

**THE UNIVERSITY OF THE STATE OF NEW YORK**  
**THE STATE EDUCATION DEPARTMENT**  
**State Board for Respiratory Therapy**  
**Thursday, April 11, 2024**  
**80 Wolf Road, Albany, NY**  
**Remote public sites: Hauppauge, Syracuse**

**Present:** Kathleen Beney (Syracuse)  
Cassandra Germinal (Hauppauge)  
Thomas Harvie (Albany)  
Thomas K. McManus (Albany)  
Russell Rozensky (Hauppauge)

**Absent:** Rebecca Albright

<b>Staff:</b>	Diane Martin	Board Staff
	Karen Shier	Board Staff
	Paul Thompson	Board Executive Secretary

**Meeting Convened**

Mr. Thompson called the meeting to order at 10:05 a.m. Board members and staff introduced themselves. Mr. Thompson noted that comments and discussion are restricted to State board members and Department staff.

**Executive Secretary's Report**

- Mr. Thompson noted the recent retirement of Deputy Commissioner Sarah Benson, who had served in many roles in the Office of the Professions and was a great advocate for the work of the State boards and the licensed professions. At their March meeting, the Board of Regents appointed Dr. David Hamilton as Deputy Commissioner. Dr. Hamilton had served in multiple leadership positions in the Office and is deeply familiar with the work of the State boards.
- Mr. Thompson recognized board members Dr. Peter Papadakos and Russell Rozensky for their service.
- Applications for new board members are sought and welcomed; the Department welcomes applications from New York respiratory therapists; respiratory therapy technicians; licensed physicians; and consumers of services (public members).

**Additional Discussion Items**

- Board Chair Beney inquired about the professional discipline workload that board members are experiencing.
- Board members discussed expectations for reporting individuals who have been dismissed (or resign) from employment due to a practice or patient safety issue. The Department of Health may have reporting requirements for the facilities it oversees. In terms of the Education Department, there is no one, broad law or rule that defines an affirmative duty to report professional misconduct--but there are scenarios where an obligation to report exists. For

example, professionals who are mandated to report suspected child abuse must do so; likewise, some licensees have a duty to supervise, and the Department could pursue a case against licensees who provide inadequate supervision and do not report misconduct.

- Board members noted that professional associations and preparation programs can help disseminate guidance about reporting responsibilities. Mr. Thompson added that boards may publish guidance (on the Office of the Professions website) that addresses common practice inquiries. While such guidance does not have the force of law, it can serve a useful function in highlighting good practices.
- Vice Chair Harvie described management churn throughout the state, which may compromise attention to internal workplace policies and procedures. Member Rozensky added there is a need for the concerted training of program directors; there may be opportunities for continuing education providers to develop relevant training as well.

### **Adjournment**

- The Board concluded its meeting at approximately 10:50 a.m. (Motion: Thomas Harvie; second: Thomas McManus; unanimous approval)