

**BEFORE THE BOARD FOR RESPIRATORY CARE  
OF THE STATE OF IOWA**

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**IN THE MATTER OF:  
ANNE MARIE WILSON  
RC No. 04-001**

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**COMBINED STATEMENT OF CHARGES,  
SETTLEMENT AGREEMENT, AND FINAL ORDER**

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**COMES NOW** the Iowa Board for Respiratory Care (Board), and Anne Marie Wilson (Respondent), and enter into the following combined Statement of Charges, Settlement Agreement, and Final Order:

- 1) Respondent was issued license number 306-00894 on June 21, 1996. Her license is current through March 31, 2006.
- 2) The Board has jurisdiction over the parties and the subject matter.

**STATEMENT OF CHARGES**

Count I

Respondent is charged pursuant to Iowa Code section 152B.12 (2003) and 645 IAC 263.2(7) with obtaining, possessing, attempting to obtain or possess controlled substances without lawful authority.

Count II

Respondent is charged pursuant to Iowa Code sections 147.55(4), 152B.12, and 272C.10(4) (2003), and 645 IAC 263.2(6), with addiction to the use of drugs.

Circumstances

- 1) Respondent was terminated from employment as a respiratory therapist in February 2004 for taking blank prescription pads from her place of employment and falsifying several of those prescriptions to obtain controlled substances for her own use.

2) Respondent pled guilty in the Iowa District Court for Boone County on April 13, 2004, to "Prohibited Acts," a misdemeanor, in violation of Iowa Code Section 155A.23(1)(b). She was granted a deferred judgment and placed on probation. An Order dismissing the deferred judgment probation was filed on June 26, 2004, after Respondent's full compliance with that probation.

3) Respondent successfully completed substance abuse treatment and voluntarily continues to participate in a recovery program.

### **SETTLEMENT AGREEMENT and FINAL ORDER**

4) Respondent's license is placed on probation for five (5) years, subject to the following terms:

(a) Respondent shall immediately provide her present and any future employer a copy of this Combined Statement of Charges, Settlement Agreement, and Final Order.

(b) Within ten days of the effective date of this Consent Agreement, Respondent shall submit written documentation from her employer to the Board verifying this requirement has been met. Within ten days of employment with a new employer, Respondent shall submit written documentation from that employer to the Board verifying this requirement has been met.

(c) Respondent shall arrange for her employer to submit monthly written reports to the Board concerning her respiratory care practice by the first of the month for the first six months of this probation, then quarterly thereafter. The quarterly reports shall be filed with the Board not later than January 1, April 1, July 1, and October 1 of each year of Respondent's probation.

- (d) Respondent shall disclose information regarding this Consent Agreement on any application for employment as a respiratory care therapist.
- (e) Respondent shall advise the Board of any change of address or employment within ten days of making such a change.
- (f) Respondent shall not consume alcohol.
- (g) Respondent shall not use any controlled or prescription drug in any form unless the controlled or prescription drug has been prescribed for her use by a licensed treating physician or other qualified treating health care provider. Respondent shall inform any treating physician or other treating health care provider of his history of substance abuse prior to receiving any prescription drug.
- (h) Respondent shall participate in the Board's drug screening program until further order of the Board, and shall be responsible for payment of all expenses she incurs through that program.
- (i) Respondent shall attend at least 2 Board approved aftercare meetings (Alcoholics Anonymous, Narcotics Anonymous, or other similar organization) weekly. Respondent shall attach to each quarterly report statements signed or initialed by another person in attendance at the meetings attesting to her attendance. The statement shall include the time, date and location of the meetings attended.
- (j) Respondent shall submit to the Board for its approval the name of a physician or counselor, who shall meet once a month on an individual basis with Respondent, until the counselor recommends and the Board

approves meetings on a less frequent basis. Respondent shall continue to meet with this physician or counselor until discharged from counseling and until her discharge from counseling is approved by the Board.

(k) Respondent shall arrange for her counselor to submit monthly written reports to the Board concerning her treatment progress by the first of the month for the first six months of this probation, then quarterly thereafter. The reports shall be filed with the Board not later than January 1, April 1, July 1 and October 1 of each year of the Applicant's probation.

(l) Respondent shall file sworn quarterly reports with the Board attesting to her compliance with all the terms and conditions of this Combined Statement of Charges, Settlement Agreement, and Final Order. The reports shall be filed not later than January 1, April 1, July 1, and October 1 of each year of the Respondent's probation.

(m) Respondent shall make appearances before the Board upon request. Respondent shall be given reasonable notice of the date, time and location for the appearances. Said appearances shall be subject to the waiver provisions of 645 IAC 9.7.

(n) Respondent shall obey all federal, state and local laws, and all rules governing the practice of medicine in Iowa.

(o) In the event Respondent leaves Iowa to reside or practice outside the state, she shall notify the Board in writing of the dates of departure and return. Periods of residence or practice outside the state of Iowa will not apply to the duration of the Combined Statement of Charges, Settlement Agreement, and Final Order.

5. In the event Respondent violates or fails to comply with any of the terms of

this Combined Statement of Charges, Settlement Agreement, and Final Order, the Board may initiate appropriate action to revoke or suspend Respondent's license or to impose other discipline as authorized by law.

6) This Combined Statement of Charges and Settlement Agreement and Final Order is the resolution of a contested case. By entering into this Combined Statement of Charges and Settlement Agreement, Respondent waives all rights to a contested case hearing, and waives any objection to the terms of this Combined Statement of Charges and Settlement Agreement.

7) This Combined Statement of Charges and Settlement Agreement and Final Order is voluntarily submitted by Respondent to the Board for its consideration.

8) This Combined Statement of Charges and Settlement Agreement and Final Order must be approved by the Board. If the Board fails to approve this Combined Statement of Charges and Settlement Agreement it shall be of no force or effect to either party.

9) The Board's approval of this Combined Statement of Charges and Settlement Agreement and Final Order shall constitute a **FINAL ORDER** of the Board. **This Combined Statement of Charges, Settlement Agreement, and Final Order is approved by the board on December 14, 2004.**