BEFORE THE ARIZONA STATE BOARD RESPIRATORY CARE EXAMINERS

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In the Matter of:

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CATHERINE KEYES, RCP Holder of License No. **012420**

For the Practice of Respiratory Care In the State of Arizona

CASE NO. 2019-RCE-0329

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER FOR REVOCATION

Catherine Keyes, RCP ("Respondent"), did not appear before the Arizona State Board of
Respiratory Care Examiners ("Board") for a Formal Administrative Hearing on Thursday, May
21, 2020. Seamus Monaghan, Assistant Attorney General, appeared on behalf of the State of
Arizona. Michael Raine, Assistant Attorney General, appeared as independent advice counsel
for the Board. Following the presentation of the State's Motion to Deem the Allegations
Admitted, pursuant to A.R.S. § 32-3553(K), the Board voted to grant the State's Motion and
adopted the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

15 1. The Arizona State Board of Respiratory Care Examiners is the duly constituted
agency for licensing and regulating of the practice of respiratory care in the State of Arizona and
has jurisdiction over Respondent as a licensee of the Board and the subject matter pursuant to
A.R.S. § 32-3501, *et seq.*

19 2. Respondent was the holder of License Number 012420 which enabled her to
20 practice respiratory care in the State of Arizona, prior to this Order.

21 3. Respondent's license to practice respiratory care was active until September 21,
22 2021, prior to this Order.

4. On or about September 15, 2019, Respondent timely submitted an application for
renewal of her respiratory care license.

25 5. As part of the renewal process, the Board conducts a mandatory Continuing
26 Education Audit pursuant to A.A.C. R4-45-208.

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1 6. Respondent did not respond to the Board's request for the Continuing Education 2 Audit on or before the date specified in the audit notice and submitted zero units of approved 3 continuing education. Respondent was unable to produce documentation showing she had obtained twenty units of approved continuing education as required by law and failed to 4 5 demonstrate compliance with the continuing education requirement mandated for Respondent's last renewal period of December 5, 2017 to September 21, 2019. 6

7. On Respondent's application for renewal, Respondent falsely claimed she had obtained all twenty hours of continuing education required for renewal of his license.

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CONCLUSIONS OF LAW

1. The conduct described in the Findings of Fact constitute grounds for disciplinary 10 action pursuant to A.R.S. §§ 32-3552(A)(1) and (3) and violate the provisions of A.R.S. § 32-11 3501(9)(i) which states, "Any conduct or practice which is contrary to recognized standards of 12 ethics of the respiratory therapy profession or any conduct or practice which does or might 13 constitute a danger to the health, welfare or safety of the patient or the public." 14

2. 15 The conduct described in the Findings of Fact constitute grounds for disciplinary action pursuant to A.R.S. §§ 32-3552(A)(1) and (3) and violate the provisions of A.R.S. § 32-16 3501(9)(k), which states, "Violating or attempting to violate, directly or indirectly, or assisting in 17 18 or abetting the violation of or conspiring to violate a provision of this chapter."

19 3. The conduct described in the Findings of Fact constitute grounds for disciplinary action pursuant to A.R.S. §§ 32-3552(A)(1) and (3) and violate the provisions of A.A.C. R4-45-214 (2) which states, "Procuring or attempting to procure by fraud or misrepresentation a license or renewal of a license to practice respiratory care."

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, IT IS HEREBY 24 ORDERED THAT License No. 012420 issued to Respondent shall be REVOKED on the 25 effective date of this Order.

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1 IT IS FURTHER ORDERED that Respondent may not apply to the Board for 2 reinstatement of her license for at least one calendar year from the issuance date of this Order, 3 as specified in A.R.S. § 32-3554 (A) and (B). 4 NOTICE 5 In order to be eligible for judicial review pursuant to Title 12, Chapter 7, Article 6, you 6 are required to exhaust your administrative remedies by filing a motion for rehearing or review 7 of the Board's decision within thirty-five days after these Findings of Fact, Conclusions of Law, 8 and Order are mailed to you at your last known address, or thirty days after they are personally 9 served upon you. Pursuant to A.R.S. § 41-1092.09(B), you are notified that failure to file a 10 motion for rehearing or review in writing at the Board's office by that date has the effect of 11 prohibiting you from seeking judicial review of the Board's decision. 12 13 DATED THIS 22ND DAY OF MAY, 2020. 14 ARIZONA STATE BOARD OF RESPIRATORY CARE EXAMINERS 15 16 By: 17 Jack Confer, Executive Director 18 19 **Original Findings of Fact, Conclusions** 20 Of Law, and Order for Revocation of License to Practice Respiratory Care filed this 21 22nd day of May, 2020 with the: 22 Arizona Board of Respiratory Examiners 1740 West Adams Street, Suite 3406 23 Phoenix, Arizona 85007 24 Copy of the foregoing sent by Electronic, Certified and Regular mail this 22nd day 25 of May, 2020 to: 26 Catherine Keyes, RCP 1085 Main Street Meeker, Colorado 81641 3

1	Copy of the foregoing sent by electronic mail this 22nd day of May, 2020 to:
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