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CERTIFIED TRUE COPY

Sandra Y. Dick

FILED WITH THE BOARD OF
RESPIRATORY CARE -

ON January 13, 1997

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF RESPIRATORY CARE

IN THE MATTER OF: :
: Administrative Action
JOSEPH DUFFY 1707 :
: :
LICENSED TO PRACTICE RESPIRATORY : CONSENT ORDER
CARE IN THE STATE OF NEW JERSEY :
:

This matter was opened to the New Jersey State Board of Respiratory Care upon the review of information submitted which alleged that respondent Joseph Duffy, former Director of Respiratory Care at Mediplex Rehabilitation Hospital - Marlton, aided and abetted the unlicensed practice of respiratory care by Ms. Florence Davy after the expiration of her temporary permit, in violation of N.J.A.C. 13:44F-9.2, and /or failed to ensure that Ms. Davy, a temporary permit holder, worked only under direct supervision as required by N.J.A.C. 13:44F-5.1. If true, grounds exist for disciplinary action pursuant to N.J.S.A. 45:1-21(h). Specifically, it was alleged that respondent, in his capacity as Ms. Davy's supervisor from May of 1995 until February 23, 1996, failed to monitor the validity of her permit, which is by its nature temporary, and failed to ensure that Ms. Davy worked under direct supervision.

Respondent has testified before the Board that he failed to ensure Ms. Davy worked only under direct supervision. Thus he acknowledged that Ms. Davy worked without direct supervision while he acted as her supervisor.

The Board having considered the aforesaid information, and the parties being desirous of resolving this matter without the necessity of further formal proceedings, Mr. Duffy having waived any right to a hearing in this matter, and the Board finding that the within Order is adequately protective of the public health and that good cause exists for its entry:

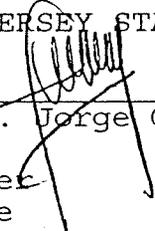
IT IS ON THIS SEVENTH DAY OF JANUARY, 1996,
1997 *duffy*

ORDERED:

1. Respondent is hereby reprimanded for permitting a temporary license holder under his supervision to perform respiratory care services without direct supervision.

2. Respondent shall cease and desist from permitting temporary permit holders to work without direct supervision.

NEW JERSEY STATE BOARD OF RESPIRATORY CARE

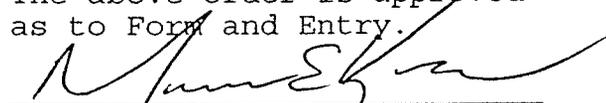
By: 
Dr. Jorge Gonzalez-Gomez, CRTT, President
RRT

I have read the above Order and I understand and agree to abide by its terms.


Joseph Duffy, RRT

Dated: 1-3-97

The above Order is approved as to Form and Entry.


Maureen Kerns, Esq.
Attorney for Joseph Duffy

Dated: 1/6/97