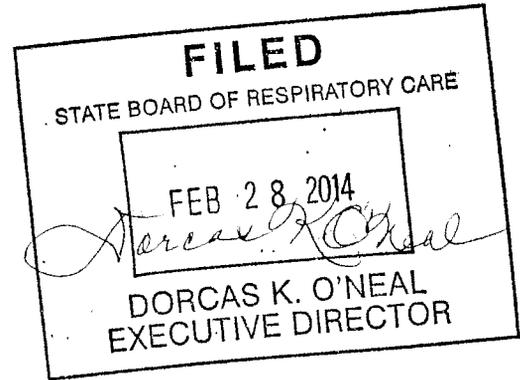


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Deputy Attorney General



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

IN THE MATTER OF: : Administrative Action
: :
BERNADETTE LEWIS : :
: :
License No. 43ZA00163800 : :
: :
TO PRACTICE RESPIRATORY CARE : :
IN THE STATE OF NEW JERSEY : :
: :
_____ :

This matter was opened to the New Jersey State Board of Respiratory Care (the "Board") upon receipt of information from the Professional Assistance Program (PAP), in Princeton, New Jersey that Respondent, Bernadette Lewis, came voluntarily to the PAP on November 30, 2012, appeared to be falling asleep and admitted to using controlled substances. Respondent had worked on November 29, 2012, at Robert Wood Johnson University Hospital, in New Brunswick, New Jersey. Respondent voluntarily surrendered her license to practice respiratory care in the State of New Jersey via consent order signed on December 3, 2012, and agreed to cease and desist from the practice of Respiratory Care in New Jersey until further order of the Board.

Respondent appeared before the Board on September 10, 2013 pursuant to the terms of the Consent Order of Voluntary Surrender to discuss her readiness to reenter the practice of respiratory care. The Board requested further documentation from PAP showing that Respondent is rehabilitated and is capable of discharging the functions of a licensee in a manner consistent with the public's health, safety and welfare and that she is not suffering from any impairment or limitation resulting from the use of alcohol, controlled substances or any mood altering substance which could affect her practice of respiratory care.

The Board reserved decision on reinstatement until additional documentation was received. The Board subsequently received documentation supportive of Ms. Lewis' reinstatement from PAP, Robert Wood Johnson University Hospital and Quest Diagnostics.

The Board having reviewed this matter at its scheduled Board meeting on January 7, 2014 and finding that Respondent has satisfied all the requirements of the December 3, 2012 Consent Order and finding that she is fit and competent to practice respiratory care, that the within Order is adequately protective of the public, health, safety and welfare and that good cause exists for the entry of this order;

IT IS ON THIS 24th DAY OF Feb, 2013

HEREBY ORDERED THAT:

1. Ms. Lewis' license to practice respiratory care in the State of New Jersey is hereby reinstated subject to the following conditions:

A) Ms. Lewis shall refrain from using any mood altering substances including but not limited to alcohol and all controlled substances or potentially addictive substances except as duly prescribed by a treating health care practitioner . Ms. Lewis shall report any use of controlled substances to the Board in writing within five (5) days of receiving such a prescription together with the name of the prescribing physician/dentist/advance practice nurse or other authorized prescriber and the reason for its use.

B) Ms. Lewis shall undergo random directly witnessed urine monitoring/testing for alcohol and controlled substances with the PAP for a period to be determined by the Executive Medical Director of the PAP which is commensurate with Ms. Lewis' duration of recovery. If Ms. Lewis tests positive for any controlled substance or alcohol, the PAP shall immediately advise the Board. The Board shall modify and extend the monitoring requirements of this Order in its discretion and shall take such other action as permitted by law.

C) The Board reserves the right to require a modification of the manner of the random witnessed urine testing by the PAP in the event technical developments or individual requirements indicate that a different methodology or approach is required to assure the accuracy and reliability of the testing.

D) Ms. Lewis' failure to submit to or provide a urine sample when requested shall be deemed to be the equivalent of a confirmed positive urine test and shall be deemed a violation of this order unless she is unable to appear for a scheduled urine test due to illness or other impossibility. Ms. Lewis must advise the Board in writing within two (2) days, and cause the PAP to so advise the Board in writing within (2) days, of a claimed illness or impossibility. If Ms. Lewis fails to appear for a scheduled urine test due to illness, she shall provide to the Board, written substantiation of the illness in the form of a physician's report, within two (2) days. "Impossibility" means an obstacle beyond the control of Ms. Lewis that is insurmountable or that makes her appearance for the urine test so infeasible that a reasonable person would waive Ms. Lewis' requirement to give the urine sample that day.

E) Ms. Lewis shall be responsible to ensure that the PAP shall supply reports every ninety (90) days beginning on the "filed" date of this Order to the Board regarding her progress with the monitoring program.

F) Ms. Lewis shall obtain the agreement of the PAP via a signature of its representative on this Order to notify the Board within 24 hours of its receipt of information of any slip or relapse of impairment, including but not limited to any positive urine screen or failure to appear for urine monitoring or any scheduled appointment

or any discontinuance of the PAP rehabilitation program whether initiated by her or by the PAP.

G) Any urine test result showing creatine levels below 20mg/dl and a specific gravity below 1.003 shall create a rebuttable presumption of a confirmed positive urine test, and shall be followed by a confirming test. The method of the confirming test shall be determined by the PAP.

H) Ms. Lewis shall become familiar with all foods, food additives or other products (such as poppy seeds) which may affect the validity of urine screenings, be presumed to possess that knowledge, and shall refrain from the use of such substances. Ms. Lewis specifically agrees that ingestion of such substances shall not be an acceptable reason for a positive urine screen and/or failure to comply with the urine monitoring program.

I) Ms. Lewis shall attend face-to-face meetings with a clinical representative of the PAP at a frequency consistent with her recovery at the direction of the Executive Medical Director of the PAP.

J) Ms. Lewis expressly waives any claim to privilege or confidentiality that she may have concerning reports and disclosures to the Board, and use by the Board of that information in any license proceedings, including reports and disclosures by the urine monitoring program, or the PAP, or any other person or entity involved in the rehabilitation program.

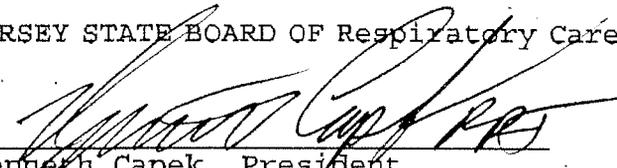
2. All costs associated with the PAP program outlined above shall be the responsibility of, and paid directly by Ms. Lewis.

3. Ms. Lewis hereby consents to the entry of an Order of automatic suspension of license without notice, upon the Board's receipt of any information which the Board in its sole discretion deems reliable that Ms. Lewis has failed to comply with any of the conditions set forth above, any other provision of this Order, or any report of a confirmed positive urine for alcohol, mood altering and/or controlled substances.

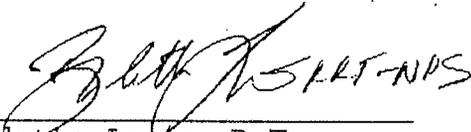
4. Ms. Lewis shall have the right to apply for removal of the automatic suspension on five (5) days' notice but in such event shall be limited to a showing that the urine tested was not hers or was a false positive in the case of urine testing, or that other information submitted was false.

NEW JERSEY STATE BOARD OF Respiratory Care

By:

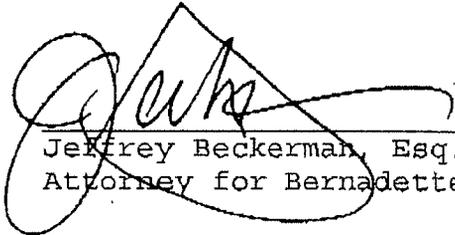

Kenneth Capek, President

I have read and understand the within Order and agree to be bound by the terms therein. Consent is hereby given for the Board to enter this Order.



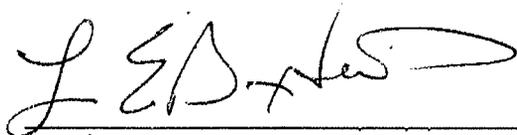
Bernadette Lewis, R.T.

I consent to the entry of this Order as to form.



Jeffrey Beckerman, Esq.
Attorney for Bernadette Lewis, R.T.

I have read and understand the within Order, am authorized to, and agree to comply with the terms which relate to the PAP.



Louis E. Baxter, M.D., FASAM
on behalf of the Professional Assistance Program of NJ