

MARYLAND BOARD OF PHYSICIANS
RESPIRATORY CARE PROFESSIONAL STANDARDS COMMITTEE
OPEN MEETING MINUTES
THURSDAY, MAY 10, 2012

Room 105, Patterson Avenue, Baltimore, MD 21215

PRESENT: Matthew Davis, RRT, Chair, Thomas Grissom, M.D., Robin Smith, RRT

STAFF PRESENT: Ellen Douglas Smith, Chief, Allied Health, Karen Wulff, Public Policy Analyst, Phyllis Washington, Administrative Specialist

GUEST: Danny Schaub and Todd Adams, Bay State Medical Inc.

ABSENT: Kylie O'Haver, RRT, Julie Washington, Administrative Specialist

CALL TO ORDER

Mr. Davis called the meeting to order at 10:05 a.m.

APPROVAL OF MINUTES

On a motion made by Dr. Grissom and seconded by Mr. Smith, the Committee voted to approve the minutes of February 9, 2012.

LEGISLATIVE REPORT

Ms. Bailey handed out the 2012 Legislative Wrap-up which highlighted the bills that passed.

BOARD COUNSEL REPORT

There was nothing to report.

UNFINISHED BUSINESS

Thoracic Surgeon Vacancies - Interviews

Pursuant to Maryland State Government Annotated §§ 10-501 et seq., on a motion made by Mr. Smith and seconded by Dr. Grissom, the Committee unanimously voted to close its meeting on May 10, 2012 at 10:11 a.m. in room 105 for the purpose of Complying with the Open Meetings Act State Government Article §10-508(A)(1) which requires discussion in closed session regarding personnel matters.

NEW BUSINESS

CPAP and BIPAP Set Up Procedures – Guest, Danny Schaub and Todd Adams, Bay State Medical, Inc.

Mr. Schaub gave history of the company and his prior work experience. He has a good idea about respiratory therapy practice and policy. However he needs clarification. They Bay State Medical have been doing nasal CPAP for 21 years. In August 2002, the question arose as to who could set up nasal CPAP or BIPAP equipment. There were no qualifications at that time. Last year, Mr. Schaub received a letter from the Board stating that Bay State Medical, Inc. was not in compliance, because they did not have a respiratory therapist setting up the equipment. Mr. Schaub stated they are now in compliance. Mr. Schaub informed the committee there are people purchasing their equipment and having it sent through UPS, which is a conflict of respiratory care practices. The equipment may be purchased from the internet. If there is a law or regulations against medical equipment companies setting up CPAP or BIPAP, he would like to see it enforced throughout Maryland. He wants to know what procedures are being followed to coordinate between the Board and the home medical equipment companies to ensure that they are compliant. He asked is there a law in Maryland that the CPAP or BIPAP equipment must be set up by licensed professional.

Mr. Davis explained that physical instructions on how to use CPAP or BIPAP and setting up the equipment on the patient is practicing respiratory therapy.

Mr. Schaub stated they can set up oxygen, suction machines and nebulizers. This involves oxygen and drugs. He can have anyone in the company set up the equipment. Mr. Schaub demonstrated the CPAP machine and stated that it moves room air at a certain pressure. He does not feel there is a continuity of care in Maryland. There are quite a few companies that are not in compliance. There are sleep labs and doctor's offices that are distributing the equipment using regular office personnel.

Mr. Adams stated there are technicians performing sleep studies and setting up equipment that are not licensed. They need clarification because there is not a doctor on site at the facilities.

Mr. Davis stated the Committee would have a discussion with Carole Catalfo, Executive Director and Board counsel to find out if they can issue a clarifying statement and what they can do to ensure that all the companies are compliant.

The Committee postponed this item.

Respiratory Care Practitioners Annual Report – For Discussion

Ms. Smith stated that the Sunset Review Committee recommended that the Chair of each committee present an annual report. Ms. Catalfo would like the annual report presented at either the August or September Board meeting.

Adjournment

There being no further business the meeting was adjourned at 12:39 p.m.

Submitted by:

Julie Washington

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