



NORTH CAROLINA RESPIRATORY CARE BOARD

1100 Navaho Drive, Suite 242
Raleigh, NC 27609

CONSENT ORDER

**IN THE MATTER OF:
SARAH A. MEYERS
RESPIRATORY CARE LICENSE #5008**

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 12, 2007, the Board issued a license to practice respiratory care to Ms. Sarah A. Meyers ("Licensee"), license number 5008; and

WHEREAS the Board received information on August 31, 2007 that the Licensee had received a Petition to Revoke Probation from the California Respiratory Care Board for failing to abide by her probation for failing 3 random drug screens for Alcohol. The Board has also received information that the Licensee informed the Investigation and Informal Settlement Committee during an interview with the committee on April 11, 2007 that she had not consumed an alcoholic beverage in over 2 years. The Board has also received information that the Licensee had been admitted to the Emergency department at NorthEast Medical Center on August 18, 2007 with an ETOH level of 249; 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 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 Licensee was invited to an informal interview on October 10, 2007 with the Board's Investigation and Informal Settlement Committee to discuss the alleged conduct; and

WHEREAS the Board met on October 11, 2007 and found the licensee in violation of Board rules 21 NCAC 61 .0307(10) and (14) 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:

The 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.

The Licensee shall cause her immediate Respiratory Care supervisor to submit written quarterly reports to the Board, which shall be submitted by the 15th day of January, 2008, April, 2008, July 2008 and October, 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.

The Licensee shall agree to obtain a Substance Abuse Evaluation and follow any Plan of Treatment suggested by the Substance Abuse Counselor. Licensee shall sign a release of information form with her Substance Abuse Counselor allowing him/her to provide written reports to the Board during the 12 month probationary period. The first report is due no later than January 1, 2008.

The Licensee agrees to report to the Board's Investigation and Informal Settlement Committee at the time determined by the committee during its January 2008, April 2008, July 2008 and October 2008 meetings for purpose of determining ongoing compliance with the Board's order.

The Licensee agrees to pay to the Board within 180 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).

The 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.

The 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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