



**NORTH CAROLINA RESPIRATORY CARE BOARD**  
**125 Edinburgh South Drive, Suite 100**  
**Cary, NC 27511**

**LETTER OF SURRENDER**

Name of Licensee: Jason E. Cook

License Number: A-5921

I, Jason E. Cook, hereby surrender the above-specified license to the North Carolina Respiratory Care Board with the intention that it be cancelled and have attached the license/certificate to this Notice if it has not been lost or destroyed.

I, Jason E. Cook, hereby surrender license number A-5921 willingly for violating the Consent Order for Case# 16-849 signed on May 2, 2017 which is attached to this letter.

In doing so, I acknowledge that once the license has been surrendered it cannot be re-instated unless approved by the Board in accordance with N.C. Gen. Stat. § 90-652.

I understand that if there is a need to apply for the corresponding license again in the future, the eligibility criteria that are current at the time the application is made will need to be met.

I also acknowledge that there is no provision for a refund of any fees paid in relation to the license that is being surrendered.

I also acknowledge that I voluntarily surrender property rights to the license to practice the profession in the North Carolina and this surrender is reportable to the National Practitioner Data Bank and the National Board of Respiratory Care.

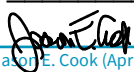
I lost my original certificate.

I will send my certificate and credentials to the address listed above.

If NCRCB needs to contact me about this notice of surrender, my contact details are

Telephone: 3362806409

Email: j\_cook10@yahoo.com

Signature:   
Jason E. Cook (Apr 8, 2020)

Date: 04/08/2020

STATE OF NORTH CAROLINA

BEFORE THE NORTH CAROLINA  
RESPIRATORY CARE BOARD

IN THE MATTER OF:

Jason E. Cook, RCP  
License Number – 5921

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**UNPUBLISHED CONSENT ORDER**

**1. Jurisdiction**

The North Carolina Respiratory Care Board (the Board) is an occupational licensing board of the State of North Carolina, organized under N.C. Gen. Stat. § 90-646, et seq. The Board has jurisdiction over this matter pursuant to N.C. Gen. Stat. § 90-652 and 21 N.C. Admin. Code § 61.0307.

**2. Identification of Licensee**

The Respiratory Care Practitioner is Jason E. Cook (the “RCP”). His mailing address is 317 Maple St. Eden, NC 27288. The RCP holds North Carolina Respiratory Care License number 5921 (the “License”), first issued on May 27, 2010, with a current expiration date of May 31, 2017.

**3. Waiver of Rights**

I, Jason E. Cook, the RCP, hereby confirm that I understand that I have each of the following rights, and as noted by my initials below, I hereby freely and knowingly waive each of these rights without further process and agree to the terms of this Unpublished Consent Order regarding my License:

(Initials)

*JEC*  
*JEC*  
*JEC*  
*JEC*  
*JEC*  
*JEC*

- The right to a hearing before the Board;
- The right to present evidence to disprove all or some of the charges against me;
- The right to present evidence to limit or reduce any sanction that could be imposed for a violation;
- The right to confront and cross-examine witnesses and to challenge evidence presented by the Board against me;
- The right to present legal arguments to the Board; and
- The right to appeal from any final decision adverse to my license to practice respiratory care.

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#### **4. Stipulation to Facts**

The RCP and the Board stipulate to the following facts:

A. The RCP was employed in the practice of respiratory care in North Carolina during the time period when the events occurred that led to the initiation of this matter.

B. On December 29, 2016, the Board received a complaint from the manager of Employee Occupational Health for Novant Health stating that Jason E. Cook, RRT came through the HR department for a new hire drug screen. He untimely declined the position but his drug screen results came back positive for marijuana.

C. On January 30, 2017, the Medical Review Officer report and chain of custody documentation showing a positive screen for THC was received by the Board.

D. The RCP attended the Board's Investigation and Informal Settlement Committee meeting on March 7, 2017 and admitted to using marijuana for self-medication. He stated that he continued use until he received the letter from the Board inviting him to the IISC meeting. He stated that he had been under psychiatric care for manic depressive behavior previously but the medication failed to help. He used marijuana to self-medicate. He stated that he would accept all sanctions to keep his license and that his employer is aware of his case. Licensee displayed extreme remorse and freely admitted to marijuana use for self-medication.

E. On April 13, 2017 the Board considered this matter and determined to offer an Unpublished Consent Order to the RCP, on the terms set out in this document.

#### **5. Stipulated Order**

##### **A. Stipulation to Sections of Law Violated:**

I, Jason E. Cook, the RCP, admit that the conduct described above constitutes violations of N.C. Gen. Stat. § 90-659 (a)(4) and the regulations set forth in 21 N.C. Admin. Code § 61.0307 (24), and provides a sufficient basis for the Board to permanently revoke my License, or take other disciplinary action.

##### **B. Stipulation to Interim Sanction:**

Under N.C. Gen. Stat. § 90-652, in lieu of proceeding to hearing, the RCP and the Board hereby enter into this Unpublished Consent Order and agree to the terms specified below. The Board offers unpublished consent orders to licensees in situations where the information received about a licensee does not have a direct bearing on that licensee's professional conduct or competence and where there also are other circumstances, including a licensee's self reporting of an issue or incident, which demonstrate appropriate insight and remorse; making it less likely that the same issue or problem will occur again. Unpublished consent orders are kept in a licensee's file, which is accessible to the public, but they are not published by the Board on its website. The RCP understands that each and every one of the following terms is an essential provision of this Order, to which he agrees:

1. The RCP agrees to accept a license to practice respiratory care on Probationary Status for a period of not less than 36 months from the date of execution of this order; and as a specific condition of that Probationary Status the RCP agrees to all of the following terms and limitations.

2. The RCP agrees to report change of employment as a Respiratory Care Practitioner and/or change of address in writing to the Board within five business days after such change.
3. The RCP shall cause his immediate supervisor to submit written quarterly reports to the Board during the time the RCP is on Probation. Each such written report shall be submitted on a form designated by the Board and shall document the RCP's performance in the delivery of Respiratory Care, and detail any concerns of the supervisor about the RCP's practice of Respiratory Care.
4. The RCP agrees to seek an assessment from a Board Certified Psychiatrist within 30 days of his signature of this order and submit a copy of the findings and plan of treatment to the Board.
5. The RCP agrees to seek treatment and counseling with a Board approved substance abuse counselor or a Board Certified Psychiatrist during the probationary period within 30 days of his signature of this order and submit a copy of that treating professional's findings and plan of treatment to the Board.
6. The RCP shall follow any Plan of Treatment suggested by the Counselor or a Board Certified Psychiatrist. The RCP agrees to sign a release of information form with his Counselor or a Board Certified Psychiatrist allowing him/her to provide written reports to the Board of his sessions with his Counselor on a quarterly basis for 36 months.
7. The RCP agrees to attend one or more interviews with the Investigation and Informal Settlement Committee of the Board, the exact dates to be determined by the Board in its discretion in the future, to determine compliance with this Order.
8. The RCP acknowledges and agrees that this Order and the materials compiled by the Board are matters of public record under the North Carolina Public Records Law, N.C. Gen. Stat. § 132-1 *et seq.*; and that the contents of this Consent Order will be reported to the appropriate entities as outlined in Board policy and as required by state and/or federal law or guidelines. Those entities include, but are not limited to, the National Databank maintained by the National Board for Respiratory Care and the Healthcare Integrity and Protection Data Bank (HIPDB).
9. The RCP agrees that if circumstances arise which affect the RCP's ability to remain in compliance with any of the terms of this Consent Order, or to make continued progress on completing the requirements, the RCP shall immediately notify the Board in writing by return receipt mail, fully describing the situation and providing a specific request to modify its terms for Board consideration. However, no modification of this Consent Order shall be in effect until the Board confirms such a modification in writing to the RCP.
10. The RCP acknowledges and agrees that if he fails to comply with the terms of this Consent Order, either by completely failing to carry out one of his obligations, or failing to complete an obligation within a time specified, that will constitute a violation of 21 N.C. Admin. Code 61 .0307(3), and that as a result, the Board may suspend or revoke the License, or impose additional disciplinary sanctions or performance obligations on the RCP.
11. The RCP acknowledges and agrees that this Consent Order and the materials compiled by the Board are matters of public record under the North Carolina Public Records Law, N.C. Gen. Stat. § 132-1 *et seq.*; and that the contents of this Consent Order will be reported to the appropriate entities as outlined in Board policy and as required by state and/or federal law

or guidelines. Those entities include, but are not limited to, the National Databank maintained by the National Board for Respiratory Care and the Healthcare Integrity and Protection Data Bank (HIPDB) maintained by the U.S. Department of Health and Human Services.

12. The RCP agrees that if circumstances arise which affect the RCP's ability to remain in compliance with any of the terms of this Consent Order, or to make continued progress on completing the requirements, the RCP shall immediately notify the Board in writing, fully describing the situation and providing a specific request to modify the terms of this Consent Order for the Board's consideration. However, the RCP acknowledges that unless and until the Board confirms such a modification IN WRITING to the RCP, no modification of this Consent Order shall be in effect.

13. The RCP acknowledges and agrees that if he fails to comply with the terms of this Consent Order, either by completely failing to carry out one of her obligations, or failing to complete an obligation within a time specified, that will constitute a violation of 21 N.C. Admin. Code 61 .0307(3), and that as a result, the Board may suspend or revoke the License, or impose additional disciplinary sanctions or performance obligations on the RCP.

#### **8. Effective Date/Modification**

All provisions of this Consent Order are effective upon the date that the Executive Director of the Board signs it, and it shall remain in effect for the period or periods specified, or until amended in writing by the Board.

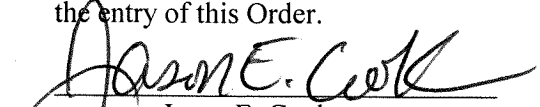
The terms of this Consent Order shall remain in effect until the RCP completes each of the requirements listed above, and receives written confirmation of completion from the Board.

However, the RCP must continue to comply with the Respiratory Care Practice Act and the Board's Rules; and the RCP acknowledges that if other evidence of the RCP's non-compliance with the Act or the Rules that is not presented in the Stipulated Facts above should arise, then the Board may invoke other disciplinary measures against the RCP, based on that other evidence; and that in determining the appropriate action to take in response to other evidence of the Licensee's non-compliance with the Act or the Rules, the Board also may consider the conduct of the RCP which is presented in the Stipulated Facts in this Consent Order.

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**CONSENT TO ISSUANCE OF UNPUBLISHED CONSENT ORDER BY  
RESPIRATORY CARE PRACTITIONER**


I, Jason E. Cook, state that I have read the foregoing Order; that I know and fully understand its contents; that after having an opportunity to consult with and obtain advice of counsel, 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 Order.

  
\_\_\_\_\_  
Jason E. Cook

STATE OF NORTH CAROLINA  
COUNTY OF Roxborough

There personally appeared before me, a Notary Public in and for the County of Roxborough State of North Carolina, Jason Edward Cook, who, after having presented documentation of his identity that was satisfactory to me, did acknowledge that he executed the foregoing Unpublished Consent Order as his free and voluntary act.

This 2 day of May, 2017.


  
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Notary Public

Felicia W. Edwards  
Notary Public  
Orange County, NC  
My Commission Expires 10-16-18

My Commission Expires: 10-16-18

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

The foregoing Unpublished Consent Order is entered at Cary, North Carolina, this 5<sup>th</sup> day of May, 2017.

  
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William L. Croft, PhD, RRT, RCP  
Executive Director, North Carolina Respiratory Care Board






# LETTER OF SURRENDER-Cook

Final Audit Report

2020-04-08

Created:	2020-04-08
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