



NORTH CAROLINA RESPIRATORY CARE BOARD  
1100 Navaho Drive, Suite 242  
Raleigh, NC 27609  
(919) 878-5595  
FAX (919) 878-5565

**VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

January 31, 2014

Amanda P. Cooper  
226 Andy Drive  
Forest City, NC 28043

**Re: Revocation of Your License as a Respiratory Care Practitioner**

Dear Ms. Cooper,

A hearing was held by the North Carolina Respiratory Care Board on January 9, 2014, regarding the matters described in the Notice of Hearing that was sent on October 17, 2013 to the address of record that you have provided to Board. Based on its review of the testimony and exhibits introduced into evidence, the Board determined to revoke your respiratory care practitioner license. This letter and the attached Final Board Decision serve as official notice of the Board's Findings of Fact, Conclusions of Law, and its Final Board Decision, along 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 Notice of Appeal of the Board's decision with the Superior Court of North Carolina, and you should seek legal advice about an appeal. The North Carolina Administrative Procedure Act states that these appeals may be filed in the Superior Court for the North Carolina county where the individual resides. The appeal must be filed within 30 days from your receipt of this letter and the Final Board Decision. The date of a signature on the signature card that the Board receives will define the start of the 30-day period, and to compute the 30-day period, you should count the day after this letter is signed for by you or by anyone else at your address as the first of the 30 days. The deadline for the actual receipt of your appeal at the Superior Court is before **5 P.M. on the thirtieth day**, unless that day falls on a weekend or on a holiday recognized by North Carolina State Government. ***Please note putting the appeal in the mail or sending it by some other means on the deadline is not sufficient. Any appeal must be actually received in Superior Court before the deadline.*** Also note that North Carolina does not have the same holidays as other states or the United States Government. If the thirtieth day falls on a weekend, or on a holiday that is recognized by the State of North Carolina, then your appeal must be received at the court no later than 5 PM on the next business day.

If you do not file an appeal on time, you will 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

Enclosed—Final Board Decision Revoking Your License



**BEFORE THE NORTH CAROLINA RESPIRATORY CARE BOARD**

IN THE MATTER OF THE LICENSE )  
OF AMANDA P. COOPER TO )  
PRACTICE RESPIRATORY CARE )  
LICENSE NO. 6132 )  
\_\_\_\_\_ )

**FINAL BOARD DECISION  
REVOKING LICENSE**

This hearing came before the North Carolina Respiratory Care Board on January 9, 2014, as part of the Board's regularly scheduled meeting on that date.

**PROCEDURAL HISTORY OF THIS CASE**

The subject of this hearing is the Board's decision to revoke the license held by the Licensee, based upon information about the Licensee's conduct. The Board received a complaint on March 5, 2012 that the Licensee was arrested for possession of drugs with intent to sell. The Board's Investigation and Informal Settlement Committee interviewed the Licensee on June 11, 2013 at which time the Licensee informed the committee that she had pled guilty for possession of a Schedule II controlled substance.

**APPEARANCES & WITNESSES TESTIFYING AT THE HEARING**

At the hearing, neither the Licensee, Amanda P. Cooper, nor any other person appeared on her behalf. The case for the Board was presented by its counsel, William R. Shenton. Mr. Shenton called the following witnesses on behalf of the Board: Mr. Floyd Boyer, Executive Director of the Board, and Ms. Judy Green, Board Investigator;

**EXHIBITS**

**Board Exhibits:**

**Board Exhibit # 1** – A copy of the Notice of Hearing mailed to the Licensee's address of record on October 17, 2013, along with the certified mail receipt and signature card.

**Board Exhibit # 2** – A copy of the felony judgment signed by Judge Gavenus of Rutherfordton County on March 13, 2013.

**Board Exhibit # 3** – A copy of an email sent on November 18, 2013 by Floyd Boyer, Executive Director to the Licensee at the email address of record asking if she will be attending the hearing scheduled for January 9, 2014.

**Board Exhibit # 4** – A copy of a letter mailed on November 21, 2013 by Floyd Boyer, Executive Director to the Licensee at the mailing address of record asking if she will be attending the hearing scheduled for January 9, 2014, along with the certified mail receipt. The letter was returned to the Board unclaimed.

**Board Exhibit # 5** - A copy of a letter dated December 17, 2013 inviting the Licensee to an interview with the Board's Investigation and Informal Settlement Committee to be held March 12, 2013, along with a copy of the certified mail receipt and signature card signed by the Licensee.

**Board Exhibit # 6** – A copy of an email sent by the Licensee on March 14, 2013 to Floyd Boyer, Executive Director informing the Board that she had entered a plea agreement for a Class I felony.

**Board Exhibit # 7** – A Transcript of the interview with the Licensee on June 11, 2013.

**Board Exhibit # 8** – A copy of an email sent by the Licensee on October 10, 2013 to Floyd Boyer, Executive Director informing the Board that she had completed the requirements of the probation she was placed on March 17, 2013.

**Board Exhibit # 9** – Copies of references from three individuals who had worked with the Licensee.

**Licensee Evidence:**

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

**FINDINGS OF FACT**

1. On or about November 19, 2009 the Board issued License Number 6132 to the Licensee to practice respiratory care.
2. The Licensee entered a guilty plea to a charge of possession of a Schedule II controlled substance.
3. The Board's Investigation and Informal Settlement Committee interviewed the Licensee on June 11, 2013 at which time the Licensee acknowledged that she had pled guilty for possession of a Schedule II controlled substance, and indicated her awareness of the seriousness of this plea and that it would have a negative impact on her retention of her license to practice respiratory care.
4. The Licensee was issued a Notice of Hearing on October 17, 2013. The Licensee signed the certified mail receipt card which was returned to the Board.
5. The Board staff attempted to contact the Licensee to determine whether she would attend the hearing.
6. Ms. Green went to the Licensee's address of record and asked her if she planned to attend the hearing.
7. The Licensee was aware that the hearing in this matter had been scheduled, but failed to appear for the hearing and did not request a continuance.

**CONCLUSIONS OF LAW**

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

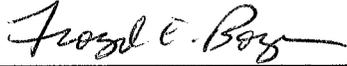
1. The Licensee's conviction for felony possession of a Schedule II controlled substance constitutes conduct that presents a basis to revoke License Number 6132 under 21 N.C.A.C. 61.0307 (24).

**FINAL DECISION**

Based upon the foregoing Findings of Fact and Conclusions of Law, the Board determined that the license of Amanda P. Cooper to practice respiratory care in North Carolina shall be permanently revoked effective January 9, 2014.

**IT IS SO ORDERED:**

Effective by Order of the Board on the 9th day of January 2014.



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