STANDING COMMITTEE MEETINGS **2**

Agenda item #1: CALL MEETING TO ORDER **2**

Members in attendance (Exhibit A): **2**

Agenda item 1.a: Approval of Board Meeting Agenda (Exhibit B) 3

Agenda item 1.b: Approval of Prior Meeting Minutes (Exhibit C, including Exhibit C-1 Order in the matter of Christine A. Mossor and C-2 Order in the matter of Steven D. Thompson) 3

Agenda item #2: BOARD OFFICER AND STAFF REPORT **4**

Agenda item 2.a: President's Report 4

Agenda item 2.b: Executive Director's Report (Exhibit D collective) 4

Agenda item 2.c: HME Manager's Report (Exhibit E) 5

Agenda item #4: PROBABLE REVIEW COMMITTEE **5**

Agenda item 4.b: Approval of Opportunity for Hearing Notices (Exhibit F - J) 5

Agenda item 4.c: Consent Agreement Approval (Exhibit K) 6

Agenda item #3: COMMITTEE REPORTS **7**

Agenda item #5: OLD BUSINESS **7**

Agenda item 5.a: Administration of Oxygen by Certified Hyperbaric Technologists (CHT) – request filed by Dr. Jeffrey R. Welko 7

Agenda item #6: NEW BUSINESS **8**

Agenda item 6.a: Application ratification for Respiratory Care Licenses and Limited Permits (Exhibit M) 8

Agenda item 6.b: Application ratification for Home Medical Equipment Licenses and Certificates of Registration (Exhibit N) 8

Agenda item 6.c: Ohio Examination Workgroup Report and Recommendation (Exhibit O) 8

Agenda item 6.d: The American Board of Sleep Medicine (Exhibit P) 9

Agenda item 6.e: Position Statement Approval (Exhibit Q) 10

Agenda item #7: OPEN FORUM **11**

Agenda item #8: FOR THE GOOD OF THE BOARD **11**

Agenda item #8: ADJOURNMENT **11**

OHIO RESPIRATORY CARE BOARD

77 SOUTH HIGH STREET, 16TH FLOOR

COLUMBUS, OHIO 43215-6108

OFFICIAL BOARD MEETING MINUTES OF OCTOBER 12, 2011

STANDING COMMITTEE MEETINGS

The Board's Home Medical Equipment Committee met at 9:28 a.m. in room East B, 31st Floor, Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio. Official minutes of the Board's Home Medical Equipment Committee were prepared and are maintained separate of this journal.

The Board's Scope of Practice Committee met prior to regular business at 9:54 a.m. in room East B, 31st Floor, Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio. Official minutes of the Board's Scope of Practice Committee were prepared and are maintained separate of this journal.

Regular Business Meeting

Agenda item #1: CALL MEETING TO ORDER

Presiding: Marc Mays, President, called the meeting to order on October 12, 2011 at 10:25 a.m. in room East B, 31st Floor, Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio. Ms. Harwood took the roll. Present were Marc Mays, R.R.T., R.C.P., President, Kenneth Walz, J.D., R.R.T., R.C.P., Sandra Stabile Harwood, J.D., Public Member, Secretary, Robert Cohn, M.D., Anita Adams, M.B.A, R.C.P., Joel Marx, HME Member, and Scott Pettinichi, R.R.T., R.C.P. Mr. Mays noted that a quorum of the members of the Board was present and that business could be conducted.

Members in attendance **(Exhibit A):**

Marc Mays, R.R.T., R.C.P., President

Scott Pettinichi, R.R.T., R.C.P.

Robert Cohn, M.D.

Sandra Stabile Harwood, J.D., Public Member

Joel Marx, HME Member

Kenneth Walz, J.D., R.R.T., R.C.P.

Anita Adams, M.B.A, R.C.P.

Staff in attendance:

Christopher H. Logsdon, Executive Director

Marcia Tatum, HME Manager

Anthony Isom, Investigator

Others in Attendance:

Michelle T. Sutter, Assistant Attorney General

F. Herbert Douce, MS, R.R.T.-NPS, RPFT, RCP, FAARC
OSU - School of Allied Medical Professions

Susan M. Ciarlariello

Darrell Heckman

Agenda item 1.a: Approval of Board Meeting Agenda (Exhibit B)

The proposed meeting agenda was mailed in advance of the meeting. Mr. Mays inquired if there were any amendments to the business agenda.

Motion #1: Dr. Cohn moved to approve the meeting agenda for October 12, 2011. Mr. Pettinichi seconded the motion. Discussion: None. Motion carried: 7 - 0.

Agenda item 1.b: Approval of Prior Meeting Minutes (Exhibit C, including Exhibit C-1 Order in the matter of Christine A. Mossor and C-2 Order in the matter of Steven D. Thompson)

The prior meeting minutes were mailed in advance of the meeting. Mr. Mays inquired if there were any changes or corrections to the minutes.

Motion #2: Mr. Walz moved to approve the August 17, 2011 meeting minutes. Ms. Adams seconded the motion. Discussion: Mr. Walz and Mr. Marx addressed several non-substantive corrections. Mr. Logsdon recorded the corrections for inclusion in final version. Mr. Walz accepted the corrections as a friendly amendment to the main motion. Hearing no objections, Mr. Mays called the original question. Motion carried: 7 – yes.

The Board took up an amendment to the Board's June 22, 2011 minutes:

Motion #3:

Mr. Walz moved to respectfully amend Motion #30 and Motion #33 of the June 22, 2011 meeting minutes to correct the language contained in the Board's Orders in the matters of Christine A. Mossor and Steven D. Thompson as follows:

> Motion #30:
>
> THE MATTER OF CHRISTINE A. MOSSOR, CAME BEFORE THE FOLLOWING MEMBERS OF THE OHIO RESPIRATORY CARE BOARD ON JUNE 21, 2011 AT 10:51 A.M. IN ROOM WEST B & C, 31ST FLOOR OF THE VERN RIFFE BUILDING FOR GOVERNMENT AND THE ARTS, 77 S. HIGH STREET, COLUMBUS, OHIO. PRESENT WERE MARC MAYS, R.R.T., R.C.P., PRESIDENT, JOEL MARX, HME MEMBER, ROBERT COHN, M.D., SANDRA STABILE HARWOOD, J.D., PUBLIC MEMBER, KENNETH WALZ, J.D., R.R.T, R.C.P., ANITA ADAMS, M.B.A, R.C.P. ROBERT COHN, M.D. RECUSED HIMSELF FROM THE PROCEEDINGS BASED UPON HIS ROLE AS THE BOARD LIAISON TO THE INVESTIGATORY PROBABLE REVIEW COMMITTEE ~~DURING THE PERIOD THAT MR. MERRINGER ENTERED INTO A CONSENT AGREEMENT WITH THE BOARD~~.
>
> Motion #33:

THE MATTER OF STEVEN D. THOMPSON CAME BEFORE THE FOLLOWING MEMBERS OF THE OHIO RESPIRATORY CARE BOARD ON JUNE 21, 2011 AT 11:12 A.M. IN ROOM WEST B & C, 31ST FLOOR OF THE VERN RIFFE BUILDING FOR GOVERNMENT AND THE ARTS, 77 S. HIGH STREET, COLUMBUS, OHIO. PRESENT WERE MARC MAYS, R.R.T., R.C.P., PRESIDENT, JOEL MARX, HME MEMBER, ROBERT COHN, M.D., SANDRA STABILE HARWOOD, J.D., PUBLIC MEMBER, KENNETH WALZ, J.D., R.R.T, R.C.P., ANITA ADAMS, M.B.A, R.C.P. ROBERT COHN, M.D. RECUSED HIMSELF FROM THE PROCEEDINGS BASED UPON HIS ROLE AS THE BOARD LIAISON TO THE INVESTIGATORY PROBABLE REVIEW COMMITTEE ~~DURING THE PERIOD THAT MR. MERRINGER ENTERED INTO A CONSENT AGREEMENT WITH THE BOARD~~.

Motion continued:

moreover, by correcting the motions, the Board hereby adopts the Orders as otherwise approved by the Board on June 22, 2011, which will be served upon the respondents in these matters and the original amended orders attached to this journal as Exhibits. Ms. Harwood seconded the motion. Discussion: None. Motion carried: 7 – 0.

Agenda item #2: BOARD OFFICER AND STAFF REPORT

Agenda item 2.a: President's Report

Mr. Mays presented a summary of his attendance at the 2011 licensure liaison meeting sponsored by the National Board for Respiratory Care, Inc. (NBRC). Mr. Mays stated that Dr. Thomas Smalling, Executive Director for the Commission on Accreditation for Respiratory Care (CoARC) presented. Mr. Mays stated that the NBRC would soon allow states access to online test results. Mr. Mays also noted that several states require licensee to be members of the NBRC to maintain licensing in those states.

Next, Mr. Mays stated that he was preparing to draft the Executive Director 2011performance review. He defined the process he would use this year. Mr. Marx inquired about specific annual outcome measures for the Board's Executive Director. Mr. Mays informed the Board that he would be reviewing the Executive Director's progress on the Board's 2012/2013 strategic plan.

Agenda item 2.b: Executive Director's Report (Exhibit D collective)

Mr. Logsdon gave a verbal overview of his written report. He also directed the Board to an additional handout titled, "Death to Common Sense…" that he stated would be reviewed during his presentation on the next two-year budget and potential changes to government structure. Director Logsdon verbally reviewed the following:

1. FY 2012 financial activity report. Mr. Logsdon reported that the Board is currently well within its budget allotments and under budget.

2. Next, Mr. Logsdon reviewed FY 2012 disbursements and addressed questions from the Board members concerning specific expenditures reported.

3. Next, Mr. Logsdon reported on the licensing and revenue statistics for the current fiscal year.

4. Next, Mr. Logsdon reported on the status of several legislative bills.

5. Last, Mr. Logsdon reported on the status of the Board's Ohio Examination Workgroup. Mr. Logsdon reported that the Workgroup has concluded its work and a final report is scheduled for review during new business on the Board's meeting agenda.

Mr. Logsdon also provided members with a copy of the Board's biennial audit report from the Ohio Auditor's Office.

Motion #4: Ms. Adams moved to approve the Officer and Staff reports. Mr. Walz seconded the motion. Discussion: None. Motion carried: 7 - 0.

Agenda item 2.c: HME Manager's Report (Exhibit E)

Ms. Tatum filed a written report with the Board and gave a verbal overview of the report. She reported the following:

1. Ms. Tatum reported that the Board staff has approved 5 new HME licenses and 14 new Certificates of Registration since the Board's last meeting in August 2011. Ms. Tatum also stated that she has five applications pending.

2. Ms. Tatum reported that all licensed facilities eligible for inspection in Sept. /Oct. /Nov. of FY 2012 have been scheduled.

3. Ms. Tatum reported on the revenue collected for FY 2012, reporting a total of $12,450.00 since July 1, 2011.

Agenda item #4: PROBABLE REVIEW COMMITTEE

Motion #5: Ms. Harwood moved to enter Executive Session for the purpose of discussing proposed disciplinary action against licensees, which is pending or imminent court action under R.C. 121.22(G)(3) and involves matters that are required to be kept confidential under R.C. 149.43(A)(2) and R.C. 4761.031 and 4752.08 (B). Mr. Walz seconded the motion. Discussion: None. Roll Call vote:

Marc Mays -	Yes	Scott Pettinichi -	Yes
Anita Adams -	Yes	Kenneth Walz -	Yes
Robert Cohn, M.D. -	Yes	Joel Marx -	Yes
Sandra Stabile Harwood -	Yes		

Motion carried.

The Board entered executive session at 11:20 a.m. and returned to regular, public session at 11:35 a.m. All seven Board Members, Mr. Isom and Mr. Logsdon were present during Executive Session.

**Names and identifying information was redacted from discussion and proposed notices of opportunity for hearing during the course of executive session deliberation and the public meeting. Matters were referred to only by case number in documentation and referenced by case number verbally. Identifying information based upon the correlating case number was added during the writing of the minutes after approval of the proposed notices of opportunity for hearing through a motion on the record during public session.*

Agenda item 4.b: Approval of Opportunity for Hearing Notices (Exhibit F - J)

Motion #6: Mr. Walz moved to issue an opportunity for hearing notice as presented to the Board in the matters of:

RCB Opportunity for Hearing Notices

Exh. #	Case no. /Respondent	Allegation	ORC Code

F.	2011ORCB071 (Robert A. Farren, RCP.3476)	Impairment	ORC 4761.09(A) (8)
G.	2012ORCB007 (Tracy J. Frankhouser, RCP.12110)	Ethics and Professional Conduct	ORC 4761.09 (A) (2)
H.	2012ORCB017 (Christina G. Shafer, RCP.11865)	Unlicensed practice not recognized for renewal	ORC 4761.09 (A) (2)
I.	2012ORCB027 (Jodi L. Evans, RCP.12357)	Felony convictions	ORC 4761.09 (A) (1)

HME Opportunity for Hearing Notices

Exh. #	Case no. /Respondent	Allegation	ORC Code
J.	2012HME003 (Liberty Medical Supply, Inc. (HMEL.11332)	Unlicensed Practice	ORC 4752.09 (A) (1)

Ms. Harwood seconded the motion. Discussion: None. Motion carried: 5 – yes, 2 – abstained (Dr. Cohn and Mr. Marx).

Agenda item 4.c: Consent Agreement Approval (Exhibit K)

**Names and identifying information was redacted from discussion and proposed consent agreements during the course of executive session deliberation and the meeting. Matters were referred to only by case number in documentation and referenced by case number verbally. Identifying information based upon the correlating case number was added during the writing of the minutes after approval of the proposed consent agreements through a motion on the record during public session.*

Motion #7: Mr. Walz moved to approve the consent agreement between the Board and the following cases:

RCB Agreements

Exh. #	Case no. /Respondent	Violation	Action
K.	Case #2011ORCB095 (Thomas P. Knowles, RCP.9594)	Unlicensed practice was not within term.	Suspended - stayed with probation and fine.

Ms. Harwood seconded the motion. Discussion: None. Motion carried: 6 – yes, 1 – abstained (Dr. Cohn).

Motion #8: Mr. Walz moved to approve the closing of the following cases based on completing probation requirements or other requirements of the consent agreement or order in each case:

1. Marci A. Stone, case 2011RCB074 – completed all requirements
2. Joshua I. Knipp, case 2011RCB093 – completed all requirements
3. Meritta Eby, case 2011RCB070 – completed all requirements
4. Sandra VonSeggern, case 2011RCB092 – completed all requirements
5. Josephine Talieh, case 2011RCB075 – completed all requirements
6. Jean L. Lyman, case 2011RCB033 – completed all requirements
7. Third Day Healing, case 2011HME060 – completed all requirements
8. Specialty Medical Group, case 2011HME026 – completed all requirements
9. We Care Medical, case 2011HME025 – completed all requirements

Ms. Harwood seconded the motion. Discussion: None. Motion carried: 5 – yes, 2 – abstained (Mr. Marx and Dr. Cohn)

Motion #9: Mr. Walz moved to approve the probation compliance report. Ms. Adams seconded the motion. Discussion: None. Motion carried: 7 – yes.

Ms. Adams departed the meeting following motion #9 at 11:37 a.m.

Agenda item #3: COMMITTEE REPORTS

HME Committee

Mr. Marx stated that the committee reviewed a list of all HME license and certificate of registration applicants that were issued since the prior meeting. The Committee, he stated, will be recommending ratification of these license and certificate of registration holders. In addition, Mr. Marx stated that the Committee discussed some current activities that are occurring in the HME industry, which did not result in any action.

Scope of Practice Committee

Dr. Cohn stated that the Committee reviewed an inquiry that asked for clarification on the practice of implementing verbal order or electronically transmitted orders that were not signed by a prescriber. The Committee, he stated, approved a response letter, which states that there is no regulations under the Board's authority that address the implementation of verbal or electronic orders.

Motion #10: Mr. Pettinichi moved to approve the HME Committee report. Ms. Harwood seconded the motion. Discussion: None. Motion carried: 6 – 0.

Motion #11: Mr. Pettinichi moved to approve the Scope of Practice Committee report. Ms. Harwood seconded the motion. Discussion: None. Motion carried: 6 – 0.

Ms. Adams returned to the meeting at 11:42 a.m.

Motion #12: Mr. Walz moved to approve the Scope of Practice Committee's written response to Tammy Miller, Hursh Health Care. Mr. Pettinichi seconded the motion. Discussion: None. Motion carried: 6 – yes, 1 – abstained (Mr. Marx). **(Exhibit L)**

The Board broke for lunch at 11:55 a.m., and then returned to public session at 1:15 p.m.

Agenda item #5: OLD BUSINESS

Agenda item 5.a: Administration of Oxygen by Certified Hyperbaric Technologists (CHT) – request filed by Dr. Jeffrey R. Welko

The Board took up a request by Dr. Jeffrey R. Welko to include the administration of oxygen by CHTs working in hyperbaric oxygen units as a limited aspect of respiratory care under ORC 4761.10. The Executive Director stated that the Board must consider the existing Revised Code language under ORC 4761.10 that establishes the Board's authority to consider some aspects of respiratory care to be "limited" and therefore, able to be performed by certain competently trained person working in a health care setting under the direction of a physician. The Executive Director stated that the Board could consider if administration of oxygen in the context of hyperbaric therapy is different that the administration of oxygen in other health care environments and by other means. The Executive Director also suggested that the Board, if members choose, draft a rule, rather than adopt an informal position on the matter.

Members discussed Dr. Welko's request. Following discussion, the Board President directed the Executive Director to inform Dr. Welko that the Board has no specific resolution to his issue. No action was taken on the matter.

Agenda item #6: NEW BUSINESS

Agenda item 6.a: Application ratification for Respiratory Care Licenses and Limited Permits (Exhibit M)

Motion #13: Ms. Adams moved to ratify respiratory care professional licenses and limited permits issued on the following dates:

Limited Permits issued on August 5, 2011, August 15, 2011, August 18, 2011, August 19, 2011, August 29, 2011, September 1, 2011, September 7, 2011, September 12, 2011, September 15, 2011, and September 22, 2011.

Respiratory Care Professional Licenses issued on August 5, 2011, August 15, 2011, August 18, 2011, August 29, 2011, September 1, 2011, September 7, 2011, September 15, 2011, and September 22, 2011.

Ms. Harwood seconded the motion. Discussion: None. Motion carried: 7 - 0.

Agenda item 6.b: Application ratification for Home Medical Equipment Licenses and Certificates of Registration (Exhibit N)

Motion #14: Mr. Marx moved to ratify HME licenses and certificates of registration issued on the following dates:

HME Licenses issued on August 29, 2011, August 30, 2011, September 7, 2011, and September 12, 2011.

HME Certificates of Registration issued on July 28, 2011, August 2, 2011, August 5, 2011, August 15, 2011, August 29, 2011, September 2, 2011, September 7, 2011, September 15, 2011, September 20, 2011, September 21, 2011, and September 28, 2011.

Ms. Adams seconded the motion. Discussion: None. Motion carried: 7 – 0.

Agenda item 6.c: Ohio Examination Workgroup Report and Recommendation (Exhibit O)

Motion #15: Mr. Marx moved to accept the Ohio Examination Workgroup Report. Mr. Pettinichi seconded the motion.

Discussion:

Mr. Mays summarized his attendance at the workgroup meetings and his impression of the workgroup meetings. Mr. Mays stated that stakeholders on all sides of the issue were invited to attend.

Mr. Pettinichi summarized the discussion between stakeholders that participated on the Workgroup as robust and comprehensive.

Mr. Marx summarized one aspect of the "minority report." as stating that graduates of accredited programs are trained to take the registered respiratory therapist (RRT) examination and that this training meets the needs of the market, so why require the RRT examination.

Mr. Logsdon reminded members that the motion on the tables was to accept the report. Mr. Logsdon then summarized the rules process and discussed holding meetings with stakeholders as the process proceeds. In response, Mr. Mays reminded the Board why the Board was looking at the licensure examination requirements, rather than program recognition rules. Mr. Mays called the question on the motion. Ms. Adams asked what it means to accept the report. Mr. Mays stated that accepting the report does not mean accepting the recommendation. No further discussion. Motion carried: 7 - 0.

General discussion: Mr. Mays invited attendees to address the matter.

Mr. Douce reminded the Board that Ohio is different from many states, because Ohio permits students and graduates to practice. Mr. Douce then reviewed his research on NBRC scoring for the CRT and RRT examination. Mr. Douce also addressed aspects of the Board's proposal and reminded members that the Board is not suggesting any change in educational requirements. Mr. Douce also addressed one of the negative impacts reported in the Workgroup's employer survey, which were increased costs.

Ms. Ciarlariello stated that she believes the Workgroup's survey demonstrated that protocol based care is becoming very common.

Board members discussed, at length, various aspects of the Ohio Examination Workgroup's report and the merits of the Board's proposal to amend its rules. Following debate, Mr. Mays asked the membership if the issue should be referred to the Board's Rules Committee. Based on the discussion held, members expressed a need to further debate the matter in more detail and a need to consider all of the information contained in the Ohio Examination Workgroup report before proposing a motion to defer the matter to the Board's Rules Committee. Members discussed the possibility of having proponent and opponent stakeholders present for discussion at the next meeting. Mr. Mays directed that the matter be held over for the December meeting agenda.

The Board broke at 2:34 p.m. and returned to public session at 2:40 p.m.

Following discussion on agenda item #6.c, Michelle T. Sutter, Assistant Attorney General asked the Board to consider a motion to enter executive session for the purpose of discussing proposed disciplinary action against licensees, which is pending or imminent court action under R.C. 121.22(G)(3).

Motion #16: Mr. Walz moved to enter Executive Session for the purpose of discussing proposed disciplinary action against licensees, which is pending or imminent court action under R.C. 121.22(G)(3) and involves matters that are required to be kept confidential under R.C. 149.43(A)(2) and R.C. 4761.031 and 4752.08 (B). Ms. Adams seconded the motion. Discussion: None. Roll Call vote:

Marc Mays -	Yes	Scott Pettinichi -	Yes
Anita Adams -	Yes	Kenneth Walz -	Yes
Robert Cohn, M.D. -	Yes	Joel Marx -	Yes
Sandra Stabile Harwood -	Yes		

Motion carried.

The Board entered executive session at 2:41 p.m. and returned to regular, public session at 3:00 p.m. All seven Board Members, Ms. Sutter, Mr. Isom and Mr. Logsdon were present during Executive Session.

**Names and identifying information was redacted from discussion and proposed notices of opportunity for hearing during the course of executive session deliberation and the public meeting. Matters were referred to only by case number in documentation and referenced by case number verbally. Identifying information based upon the correlating case number was added during the writing of the minutes after approval of the proposed notices of opportunity for hearing through a motion on the record during public session.*

Agenda item 6.d: The American Board of Sleep Medicine (Exhibit P)

Kathleen McCann, Assistant Executive Director of The American Board of Sleep Medicine (ABSM) came before the Board to request an amendment of OAC 4761-5-06 to recognize a person that passes the ABSM Sleep Technologists Registry Examination. Ms. McCann reviewed the history of the ABSM in the development of the ABSM Sleep Technologists Registry Examination. Ms. McCann reviewed the ABSM's experience and expertise in credential examination development. Ms. McCann reported that other

states do recognize the ABSM registry examination. Members had an opportunity to question Ms. McCann on the exact nature of the ABSM's request. It was clarified that the ABSM was not seeking sole recognition, but to be added to the existing rule as another recognized entity that registers Sleep Technologists.

The membership discussed the matter and identified that the Board's rule would need to be amended to accommodate the ABSM's request. Mr. Mays recommended that the matter be delegated to the Board's Rules Committee. Members asked Ms. McCann to provide them with additional data.

Mr. Mays then asked the members to return to the matters discussed during executive session and asked if there were any relevant motions to consider.

Motion #17: Dr. Cohn moved to request the subject of investigation in case #2011RCB027 to place his/her license in an inactive status until a hearing is held and an order is issued. Ms. Harwood seconded the motion. Discussion: None. Motion carried: 7 – 0.

Motion #18: Dr. Cohn moved to authorize the Board's Executive Director, with the aid of the Assistant Attorney General, to draft an agreement to accomplish the requirements of the prior motion. Ms. Harwood seconded the motion. Discussion: None. Motion carried: 7 – 0.

Agenda item 6.e: Position Statement Approval (Exhibit Q)

Motion #19: Mr. Walz moved to approve the position statement on the administration of influenza vaccines. Mr. Marx seconded the motion. Discussion: Dr. Cohn recommended an amendment. Mr. Walz addressed two non-substantive grammatical errors. No further discussion. Motion carried: 7 - 0.

Following discussion on agenda item #6.e, Michelle T. Sutter, Assistant Attorney General asked the Board to consider a motion to enter executive session for the purpose of discussing proposed disciplinary action against licensees, which is pending or imminent court action under R.C. 121.22(G)(3).

Motion #20: Dr. Cohn moved to enter Executive Session for the purpose of discussing proposed disciplinary action against licensees, which is pending or imminent court action under R.C. 121.22(G)(3) and involves matters that are required to be kept confidential under R.C. 149.43(A)(2) and R.C. 4761.031 and 4752.08 (B). Ms. Harwood seconded the motion. Discussion: None. Roll Call vote:

Marc Mays -	Yes	Scott Pettinichi -	Yes
Anita Adams -	Yes	Kenneth Walz -	Yes
Robert Cohn, M.D. -	Yes	Joel Marx -	Yes
Sandra Stabile Harwood -	Yes		

Motion carried.

The Board entered executive session at 3:44 p.m. and returned to regular, public session at 3:47 p.m. All seven Board Members, Ms. Sutter, Mr. Isom and Mr. Logsdon were present during Executive Session.

**Names and identifying information was redacted from discussion and proposed notices of opportunity for hearing during the course of executive session deliberation and the public meeting. Matters were referred to only by case number in documentation and*

referenced by case number verbally. Identifying information based upon the correlating case number was added during the writing of the minutes after approval of the proposed notices of opportunity for hearing through a motion on the record during public session.

Motion #21: Mr. Marx moved to withdraw the Notice of Opportunity for Hearing approved by the Board under motion #6 (Exhibit I) and approve a revised Notice of Opportunity for Hearing in the matter of 2012RCB027 (Jodi L. Evans, RCP.12357), which shall be marked as Exhibit I and attached to the minutes of the Board. Dr. Cohn seconded the motion. Discussion: None. Motion carried: 6 – yes, 1 abstained (Dr. Cohn).

Agenda item #7: OPEN FORUM

No appearances for Open Forum

Agenda item #8: FOR THE GOOD OF THE BOARD

The Board selected the following dates for 2012 Board meetings:

February 8, 2012
April 18, 2012
June 6, 2012
August 15, 2012
October 10, 2012
December 12, 2012

Agenda item #8: ADJOURNMENT

Motion #22: Mr. Mays moved to adjourn. Ms. Harwood seconded the motion. Discussion: None. Motion carried: 7 – 0.

The meeting adjourned at 3:55 p.m.

Board President's Certification: These are a true account of the proceedings in accordance with Section 121.11 of the Ohio Revised Code, approved by a majority of a quorum of the membership of the Board on December 7, 2011.

Board President

Witness