

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

IN THE MATTER OF:)	
)	CASE NO. 06-001
OWEN SEARLE)	
License No. 306 01970)	
)	STATEMENT OF THE
RESPONDENT)	MATTERS ASSERTED

COMES NOW the Iowa Board of Respiratory Care Examiners, and in support of the Notice of Hearing filed in this case on this 24th day of April, 2006, sets forth the following summary of the facts which support the allegations contained in the Notice of Hearing.

1. Respondent entered into an Impaired Practitioner Program (IPP) Contract with the Impaired Practitioners Review Committee (IPRC) for substance abuse monitoring on December 1, 2005.

2. Respondent failed to comply with the terms of his IPP Contract, including but not limited to the following:

A. Respondent was discharged unsuccessfully from treatment service effective January 23, 2006, due to ongoing concerns regarding alcohol abuse and his refusal to enter residential treatment upon the recommendation of the counselor.

B. Mr. Searle tested positive for alcohol on three separate breath tests administered on January 16, 19, and 23, 2006.

C. FirstLab reports that Owen Searle tested positive for alcohol on urinalysis

tests on January 24 and February 10, 2006.

3. On March 2, 2006, the IPRC voted to refer Respondent to the Board for disciplinary action for violating the terms of his IPP Contract.

4. On the basis of information which indicated Respondent had reported to work with alcohol on his breath, Respondent was previously referred to the Impaired Practitioner Program in 2004. Respondent failed to comply with the signed contract entered into with that program, and his case was referred back to the Board.

5. On December 14, 2004, the Board ordered Respondent to submit to a substance abuse evaluation at a program approved by the Board. Respondent complied.

6. Information received by the board-ordered evaluation indicates Respondent is dependent on the use of alcohol causing an inability to practice with reasonable skill and safety.

On this 24th day of April, 2006, the Iowa Board of Care Examiners found probable cause to file this Statement of the Matters Asserted.

This notice of statement of matters asserted is approved by the board on April 24, 2006.