



NORTH CAROLINA RESPIRATORY CARE BOARD
1100 Navaho Drive, Suite 242
Raleigh, NC 27609
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VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

February 4, 2004

Evelyn Accordino
PO Box 1364
Coeburn, VA 24230

Re: Revocation of Your License as a Respiratory Care Practitioner

Dear Ms. Accordino,

A hearing was held by the North Carolina Respiratory Care Board on January 2, 2004, regarding the matters described in the Notice of Hearing dated July 3, 2003. The Board sent that notice by certified mail, return receipt requested, to your last addresses of record.

Based on the Notice of Hearing, your case was called during the Board meeting, but you did not appear and no one else appeared on your behalf. The Board proceeded with the hearing.

The Board considered the testimony and exhibits that were submitted at the hearing. From its review of this evidence, the Board entered the Findings of Fact and Conclusions of Law that are set out in the attached decision. Based on the evidence presented at the hearing, the Board has determined that it should revoke your license to practice Respiratory Care, effective January 2, 2004, the date of the hearing. This letter and the attached decision serve as official notice of the Board's Findings of Fact, Conclusions of Law, and its decision, together with notice of your appeal rights under the North Carolina Administrative Procedure Act.

Appeal Right – You have the right to appeal the Board's decision by filing a petition in the Superior Court of Wake County, North Carolina within thirty (30) days of your receipt of this letter. To compute the thirty days, start counting on the day after this letter is signed for by you or anyone else, because the Board will use the date of signature on the signature card that we will get back to define the start of the 30-day period. Your appeal must be **FILED** in the Office of the Clerk of Court at the Wake County Courthouse in Raleigh, North Carolina, no later than 5 P.M. on the thirtieth day, unless that day falls on a weekend or a holiday recognized by North Carolina State Government, and please note that North Carolina does not share the same holiday schedule as other states or the Federal government. If the thirtieth day falls on a weekend or recognized North Carolina state holiday, then you must file before 5 PM on the next business day. If you do not file an appeal within this thirty-day period, you lose your right to appeal.

Should you have any questions regarding any aspect of this letter, please do not hesitate to contact me.

Sincerely,

Floyd E. Boyer, RRT, RCP
Executive Director



BEFORE THE NORTH CAROLINA RESPIRATORY CARE BOARD

IN THE MATTER OF THE LICENSE)
OF EVELYN E. ACCORDINO TO)
PRACTICE RESPIRATORY CARE)
LICENSE NO. A-3116)

**FINAL BOARD DECISION
REVOKING LICENSE**

This case came on before hearing before the North Carolina Respiratory Care Board on January 2, 2004, as part of the Board's regularly scheduled meeting on that date.

PROCEDURAL HISTORY OF THIS CASE

Prior to the meeting, the Board had received a letter from Wake Forest University Baptist Medical Center, Winston-Salem, NC informing the Board that the Licensee, Evelyn E. Accordino, had been terminated effective February 1, 2003 because of a warrant being issued for her arrest. The Board sent a certified letter to Licensee's address of record on February 7, 2003 requesting the Licensee to attend an informal interview on April 2, 2003 to address this matter. Ms. Accordino did not come to the interview or call the Board office to reschedule the interview. The Board sent a certified letter to Licensee's address of record on April 9, 2003 requesting the Licensee to attend an informal interview on July 3, 2003 to address this matter. Ms. Accordino did not come to the interview or call the Board office to reschedule the interview. The Board met on July 3, 2003 and approved an order for Summary Suspension of Ms. Accordino's RCP license and scheduled a hearing for January 2, 2004. The Summary Suspension order was mailed to Ms. Accordino's address of record by certified mail on July 3, 2003.

APPEARANCES/WITNESSES

At the hearing, neither the Licensee, Evelyn E. Accordino nor any other person appeared on her behalf. The case for the Board was presented by its counsel, William R. Shenton. Mr. Shenton called Mr. Floyd Boyer, Executive Director of the Board, as the Board's only witness.

EVIDENCE/EXHIBITS

Board Evidence:

Mr. Boyer's testimony and the following Exhibits were accepted into the record without objection.

Board Exhibit # 1 – Letter requesting arrest warrants from the Winston-Salem, NC Police Department with a copy of the arrest warrant from the Winston-Salem Police Department.

Board Exhibit # 2 - Letter requesting charges and disposition for all cases for Evelyn E. Accordino before the District Court of Denton, Maryland; with Licensee's Violation of Probation and Criminal System Inquiry Charge/Disposition records attached.

Board Exhibit # 3 – Copy of Ms. Accordino's application for RCP Licensure.

Board Exhibit # 4- Letter requesting the Licensee attend an informal interview on April 2, 2003, mailed on February 7, 2003 to PO Box 1364, Coeburn, VA 24230.

Board Exhibit # 5- Letter requesting the Licensee attend an informal interview on July 3, 2003, mailed on April 9, 2003 to PO Box 1364, Coeburn, VA 24230.

Licensee Evidence:

Neither the Licensee nor a representative appeared and no evidence was presented on her behalf.

FINDINGS OF FACT

1. The Licensee was terminated from her position at Wake Forest University Baptist Medical Center on February 1, 2003 after a warrant for her arrest was issued, and the Winston-Salem Police Department attempted to arrest Ms. Accordino on Hospital premises.
2. The licensee was extradited to Caroline County Maryland for a violation of probation imposed on the charges of embezzlement and misappropriation.
3. On June 16, 2003, the licensee entered a plea of guilty to the charge of violation of probation.
4. The Licensee failed to respond to any of the Board requests to appear before the Investigation and Informal Settlement Committee, has not contacted the Board office to attempt to arrange different dates or times to appear, and did not appear for the hearing.

CONCLUSIONS OF LAW

Based upon the foregoing Finding of Fact, the Board enters the following Conclusions of Law:


1. The Licensee's prior conviction for embezzlement and her conviction in June of this year for a probation violation constitute criminal offenses involving moral turpitude, in violation of N.C. Gen. Stat. § 90-659(a)(2).
2. The Licensee's prior conviction for embezzlement and her conviction in June of this year for a probation violation also constitute violations of 21 N.C.A.C. 61.0307(24).

FINAL DECISION

Based upon the foregoing Findings of Fact and Conclusions of Law, the Board has determined that the license of Evelyn E. Accordino to practice respiratory care in North Carolina shall be permanently revoked effective January 2, 2004.

IT IS SO ORDERED:

This the 2nd day of January, 2004



Joseph Coyle, M.D., Chair
North Carolina Respiratory Care Board