## BEFORE THE BOARD OF RESPIRATORY CARE EXAMINERS FOR THE STATE OF IOWA

## IN THE MATTER OF THE LICENSE APPLICATION OF

MICHELLE CRONIN 804 15<sup>th</sup> St. N.E. Mason City, IA 50401

## **CONSENT AGREEMENT**

COMES NOW the Iowa Board of Respiratory Care Examiners (Board) and Michelle Cronin (Applicant), and enter into the following Consent Agreement for issuance of a license to practice respiratory care:

- Applicant has applied for a permanent license to practice respiratory care in Iowa.
- 2. In reviewing this application, the following information came to the Board's attention:
  - a. Applicant was found guilty of Operating a Vehicle While Intoxicated Endangering a Person, a Class D Felony, in the Perry Circuit Court in the State of Indiana on August 8, 2002. This was a second offense. Applicant is currently serving a three year probation as a result of this conviction.
  - Applicant has completed substance abuse treatment at Prairie Ridge Addiction Treatment Services. Applicant has undergone outpatient treatment on two prior occasions.
- 3. The Board and Applicant agree to issuance of a respiratory care license to Applicant, effective the date this Consent Agreement is signed by the chairperson of the Board, under the following terms and conditions:
  - a. Applicant is hereby CITED for being convicted of Operating a

Vehicle While Intoxicated Endangering a Person, a Class D Felony, in the State of Indiana, on August 8, 2002. Applicant is hereby WARNED that future violations of the law could subject her to disciplinary action against her license, including suspension and revocation.

- b. Applicant's license is placed on probation for five (5) years, subject to the following terms:
  - (1) Applicant shall immediately provide her present and any future employer a copy of the August 8, 2002, Judgment Order of the Perry Circuit Court in Indiana, and a copy of this Board's Consent Agreement.
    - Within ten days of the effective date of this Consent Agreement, Applicant 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, Applicant shall submit written documentation from that employer to the Board verifying this requirement has been met.
  - (2) Applicant 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 the Applicant's probation.
  - (3) Applicant shall disclose information regarding her criminal history and this Consent Agreement on any application for employment as a respiratory care therapist.
  - (4) Applicant shall advise the Board of any change of address or employment within ten days of making such a change.
  - (5) Applicant shall fully comply with the terms of her probation under the Perry Circuit Court in Indiana.
  - (6) Applicant shall not consume alcohol.
  - (7) Applicant 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.
- (8) Applicant shall participate in the Board's drug screening program until further order of the Board, and shall be responsible for payment of all expenses he incurs through that program.
- (9) Applicant shall attend at least 2 Board approved aftercare meetings (Alcoholics Anonymous or other similar organization) weekly. Applicant 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.
- (10) Applicant shall submit to the Board for its approval the name of a counselor, who shall meet once a month on an individual basis with Applicant, until the counselor recommends and the Board approves meetings on a less frequent basis. Applicant shall continue to meet with this counselor until discharged from counseling and until her discharge from counseling is approved by the Board.
- (11) Applicant 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.
- (11) Applicant shall file sworn quarterly reports with the Board attesting to her compliance with all the terms and conditions of this Consent Agreement. 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.
- (12) Applicant shall make appearances before the Board upon request. Applicant 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.
- (13) Applicant shall obey all federal, state and local laws, and all rules governing the practice of medicine in lowa.
- (14) In the event Applicant leaves lowa 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 lowa will not apply to the duration of the Consent Order.
- 4. In the event Applicant violates or fails to comply with any of the terms of this Consent Agreement, the Board may initiate appropriate action to revoke or suspend Applicant's license or to impose other discipline as authorized by law.
- 5. This Consent Agreement constitutes the resolution of a pending license application proceeding.
- 6. This Consent Agreement is voluntarily submitted by Applicant to the Board.
- 7. This Consent Agreement is subject to approval of the Board. If the Board fails to approve this Consent Agreement, it shall be of no force or effect to either party.
- 8. The Board's approval of this Consent Agreement shall constitute a **Final Order** of the Board.

This Consent Agreement is approved by the Board on January 23, 2003.

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