



NORTH CAROLINA RESPIRATORY CARE BOARD

1100 Navaho Drive, Suite 242
Raleigh, NC 27609

CONSENT ORDER

**IN THE MATTER OF:
HOWARD C. MADDOX
RESPIRATORY CARE LICENSE #4086**

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 on or about January 14, 2005, the Board issued a license to practice respiratory care to Mr. Howard C. Maddox ("Licensee"), license number 4086; and

WHEREAS the Board received a complaint dated June 20, 2006 from his supervisor at Pitt County Memorial Hospital alleging that the Licensee falsified a patient record by documenting items on a patient chart without having fully assessed the patient; and

WHEREAS the Board requested further documentation from Pitt County Memorial Hospital on June 22, 2006; and

WHEREAS on July 10, 2006 Pitt County Memorial Hospital furnished further documentation to substantiate the complaint; and

WHEREAS the Board's statute and its administrative rules establish standards that govern the conduct of anyone licensed by the Board while engaged in providing respiratory care; and

AND WHEREAS the Board's rules state in 21 NCAC 61 .0307(13) the Board may deny, suspend, or revoke a license, or issue a letter of reprimand to a licensee, upon willfully making or filing a false report or record, or willfully failing to file a report or record required by state or federal law, or willfully impeding or obstructing such filing or inducing another person to do so. Such reports or records include only those reports or records which require the signature of a respiratory care practitioner or a respiratory therapist licensed pursuant to this part; and

WHEREAS Licensee was invited to an informal interview on July 11, 2006 with the Board's Investigation and Informal Settlement Committee to discuss the alleged conduct; and

WHEREAS the Board met on July 13, 2006 and determined to issue a Consent Order to the Licensee for violations of the Act; 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 the Licensee will comply with all of the terms contained herein.

**NOW THEREFORE, AND BASED ON THE INFORMATION
PRESENTLY AVAILABLE TO THE BOARD,
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; and

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

Licensee agrees to pay to the Board within 90 of the date the Consent Order is signed by the Licensee, 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 \$100.00 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 the Licensee to enforce this Consent Order if the Board determines that the Licensee 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 the Licensee for other acts or omissions by the Licensee that may be brought to Board's attention in the future; 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

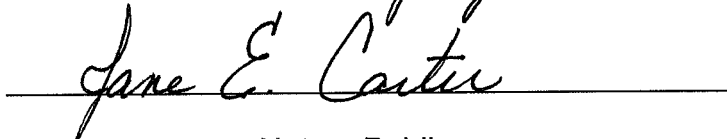
I, Howard C. Maddox, state that I have read the foregoing Consent Order; that I know and fully understand its contents; that I agree freely and without threat or coercion of any kind to comply with the terms and conditions stated herein; and that I consent to the entry of the Consent Order, as a condition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


Howard C. Maddox

STATE OF NORTH CAROLINA)
COUNTY OF Wake)

There personally appeared before me, a Notary Public in and for the County of Wake, State of North Carolina, Howard C. Maddox, 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.

The 14th day of July, 2006


Notary Public

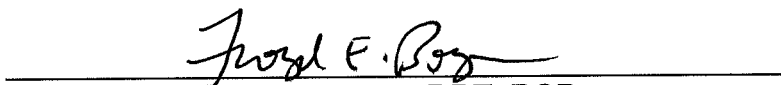
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My Commission Expires: 12-8-07

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

The 14th day of July 2006


Floyd E. Boyer, RRT, RCP
Executive Director