



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

July 23, 2003

Autumn L. Larson
2140 Riviera Street #B
Reno, NV 89509

Re: Revocation of Your License as a Respiratory Care Practitioner

Dear Ms. Larson,

A hearing was held by the North Carolina Respiratory Care Board on July 3, 2003, regarding the matters described in the notices of hearing dated July 21, 2003. The Board sent these notices by registered mail, return receipt requested, to your last addresses of record. The Board received a return receipt for the February 21 letter that invited you to appear before the committee, but the Board received no response to the attached notices of hearing. Both were returned to us as undeliverable. The Board has received no notice of a change in address.

Based on the notices 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 July 3, 2003, 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 you receive this letter. Your appeal must be **FILED** at the Office of the Clerk of Court in the Wake County Courthouse before 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 AUTUMN L. LARSON TO)
PRACTICE RESPIRATORY CARE)
LICENSE NO. A-3033)
_____)

FINAL BOARD DECISION REVOKING LICENSE

This case came on before hearing before the North Carolina Respiratory Care Board on July 3, 2003, as part of the Board's regularly scheduled meeting on that date. Prior to the meeting, the Board had received a letter from Cross Country TravCorps informing the Board that the Licensee Autumn L. Larson had been terminated from First Health Moore Regional Hospital in Pinehurst, NC because of job performance issues. The Board sent a certified letter to Licensee's address of record on February 21, 2003 requesting the Licensee to attend an informal interview on April 2, 2003 to address this matter. Ms. Larson did not come to the interview or call the Board office to reschedule the interview. The Board met on April 2, 2003 and approved an order for Summary Suspension of Ms. Larson's RCP license and scheduled a hearing for July 3, 2003. The Summary Suspension order was mailed to Ms. Larson's address of record by certified mail. Subsequent to this, the Board also mailed notices of hearing which are Board Exhibits 1 and 3.

APPEARANCES/WITNESSES

At the hearing, neither the Licensee, Autumn L. Larson nor any other person appeared on her 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 a witness.

EVIDENCE/EXHIBITS

Board Evidence:

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

Board Exhibit # 1 - Summary Suspension notification and scheduled of hearing for July 3, 2003, mailed to 2140 Rivera St # B, Reno, NV 89509.

Board Exhibit # 2 - Letter requesting the Licensee attend an informal interview on April 2, 2003, mailed on February 21, 2003 to Linville Garden #112, Pinehurst, NC 28370.

Board Exhibit # 3 - Summary Suspension notification and scheduled of hearing for July 3, 2003, mailed to 6607 South 800 East, Hyrum, UT 84319.

Board Exhibit # 4 – Board's copy of Order for Summary Suspension and Permanent Revocation of License of Autumn Larson and Notice of Hearing.

Board Exhibit # 5 – Letter of April 29, 2003 from William Mashbourn, RCP, Assistant Director the First Health Moore Regional Hospital Respiratory Care Department

Board Exhibit # 6 – Letter of April 25, 2003 from Mr. Mashbourn and Liane M. York attaching a statement signed by Christina Reid

Board Exhibit # 7 – Letter of February 11, 2003 from Ms. Dawn Donohue, Clinicial Liasion in the Quality Improvement Department of Cross Country TravCorps.

Licensee Evidence:

Neither the Licensee nor a representative appeared and no evidence was presented on her behalf.

FINDINGS OF FACT

1. The Licensee was terminated from her position at First Health, Moore Regional Hospital after being found asleep while on duty on February 9, 2003, and refusing to submit to a test to determine whether she was under the influence of alcohol.
2. The Licensee has failed to respond to any of the Board requests to appear before the Investigation and Informal Settlement Committee, 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:

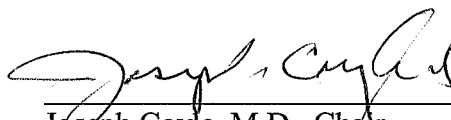
1. The Licensee's conduct in sleeping while on duty is a practice that is hazardous to the public health, safety, and welfare and constitutes incompetence in the practice of Respiratory Care, which constitutes a violation of N.C. Gen. Stat. § 90-659(a)(1).
2. The Licensee's conduct in sleeping while on duty also constitutes unprofessional conduct in the delivery of respiratory care and therefore violates 21 N.C.A.C. 61.0307(10).

DECISION

Based upon the foregoing Findings of Fact and Conclusions of Law, the Board has determined that the license of Autumn L. Larson to practice respiratory care in North Carolina shall be permanently revoked effective July 3, 2003.

IT IS SO ORDERED:

This the 3rd day of July, 2003.



Joseph Coyle, M.D., Chair
North Carolina Respiratory Care Board