

**NEW YORK STATE EDUCATION DEPARTMENT  
STATE BOARD FOR RESPIRATORY THERAPY**

**Meeting Minutes  
Thursday April 14, 2022  
10:00-12:00 PM**

**WebEx conference**

**Board Members present by WebEx:** Stanley John, RT Chair; Kathleen Beney, RT, Vice Chairperson; Rebecca Albright, RT; Cynthia Gottlieb, RT; Edward Schragger, RT; Thomas McManus, RT; Peter Papadakos, MD.

**Extended Members present by WebEx/phone:** Iva Westbrooke, RT, Steven Smith, RT

**Excused:** Barbara Deluca, RT, Russell Rozensky, RT, Kevin Brinson, RT

**Guest Observers:** Thomas Harvie, President New York State Society of Respiratory Care (NYSSRC); Chris Slocum, Government Affairs Chair, NYSSRC.

**Board Office Staff:** Suzanne Sullivan, RN, Acting Executive Secretary; Ann Bentzen, RN Associate in Nursing Education; Eileen Avery, RN Assistant in Nursing Education; Keith Westerling, Administrative Assistant Trainee 1

**Call to Order and Approval of Prior Meeting Minutes:** The meeting was called to order at 10:05 a.m. Minutes from October 2021 approved with a minor change, and January 2022 minutes were approved unanimously.

### **News and Reports**

Ms. Sullivan reported out on personnel changes at the New York State Education Department. David Hamilton is the Assistant Commissioner; Owen Donovan is the director for professional practice issues; NYS budget passed health provisions do not include changes specific to Respiratory Therapy; law allowing NPs with 3600 hours practice independently.

Ms. Sullivan updated RT Board Members on the status of Governor Hochul' s Emergency Executive Orders that relate to health care worker shortage work force shortage. She noted that the Executive Orders will remain in effect until April 30, 2022 and may or may not be renewed.

Moment of Silence for Dr. Paul Goldiner who passed in January 2022 to reflect on his leadership and advocacy for the profession.

### **Proposed Regulations for Clinical Laboratory**

Ms Sullivan reported out on the proposed regulations for clinical laboratories. She will email a summary of any impact to the respiratory therapy profession, once she receives and reviews regulatory language requested from the New York State Department of Health.

Discussion on clinical laboratory directors' requirements for continuing education and what training is required for individuals performing tests. Clinical laboratories in hospitals are responsible for ensuring staff is competent in the use of the equipment, and the Directors of the laboratories may have a policy regarding training.

### **Discussion of Respiratory Therapy student employment**

Discussion regarding employment of students outside of their studies or education program and how the students may function throughout the state. Ms. Sullivan offered students may be employed to function as an unlicensed person but may not perform respiratory therapy care outside of their education program. Students cannot call themselves respiratory therapists. Under the law students may only practice the profession while in a program as well

as new graduates who have a permit to practice under the supervision of a licensed Respiratory Therapist or physician. A licensee cannot delegate professional practice to another individual.

### **Discussion of New York State's response to current Respiratory Therapy workforce shortages, including Emergency Executive Orders**

Recommendation for changing executive orders to allow RT graduates who have applied for the license and permit to practice for 180 days immediately after graduation. The recommendation was forwarded to the Governor's office, but no changes have occurred. The recommendation will be resent to the Governor's office to amend the executive orders or legislation to include the RT board's recommendation.

### **Open meetings law**

Board members notified that as of April 15m 2022, the open meetings law changes back to a requirement for in person meetings.

Ms. Sullivan will notify the board members of the options for the next meeting June 9, 2022.

### **Ongoing discussion of challenges to recruiting and retaining qualified respiratory therapists in New York State and options for addressing these challenges**

Discussion over use of temporary personnel, loss of permanent staff as well as the cost of renewals and continuing education.

Suggestions of advertising from national organizations, having answers for why people are leaving the profession and not entering the profession, salaries are inferior to other professions, and educational standards are higher for other professions. Recruitment may not be working, may need to focus on retention. Need to increase awareness of the respiratory therapy profession globally. Continue discussion next meeting.

### **New Chair appointment**

Stanley's terms are over, and he is moving to extended board. The Board offered their congratulations. Kathleen Beney will serve as Chair at the next meeting.

### **New Executive Secretary**

Ms Sullivan has been appointed to the Clinical Laboratory Board as the Executive Secretary, and once an Executive Secretary for the State Board of Psychology has been hired, the Respiratory Therapy Board will be transitioned. Ms. Beney will be allowed to participate in the interviews for the new Executive Secretary.

New Board member trainings have not been announced. Process for appointing members to the Board was discussed. Ms. Sullivan reminded of the need for a public member for the Respiratory Therapy Board.

### **Suzanne to email a summary of the Clinical Lab regulations once she receives and reviews them from DOH regarding impact on RTs**

**Process for Vice Chair for next meeting.**

**Ms. Sullivan will notify the Board of options for the next meeting in June.**

The meeting was adjourned at 11:48 AM.