

## Minutes

The Respiratory Care Advisory Committee of the Board of Medical Licensure and Supervision met on August 4, 2016. The meeting was held at the office of the Board, 101 NE 51<sup>st</sup> Street, Oklahoma City, Oklahoma, in accordance with the Open Meeting Act. Advance notice of this regularly scheduled meeting was transmitted to the Oklahoma Secretary of State on October 1, 2015, and posted on the Board's website on August 3, 2016. The notice and agenda were posted in prominent public view on the front doors of the Oklahoma Board of Medical Licensure and Supervision building located at 101 NE 51st St., Oklahoma City, OK on August 3, 2016 at 9:45 a.m.

### Members present were

Jim Porterfield, RCP, Chair  
Melody Beard, RCP  
Carl Pettigrew, DO  
Jim Grantz, RCP  
\*Clayton Royder, DO  
Clyde Moss, RCP

### Members absent were:

Vickie Nation, RCP, Vice-Chair  
Mark Fixley, MD  
Physician Member (Vacant)

### Others present included:

Lyle Kelsey, Executive Director  
Barbara J. Smith, Executive Secretary  
Teresa Mitchell, Director of Licensing  
Tiffany Wythe, AAG, Committee Advisor

Having noted a quorum, Mr. Porterfield called the meeting to order at 11:34 a.m.

Following Committee review, Ms. Beard moved to approve the April 14, 2016 Minutes as written. Mr. Grantz seconded the motion and the vote was unanimous in the affirmative.

**PEGGY D. SATTERLY**, Respiratory Care Practitioner, appeared regarding a probation term defined in Reinstatement of License Under terms of Probation dated November 3, 2011. Gary Ricks, Board Compliance Officer, appeared in support thereof. Mr. Ricks stated they were appearing before the Committee to request a recommendation for Ms. Satterly's probation which began November 3, 2011 and is set to expire on November 3, 2016. Mr. Ricks stated she has complied with all terms of probation except Paragraph 1(D) which states that, "Defendant shall practice under direct supervision for three (3) months." Mr. Ricks wanted to make it clear to the Committee that Ms. Satterly did not *violate* this term of her probation, but that she has been unable to secure employment although she has made many, many attempts over the

years. Mr. Ricks stated that he will ask the Oklahoma Medical Board to allow the termination to expire on November 3, 2016, unless the Committee has a different recommendation. Ms. Satterly advised the Committee she has not been able to gain employment due to the fact that there are few jobs available for a Certified Respiratory Therapist ("CRT"). She has applied all over the state for CRT positions. She had one interview, but the position would not allow for the monitoring/supervision that was required pursuant to her probation. Her continuing education requirements have been met.

\*Dr. Royder joined the meeting

The Committee was concerned with the fact that Ms. Satterly has not worked as a CRT since 2011. Mr. Kelsey stated that, unfortunately, a probated license is becoming a bigger stumbling block to getting hired. Upon questioning by the Committee regarding her deficiencies, Ms. Satterly stated she will not be sure of her deficiencies until she returns to the field. Working as a volunteer was mentioned by the Committee as a possible way for her to gain some field experience. Mr. Porterfield pointed out that any medical director of the facility who hires Ms. Satterly will have knowledge she has not worked in 5 years and needs additional support until she is on her own with patient care. Further, she will also be required by the facility who hires her to demonstrate competency in the field. Ms. Wythe advised the Committee that based on its laws and rules, the Committee could recommend citing Ms. Satterly for "failure to comply with Board Order" or they could recommend the probation be allowed to expire. Mr. Grantz moved to allow the probation to expire on November 3, 2016 regardless of Paragraph 1(D) being met. Ms. Beard seconded the motion and the vote was unanimous in the affirmative. The Committee encouraged Ms. Satterly to work under direct supervision for a reasonable amount of time once she becomes employed. **(Attachment #1)**

**LENORA PORTERFIELD-YENZER** appeared in support of her application for reinstatement of Respiratory Care Practitioner license. Ms. Mitchell advised the Committee that Ms. Yenzler's license expired in December of 2015 and her application is incomplete. Applicant stated that she has worked as a CPAP (continuous positive airway pressure) specialist for the last six years. She stated she attends Durable Medical Equipment ("DME") training through her employer. She did not complete all of her continuing education requirements for the 2014-2015 compliance period. The Committee agreed to allow the CEUs she has obtained in 2016 count toward the 2014-2015 deficiency. Mr. Grantz moved to recommend approval, based on personal appearance and completion of deficient continuing education requirements, of the reinstatement of Respiratory Care licensure pending completion of the file. Ms. Beard seconded the motion and the vote was unanimous in the affirmative.

Following Committee review, Ms. Beard moved to recommend approval of the following complete applications for Respiratory Care Practitioner licensure. Mr. Grantz seconded the motion and the vote was unanimous in the affirmative.

**BRANDYWINE, NAILAH N  
BROTHERS, TABITHA MARIE**

**BUNCH, ALICIA  
CHANCLER, WHITNEY LYNN**

**CHAU, TONY  
CHE, AMELIA BISI**

DOAN, HOAN  
DUAH-AGYEMANG, KWAKU  
EPLEY, HAROLD CURTIS III  
FRENCH, MICHAEL WAYNE  
GARNER, JOHN CLINTON JR.  
HELTON, REBECCA ANNE  
HODGE, RHONDA C

KAHLER, TODD  
KELLEY, BROOKE KAYELYN  
KETCHUM, BRIANNA MARIE  
MCDANIEL, ROBERT HEATH  
MORGAN, HEATHER C  
MOWLES, AMANDA GAIL  
MOYA, CANDACE CARMELLA

PURSLEY, AMANDA RENEE  
REED, SHARLA LYNN  
REKIETA, TIFFANY NICHOLE  
TATE, TARA MARIE  
WILSON, DAWN LOUISE  
WOODARD, COLE WAYNE

Mr. Grantz moved to recommend approval of the complete application of **ERICA ALLYSON GOVER** for Respiratory Care Practitioner licensure. Dr. Royder seconded the motion and the vote was unanimous in the affirmative.

Ms. Beard moved to recommend approval of the following incomplete applications for Respiratory Care Practitioner licensure pending completion of the files. Dr. Royder seconded the motion and the vote was unanimous in the affirmative.

AYRES, CAITLYN RENEE  
BOWIE, REBECCA  
BROWN-TYNDALL, KIMBERLY  
BURRELL, GEOFFREY ALBERT  
BYRNE, DAVID CHARLES  
CLINTON, BETSY MAY

GLIDEWELL, MIRANDA LEIGH  
JANEK, LEANNE RENEE  
KESTER-OLSON, BARBARA A  
MOORE, JHERICA  
NORMAN, MYRON LAWRENCE  
OWENS, TALITHA REBEKAH  
RICE, ROBERT WAYNE

SHEELY, LISA RENEE  
SHINDE, VERONICA VAISHALI  
VENANCIO, HEATHER L  
ZARDENETA, JENNIFER DAWN  
DUQUE, ERMILO

Ms. Beard moved to recommend approval of the complete application of **HOMERO AVILA** for reinstatement of his Respiratory Care Practitioner license. Dr. Royder seconded the motion and the vote was unanimous in the affirmative.

Ms. Beard moved to recommend approval of the following complete applications for Provisional Respiratory Care Practitioner licensure. Dr. Royder seconded the motion and the vote was unanimous in the affirmative.

BROWN, KATHERINE MARIA  
DAVIS, NICHOLAS EDWARD  
DOZIER, MELISSA DAWN  
DURAN, MELANIE  
JACKSON, HALLE BREE

JOHNSON, MAURINE MICHELLE  
LONG, MCKENZI  
MANLANDRO, ERIKA DAWN  
MRS.  
THOMPSON, KELLY CORRINE

VILLAR, FELISA JASMINE  
WOLFINGER, AMANDA LEIGH  
WOOD, JOHN THOMAS

Mr. Grantz moved to recommend approval of the following incomplete applications for Provisional Respiratory Care Practitioner licensure pending completion of the files. Ms. Beard seconded the motion and the vote was unanimous in the affirmative.

AMAEFULE, NGIBO ELIZABETH  
BRAY, MEGAN LYNN  
CHEYNE, KATIE  
HENDERSON, ALYSSA

KEA, SHAWN LUCAS  
LEWIS, NICOLE YVONNE  
OPP, ALAYNA LINDSEY  
SEYMOUR, RACHAEL

SHAFFER, BRENT DERRELLE  
TRANT, MICHELLE MARIE

Next, Mr. Porterfield re-ordered the agenda to allow the discussion regarding the use of Respiratory Care Practitioners as Extracorporeal Membrane Oxygenation (ECMO) Specialists. Julie Fanselau and Stephanie Montgomery with The Children's Hospital, Oklahoma City, Oklahoma, appeared and provided the Committee with information concerning the plans to provide ECMO services to their patients which are reliable and consistent. Ms. Fanselau stated there is not currently a respiratory care department that has ECMO services as part of their practice. Although the American Association for Respiratory Care ("AARC") has embraced Registered Respiratory Therapists ("RRT") providing ECMO services, The Children's Hospital Transfusion Team has reviewed the Respiratory Care Practice Act (the "Act") and does not believe ECMO specialists fall under the Act. The stumbling block is the blood transfusion, blood products and administration thereof. Ms. Fanselau stated that there is an ECMO certification program which would be a requirement for anyone providing ECMO services through The Children's Hospital respiratory care program. She further advised that Texas currently has multiple programs throughout their state in medical facilities where an RRT provides ECMO services. Ms. Wythe stated that while the Committee may adopt a "position statement," it is not binding until it becomes law. Further, she stated she is not sure how the laws and rules relating to the practice of perfusion would effect what Ms. Fanselau is wanting to accomplish. **Mr. Porterfield stated he believes it would be necessary that individuals participating as ECMO Specialists be RRTs, but otherwise he would be willing to adopt, confirm and agree with what the AARC has documented and what has been nationally performed. Further, Mr. Porterfield stated it is not inconsistent with the Act for a RRT to provide ECMO services.** This matter was not on the agenda as an action item, but as a discussion-only item. Therefore, the Committee took no formal action in this regard. *(Attachment #2)*

Next on the agenda was a discussion regarding the process of other states for approval of continuing education courses/credit and if it is acceptable to obtain credit for courses taken online being offered in other states. Ms. Mitchell stated that there is a process in licensing where the forms regarding the continuing education course being offered are submitted for review/approval to Mr. Porterfield. If, at any time, Mr. Porterfield would like to see additional documentation, that can be requested and provided as well. The Committee agreed if the online course was AARC-approved, it should not matter in which state it is offered. The online courses that are not AARC-approved, it would go through the same submittal process as described above.

Next, the Committee reviewed the continuing education courses ("CEU") presented by Ms. Mitchell. Following Committee review, Mr. Grantz moved to approve the CEUs as listed. Dr. Royder seconded the motion and the vote was unanimous in the affirmative. *(Attachment #3)*

Ms. Mitchell asked the following of the Committee regarding approval of continuing education courses ("CEU"): If a CEU has been previously approved, but is resubmitted with only a change in the date which does not extend past the current compliance cycle, does it need to be reapproved by the Committee ? A staff directive was issued that a CEU that has been previously approved, but is resubmitted with only a change in the date which does not extend

past the current compliance cycle, does not need to be reapproved by the Committee and can be processed by Staff.

There being no further business, Mr. Porterfield adjourned the meeting at 1:04 p.m.

IN AND BEFORE THE OKLAHOMA STATE BOARD  
OF MEDICAL LICENSURE AND SUPERVISION  
STATE OF OKLAHOMA

**FILED**

NOV 03 2011

IN THE MATTER OF THE )  
APPLICATION OF )

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

PEGGY DIANE SATTERLY, R.C., )

FOR REINSTATEMENT OF OKLAHOMA )  
RESPIRATORY CARE LICENSE NO. 341 )

Case No. 08-03-3479

**ORDER GRANTING REINSTATEMENT OF  
LICENSE UNDER TERMS OF PROBATION**

This matter came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision on November 3, 2011, at the Board office, 101 N.E. 51<sup>st</sup> Street, Oklahoma City, Oklahoma 73105, pursuant to notice given as required by law and rules of the Board.

Defendant, Peggy Diane Satterly, R.C., appeared in person and pro se.

Elizabeth A. Scott, Assistant Attorney General, appeared on behalf of the State of Oklahoma, ex rel. the Oklahoma State Board of Medical Licensure and Supervision.

The Board *en banc* heard testimony, reviewed the exhibits presented, and being fully apprised of the premises, entered the following Findings of Fact, Conclusions of Law, and Orders:

***Findings of Fact***

1. The Board *en banc* has jurisdiction over the subject matter herein, and notice has been given in all respects as required by law and the rules of the Board.

2. On May 15, 2008, after hearing before the Board *en banc*, the Board entered an Order Accepting Voluntary Surrender of License in Lieu of Prosecution whereby Defendant surrendered her license in lieu of prosecution based upon unprofessional conduct in violation of 59 O.S. §2040(1), (2), (5), (7) and (9) and OAC Title 435:45-5-3(2), (3), (7), (8), (11), (21) and (24).

3. On or about March 10, 2011, Defendant appeared before the Board seeking reinstatement of her license, which request was denied by the Board.

4. On or about October 13, 2011, Defendant appeared before the Respiratory Care Advisory Committee seeking Committee recommendation for the reinstatement of her license. After reviewing the report of her psychiatrist and her counselor, as well as considering the testimony of Defendant, the Committee recommended reinstatement under terms of probation.

5. Defendant is now seeking reinstatement of her Oklahoma respiratory care license no. RC2215.

### ***CONCLUSIONS OF LAW***

1. The Board has jurisdiction to reinstate the license of a respiratory care practitioner pursuant to 59 O.S. §§480 et seq. and 2026 et seq.

2. The Board may impose practice parameters and other restrictions as necessary to protect the health, safety and welfare of the public under 59 O.S. §2026 et seq.

### ***ORDER***

**IT IS THEREFORE ORDERED** by the Board of Medical Licensure and Supervision as follows:

1. Defendant's respiratory care practitioner license shall be reinstated under the following terms and conditions of **PROBATION**, which shall continue for a period of **FIVE (5) YEARS** from the date of reinstatement under the following terms and conditions:

A. Defendant will conduct her practice in compliance with the Oklahoma Respiratory Care Practice Act as interpreted by the Oklahoma State Board of Medical Licensure and Supervision. Any question of interpretation regarding said Act shall be submitted in writing to the Board and no action based on the subject of the question will be taken by Defendant until clarification of interpretation is received by Defendant from the Oklahoma State Board of Medical Licensure and Supervision.

B. Defendant will furnish to each and every state in which she holds licensure or applies for licensure and hospitals, clinics or other institutions in which she holds or anticipates holding any form of staff privilege or employment, a copy of the Board Order stipulating sanctions imposed by the Oklahoma State Board of Medical Licensure and Supervision.

C. Defendant will execute such releases of medical and

psychiatric records during the entire term of probation as necessary for use by the Compliance Consultant or other Board designee to obtain copies of medical records and authorize the Compliance Consultant or other Board designee to discuss Defendant's case with Defendant's treating physicians and/or any physicians holding Defendant's records.

D. Defendant shall practice under direct supervision for three (3) months. Each month shall include at least twenty-two (22) days of working to be considered a full month of direct supervision. Defendant shall submit quarterly reports from her supervisor to the Board Secretary or his designee for its review. Defendant's supervisor shall appear before the Committee with Defendant after Defendant has worked six (6) months to report on her progress and compliance with probationary terms.

E. Defendant shall submit quarterly reports from her employer to the Board Secretary or his designee for his review.

F. Defendant will enter and continue counseling for her PTSD issues as well as honesty issues with a counselor approved in advance by the Board Secretary and will authorize in writing the release of any and all records of that treatment to the Board or its designee. Frequency of counseling shall be determined by the counselor. Defendant shall submit quarterly reports from her counselor to the Board Secretary for his review.

G. Defendant will keep the Oklahoma State Board of Medical Licensure and Supervision informed of her current address.

H. Defendant will keep current payment of all assessment by the Board for prosecution, investigation and monitoring of her case, including but not limited to a one-hundred fifty dollar (\$150.00) per month monitoring fee.

I. Until such time as all indebtedness to the Oklahoma State Board of Medical Licensure and Supervision has been satisfied, Defendant will reaffirm said indebtedness in any and all bankruptcy proceedings.

J. Defendant shall make herself available for one or more personal appearances before the Board or its designee upon request.

K. Defendant shall submit any required reports and forms on an accurate, timely and prompt basis to the Compliance Coordinator or designee.

2. During the period of probation, failure to meet any of the terms of probation will constitute cause for the Executive Director of the Board to immediately suspend Defendant's license pursuant to 59 O.S.§506(B).

3. Defendant's surrendered license will be reinstated only upon payment in full of all costs and expenses incurred by the State of Oklahoma.

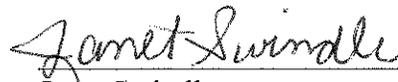
4. A copy of this written order shall be sent to Defendant as soon as it is processed.

Dated this 3 day of November, 2011.

  
J. Andy Sullivan, M.D., President  
Oklahoma State Board of Medical  
Licensure and Supervision

**Certificate of Service**

On the 4 day of November, 2011, a true and correct copy of this order was mailed, postage prepaid, to Peggy Diane Satterly, 16203 S. Rock Creek Rd., Shawnee, OK 74801.

  
Janet Swindle

**Position Statement**

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## **Respiratory Therapists as Extracorporeal Membrane Oxygenation (ECMO) Specialists**

The American Association for Respiratory Care endorses the use of qualified and appropriately educated Respiratory Therapists as Extracorporeal Membrane Oxygenation (ECMO) Specialists.

ECMO is a modified cardiopulmonary bypass technique used for the treatment of life threatening cardiac or respiratory failure. An ECMO Specialist is the technical specialist educated to manage the ECMO system including blood pump, tubing, artificial oxygenator, and related equipment. The ECMO Specialist, under qualified medical direction and supervision, is also educated to be responsible for the clinical needs of the patient on ECMO which can include: (1) maintenance of normal acid-base balance, oxygenation, and ventilation, (2) administration of blood and blood by-products, (3) medication delivery, and (4) maintenance of appropriate anticoagulation.

The Respiratory Therapist's education provides extensive training in maintenance of normal acid-base balance; oxygenation and oxygen delivery; ventilation; and cardiorespiratory anatomy, physiology, and pathophysiology. These fundamentals of Respiratory Care education make the Respiratory Therapist uniquely qualified to undertake further education as an ECMO Specialist. Additionally the Respiratory Therapist's ability to function in multiple clinical settings among all age groups enhances his/her value as an ECMO Specialist, allowing for care of all patient populations in a variety of critical care environments.

The requisite qualifications for educating a Respiratory Therapist to be an ECMO Specialist should include: (1) the successful completion of an accredited respiratory care educational program, (2) an earned Registered Respiratory Therapist (RRT) credential from the National Board for Respiratory Care (NBRC), (3) a state license (where required), and (4) clinical experience in critical care. Education as an ECMO Specialist should be in accordance with the Extracorporeal Life Support Organization's (ELSO) document entitled "Guidelines for Training and Continuing Education of ECMO Specialists."

**Effective 8/3/98**

**Revised 07/07**

**Reviewed 07/13**

**2016 CEU APPROVED COURSES FOR RCP'S - 8/4/16 MEETING**

Course Number	Sponsor	Title	Date	CEU Hours	Approved/ID enied	
20160032	MERCY HOSPITAL ARDMORE	ANNUAL CARDIOPULMONARY SKILLS LAB	5/24/2016	4	Approved	
20160033	SAINT FRANCIS HOSPITAL	PEDIATRIC CARE AFTER RESUSCITATION	3/28-29/16	14	Approved	
20160034	SAINT FRANCIS HOSPITAL	TRACH PATIENT SAFETY	7/18-8/31/16	1.25	Approved	
20160035	ST JOHN MEDICAL CENTER	INHALED NITRIC OXIDE	7/12-14/2016	2	Approved	
20160036	MERCY HOSPITAL ADA	MERCY HOSPITAL ADA RESPIRATORY SKILLS LAB	6/30/2016	6	Approved	
20160037	NORMAN REGIONAL RESPIRATORY THERAPY	LUNG COMPLIANCE STRATEGIES	4/28/2016	2	Approved	