

IN THE MATTER OF: )  
 )  
Crystal D. Bickford, RCP )  
License Number – 4813 )

**CONSENT ORDER**

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**1. Jurisdiction**

The North Carolina Respiratory Care Board (the Board) is an occupational licensing board of the State of North Carolina, organized under The Respiratory Care Practice Act (“the Act”) codified at N.C. Gen. Stat. § 90-646, et seq. The Board has jurisdiction over this matter pursuant to N.C. Gen. Stat. § 90-652 and 21 N.C. Admin. Code § 61.0307.

**2. Identification of Licensee**

The Respiratory Care Practitioner is Crystal D. Bickford (the “RCP”). Her mailing address is 3735 Northrop Drive, Haw River, NC 27258. The RCP holds North Carolina Respiratory Care License Number 4813 (the “License”), first issued on May 31, 2006, and expiring on May 31, 2009.

**3. Waiver of Rights**

I, Crystal D. Bickford, the Respiratory Care Practitioner, understand that I have each of the following rights:

(Initials)

- CB The right to a hearing before the Board;
- CB The right to present evidence to disprove any or all of the charges against me;
- CB The right to present evidence to limit or reduce any sanction that could be imposed for a violation;
- CB The right to confront and cross-examine witnesses and to challenge evidence presented by the Board against me;
- CB The right to present legal arguments in a brief; and
- CB The right to appeal from any final decision adverse to my license to practice respiratory care.

As noted by my initials above, I hereby freely and knowingly waive each of these rights without further process and agree to the terms of this Consent Order regarding my License. In order to resolve this matter by a Consent Order, I also agree that the Board staff and counsel may discuss this Consent Order with the Board *ex parte* whether or not the Board accepts this Order as written.

**4. Stipulation to Facts**

The Respiratory Care Practitioner (“RCP”) and the Board stipulate to the following facts:

A. The RCP was engaged in the practice of respiratory care in North Carolina when the events occurred that led to the initiation of this complaint.

B. The Board received a complaint from Charlene Blaine, RCP at Respi-Test, Inc., Garner, NC; alleging that the RCP falsified pulse oximetry tests that she had performed.

C. The RCP appeared before the Board’s Investigation and Informal Settlement Committee for an interview on July 9, 2008 and provided information to the Committee during that interview in the form of answers to questions and other remarks while not under oath.

D. During the interview with the Committee on July 9, the RCP stated that on at least two occasions while employed by and in the course of performing duties for patients of Respi-Test, she made a guess in matching a patient with the pulse oximeter containing test results for that patient; and as a result she may have improperly labeled pulse oximeters, which could explain the identical tests for two patients on two occasions.

E. The RCP also stated during her interview with the Committee that she could not explain the test results of the other patients in question.

**5. Stipulated Order**

**A. Stipulation to Sections of Law Violated:**

I, Crystal D. Bickford, the RCP, admit that if it were proven at a hearing that I had not taken appropriate measures to ensure that accurate, reliable test results are obtained for each patient for whom I provide respiratory care services, this would constitute a violation of N.C. Gen. Stat. § 90-659 (a)(1)(d) and the rule codified at 21 N.C. Admin. Code § 61 .0307 (10).

**B. Stipulation to Sanctions:**

Under N.C. Gen. Stat. § 90-652, in lieu of proceeding to hearing, the Respiratory Care Practitioner and the Board hereby enter into this consent order and agree to the following terms:

- i) The RCP accepts and agrees to the issuance of a Board Reprimand;

ii) The RCP accepts and agrees to the assessment of a civil penalty of two hundred and fifty dollars (\$250.00) pursuant to N.C. Gen. Stat. § 90-666 and 21 N.C. Admin. Code § 61.0309. The RCP shall remit this sum to the Board no later than ninety (90) days after execution of this order;

iii) The RCP accepts and agrees to the assessment of five hundred dollars (\$500.00) in costs pursuant to N.C. Gen. Stat. § 90-666(d) and to remit this sum to the Board no later than ninety (90) days following the execution of this Consent Order. The RCP also assumes financial responsibility for any costs associated with fulfilling the terms of this Consent Order;

iv) The RCP also agrees that fulfillment of time-specific elements intended to coincide with periods of active practice by the RCP (such as, but not limited to; probation, supervision or therapy) will only accrue during periods of active practice while the RCP is compliant with the terms of this Order, so that any period of noncompliance or inactive practice will not accrue towards fulfillment of those terms;

v) The RCP agrees that this Consent Order is a public record, as defined by N.C. Gen. Stat. § 132-1, except that documents in the Board's investigative file are not public record;

vi) The RCP acknowledges that this disciplinary action will be reported to appropriate entities as outlined in Board policy and as required by state and/or federal law or guidelines. Those entities include, but are not limited to, the National Databank maintained by the National Board for Respiratory Care and the Healthcare Integrity and Protection Data Bank (HIPDB);

vii) Should circumstances arise that affect the RCP's ability to remain in compliance, the RCP agrees to notify the Board immediately in writing by return receipt mail, fully describing the situation, as well, as any attendant request for Board consideration;

viii) Based on the understandings and agreements by the RCP that are recited in this Order, the Board agrees not to proceed with any further sanctions, based upon the conduct described above. However, if the RCP fails to comply with any of the foregoing provisions of this Consent Order, while it is in effect, including the deadlines set forth in the Order, that is a violation of 21 N.C. Admin. Code § 61 .0307(3). In that event, the Board may schedule a show cause hearing for the RCP to appear and provide evidence regarding any alleged violations of the terms of the Order. If the Board determines that violations have occurred, then it may suspend or revoke the RCP's License, revoke any stay, and may take additional disciplinary action.

### **C. Compliance with the Act, Board Rules and Board Interpretations.**

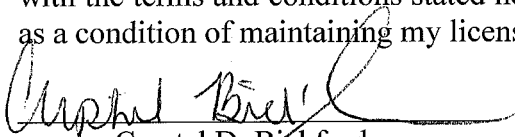
The RCP also agrees to continue to comply with the Act, the Board's Rules, and the Board's published interpretation of the Act and its Rules.

**6. Effective Date/Modification of Order**

All provisions of this Consent Order are effective on the date that the Executive Director of the Board signs this Order, and any modification of the terms of this Consent Order must be approved in writing by the Board before it may become effective.

**CONSENT TO ISSUANCE OF ORDER BY RESPIRATORY CARE PRACTITIONER**

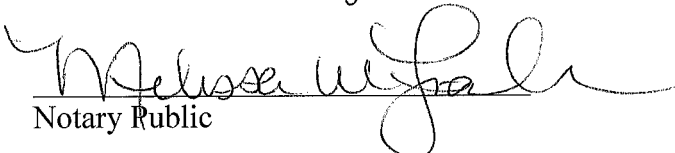
I, Crystal D. Bickford, state that I have read the foregoing Consent Order; that I know and fully understand its contents; that I agree freely and without threat or coercion of any kind to comply with the terms and conditions stated herein; and that I consent to the entry of this Consent Order as a condition of maintaining my license from the North Carolina Respiratory Care Board.

  
Crystal D. Bickford

STATE OF NORTH CAROLINA  
COUNTY OF Alamance

There personally appeared before me, a Notary Public in and for the County of Alamance, State of North Carolina, Crystal D Bickford, who, after having presented documentation of her identity that was satisfactory to me, did acknowledge that she executed the foregoing Consent Order as her free and voluntary act.

This 28<sup>th</sup> day of August, 2008.


  
Notary Public

(SEAL)

My Commission Expires: 03/26/2012

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

The foregoing Consent Order is entered at Raleigh, North Carolina, this 29<sup>th</sup> day of August, 2008.

  
Floyd E. Boyer, RRT, RCP  
Executive Director, North Carolina Respiratory Care Board