



NORTH CAROLINA RESPIRATORY CARE BOARD
1100 Navaho Drive, Suite 242
Raleigh, NC 27609

CONSENT ORDER

IN THE MATTER OF:
MAHLON K. BRADSHAW
RESPIRATORY CARE LICENSE #707

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 April 5, 2002, the Board issued a license to practice respiratory care to Mr. Mahlon K. Bradshaw ("Licensee"), license number 707; and

WHEREAS the Board received a complaint on July 12, 2007 from Pitt County Hospital alleging that the Licensee had not followed facility policies and protocols which caused the death of a patient; and

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

WHEREAS the Board's statute and its administrative rules establish standards that govern the conduct of anyone licensed by the Board while engaged in providing respiratory care; and

WHEREAS the Board's statute provides in N.C. Gen. Stat. § 90-659, that the Board shall take necessary action on a license when a licensee has engaged in health care practices that are determined to be hazardous to public health, safety or welfare; and

WHEREAS the Board's rule provide in 21 NCAC 61 .0307(10), that unprofessional conduct related to the delivery of respiratory care including engaging in any act or practice that is hazardous to public health, safety or welfare; and

WHEREAS on October 10, 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 October 11, 2007 and found the licensee in violation of Board rule 21 NCAC 61 .0307(10) and determined to issue a Consent Order to the Licensee for the violation; 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.

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NOW THEREFORE, IT IS HEREBY ORDERED THAT:

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

Licensee agrees to the Suspension of his Respiratory Care Practitioner license for a period of 30 days. The Suspension Order shall be stayed for a period of 12 months.

The Licensee agrees to pay to the Board within 90 days of the signature date of this order, the sum of \$250.00 for Civil Penalties which are authorized by G.S. 90-666(a) and 21 NCAC 61.0309 (d)(1) and the sum of \$300.00 to pay the cost of disciplinary action as authorized by G.S. 90-666(d).

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

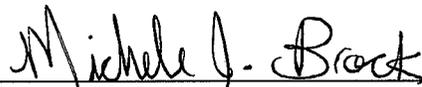
I, Mahlon K. Bradshaw, state that I have read the foregoing Consent Order; and that I know and fully understand its contents. I understand and agree that it is being entered to allow me to continue to be licensed by the Board to practice respiratory care, while fulfilling the Board's responsibility to 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.


Mahlon K. Bradshaw

STATE OF NORTH CAROLINA)
COUNTY OF Pitt)

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

This 25 day of October, 2007


Michele J. Brock
Notary Public

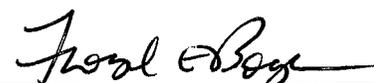
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My Commission Expires: April 14, 2010

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 30th day of October 2007


Floyd E. Boyer, RRT, RCP
Executive Director