



VIRTUAL/TELECONFERENCE
RESPIRATORY CARE PRACTITIONERS EXAMINING COUNCIL
4822 Madison Yards Way, Madison, WI 53705
Contact: Tom Ryan (608) 266-2112
February 15, 2022

The following agenda describes the issues that the Council plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions and deliberations of the Council.

AGENDA

9:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-3)**
- B. Approval of Minutes of February 16, 2021 (4-8)**
- C. Introductions, Announcements and Recognition
- D. Reminders: Conflicts of Interest, Scheduling Concerns
- E. Administrative Updates**
 - 1. Department, Staff and Council Updates
 - 2. Annual Policy Review **(9-11)**
 - 3. Election of Officers, Appointment of Liaisons and Alternates, Delegation of Authorities **(12-15)**
 - 4. Council Members – Term Expiration Dates
 - a. Becker, Chris R. – 7/1/2022
 - b. Bonner, Ann A. – 7/1/2020
 - c. Waldera, Lynn R. – 7/1/2020
- F. Legislative and Policy Matters – Discussion and Consideration**
- G. Jurisprudence Examination – Discussion and Consideration**
- H. Administrative Rule Matters – Discussion and Consideration**
 - 1. Pending or Possible Rulemaking Projects
- I. COVID-19 – Discussion and Consideration**
- J. Discussion and Consideration of Items Added After Preparation of Agenda:
 - 1. Introductions, Announcements and Recognition
 - 2. Administrative Updates
 - 3. Elections, Appointments, Reappointments, Confirmations, and Committee, Panel and Liaison Appointments

4. Education and Examination Matters
5. Credentialing Matters
6. Practice Matters
7. Future Agenda Items
8. Legislative and Policy Matters
9. Administrative Rule Matters
10. Liaison Report(s)
11. Informational Item(s)
12. Disciplinary Matters
13. Motions
14. Petitions
15. Appearances from Requests Received or Renewed
16. Speaking Engagement(s), Travel, or Public Relation Request(s), and Reports

K. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (§ 19.85(1)(a), Stats.); to consider licensure or certification of individuals (§ 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (§ 19.85(1)(b), Stats. and § 448.02(8), Stats.); to consider individual histories or disciplinary data (§ 19.85(1)(f), Stats.); and to confer with legal counsel (§ 19.85(1)(g), Stats.).

L. Deliberation of Items Added After Preparation of the Agenda

1. Council Liaison Training
2. Education and Examination Matters
3. Credentialing Matters
4. Disciplinary Matters
5. Petitions for Assessments and Evaluations
6. Remedial Education Cases
7. Motions
8. Petitions for Re-Hearing
9. Appearances from Requests Received or Renewed

M. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

- N. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate
- O. Open Session Items Noticed Above Not Completed in the Initial Open Session
- P. Delegation of Ratification of Examination Results and Ratification of Licenses and Certificates

ADJOURNMENT

**VIRTUAL/TELECONFERENCE
RESPIRATORY CARE PRACTITIONERS EXAMINING COUNCIL
Virtual, 4822 Madison Yards Way, Madison
Contact: Tom Ryan (608) 266-2112
February 15, 2022**

**RESPIRATORY CARE PRACTITIONERS EXAMINING COUNCIL
2021 WISCONSIN PUBLIC RECORDS LAW FACILITATED TRAINING
9:30 A.M. OR IMMEDIATELY FOLLOWING THE FULL COUNCIL MEETING**

A quorum of the Respiratory Care Practitioners Examining Council may be present; however, no council business will be conducted.

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 4822 Madison Yards Way, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the deaf or hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, 608-266-2112, or the Meeting Staff at 608-266-5439.

**VIRTUAL/TELECONFERENCE
RESPIRATORY CARE PRACTITIONERS EXAMINING COUNCIL
MEETING MINUTES
FEBRUARY 16, 2021**

PRESENT: Chris Becker, Ann Bonner, Lynn Waldera

STAFF: Valerie Payne, Executive Director; Jameson Whitney, Legal Counsel; Megan Glaeser, Bureau Assistant; and other Department Staff

CALL TO ORDER

Ann Bonner, Chairperson, called the meeting to order at 9:00 a.m. A quorum was confirmed with three (3) members present.

ADOPTION OF AGENDA

MOTION: Lynn Waldera moved, seconded by Chris Becker, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF FEBRUARY 19, 2019

MOTION: Lynn Waldera moved, seconded by Chris Becker, to approve the minutes of February 19, 2019 as published. Motion carried unanimously.

INTRODUCTIONS, ANNOUNCEMENTS, AND RECOGNITION

Chris Becker – Respiratory Care Member (Replaces: Rosandick) – 7/1/2022

MOTION: Lynn Waldera moved, seconded by Chris Becker, to recognize and thank William Rosandick for his years of service to the Respiratory Care Practitioners Examining Council and the State of Wisconsin. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Election of Officers

Chairperson

NOMINATION: Lynn Waldera nominated Chris Becker for the Office of Chairperson. Chris Becker accepted the nomination.

Valerie Payne, Executive Director, called for nominations three (3) times.

Chris Becker was elected as Chairperson by unanimous voice vote.

Vice Chairperson

NOMINATION: Ann Bonner nominated Lynn Waldera for the Office of Vice Chairperson. Lynn Waldera accepted the nomination.

NOMINATION: Chris Becker nominated Lynn Waldera for the Office of Vice Chairperson.

NOMINATION: Lynn Waldera nominated herself for the Office of Vice Chairperson.

Valerie Payne, Executive Director, called for nominations three (3) times.

Lynn Waldera was elected as Vice Chairperson by unanimous voice vote.

Secretary

NOMINATION: Lynn Waldera nominated Ann Bonner for the Office of Secretary. Ann Bonner accepted the nomination.

NOMINATION: Chris Becker nominated Ann Bonner for the Office of Secretary.

Valerie Payne, Executive Director, called for nominations three (3) times.

Ann Bonner was elected as Secretary by unanimous voice vote.

ELECTION RESULTS	
Chairperson	Chris Becker
Vice Chairperson	Lynn Waldera
Secretary	Ann Bonner

Appointment of Liaisons and Alternates

LIAISON APPOINTMENTS	
Credentialing Liaison(s)	Chris Becker <i>Alternate: Lynn Waldera</i>
PAP Liaison(s)	Ann Bonner
Monitoring Liaison(s)	Lynn Waldera
Legislative Liaison(s)	Ann Bonner <i>Alternate: Lynn Waldera</i>
Education and Examinations Liaison(s)	Chris Becker <i>Alternate: Ann Bonner</i>

Travel Liaison(s)	Lynn Waldera <i>Alternate: Ann Bonner</i>
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Delegation of Authorities

Document Signature Delegations

MOTION: Lynn Waldera moved, seconded by Ann Bonner, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving council member in that succession) to sign documents on behalf of the Council in order to carry out its duties. Motion carried unanimously.

MOTION: Lynn Waldera moved, seconded by Chris Becker, in order to carry out duties of the Council, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving council member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Council hereby delegate to the Executive Director or DPD Division Administrator, the authority to sign on behalf of a council member as necessary. Motion carried unanimously.

Delegated Authority for Urgent Matters

MOTION: Lynn Waldera moved, seconded by Chris Becker, that in order to facilitate the completion of urgent matters between meetings, the Council delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving council member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

Monitoring Delegations

Delegation of Authorities for Monitoring

MOTION: Chris Becker moved, seconded by Ann Bonner, to adopt the “Roles and Authorities Delegated for Monitoring” document as presented in the February 16, 2021 agenda materials on pages 13-14. Motion carried unanimously.

Credentialing Authority Delegations

Delegation of Authority to Credentialing Liaison(s) (Denial Decisions)

MOTION: Lynn Waldera moved, seconded by Chris Becker, to delegate authority to the Credentialing Liaison(s) to serve as a liaison between the Department and the Council and to act on behalf of the Council in regard to credentialing applications or questions presented to them, including the signing of documents related to applications, except that potential denial decisions shall be referred to the Medical Examining Board for final determination. Motion carried unanimously.

Delegation of Authority to DSPS When Credentialing Criteria is Met

MOTION: Chris Becker moved, seconded by Lynn Waldera, to delegate credentialing authority to the Department to act upon applications that meet all credentialing statutory and regulatory requirements without Council or Council liaison review. Motion carried unanimously.

Delegation of Authority for Predetermination Reviews

MOTION: Lynn Waldera moved, seconded by Ann Bonner, to delegate authority to the Department Attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f). Motion carried unanimously.

Delegation of Authority for Conviction Reviews

MOTION: Lynn Waldera moved, seconded by Ann Bonner, to delegate authority to the Department Attorneys to review and approve applications with convictions which are not substantially related to the practice of respiratory care. Motion carried unanimously.

Education and Examination Liaison(s) Delegation

MOTION: Lynn Waldera moved, seconded by Ann Bonner, to delegate authority to the Education and Examination Liaison(s) to address all issues related to education, continuing education, and examinations. Motion carried unanimously.

Authorization for DSPS to Provide Council Member Contact Information to National Regulatory Related Bodies

MOTION: Ann Bonner moved, seconded by Chris Becker, to authorize the Department staff to provide national regulatory related bodies with all council member contact information that the Department retains on file. Motion carried unanimously.

Optional Renewal Notice Insert Delegation

MOTION: Chris Becker moved, seconded by Ann Bonner to designate the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving council member in that succession) to provide a brief statement or link relating to council-related business within the license renewal notice at the Council's or Council designee's request. Motion carried unanimously.

Legislative Liaison(s) Delegation

MOTION: Lynn Waldera moved, seconded by Ann Bonner, to delegate authority to the Legislative Liaison(s) to speak on behalf of the Council regarding legislative matters. Motion carried unanimously.

Travel Liaison(s) Delegation

MOTION: Chris Becker moved, seconded by Lynn Waldera, to delegate authority to the Travel Liaison(s) to approve any council member travel. Motion carried unanimously.

DELEGATION OF RATIFICATION OF EXAMINATION RESULTS AND RATIFICATION OF LICENSES AND CERTIFICATES

MOTION: Chris Becker moved, seconded by Lynn Waldera, to delegate ratification of examination results to DSPS staff and to ratify all licenses and certificates as issued. Motion carried unanimously.

ADJOURNMENT

MOTION: Chris Becker moved, seconded by Lynn Waldera, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:18 a.m.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Kimberly Wood, Program Assistant Supervisor-Adv. on behalf of Division of Policy Development Executive Directors		2) Date when request submitted: 12/13/2021 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: All Boards			
4) Meeting Date: First Meeting of 2022	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Annual Policy Review	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: N/A	
10) Describe the issue and action that should be addressed: Please be advised of the following Annual Policy Review items: <ol style="list-style-type: none"> 1. Attendance/Quorum: Thank you for your service and for your commitment to meeting attendance. If you cannot attend a meeting or if you have scheduling conflicts impacting your attendance, please let us know ASAP. Timely notification is appreciated as quorum is required for our Boards, Sections and Councils to meet pursuant to Open Meetings Law. 2. Walking Quorum: Board/Section/Council members must not collectively discuss the body's business outside of a properly noticed meeting. Should several members of a body do so, the members could be violating the open meetings law. 3. Agenda Deadlines: Please communicate agenda topics to your Executive Director before the agenda submission deadline which is at 12:00 pm, 8 business days prior to a meeting. (Attachment: Timeline of a Meeting) 4. Travel Voucher and Per Diem Submissions: Please submit all Per Diem and Reimbursement claims to DSPS within 30 days of the close of each month in which expenses are incurred. (Attachments: Per Diem Example, Travel Voucher Example) 5. Lodging Accommodations/Hotel Cancellation Policy: Lodging accommodations are available to eligible members. Standard eligibility: member must leave home before 6:00 a.m. to attend a meeting by the scheduled start time. <ul style="list-style-type: none"> • If a member cannot attend a meeting it is their responsibility to cancel their reservation within the applicable cancellation timeframe. If a meeting is changed to occur remotely or is cancelled or rescheduled DSPS staff will cancel or modify reservations as appropriate. 6. Inclement Weather Policy: In the event of inclement weather the agency may change a meeting from an in-person venue to one that is executed remotely. 			
11) Authorization			
Kimberly Wood		12/13/2021	
Signature of person making this request		Date	
Supervisor (Only required for post agenda deadline items)		Date	
Executive Director signature (Indicates approval for post agenda deadline items)		Date	
Directions for including supporting documents: <ol style="list-style-type: none"> 1. This form should be saved with any other documents submitted to the Agenda Items folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. 			

Timeline of a Meeting

8 business days prior to the meeting: All agenda materials are due to the Department by 12:00 pm, 8 business days prior to the meeting date.

7 business days prior to the meeting: The draft agenda page is due to the Executive Director. The Executive Director transmits to the Chair for review and approval.

5 business days prior to the meeting: The approved agenda is returned to the Bureau Assistant for agenda packet production and compilation.

4 business days prior to the meeting: Agenda packets are posted on the DSPS Board SharePoint site and on the Department website.

Agenda Item Examples:

- Approval of the Agenda and Minutes (from the last meeting)
- Open Session Items
 - Public Hearings (on Admin Rules)
 - Administrative Matters
 - Legislation and Policy Matters
 - Administrative Rules Matters
 - Credentialing Matters
 - Education and Exam Issues
 - Public Agenda Requests
 - Current Issues Affecting the Profession
 - Public Comments
- Closed Session items
 - Deliberations on Proposed Disciplinary Actions
 - Stipulations
 - Administrative Warnings
 - Case Closings
 - Monitoring Matters
 - Professional Assistance Procedure (PAP) Issues
 - Proposed Final Decisions and Orders
 - Orders Fixing Costs/Matters Relating to Costs
 - Credentialing Matters
 - Education and Exam Issues

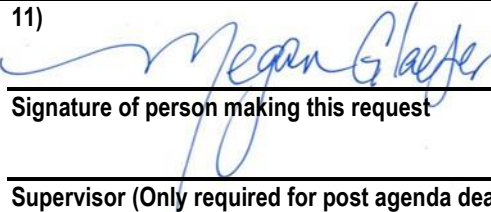
Thursday of the Week Prior to the Meeting: Agendas are published for public notice on the Public Notices and Meeting Minutes website: publicmeetings.wi.gov.

1 business day after the Meeting: "Action" lists are distributed by staff detailing board actions on closed session business.

5 business days after the Meeting: "To Do" lists are distributed to staff to ensure that board decisions are acted on and/or implemented within the appropriate divisions in the Department. Minutes approved by the board are published on the Department's website.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Megan Glaeser, Bureau Assistant		2) Date when request submitted: 4 February 2022 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Respiratory Care Practitioners Examining Council			
4) Meeting Date: 15 February 2022	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Matters <ul style="list-style-type: none"> • Election of Officers, Appointment of Liaisons and Alternates, Delegation of Authorities 	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: N/A	
10) Describe the issue and action that should be addressed: <ol style="list-style-type: none"> 1) The Board, Council or Section should conduct Election Officers: Chairperson, Vice Chairperson & Secretary 2) The newly elected Chairperson should review and appoint/reappoint Liaisons and Alternates as appropriate 3) The Board should review and then consider its existing delegated authorities including any modification of these delegations and any proposals for additional delegations. 			
11)  Authorization		4 February 2022	
Signature of person making this request		Date	
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