

KENTUCKY LICENSING BOARD OF DURABLE MEDICAL EQUIPMENT SUPPLIERS
REGULAR BOARD MEETING MINUTES
May 17, 2022 at 9:30 AM

A regular board meeting of the Kentucky Licensing Board for Durable Medical Equipment Suppliers was held via Zoom on May 17, 2022.

BOARD MEMBERS PRESENT

Carolyn Basford
Cherri Lolley
Cindy Gueltzow
David Chestnut

BOARD MEMBERS ABSENT

Cynthia Howard

DPL STAFF

Kevin Winstead, Commissioner
Chessica Nation, Board Administrator
Crystal Barker, Board Administrator

PPC STAFF

August Pozgay, Board Counsel

GUESTS

CALL TO ORDER

Carolyn Basford called the meeting to order at 9:33 A.M.

APPROVAL OF MINUTES

The minutes from the February 15, 2022 board meeting were reviewed. Cherri Lolley made a motion to approve the minutes. David Chestnut seconded the motion and it carried.

FINANCIALS

The Board reviewed the April 2022 Financial Report.

DPL REPORT

The Board reviewed the Licensure Status Report of 748 active licenses, which is a decrease of 108 licenses since the February 15, 2022 board meeting. DPL staff explained that this sudden decrease is likely due to the state of emergency ending and licenses that have not been allowed to expire due to nonrenewal since March 2020 have now expired as of April 20, 2022.

Commissioner Winstead explained that the COVID state of emergency was ended on March 21, 2022 by SJR 150, instead of April 15, 2022 as originally stated by SB 25. Any licenses that hadn't been renewed during the state of emergency were due April 20, 2022.

Commissioner Winstead also reminded the board members that board meetings would continue to be set up in a hybrid manner, with virtual and in-person attendance options for members and the public.

Commissioner Winstead alerted the board members that they would each be receiving a state email address in the near future for board use. More information will be provided once it is available.

LEGAL REPORT

August Pozgay provided recommendations on three email questions that had been received in between board meetings.

Carolyn Basford made a motion to authorize board counsel to respond to the first inquirer that the board cannot provide private legal advice, provide the pertinent board statutes and regulations for information purposes only, and state that they can consult their private attorney if they have further questions about how the laws apply to their situation. David Chestnut seconded the motion and it carried.

Carolyn Basford made a motion to authorize board counsel to respond to the second inquirer that the board cannot provide private legal advice, provide the pertinent board statutes and regulations for information purposes only, and state that they can consult their private attorney if they have further questions about how the laws apply to their situation. Cindy Gueltzow seconded the motion and it carried.

David Chestnut made a motion to authorize board counsel to respond to the third inquirer that the board cannot provide private legal advice, provide the pertinent board statutes and regulations for information purposes only, and state that they can consult their private attorney if they have further questions about how the laws apply to their situation. Carolyn Basford seconded the motion and it carried.

David Chestnut made a motion to authorize board counsel to respond to legal email questions in between meetings and bring a report of such emails to the next meeting. Carolyn Basford seconded the motion and it carried.

NEW BUSINESS

The Board reviewed the MOA with their inspector. Cindy Gueltzow made a motion to approve the contract renewal. Carolyn Basford seconded the motion and it carried. Going forward, the Board would like to see copies of the inspector invoices in their financial reports. Additionally, they would like a report of all expenses paid to the inspector to date and notification where the \$350 inspector fee paid by the licensees shows on the financial report.

OLD BUSINESS

The Board of Pharmacy has requested more time to thoroughly review the sterile water and saline draft regulation. David Chestnut made a motion to authorize board counsel to reach out to the Board of Pharmacy for an update or estimate on when the regulation might be filed. Cherri Lolley seconded the motion and it carried.

NEXT MEETING

The next meeting is scheduled for August 16, 2022 at 9:30am.

ADJOURNMENT

Carolyn Basford moved to adjourn at 10:35 a.m. Cherri Lolley seconded the motion and it carried.