dr. Van Siclen made a motion that it should not. The motion passed unanimously.

**Proposed changes to Rules 64B3-5.002 and 64B3-6.002, F.A.C.-** Mr. Frizzell provided proposed language to clarify the Board's position. Discussion ensued. Mr. Frizzell informed the Board members that the U.S. Government no longer recognizes the term regionally accredited. Dr. Van Siclen made a motion to approve the language changes to Rules 64B3-5.002, 64B3-5.003, 64B3-5.007, 64B3-6.002. Dr. McCarter seconded the motion. Discussion ensued. Mr. Frizzell emailed the letter from the Department of Education to Dr. Spivey who sent it to the Board members. Mr. Frizzell advised Dr. Spivey that this letter will need to be added to record (included in the minutes).

Dr. Morgan requested that Mr. Frizzell add the following language "from an accredited U.S. College or University recognized by the U.S. D.O.E." to 64B3-6.002(8) and (8)(b), and 64B3-5.002(1). Dr. Van Siclen made a motion approve the amended language as purposed in the Board Counsel Report with the updates requested by Dr. Morgan. Dr. McCarter seconded the motion and passed unanimously.

Mr. Frizzell asked the Board "Will the proposed rule amendments have an adverse impact on small business?" Dr. Van Siclen made a motion that it would not. The motion passed unanimously.

Mr. Frizzell asked the Board "Will the proposed rule amendments be likely to directly or indirectly increase regulatory costs to any entity including government in excess of \$200,000.00 in the aggregate in Florida within one year after implementation?" Dr. Van Siclen made a motion that it would not. The motion passed unanimously.

Mr. Frizzell asked the Board "Should a violation of this rule or any part of this rule be designated as a minor violation?" Dr. Van Siclen made a motion that it should not. The motion passed unanimously.

**64B3-5.0011-** Mr. Frizzell explained that this would remove subparagraph 6 that had caused the confusion and removes the phrase Medical Sciences. Dr. Van Siclen made a motion approve the amended language as purposed in the Board Counsel Report. Dr. McCarter seconded the motion and passed unanimously.

Mr. Frizzell asked the Board "Will the proposed rule amendments have an adverse impact on small business?" Dr. Van Siclen made a motion that it would not. The motion passed unanimously.

Mr. Frizzell asked the Board “Will the proposed rule amendments be likely to directly or indirectly increase regulatory costs to any entity including government in excess of \$200,000.00 in the aggregate in Florida within one year after implementation?” Dr. Van Siclen made a motion that it would not. The motion passed unanimously.

Mr. Frizzell asked the Board “Should a violation of this rule or any part of this rule be designated as a minor violation?” Dr. Van Siclen made a motion that it should not. The motion passed unanimously.

ADA Case- Supreme Court of Kentucky vs. Jane Doe. Mr. Frizzell highlighted this case for the Board members and recommended that they read it.

## Florida Society Histotechnology

Dr. Jerry Santiago was present to represent the Florida Society Histotechnology requesting that grossing be added to the scope of practice. Discussion ensued. Dr. Van Siclen suggested they hold a public assembly at the next Board meeting to hear the views of the licensed histologists. Discussion ensued. Dr. Van Siclen asked Dr. Spivey for input on how they could invite all the Florida licensed histologists. Dr. Spivey said that Board staff could send letters and post it on the website. The Florida Society of Histotechnology also agreed to post it on their website. Mr. Frizzell reminded the Board that they would need to address the financial impact.

Mr. Frizzell recommended not reviewing Rule 64B3-10.005, F.A.C. until the next Board meeting. Dr. Van Siclen agreed.

## Mayo Clinic

Dr. Van Siclen recused herself due to her employment with Mayo Clinic and handed it over to Dr. Valdes. Mayo Clinic wanted to have a discussion with the board about their ambulance service being able to do a blood gas in the field (moderate complexity testing) by a registered nurse. Steve Nelson, Legal Counsel addressed the letter sent to the Board. Dr. Valdes stated that this Board was not the appropriate agency to address their question and indicated that the Agency for Health Care Administration under the Lab and Pharmacy Services Rule (used to be called the alternate site rule).

## Public Comments

None

## Chair/Vice Chair Report

Dr. Van Siclen gave a Florida Laws and Rules presentation to the Jacksonville Area Microbiology Society on Tuesday, October 6, 2020. Her next presentation is scheduled for Saturday, March 20, 2021, for the Florida Society for Clinical Laboratory Society.

Dr. Van Siclen asked Dr. Spivey if he had any updates on Board appointments. Dr. Spivey said that the Governor’s office was aware and that they are filling positions as fast as they can, but there were no updates as of this time. He also said he would update the Board when he had additional information. Dr. Van Siclen indicated that she was disappointed to hear that. Discussion ensued.

Dr. Valdes had nothing to report.

## Executive Directors Report

Dr. Spivey stated that there was a banner that was placed on the Board’s website about scammers fraudulently indicating that they are the Department of Health.

## Old Business

None

## New Business

Dr. Van Siclen asked Dr. Valdes about the ACHA Rule she was discussing with the Mayo Clinic. She referred Dr. Van Siclen to Rule 59A-3.242, F.A.C.

## Committee Report

Dr. Morgan- Reviewed the Budget Report found in the agenda with the Board.

Dr. Valdes- Continuing Education- Dr. Valdes had nothing additional to add.

Dr. Van Siclen- Credentials- Dr. Van Siclen wanted to thank the Board office for doing an excellent job on the number of applications that the Credentials Committee has had to review. She stated that they had dramatically decreased and that she wanted to commend them on their excellent work.

Dr. Spivey introduced the new Program Operations Administrator, Dontavia Wilson and Jacqueline Clahar-Anderson, Regulatory Supervisor.

Dr. Van Siclen asked why there was no Board member name next to Disciplinary Compliance. Dr. Spivey stated that he did not believe that there was a Board member assigned to that committee. Dr. Van Siclen asked Dr. Morgan if she would be willing to act as the Board member on that committee. Dr. Morgan agreed to do so.

Dr. McCarter- Healthiest Weight- Dr. McCarter did not have any updates. Dr. Van Siclen encouraged all the Board members to join the "Maintain Don't Gain" during the 6-week holiday period.

Dr. McCarter- Legislative Update- Dr. McCarter did not have any updates.

Dr. Morgan- Probable Cause Panels- Dr. Morgan stated that they met twice, October 14, 2020 and October 26, 2020.

Dr. Valdes- Professional Associations- Dr. Valdes had nothing to report.

Dr. Van Siclen- Rules Committee- Dr. Van Siclen indicated that Mr. Frizzell and she had worked on the rules that were coming before the Board. She asked the Board if they knew any other rules that would make an improvement to their profession to make sure they end on an agenda.

Dr. McCarter- Training Programs- Thank you to the Board office for facilitating the training program renewal applications. Discussion ensued about programs that had not yet completed their applications by the deadline.

Dr. Valdes- Unlicensed Activity- Dr. Valdes had nothing to report.

## Next Meeting Date

February 12, 2021

Dr. Van Siclen thanked the Board for all their hard work with Board meetings.

## Adjournment

Meeting adjourned at 2:09 p.m.