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

**MINUTES  
GENERAL BUSINESS MEETING**

**Florida Hotel and Conference Center  
1500 Sand Lake Road  
Orlando, FL**

**December 7, 2012**

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**CALL TO ORDER:**

Ms. Van Der Heyden, Chair, called the meeting to order at 9:00 a.m. Those present for all or part of the meeting included the following:

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23

**MEMBERS PRESENT:**

Brenda Van Der Heyden, Chair  
Judy Norcia, Vice-Chair  
Roger Bertholf, Ph.D.

24  
25  
26  
27

**MEMBER NOT PRESENT:**

Michele Morgan, Ph.D. (excused)  
Nilia Madan (excused)

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30  
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32

**STAFF PRESENT:**

Bruce Deterding, Board Executive Director  
Sharon Guilford, Program Operations Administrator  
Jose Montalvan, Regulatory Consultant/Supervisor

33  
34  
35  
36

**BOARD COUNSEL:**

Deborah Loucks, Assistant Attorney General  
Office of Attorney General

37  
38  
39

**PROSECUTING ATTORNEY:**

Manshi Shah, Assistant General Counsel

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41  
42  
43

**COURT REPORTER:**

American Court Reporting  
(407) 896-1813

44  
45

**DISCUSSION OF PUBLIC HEALTH LICENSURE**

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48  
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Dr. Philip T. Amuso, HCLD, Retired Director for the Department of Health Bureau of Public Health Laboratories in the area of Microbiology and Serology. He provided a history of the clinical laboratory personnel licensure requirements in the past and present. In the past, an applicant holding a BS in Biology/Chemistry can obtain a trainee license, complete an internship program, successful completion of the state examination to obtain a technician's license. Then the board created two pathways for applicants wanting to work in the public health area as a

1 technician. After four years of experience as a technician successful completion of the state  
2 examination become licensed as a technologist. He knew that the public health licensees were  
3 unable to obtain licensure outside of the public health area. He also stated that microbiology  
4 testing is similar to molecular pathology testing and the experience should be accepted to obtain  
5 the clinical laboratory personnel license.

6  
7 Ms. Van Der Heyden addressed the concerns of the board with applicants wanting to obtain a  
8 clinical laboratory personnel technologist license using the public health technician experience.  
9

10 Dr. Amuso stated that the statute does not need to be changed and only modify the rule.

11  
12 Dr. Bertholf asked Dr. Amuso whether the experience obtained in all of the state public  
13 health laboratories was “equal” in quality. Dr. Amuso said “yes” when it comes to  
14 Microbiology and Serology; however, experience in Clinical Chemistry was limited to  
15 the Jacksonville laboratory. Dr. Bertholf followed up by saying he believed that  
16 individuals licensed in the specialty of Microbiology should also be able to perform  
17 testing related to infectious disease serology, without needing to be licensed in the  
18 specialty of serology. In other words, infectious disease serology is a subset of testing  
19 performed by microbiologist, just as molecular testing (e.g., polymerase chain reaction  
20 assay) is a subset of testing performed by microbiologist who do not need to be licensed  
21 in the specialty of Molecular Pathology.

22  
23 Dr. Amuso informed the board that if they needed anymore information to contact him.  
24

25 **APPROVAL OF MINUTES:**

26  
27 **October 30, 2012 – Telephone Conference Call**

28  
29 **Dr. Bertholf moved to approve the above minutes. This motion was seconded and carried 3/0.**

30  
31 **September 7, 2012 – Full Board Meeting**

32  
33 **Dr. Bertholf moved to approve the above minutes with corrections to page 9, line 43**  
34 **replacing University of Florida with Florida Department of Education page 10, line**  
35 **42 replacing MLT with MLS. This motion was seconded and carried 3/0.**

36  
37 **September 4, 2012 – Telephone Conference Call**

38  
39 **Dr. Bertholf moved to approve the above minutes. This motion was seconded and carried 3/0.**

40  
41 **FINAL ORDER ACTION:**

42  
43 **Motion for Final Order by Voluntary Relinquishment of License:**

44  
45 **Yide Jin – Case Number 12-04066**

46 **PCP: Donahue/Morgan**

47  
48 Ms. Jin was neither present nor represented by counsel.

49  
50 Ms. Shah informed the board that the respondent had violated:

- 1           • Section 483.825(1)(w), F.S., and Section 456.072(1)(q), F.S.

2  
3 Ms. Shah stated that the respondent had asked the board to accept the voluntary relinquishment of  
4 her license.

5  
6 Discussion ensued.

7  
8 **Dr. Bertholf moved to accept the voluntary relinquishment of license by discipline. The**  
9 **motion was seconded and carried 3/0.**

10  
11 **Motion for Final Order by Settlement Agreement:**

12  
13           **Richard S. Blaha – Case Number 12-03801**  
14           **PCP: Donahue/Morgan**

15  
16 Mr. Blaha was neither present nor represented by counsel.

17  
18 Ms. Shah informed the board that the respondent had violated:

- 19           • Section 483.825(1)(c), F.S.

20  
21 Ms. Shah advised the board that the settlement agreement contained the following provisions:

- 22           • reprimand  
23           • administrative fine of \$750.00, payable in two (2) years  
24           • administrative cost of \$1042.01, payable in two (2) years

25  
26 Discussion ensued.

27  
28 **Dr. Bertholf moved to accept the settlement agreement as presented. The motion**  
29 **was seconded and carried 3/0.**

30 **Prosecution Report:**

31  
32 Ms. Shah provided an overview of the prosecution report.

33  
34 **PETITION FOR VARIANCE/WAIVER – Marie-Claire Rowlinson – Rule 64B2-5.007,**  
35 **F.A.C. – Director; Limitations and Qualifications**

36  
37 Dr. Rowlinson was present, sworn but was not represented by counsel.

38  
39 Ms. Van Der Heyden stated that Dr. Rowlinson has submitted a Petition for Variance/Waiver.  
40 The board will determine if the petition for variance/waiver of Rule 64B2-5.007, F.A.C., should  
41 be granted due to unnecessary economic hardship. Dr. Rowlinson has provided information that  
42 she believes demonstrate her knowledge, competency, and experience in infectious disease  
43 testing, including infectious disease serology and is currently the Assistant Laboratory Director at  
44 the Florida Department of Health, Bureau of Public Health Laboratories in Jacksonville.

45  
46 Discussion ensued.

1 **Dr. Bertholf moved to approve Dr. Rowlinson’s Petition for Variance/Waiver of Rule 64B2-**  
2 **5.007, F.A.C., and approve the application for licensure. The motion was seconded and**  
3 **carried 3/0.**

4  
5 **APPLICANTS PRESENTED FOR BOARD REVIEW:**

6  
7 **Julie A. Russell – Technician**

8  
9 Ms. Russell was present, sworn but was not respresented by counsel.

10  
11 Ms. Loucks provided an overview of Ms. Russell’s application. Ms. Russell was charged with  
12 neglect of a dependent resulting in bodily injury. Due to the board staff not able to determine  
13 whether it was a felony or misdemeanor they placed on the application on the board agenda.

14  
15 **Dr. Bertholf moved to approved Ms. Russell’s application for licensure as a Technician**  
16 **(Histology). The motion was seconded and carried 3/0.**

17  
18 **Schnel Monique Renae Boyd – Technologist**

19  
20 Ms. Boyd was present, sworn but was not represented by counsel.

21  
22 Ms. Van Der Heyden provided an overview of Ms. Boyd’s application. Ms. Boyd had submitted a  
23 Technologist application in Microbiology. She submitted a verification of employment from the  
24 Department of Health, Jacksonville, FL indicating she has been working in the area of  
25 Microbiology. The requirements for appropriate experience are stated in Rule 64B3-5.003, F.A.C.

26  
27 Ms. Boyd stated that she has worked in the public health laboratory twenty two months. She  
28 explained the different types of testing performed in the laboratory. She also stated that she  
29 received a 22 month grant to work in the Department of Health, Public Health Laboratory in  
30 Jacksonville, Florida.

31  
32 Discussion ensued.

33  
34 **Dr. Bertholf moved to approve Ms. Boyd’s application for licensure as a Technologist in**  
35 **Microbiology. The motion was seconded and carried 3/0.**

36  
37 **Karen L. Williams – Technologist**

38  
39 Ms. Williams was present, sworn but was not represented by counsel.

40  
41 Ms. Van Der Heyden provided an overview of Ms. Williams’ application. Ms. Williams had  
42 submitted a Technologist application (Generalist). She received her Bachelors Degree in  
43 Management from the University of North Carolina and an Associates Degree in Health Science  
44 Medical Laboratory Technology from Trident Technical College. Ms. Van Der Heyden stated  
45 that the MLT (ASCP) examination is not on approved list. But the applicant would be eligible for  
46 the AAB examination. The requirements for appropriate experience are stated in Rule 64B3-  
47 5.003, F.A.C.

48  
49 Discussion ensued.

1 **Ms. Norcia moved to approve Ms. Williams' application for licensure as a Technologist**  
2 **(Generalist) contingent upon successful passing the AAB examination within one year. The**  
3 **motion was seconded and carried 3/0.**

4  
5 The board readdressed Ms. Williams application.

6  
7 Ms. Williams addressed the board.

8  
9 Further discussion ensued.

10  
11 **Dr. Bertholf moved to rescind the previous motion. The motion was seconded and carried**  
12 **3/0.**

13  
14 **Dr. Bertholf moved to approve the amending application as a Technician (Generalist). The**  
15 **motion was seconded and carried 3/0.**

16  
17 **Eric Mendez – Supervisor**

18  
19 Mr. Mendez was neither present nor represented by counsel.

20  
21 Ms. Van Der Heyden provided an overview of Mr. Mendez's application. Mr. Mendez had  
22 submitted a Supervisor application (Histology). She questioned when he received his training  
23 license and his work experience. According to the verification of employment forms provided he  
24 only has three years and 3 months of experience. The requirements for appropriate experience  
25 are stated in Rule 64B3- 5.002, F.A.C.

26  
27 Discussion ensued.

28  
29 **Ms. Norcia moved to require Mr. Mendez's personal appearance at one of the next two**  
30 **meetings or he could withdraw his application for licensure as a Supervisor (Histology). The**  
31 **motion was seconded and carried 3/0.**

32  
33 **Doc Ward – Supervisor**

34  
35 Mr. Ward was neither present nor represented by counsel.

36  
37 Dr. Bertholf provided an overview of Mr. Ward's application. Mr. Ward had submitted a  
38 Supervisor application (Serology, Immunohematology, and Blood Banking). He was unable to  
39 determine if the required 24 hours of academic sciences, with 8 semester hours of biological  
40 sciences and 8 semester hours of chemical sciences were completed. The requirements for  
41 appropriate experience are stated in Rule 64B3- 5.002, F.A.C.

42  
43 Discussion ensued.

44  
45 **Dr. Bertholf moved to issue a Notice of Intent to Deny Mr. Ward's application for licensure**  
46 **as a Supervisor (Serology, Immunohematology, and Blood Banking) for failure to provide**  
47 **the academic science education within 30 days or he may withdraw his application. The**  
48 **motion was seconded and carried 3/0.**

49  
50 **Phillip W. Sutton – Supervisor Adding Specialty**

1 Mr. Sutton was present, sworn but was not represented by counsel.

2  
3 Dr. Bertholf provided an overview of Mr. Sutton's application. Mr. Sutton had submitted a  
4 Supervisor application (Microbiology, Clinical Chemistry, Hematology and Immunohematology).  
5 He was unable to determine if the required 24 hours of academic sciences, with 8 semester hours  
6 of biological sciences and 8 semester hours of chemical sciences were completed. The  
7 requirements for appropriate experience are stated in Rule 64B3- 5.002, F.A.C.

8  
9 Discussion ensued.

10  
11 **Ms. Norcia moved to approve Mr. Sutton's application for licensure as a Supervisor**  
12 **(Microbiology, Clinical Chemistry, Hematology and Immunohematology). The motion was**  
13 **seconded and carried 3/0.**

14  
15 **Deborah A. Tamulionis – Public Health**

16  
17 Ms. Tamulionis was present, sworn but was not represented by counsel.

18  
19 Dr. Bertholf provided an overview of Ms. Tamulionis' application. Ms. Tamulionis had submitted  
20 a Public Health application at a Technologist level. She does not have a Bachelors Degree nor  
21 met the examination requirements. She was unable to meet the requirements in Chapter  
22 483.812(3)(a), F.S. and in Rule 64B3-5.008, F.A.C.

23  
24 Ms. Tamulionis stated that she did not intend to apply for a public health but as a clinical  
25 laboratory personnel as a technologist (generalist).

26  
27 Ms. Van Der Heyden stated that she may not qualify for the technologist but as a technician.

28  
29 Discussion ensued.

30  
31 Ms. Tamulionis requested to withdraw her application for lacking the educational requirements.

32  
33 **Ms. Norcia moved to accept the withdrawal of Ms. Tamulionis's application as requested.**  
34 **The motion was seconded by Dr. Bertholf and carried 3/0.**

35  
36 **RATIFICATION OF LICENSURE:**

37  
38 (Attachment A)

39  
40 **Clinical Laboratory Personnel**

41  
42 **Ms. Norcia moved to approve the ratification lists as presented. The motion was seconded**  
43 **by Dr. Bertholf and carried 3/0.**

44  
45 **Trainees**

46  
47 **Ms. Norica moved to approve the ratification lists as presented. The motion was seconded**  
48 **and carried 3/0.**

49  
50 **CHAIR/VICE-CHAIR REPORT:**

1 Ms. Norcia provided an overview of the Chair/Vice-Chair annual meeting.

2  
3 **EXECUTIVE DIRECTOR'S REPORT:**

4  
5 **Renewal Report**

6  
7 Information only.

8  
9 **BOARD COUNSEL'S REPORT:**

10  
11 **Rules Status Report**

12  
13 Ms. Loucks provided a brief status report.

14  
15 Ms. Loucks requested the board to approve the appropriate fees on the application in Rule 64B3-  
16 5.008, F.A.C.

17  
18 **Ms. Norcia moved to approve changing fees to the public health licensure application to**  
19 **reflect the appropriate fees in Rule 64B3-5.008, F.A.C. The motion was seconded and**  
20 **carried 3/0.**

21  
22 **Dr. Bertholf moved that the proposed rule would not have any adverse impacts on small**  
23 **businesses and would not be likely to directly or indirectly increase regulatory costs to any**  
24 **entity (including government) in excess of \$200,000 in the aggregate in Florida within 1 year**  
25 **after the implementation of the rule. The motion was seconded and carried 3/0.**

26  
27 The board requested Ms. Loucks to draft language to include public health licensure in Rule  
28 64B3-2.003, F.A.C.

29  
30 **COMMITTEE REPORTS:**

31  
32 **Budget – Michele Morgan**

- 33  
34
  - **Revenue Report**
  - **MQA Annual Report FY 11-12 (Revenues, Expenditures, Cash Balance, 6 Year**  
36 **Cash Balance, Adequacy of Fees and 6 Year Projections of Revenues and**  
37 **Expenditures)**

38  
39 Informational only.

40  
41 **Continuing Education – Judy Norcia**

42  
43 **CE Providers & Courses Approved by CE Chair**

44  
45 **Dr. Bertholf moved to approve the ratification lists as presented. The motion was seconded**  
46 **and carried 3/0.**

47  
48 **Credentials – Brenda Van Der Heyden/Roger Bertholf, Ph.D.**

49  
50 No report.

1 Ms. Van Der Heyden indicated that a provider is stating on their website that anyone performing  
2 phlebotomy requesting certification had to be nationally certified.

3  
4 **Disciplinary Compliance – Judy Norcia**

5  
6 No report.

7  
8 **Examination – Roger Bertholf, Ph.D.**

9  
10 Dr. Bertholf had no report.

11  
12 The board requested the following to be added to the next agenda.

- 13  
14 • International certifications (MLS) how to have them accepted by the board.  
15 • 64B3-5.007(g), F.A.C. - adding Serology/Immunology

16  
17 Ms. Loucks mentioned Senate Bill 50 and was briefly discussed.

18  
19 **Legislative – Roger Bertholf, Ph.D.**

20  
21 No report.

22  
23 **Probable Cause – Michele Morgan**

24  
25 **Stats**

26  
27 Information only.

28  
29 **Professional Association – Nilia Madan**

30  
31 No report.

32  
33 **Rules – Judy Norcia/Brenda Van Der Heyden/Roger Bertholf, Ph.D.**

34  
35 No report.

36  
37 **Training Program – Nilia Madan**

38  
39 No report.

40  
41 **Unlicensed Activity – Roger Bertholf, Ph.D.**

42  
43 No report.

44  
45 **ELECTION OF OFFICERS:**

46  
47 The board requested to table the election of officers until the next board meeting.

48  
49 **NEXT MEETING DATE – March 1<sup>st</sup>- Orlando**

50  
51 **ADJOURNMENT:**

1 The meeting was adjourned at 12:30 p.m.