



NORTH CAROLINA RESPIRATORY CARE BOARD

**1100 Navaho Drive, Suite 242
Raleigh, NC 27609**

CONSENT ORDER

**IN THE MATTER OF:
VERNON L. SHEPPARD, JR.
PENDING RESPIRATORY CARE LICENSE #3678**

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)(2)(3) and (4), 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 a Board Investigator on November 20, 2003 and December 5, 2003 visited the Applicant's practice site and found that the Applicant had practiced Respiratory Care without a license, and

WHEREAS on March 31, 2004 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 April 1, 2004 and determined to issue a Consent Order to license the Applicant as a Respiratory Care Practitioner with conditions; and

WHEREAS the 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 the Applicant a license, with the express understanding that the 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 shall consent to Probationary Status for a period of 24 months from the date of signature of the consent order for his violations of the Act.

Applicant shall cause his immediate Respiratory Care supervisor to submit written quarterly reports to the Board during the Licensee's probationary period. Each report shall be submitted to the Board by the 15th day of the following months; July 15, 2004, October 15, 2004, January 15, 2005, April 15, 2005, July 15, 2005, October 15, 2005, January 15, 2006, and April 15, 2006. Each such written report shall document the Licensee's performance in the delivery of Respiratory Care, and detail any concerns of the supervisor about the Licensee's practice of Respiratory Care.

Applicant agrees to take and pass a Board administered Statutes and Rules test to be completed within 60 days from the date of signature of the consent order.

Applicant agrees to pay to the Board within 60 days from the date of signature of the consent order, the sum of \$300.00 to pay the cost of disciplinary action 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 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 by its Executive Director.

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CONSENT TO ISSUANCE OF ORDER BY APPLICANT

I, Vernon L. Sheppard, Jr. 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 maintaining my license from the North Carolina Respiratory Care Board.

Vernon L. Sheppard, Jr.
Vernon L. Sheppard, Jr.

STATE OF NORTH CAROLINA)
COUNTY OF Mecklenburg)

There personally appeared before me, a Notary Public in and for the County of Mecklenburg State of North Carolina, Vernon L. Sheppard, Jr., 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 3rd day of May, 2004

Quindia Hines

Notary Public

My Commission Expires: August 9, 2011

SEAL

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 May 2004

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