## BEFORE THE ARIZONA STATE BOARD RESPIRATORY CARE EXAMINERS

1	RESPIRATORY CARE EXAMINERS		
2	2 In the Matter of: CASE	NO. 2019-RCE-0309	
3	3 STEVEN PEW, RCP		
4	4 Holder of License No. <b>008976</b> FINDI	INGS OF FACT,	
5	5 For the Practice of Respiratory Care ) <b>ORDE</b>	) CONCLUSIONS OF LAW, AND ) ORDER FOR REVOCATION ))	
6	6 In the State of Arizona		
7	Steven Pew, RCP ("Respondent"), did not appear before the Arizona State Board of		
8	Respiratory Care Examiners ("Board") for a Formal Administrative Hearing on Thursday, Ma		
9	21, 2020. Seamus Monaghan, Assistant Attorney General, appeared on behalf of the State of		
10	Arizona. Michael Raine, Assistant Attorney General, appeared as independent advice counse		
11	for the Board. Following the presentation of the State's Motion to Deem the Allegation		
12	Admitted, pursuant to A.R.S. § 32-3553(K), the Board voted to grant the State's Motion an		
13	adopted the following Findings of Fact, Conclusions of Law, and Order.		
14	FINDINGS OF FACT		
15	15 1. The Arizona State Board of Respiratory Ca	are Examiners is the duly constituted	
16	agency for licensing and regulating of the practice of respiratory care in the State of Arizona an		
17	has jurisdiction over Respondent as a licensee of the Board and the subject matter pursuant to		
18	A.R.S. § 32-3501, et seq.		
19	19 2. Respondent was the holder of License Nu	umber 008976 which enabled him to	
20	20 practice respiratory care in the State of Arizona, prior to thi	practice respiratory care in the State of Arizona, prior to this Order.	
21	21 3. Respondent's license to practice respirator	ry care was active until August 28	
22	22 2021, prior to this Order.	2021, prior to this Order.	
23	23 4. On or about August 17, 2019, Respondent	t timely submitted an application fo	
24	24 renewal of his respiratory care license.	renewal of his respiratory care license.	
25	25 S. As part of the renewal process, the Board co	nducts a mandatory Continuing	

Education Audit pursuant to A.A.C. R4-45-208.

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- Respondent did not respond to the Board's request for the Continuing Education Audit on or before the date specified in the audit notice and submitted zero units of approved continuing education. Respondent was unable to produce documentation showing he had obtained twenty units of approved continuing education as required by law and failed to demonstrate compliance with the continuing education requirement mandated for Respondent's last renewal period of July 28, 2017 to August 28, 2019.
- 7. On Respondent's application for renewal, Respondent falsely claimed he had obtained all twenty hours of continuing education required for renewal of his license.

## **CONCLUSIONS OF LAW**

- 1. 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. § 32-3501(9)(i) which states, "Any conduct or practice which is contrary to recognized standards of ethics of the respiratory therapy profession or any conduct or practice which does or might constitute a danger to the health, welfare or safety of the patient or the public."
- 2. 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. § 32-3501(9)(k), which states, "Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of or conspiring to violate a provision of this chapter."
- 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 **ORDERED THAT** License No. 008976 issued to Respondent shall be **REVOKED** on the effective date of this Order.

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IT IS FURTHER ORDERED that Respondent may not apply to the Board for reinstatement of his license for at least one calendar year from the issuance date of this Order, as specified in A.R.S. § 32-3554 (A) and (B).

## **NOTICE**

In order to be eligible for judicial review pursuant to Title 12, Chapter 7, Article 6, you are required to exhaust your administrative remedies by filing a motion for rehearing or review of the Board's decision within thirty-five days after these Findings of Fact, Conclusions of Law, and Order are mailed to you at your last known address, or thirty days after they are personally served upon you. Pursuant to A.R.S. § 41-1092.09(B), you are notified that failure to file a motion for rehearing or review in writing at the Board's office by that date has the effect of prohibiting you from seeking judicial review of the Board's decision.



DATED THIS 22ND DAY OF MAY, 2020.

ARIZONA STATE BOARD OF RESPIRATORY CARE EXAMINERS

By:

Jack Confer, Executive Director

Original Findings of Fact, Conclusions Of Law, and Order for Revocation of License to Practice Respiratory Care filed this 22nd day of May, 2020 with the:

Arizona Board of Respiratory Examiners 1740 West Adams Street, Suite 3406 Phoenix, Arizona 85007

Copy of the foregoing sent by Electronic, Certified and Regular mail this 22nd day of May, 2020 to:

Steven Pew, RCP 1009 East Watson Drive Tempe, Arizona 85283

1	Copy of the foregoing sent by electronic	
2	mail this 22nd day of May, 2020 to:	
3	Seamus Monaghan, Assistant Attorney General Office of Arizona Attorney General	
4	2005 North Central Avenue, SGD/LES Phoenix, AZ 85004	
5	Michael Raine, Assistant Attorney General	
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