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FILED
STATE BOARD OF RESPIRATORY CARE
NOV -1 2005
Dorcias K. O'Neal
DORCAS K. O'NEAL
EXECUTIVE DIRECTOR

By: Tobey Palan
Deputy Attorney General
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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF RESPIRATORY CARE

IN THE MATTER OF: : Administrative Action
: :
MICHAEL BROWN, CRT : :
: : **CONSENT ORDER**
: :
TO PRACTICE RESPIRATORY CARE : :
IN THE STATE OF NEW JERSEY : :
:

This matter was opened to the New Jersey State Board of Respiratory Care (Board) upon the review of information submitted which alleges that Michael Brown engaged in the practice of respiratory care while working for Kensington Manor Care Center, Toms River, New Jersey, as an unlicensed respiratory care therapist from May 25, 2004 through July 4, 2005, in violation of N.J.S.A.45:14E-9 and N.J.A.C. 13:44F-9.1, thus providing grounds for disciplinary action pursuant to N.J.S.A. 45:1-21(h). Mr. Brown passed the National Board of Respiratory Care (NBRC) exam in May 2004 and believed that he was licensed in New Jersey once he passed the NBRC exam. Mr. Brown should have been aware that he is

required to complete and file an application for licensure with the Board prior to becoming licensed. Mr. Brown admitted to working as a respiratory therapist without a license from May 24, 2004 through early July 2005 at an investigative inquiry held by the Board on September 6, 2005.

The Board having considered the aforesaid information, and the parties being desirous of resolving this matter without the necessity for further formal proceedings; Mr. Brown 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

1st DAY OF

November

, 2005,

ORDERED:

1. Michael Brown is hereby **REPRIMANDED** for engaging in the unlicensed practice of respiratory care; and

2. Michael Brown shall **CEASE AND DESIST** from engaging in the unlicensed practice of respiratory care in New Jersey unless and until he is licensed to do so; and

3. Michael Brown is hereby assessed a penalty in the amount of \$250.00. The penalty shall be paid in full no later than thirty (30) days after the filing date of this Consent Order. Payment of the penalty shall be submitted by certified check or money order made payable to the State of New Jersey and shall be sent to Dorcas O'Neal, Executive Director, New Jersey State Board of Respiratory

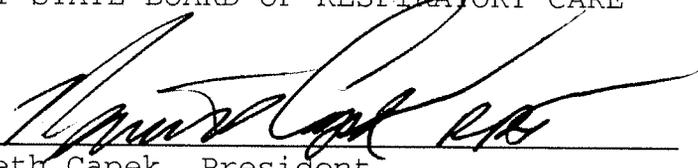
Care, P. O. Box 45031, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101; and

4. Failure to remit any payment as required by this Consent Order will result in the filing of a Certificate of Debt; and

5. Michael Brown is hereby granted a license to practice respiratory care in the State of New Jersey effective upon the filing of the within Order.

NEW JERSEY STATE BOARD OF RESPIRATORY CARE

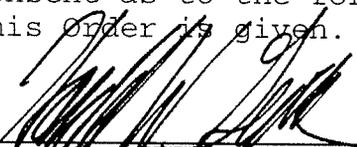
By:


Kenneth Capek, President

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


Michael Brown, RRT

Consent as to the form of
this Order is given.


Harold W. George, Esq.
Attorney for Michael Brown