



NORTH CAROLINA RESPIRATORY CARE BOARD

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

CONSENT ORDER

**IN THE MATTER OF:
REBECCA A. MCIVER
RESPIRATORY CARE LICENSE #2150**

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 practicing Respiratory Care in North Carolina without a license in violation of G.S. 90.659(a)(1)c and G.S. 90.661(1); and

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

WHEREAS the RCP license of Rebecca A. McIver expired at midnight on August 26, 2004; and

WHEREAS the Licensee worked with an expired license on the following dates: 8/28/04, 8/29/04, 9/1/04, 9/2/04, 9/6/04, 9/7/04, and 9/9/04; and

WHEREAS Board policy authorizes the Executive Director to offer the option of a Reprimand to a licensee practicing respiratory care with a lapsed license; and

WHEREAS 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 Licensee will comply with all of the terms contained herein.

NOW THEREFORE, IT IS HEREBY ORDERED THAT:

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

Rebecca A. McIver agrees to the issuance of a Board Reprimand for her violations of the Act.

Rebecca A. McIver agrees to pay to the Board within 90 days from the date of signature of the consent order, the sum of \$250.00 for Civil Penalties which are authorized by G.S. 90-666(a) and 21 NCAC 61.0309 (d)(1) and the sum of \$50.00 to pay the cost of disciplinary action as 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 Rebecca A. McIver to enforce this Consent Order if the Board determines that Rebecca A. McIver is not fully complying with any term or condition stated herein;

Entry of this Consent Order by the Board does not preclude the Board from taking other adverse action against Rebecca A. McIver for other acts or omissions by Rebecca A. McIver that may be brought to Board's attention in the future; and

This Consent Order shall become final when accepted by Rebecca A. McIver 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, Rebecca A. McIver, 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 with the North Carolina Respiratory Care Board.

Rebecca A. McIver
Rebecca A. McIver

STATE OF NORTH CAROLINA)
COUNTY OF Lee)

There personally appeared before me, a Notary Public in and for the County of Harnett, State of North Carolina, Rebecca A. McIver, 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 3rd day of December, 2004

RW Lewandowski

SEAL

Notary Public

My Commission Expires: 4/10/08

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 7th day of December 2004

Floyd E. Boyer

Floyd E. Boyer, RRT, RCP
Executive Director