



NORTH CAROLINA RESPIRATORY CARE BOARD

1100 Navaho Drive, Suite 242

Raleigh, NC 27609

CONSENT ORDER

**IN THE MATTER OF:
CRAIG A. DITMARS
RESPIRATORY CARE LICENSE #2701**

WHEREAS the North Carolina Respiratory Care Board (the "Board") administers and enforces The Respiratory Care Practice Act, codified in the North Carolina General Statutes at G.S. 90-646 et seq. (the "Act") , and is charged with the responsibility of protecting the public from the unqualified practice of respiratory care and from unprofessional conduct;

WHEREAS the Licensee was convicted on several counts of issuing worthless checks and twice convicted of driving while impaired, but failed to inform the Board of these prior multiple convictions in his initial application for a license;

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

WHEREAS on December 30, 2002, the Investigation and Informal Settlement Committee of the Board, acting pursuant to 21 NCAC 61.0203, conducted an interview of the Licensee to investigate his failure to report the prior convictions and to examine his qualifications in light of the failure to report the convictions;

WHEREAS the Board met on January 2, 2003, considered the report of the Investigation and Informal Settlement Committee and determined to issue a Consent Order to the Licensee;

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 one year from the date of his 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 April, July, and October, 2003, with the final report due by January 15, 2004. 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 agrees that the Board may conduct criminal background checks of the Licensee during the next 3 years. The background checks may be performed at random at any time during the dates January 1, 2003 through December 31, 2006, with no limitation on their frequency.

Licensee agrees to permit the Board to conduct random drug testing of the Licensee during the next 3 years. The drug testing may be performed at any time during the dates January 1, 2003 to December 31, 2006. 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 by certified letter, return receipt requested, 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 interpretations 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 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 by its Executive Director.

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