



NORTH CAROLINA RESPIRATORY CARE BOARD

1100 Navaho Drive, Suite 242

Raleigh, NC 27609

CONSENT ORDER

**IN THE MATTER OF:
ROGER H. OSBORNE
PENDING RESPIRATORY CARE LICENSE #3073**

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 Applicant was found practicing Respiratory Care in North Carolina without a Respiratory Care Practitioner 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 Applicant to determine if he has violated, is violating, or is about to violate any provisions of the Act; and

WHEREAS on November 21, 2002, the Investigational and Informal Settlement Committee of the Board, acting pursuant to 21 NCAC 61.0203 conducted an interview of the Applicant to determine the qualifications of the Applicant; and

WHEREAS the Board met on November 21, 2002 and determined to issue a Consent Order to license the Applicant as a Respiratory Care Practitioner with conditions; and

WHEREAS Applicant 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 and the Board will issue Applicant a license, with the express understanding that Applicant will comply with all of the terms contained herein.

NOW THEREFORE, IT IS HEREBY ORDERED THAT:

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

Applicant agrees to the issuance of a Board Reprimand for his violations of the Act.

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

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

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK

CONSENT TO ISSUANCE OF ORDER BY APPLICANT

I, Roger H. Osborne 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 obtaining my license from the North Carolina Respiratory Care Board.

Roger H. Osborne
Roger H. Osborne

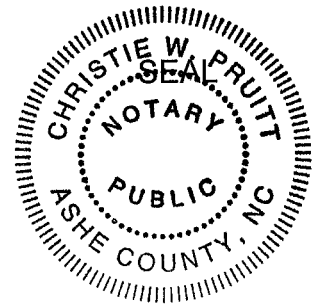
STATE OF NORTH CAROLINA)
COUNTY OF Ashe)

There personally appeared before me, a Notary Public in and for the County of _____, State of North Carolina, Roger H. Osborne, 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 26 day of November, 2002

Christie W. Pruitt
Notary Public

My Commission Expires: 10/08/05



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

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

This 3rd day of December 2002

Floyd E. Boyer
Floyd E. Boyer, RRT, RCP
Executive Director