

IN THE MATTER OF:)
)
Deborah Karl, RCP)
License Number – 6700)

CONSENT ORDER

1. Jurisdiction

The North Carolina Respiratory Care Board (the Board) is an occupational licensing board of the State of North Carolina, organized under 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 Deborah Karl (the "Licensee"). Her mailing address is 734 King Drive, Hampstead, NC 28443. The Respiratory Care Practitioner holds North Carolina Respiratory Care License number 6700 (the "License"), first issued on December 5, 2011, with an expiration date of March 5, 2012.

3. Waiver of Rights

I, Deborah Karl, the Respiratory Care Practitioner, understand that I have each of the following rights:

(Initials)

- DK The right to a hearing before the Board;
- DK The right to present evidence to disprove all or some of the charges against me;
- DK The right to present evidence to limit or reduce any sanction that could be imposed for a violation;
- DK The right to confront and cross-examine witnesses and to challenge evidence presented by the Board against me;
- DK The right to present legal arguments in a brief; and
- DK 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 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 Licensee and the Board stipulate to the following facts:

A. The Board received an application for RCP license on June 17, 2011. The applicant's background check listed an arrest for a drug violation, drug possession with intent to sell, drug paraphernalia charge and driving with a revoked license.

B. The Licensee was issued a Provisional RCP License on December 5, 2011. The licensee was informed to keep the Board informed of the outcome of her trial and to submit to a drug addiction evaluation. The Provisional RCP License expired on March 5, 2012.

B. The Board received a second application for RCP license on May 31, 2103. The Board received documents from the applicant including court records showing she received a felony conviction and 3 years of probation for possession of a dangerous drug.

D. The Licensee attended the Board's Investigation and Informal Settlement Committee meeting on June 11, 2013 and provided the following documents:

- A written statement related to the conviction
- Copy of a drug abuse assessment performed October 18, 2011.
- Copies of references
- Copies of court records including the Sentence of Probation
- Copies of negative drug screens performed during 2010 and 2011

5. Stipulated Order

A. Stipulation to Sections of Law Violated:

I, Deborah Karl, the Respiratory Care Practitioner, admit that the allegations against me, if proven true, would constitute violations of N.C. Gen. Stat. § 90-659 (a)(1)(d) and 90-659 (a)(2) and the regulations set forth in 21 N.C. Admin. Code 61.0307 (10) and (24).

B. Stipulation to Sanction:

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 whereby the Respiratory Care Practitioner and the Board agree to the following terms:

1. The Licensee agrees to accept a license to practice respiratory care on Probationary Status for a period of 30 months from the date of execution of this order; and as a

specific condition of that Probationary Status the Licensee agrees to all of the following terms and limitations.

2. If employed in Respiratory Care, the Licensee shall cause her immediate supervisor to submit written quarterly reports to the Board during the time the Licensee is on Probation. 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.

3. During the entire time that the Licensee holds a license on Probationary Status, the Licensee agrees to permit the Board to conduct random drug testing of the Licensee, and further agrees that the entire 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 will be collected, and will instruct the Licensee regarding these and any other details of how any drug test should occur. The Board may accept drug screens performed by other state or federal agencies from those other agencies as proof of Licensee's ongoing compliance.

4. The Licensee accepts and agrees to the assessment of one hundred dollars (\$100.00) 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.

5. The Licensee agrees to comply with the court's probation requirements and provide the Board with updates as requested by the Board and with a copy of court records showing completion of the probation.

6. The Licensee also assumes financial responsibility for any costs associated with fulfilling the terms of this Consent Order.

7. To continue to comply with the Respiratory Care Practice Act, the Board's Rules, and the Board's published interpretation of those rules.

6. Public Record

The parties agree that this Consent Order is public record, as required by N.C. Gen. Stat. § 132-1. Documents that are part of the investigative file are not public record.

7. Reporting

This disciplinary action will be reported to the appropriate entities as outlined in Board policy and 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).

8. Effective Date

All provisions of this Consent Order are effective upon the date that the Executive Director of the Board signs this Order.

9. Noncompliance with Consent Order

Failure by the Respiratory Care Practitioner to comply with the terms of this Order, either in substance or in timing, is a violation of 21 N.C. Admin. Code § 61 .0307(3). If, during the term of this Consent Order, the Board staff receives evidence that the Respiratory Care Practitioner has violated any of the above conditions, the Board may schedule a show cause hearing for a determination of the violations. If the Board determines that such violations have occurred, then the Board may suspend or revoke the license, revoke any stay, or may impose additional disciplinary action.

All provisions of this Order are effective upon this Order's effective date. Fulfillment of time-specific elements intended to coincide with active practice (such as, but not limited to; probation, supervision or therapy) will only accrue during periods of active practice in which the Respiratory Care Practitioner is compliant with the terms of this Order. Therefore, any period of noncompliance or inactive practice will not accrue towards fulfillment of those terms.

Should circumstances arise that affect the Respiratory Care Practitioner's ability to remain in compliance, the Respiratory Care Practitioner shall immediately notify the Board in writing by return receipt mail, fully describing the situation along with any attendant request for Board consideration.

Any modification of this Consent Order must be pre-approved in writing by the Board before it may occur.

THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

CONSENT TO ISSUANCE OF ORDER BY RESPIRATORY CARE PRACTITIONER

I, Deborah Karl, 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.

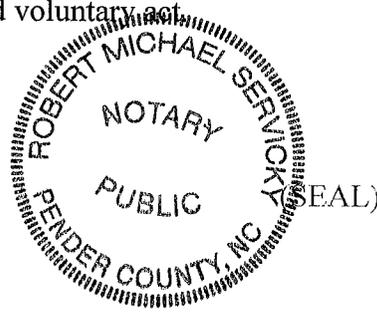
Deborah Karl
Deborah Karl

STATE OF NORTH CAROLINA
COUNTY OF PENDER

There personally appeared before me, a Notary Public in and for the County of PENDER, State of North Carolina, DEBORAH ANN KARL, 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 26th day of JULY, 2013.

Robert Michael Servick
Notary Public



My Commission Expires: June 27, 2015

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

The foregoing Consent Order is entered at Raleigh, North Carolina, this 30th day of July, 2013.

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