



NORTH CAROLINA RESPIRATORY CARE BOARD

**1100 Navaho Drive, Suite 242
Raleigh, NC 27609**

CONSENT ORDER

**IN THE MATTER OF:
JOHN W. MOORE
PENDING RESPIRATORY CARE LICENSE #413**

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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 the Licensee was found allowing an unlicensed individual, under his supervision, to practice Respiratory Care in North Carolina in violation of G.S. 90.659(a)(4), G.S. 90.661(5) and 21 NCAC 61 .0307 (7) (13; and

WHEREAS the Board conducted an investigation pursuant to G.S. 90-652 (5) into the activities of Licensee to determine if he has violated, is violating, or is about to violate any provisions of the Act; and

WHEREAS a Board Investigator on March 23, 2004 visited the Licensee's practice site and found that the Licensee was allowing unlicensed individual(s) under his supervision to practiced Respiratory Care, and

WHEREAS on June 30, 2004 the Investigational and Informal Settlement Committee of the Board, acting pursuant to 21 NCAC 61.0203, conducted an interview of the Licensee to determine the qualifications of the Licensee; and

WHEREAS the Board met on July 1, 2004 and determined to issue a Consent Order to the Licensee with conditions; 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.

NOW THEREFORE, IT IS HEREBY ORDERED THAT:

Licensee shall continue to comply with the Act, the Board's Rules, and the Board's interpretation of those rules.

Licensee agrees to the Suspension of his Respiratory Care Practitioner license for a period of 30 days. The Suspension Order is stayed for a period of 6 months.

Licensee agrees to take and pass a Board administered Statutes and Rules test to be completed within 60 days from the date of signature of the consent order.

Licensee agrees to pay to the Board within 60 days from the date of signature of the consent order, the sum of \$50.00 to pay the cost of disciplinary action authorized by G.S. 90-666(d).

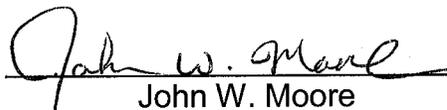
Entry of this Consent Order by the Board is without prejudice to the right of the Board to take any administrative action against Licensee to enforce this Consent Order if the Board determines that Licensee is not fully complying with any term or condition stated herein; and,

This Consent Order shall become final when accepted by the Licensee and entered by the Board based on the execution by its Executive Director.

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CONSENT TO ISSUANCE OF ORDER BY LICENSEE

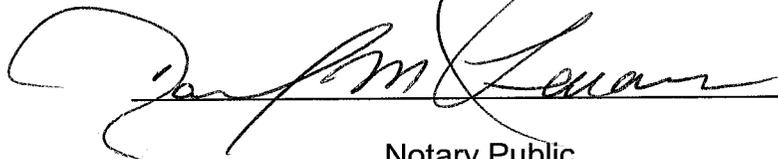
I, John W. Moore state that I have read the foregoing Consent Order; that I know and fully understand its contents; that I agree freely and without threat or coercion of any kind to comply with the terms and conditions stated herein; and that I consent to the entry of this Consent Order, as a condition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


John W. Moore

STATE OF NORTH CAROLINA)
COUNTY OF MECKLENBURG)

There personally appeared before me, a Notary Public in and for the County of MECKLENBURG State of North Carolina, John W. Moore, who after having presented documentation of his identity that was satisfactory to me did acknowledge that he executed the foregoing Consent Order as his free and voluntary act.

This 15th day of JULY, 2004


Notary Public

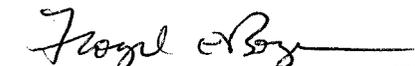
SEAL

My Commission Expires: MY COMMISSION EXPIRES
OCTOBER 05, 2008

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

Based on the agreement of the Licensee and the authority previously conveyed by resolution of the Board, the foregoing Consent Order is entered at Raleigh, North Carolina

This 20th day of July 2004


Floyd E. Boyer, RRT, RCP
Executive Director