

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50

**DEPARTMENT OF HEALTH  
MEDICAL QUALITY ASSURANCE  
BOARD OF CLINICAL LABORATORY PERSONNEL**

**MINUTES  
GENERAL BUSINESS MEETING  
By Telephone Conference**

**February 1, 2011**

**CALL TO ORDER:**

Ms. Brenda Van Der Heyden, Chair, called the meeting to order at 9:30 a.m. Those present for all or part of the meeting included the following:

**MEMBERS PRESENT:**

Brenda Van Der Heyden, Chair  
Judy Norcia, Vice-Chair  
Roger Bertholf, Ph.D.  
Dean Willis, Dr.PH  
Michele Morgan

**MEMBERS NOT PRESENT:**

Nilia Madan (excused)

**STAFF PRESENT:**

Bruce Deterding, Executive Director  
Sharon Guilford, Program Operations Administrator  
Tiffany Robinson, Regulatory Consultant/Supervisor  
Kenneth Smith, Regulatory Specialist II  
Rickia Smith, Regulatory Specialist II  
Danielle Runtschke, Regulatory Specialist II

**BOARD COUNSEL:**

Deborah Loucks, Assistant Attorney General  
Office of Attorney General

**PETITION FOR VARIANCE OR WAIVER – Gregory J. Rawling – Rule 64B3-8.002(2); 11.001(3)(7) and 11.003(5), Florida Administrative Code**

Mr. Rawlings was present.

Ms. Loucks provided an overview of Mr. Rawlings Petition for Variance or Waiver of Rules 64B3-8.002(2), 11.001(3)(7), and 11.003(5), F.A.C. Mr. Rawlings has an inactive license and is requesting to reactivate his license SU 31879 without prejudice by accepting Transcripts from ASCP and AMT in lieu of signed certificates of CE hours which are no longer supplied by providers.

Ms. Morgan dismissed herself from further participation.

1 Ms. Guilford stated that certificates are still required to be provided by the approved continuing  
2 education providers as stated in Rule Chapter 64B3-11, F.A.C.

3  
4 Mr. Deterding stated that the providers have a contractual agreement with the department to  
5 provide the certificates as well.

6  
7 Discussion ensued.

8  
9 **Ms. Norcia moved to accept the Petition for Variance or Waiver of Rule 64B3-8.002(2),**  
10 **F.A.C., approving the reactivation of Mr. Rawlings and accepting the transcript from**  
11 **CEBroker as appropriate documentation. The motion was seconded and carried 4/0.**

12  
13 **APPLICANTS PRESENTED FOR BOARD REVIEW:**

14  
15 **Olga Chaves – Technician**

16  
17 Ms. Chaves was present.

18  
19 Ms. Van Der Heyden provided an overview of Ms. Chaves' application. She indicated that the  
20 applicant had filed an application for licensure as a Technician – Generalist. The education  
21 provided does not appear to meet the educational requirements in Rule 64B3-5.004, F.A.C.

22  
23 Discussion ensued.

24  
25 **Dr. Bertholf moved to deny Ms. Chaves' application for licensure as a Technician –**  
26 **Generalist. The motion was seconded.**

27  
28 Ms. Loucks stated that the board may allow Ms. Chaves to withdraw her application.

29  
30 **Dr. Bertholf moved to reconsider and withdraw his motion. The motion was seconded and**  
31 **carried 4/0.**

32  
33 Ms. Chaves requested to withdraw her application and refund any appropriate fees.

34  
35 **Dr. Bertholf moved to accept Ms. Chaves request to withdraw her application for licensure**  
36 **as a Technician – Generalist and issue a refund for any appropriate fees. The motion was**  
37 **seconded and carried 4/0.**

38  
39 The board stated that she may complete a training program or return to school to complete the  
40 education requirements as stated in Rule 64B3-5.004, F.A.C.

41  
42 **MaryAnn Morissette – Technologist**

43  
44 Ms. Morissette was present. Also, Ms. Melissa Lane, Laboratory Manager with the Bostwick  
45 Laboratories was also present.

46  
47 Ms. Van Der Heyden provided an overview of Ms. Morissette's application. She indicated that  
48 the applicant had filed an application for licensure as a Technologist – Histology. The  
49 employment verification form indicated that she was employed by University of Florida from  
50 August 2006 until April 2009. However, the laboratory is not licensed by the Agency for Health

1 Care Administration. The department's records indicate that Ms. Morissette is not licensed in the  
2 state of Florida.

3  
4 Ms. Morissette stated that the verification of employment from University of Florida was with the  
5 Veterinarian School; therefore, did not require licensure.

6  
7 Discussion ensued.

8  
9 **Dr. Bertholf moved to approve Ms. Morissette's application for licensure as a Technologist**  
10 **– Histology. The motion was seconded and carried 4/0.**

11  
12 **Brook Nakia White-Horne – Technologist**

13  
14 Ms. White-Horne was present.

15  
16 Ms. Van Der Heyden provided an overview of Ms. White-Horne's application. She indicated that  
17 the applicant had filed an application for licensure as a Technologist – Histology. The  
18 employment verification form indicated that she was employed by Bostwick Laboratories from  
19 June 2007 until August 26, 2010. The department's records indicate that Ms. White-Horne is not  
20 licensed in the state of Florida.

21  
22 Dr. Willis stated that the experience obtained with the laboratory did not appear to require  
23 licensure.

24  
25 Discussion ensued.

26  
27 **Dr. Willis moved to approve Ms. White-Horne's application for licensure as a Technologist**  
28 **– Histology. The motion was seconded and carried 4/0.**

29  
30 **BOARD COUNSEL'S REPORT – Office of the Governor - Executive Order – Suspending**  
31 **Rulemaking and Establishing the Office of Fiscal Accountability and Regulatory Reform**

32  
33 Ms. Loucks stated that Governor Rick Scott filed an Executive Order establishing the Office of  
34 Fiscal Accountability and Regulatory Reform that will review all rules prior to promulgating.  
35 The Executive Order No. 11-01, immediately suspended rulemaking for all agencies under the  
36 direction of the Governor and prohibits agencies from promulgating rules unless they obtain prior  
37 approval from the Office of Fiscal Accountability and Regulatory Reform. Also, effective  
38 November 17, 2010, the board would have to vote on whether proposed rule amendments would  
39 have any adverse impact on small business, and whether proposed rule amendments are likely to  
40 directly or indirectly increase regulatory costs to any entity (including government) in excess of  
41 \$200,000 in the aggregate in Florida within 1 year after the implementation of the rule. Any rules  
42 impacting small business as mentioned will be sent to the legislature for ratification.

43  
44 **NEXT MEETING DATE – February 25<sup>th</sup> – Tampa - Tampa Airport Marriott**

45  
46 The Rules Committee meeting will be held February 24<sup>th</sup> beginning at 1:30 p.m.

47  
48 **ADJOURNMENT:**

49  
50 The meeting was adjourned at 11:30 a.m.