



**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**

October 23, 2006

Mark C. Teasley  
4415 Cabe Road, PO Box 2125  
Sylva, NC 28779

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

Dear Mr. Teasley,

A hearing was held by the North Carolina Respiratory Care Board on October 12, 2006, regarding the matters described in the Order for Summary Suspension and Notice of Hearing dated July 13, 2006. The Board sent that notice by certified mail, return receipt requested, to your last address of record.

Based on the Notice of Hearing, your case was called during the Board meeting, but you did not appear and no one else appeared on your behalf. The Board proceeded with the hearing.

The Board considered the testimony and exhibits that were submitted at the hearing. From its review of this evidence, the Board entered the Findings of Fact and Conclusions of Law that are set out in the attached decision. Based on the evidence presented at the hearing, the Board has determined that it should revoke your license to practice Respiratory Care, effective October 12, 2006, the date of the hearing. This letter and the attached decision serve as official notice of the Board's Findings of Fact, Conclusions of Law, and its decision, together 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 petition in the Superior Court of Wake County, North Carolina within thirty (30) days of your receipt of this letter. To compute the thirty days, start counting on the day after this letter is signed for by you or anyone else, because the Board will use the date of signature on the signature card that we will get back to define the start of the 30-day period. Your appeal must be **FILED** in the Office of the Clerk of Court at the Wake County Courthouse in Raleigh, North Carolina, no later than 5 P.M. on the thirtieth day, unless that day falls on a weekend or a holiday recognized by North Carolina State Government, and please note that North Carolina does not share the same holiday schedule as other states or the Federal government. If the thirtieth day falls on a weekend or recognized North Carolina state holiday, then you must file before 5 PM on the next business day. If you do not file an appeal within this thirty-day period, you 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



**BEFORE THE NORTH CAROLINA RESPIRATORY CARE BOARD**

IN THE MATTER OF THE LICENSE )  
OF MARK C. TEASLEY TO )  
PRACTICE RESPIRATORY CARE )  
LICENSE NO. 846 )  
\_\_\_\_\_ )

**FINAL BOARD DECISION  
REVOKING LICENSE**

This hearing came before the North Carolina Respiratory Care Board on October 12, 2006, as part of the Board's regularly scheduled meeting on that date.

**PROCEDURAL HISTORY OF THIS CASE**

The subject of this hearing is that the Licensee tested positive for methamphetamines and cannabis on a substance test performed at the Hospital on March 14, 2006 and was terminated from his employment at Westcare Health System on April 7, 2006 for practicing respiratory care under the influence of drugs at the facility and failing to keep appointments with the Employee Assistance Program.

The Licensee was notified that he was scheduled to attend an informal interview on July 12, 2006 with the Board's Investigation and Informal Settlement Committee to discuss the conduct identified above. The Board's notice was sent on March 31, 2006 by certified mail to the address of record that the Licensee had provided to the Board. The Board received the letter returned unclaimed.

The Licensee failed to appear at the appointed time for the interview or to indicate to the Board that he would be unable to attend.

**APPEARANCES/WITNESSES**

At the hearing, neither the Licensee, Mark C. Teasley, nor any other person appeared on his behalf. The case for the Board was presented by its counsel, William R. Shenton. Mr. Shenton called Mr. Floyd Boyer, Executive Director of the Board, as the Board's witness.

**EVIDENCE/EXHIBITS**

**Board Evidence:**

Mr. Boyer's testimony and the following Exhibits were accepted into the record without objection.

Board Exhibit # 1 –A letter dated September 22, 2006, Notice of Hearing for October 12, 2006. A copy of the certified mail signature receipt showing the letters were returned to the Board unclaimed.

Board Exhibit # 2 –A letter dated July 13, 2006, Order for Summary Suspension and Permanent Revocation of License of Mark C. Teasley and Notice of Hearing for October 12, 2006. A copy of the certified mail signature receipt showing the letters were returned to the Board unclaimed.

Board Exhibit # 3 – A certified letter dated March 31, 2006 to the Licensee's address of record, requesting the licensee to appear for an informal interview at the Board office on July 12, 2006. A copy of the certified mail signature receipt showing the letters were returned to the Board unclaimed.

Board Exhibit # 4 – A copy of the Licensee’s application showing his address of record.

Board Exhibit # 5 – A copy a subpoena to Harris Regional Medical Center requesting a copy of drug screen(s) performed by the facility for the Licensee; a copy of the consent to obtain specimen for substance abuse signed by the Licensee; a copy of the laboratory report showing the licensee tested positive for amphetamine, methamphetamine and marijuana metabolites and a copy of the chain of custody form.

Board Exhibit # 6 – A copy of the letter to the Licensee from Westcare Health Systems terminating his employment for practicing respiratory care under the influence of drugs at the facility and failing to keep appointments with the Employee Assistance Program.

**Licensee Evidence:**

Neither the Licensee nor a representative appeared.

**FINDINGS OF FACT**

1. The Licensee failed to appear before the Investigation and Informal Settlement Committee on July 12, 2006 as requested by the Board.
2. The Licensee failed to appear before the Board for Hearing on October 12, 2006 as requested by the Board.
3. The Licensee has not contacted the Board office to attempt to arrange different dates or times to appear, and did not appear for the hearing.

**CONCLUSIONS OF LAW**

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

1. The licensee’s use of methamphetamines and cannabis and practicing respiratory care under the influence of drugs constitutes unprofessional conduct which violates 90-N.C. General Statute 659 (a) (1) d and Board Rules codified at 21 NCAC 61 .0307(10) and (14).

**FINAL DECISION**

Based upon the foregoing Findings of Fact and Conclusions of Law, the Board has determined that the license of Mark C. Teasley to practice respiratory care in North Carolina shall be permanently revoked effective October 12, 2006.

**IT IS SO ORDERED:**

This the 12<sup>th</sup> day of October, 2006



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