



NORTH CAROLINA RESPIRATORY CARE BOARD
125 Edinburgh South Drive, Suite 100
Cary, NC 27511

July 14, 2016

Rhonda M. Favoright, RCP
Accreditation Coordinator
Carolinas HealthCare System
720 Morehead St.
Charlotte, NC 28220

Dear Ms. Favoright,

This letter is sent on behalf of the North Carolina Respiratory Care Board in response to your email request on April 12, 2016, for the Board's interpretation of state statutes and rules concerning whether a physician's verbal or written order for respiratory care procedures may be taken and recorded by a registered nurse or unlicensed office staff. The Board discussed your request at its regular quarterly meeting on July 14, 2016, and has directed me to issue this letter to you.

North Carolina General Statute 90-648 (10) defines the practice of respiratory care. NCG.S. 90-648 (10) states the practice of respiratory care is "as defined by the written order of a physician licensed under Article 1 of this Chapter, the observing, and monitoring of signs and symptoms, general behavior, and general physical response to respiratory care treatment and diagnostic testing". For this reason, licensed respiratory therapists must have a written order prior to performing any respiratory care treatment, diagnostic test, or disease or procedural protocol whether verbal or written. North Carolina General Statute 90-648 (10) (f) states that the practice of respiratory care also means the interpretation and implementation of a physician's written or verbal order for a respiratory care procedure. The Board has determined that having a RCP transcribe verbal orders directly related to the practice of respiratory care from a physician who is licensed under Article 1 of Chapter 90 of the North Carolina General Statutes is a practice that is consistent with the practice of respiratory care as defined in G.S. 90-648.

The Board discussed whether a registered nurse or unlicensed office staff may accept and transcribe a verbal order relating to respiratory care from a licensed physician. Since the verbal or written orders of a physician can be received by a registered nurse, an RCP may carry out a licensed physician's verbal order related to respiratory care that has been taken and transcribed by a registered nurse, so long as the physician later signs the order as required by institutional policy and in accordance with state and federal law. However, a physician's verbal orders cannot be accepted by the RCP if taken and transcribed by unlicensed or clerical staff.

Please advise if you have any other questions about this issue. We also recommend that you consult with other agencies and boards that establish standards for the operations of your facility and the activities of health care professions in your facility.

Regards,


William L. Croft, Ph.D., RRT, RCP
Executive Director