



NORTH CAROLINA RESPIRATORY CARE BOARD

1100 Navaho Drive, Suite 242
Raleigh, NC 27609

CONSENT ORDER

**IN THE MATTER OF:
ANDREW M. ALMOND
RESPIRATORY CARE LICENSE #978**

WHEREAS the North Carolina Respiratory Care Board (the "Board") is charged with the administration of The Respiratory Care Practice Act, codified in the North Carolina General Statutes at G.S. 90-646 et. seq. (the "Act"); and

WHEREAS on or about July 9, 2002, the Board issued a license to practice respiratory care to Ms. Andrew M. Almond ("Licensee"), license number 978; and

WHEREAS the Board received a complaint on November 2, 2006 indicating that you were terminated from your position at NorthEast Medical Center for allegedly putting a patient at risk by falling asleep during the transport of the patient from Rowan Medical Center to Northwest Medical Center. The complaint also notes other instances of falling asleep at your practice site and repeated tardiness; and

WHEREAS the Board received a second complaint on December 21, 2006 from Select Specialty Hospital informing Board that you had been terminated for refusing to take a drug screen; and

WHEREAS the Board conducted an investigation pursuant to G.S. 90-652 (5) into the activities of the Licensee to determine if she has violated, is violating, or is about to violate any provisions of the Act; and

WHEREAS on April 11, 2007 the Investigation and Informal Settlement Committee of the Board, acting pursuant to 21 NCAC 61.0203, conducted an interview of the Licensee to determine the qualifications of the Licensee; and

WHEREAS the Board met on April 12, 2007 and determined to issue a Consent Order to the Licensee; and

WHEREAS the Licensee agrees to the entry of this Consent Order, and voluntarily agrees to waive any rights to a hearing upon entry of this Consent Order, and waives the right to seek judicial review or otherwise challenge or contest the validity of this Consent Order;

AND WHEREAS upon the entry of this Consent Order, this matter will be resolved with the express understanding that the Licensee will comply with all of the terms contained herein.

NOW THEREFORE, IT IS HEREBY ORDERED THAT:

Licensee consents to being licensed to practice respiratory care on Probationary Status for a period of 12 months from the date of signature of this Consent Order.

Licensee shall cause his immediate Respiratory Care supervisor to submit written quarterly reports to the Board, which shall be submitted by the 15th day of July 2007, October 2007, January, 2008 and April, 2008. Each such written report shall document the Licensee's performance in the delivery of Respiratory Care, and detail any concerns of the supervisor about the Licensee's practice of Respiratory Care.

Licensee shall agree to follow any Plan of Treatment suggested by his Medical Physician and his Psychiatrist. Licensee shall sign a release of information form with his Medical Physician and Psychiatrist allowing him/her to provide written reports to the Board during the 12 month probationary period that the Licensee is following the prescribed Plans of Treatment.

Licensee agrees to pay to the Board the sum of \$500.00 for Civil Penalties which are authorized by G.S. 90-666(a) and 21 NCAC 61.0309 (d)(1) and the sum of \$500.00 to pay the cost of disciplinary action as authorized by G.S. 90-666(d). One Half (\$500.00) must be paid to the Board by July 31, 2007 and the remaining balance (\$500.00) must be paid to the Board by December 31, 2007.

Licensee agrees to permit the Board to conduct random drug testing of the Licensee during the time the Licensee is on Probationary Status. The costs of all drug testing will be paid by the Licensee. The Board will determine the laboratory where the testing would be performed and the manner in which the sample would be collected, and will instruct the Licensee regarding the details of how any drug test should occur.

Licensee shall continue to comply with the Act, the Board's Rules, and the Board's published interpretation of those rules.

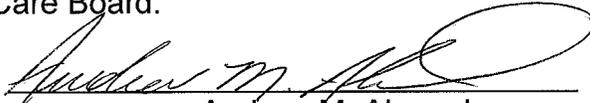
Entry of this Consent Order is without prejudice to the right of the Board to take any administrative or judicial action against Licensee to enforce this Consent Order if the Board determines that the Licensee is not fully complying with any term or condition stated herein.

This Consent Order shall become final when accepted by the Licensee and entered by the Board based on execution of the Consent Order by its Executive Director.

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CONSENT TO ISSUANCE OF ORDER BY LICENSEE

I, Andrew M. Almond, state that I have read the foregoing Consent Order; and that I know and fully understand its contents. I understand and agree that it is being entered to allow me to continue to be licensed by the Board to practice respiratory care, while fulfilling the Board's responsibility to regulate the practice of respiratory care. I consent to the entry of this Consent Order and agree freely and without threat or coercion of any kind to comply with the terms and conditions stated herein, as a condition of maintaining my license from the North Carolina Respiratory Care Board.


Andrew M. Almond

STATE OF NORTH CAROLINA)
COUNTY OF Wake)

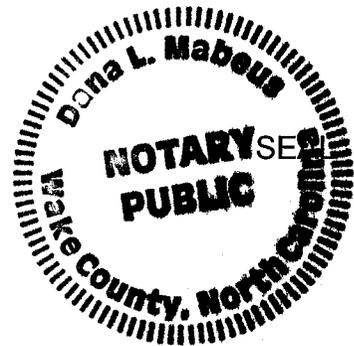
There personally appeared before me, a Notary Public in and for the County of _____, State of North Carolina, Andrew M. Almond, who after having presented documentation of his identity that was satisfactory to me did acknowledge that he executed the foregoing Consent Order as him free and voluntary act.

This 19th day of April, 2007



Notary Public

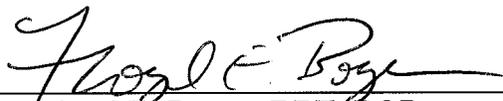
My Commission Expires: August 4, 2007



ENTRY OF CONSENT ORDER ON BEHALF OF THE NORTH CAROLINA RESPIRATORY CARE BOARD:

Based on the agreement of the Licensee and the authority previously conveyed by resolution of the Board, the foregoing Consent Order is entered at Raleigh, North Carolina

This 19th day of April 2007


Floyd E. Boyer, RRT, RCP
Executive Director