

1 **BEFORE THE ARIZONA STATE BOARD OF**
2 **RESPIRATORY CARE EXAMINERS**

3 In the Matter of:) **CASE NO. 2019-RCE-0144**
4)
4 **SEEMA SHARMA, RCP**) **CONSENT AGREEMENT AND**
HOLDER OF LICENSE NO. 006970) **NON-DISCIPLINARY ORDER**
5) **VOLUNTARY SURRENDER OF**
6 THE PRACTICE OF) **LICENSE**
6 RESPIRATORY THERAPY IN THE)
7 STATE OF ARIZONA)

8 **CONSENT AGREEMENT**

9 **RECITALS**

10 In the interest of a prompt and judicious settlement of the above-captioned matter before
11 the Arizona Board of Respiratory Care Examiners (“Board”) and in the interest of protecting the
12 people of the State of Arizona, consistent with the statutory requirements and responsibilities of
13 the Board pursuant to A.R.S. § 32-3501, *et seq.* and A.R.S. § 41-1092.07 (F)(5), Seema Sharma,
14 RCP (“Respondent”), holder of license number 006970 to practice respiratory care in the State of
15 Arizona, and the Board enter into the following Consent Agreement, Findings of Fact,
16 Conclusions of Law, and Order for Voluntary Surrender of License (“Consent Agreement”) as the
17 final disposition of this matter.

18 1. Respondent has the right to consult with an attorney prior to entering into this
19 Consent Agreement. Respondent has read and understands this Consent Agreement as set forth
20 herein, and has had the opportunity to discuss this Consent Agreement with an attorney or has
21 waived the opportunity. Respondent voluntarily enters into this Consent Agreement for the
22 purpose of avoiding the expense and uncertainty of an administrative hearing.

23 2. Respondent understands that she has a right to a public administrative hearing
24 concerning each and every allegation set forth in the above-captioned matter, at which time
25 Respondent could present evidence and cross-examine witnesses. By entering into this Consent
26 Agreement, Respondent freely and voluntarily relinquishes all rights to such an administrative
hearing, as well as all rights of rehearing, review, reconsideration, appeal, judicial review, or

1 any other administrative, and/or judicial action concerning the matters set forth herein.
2 Respondent affirmatively agrees that this Consent Agreement shall be irrevocable and any
3 modifications to this original document are ineffective and void unless mutually approved by
4 the parties in writing.

5 3. Respondent agrees that the Board may adopt this Consent Agreement or any part
6 of this agreement, pursuant to A.R.S. § 32-3553. Respondent understands that the Board may
7 consider this Consent Agreement or any part of it in any future disciplinary action against him
8 or in any future decision regarding reinstatement of his license.

9 4. Respondent understands that this Consent Agreement does not constitute a
10 dismissal or resolution of other matters currently pending before the Board, *if any*, and does not
11 constitute any waiver, express or implied, of the Boards statutory authority or jurisdiction
12 regarding any other pending or future investigation, action or proceeding.

13 5. All admissions Respondent makes in this Consent Agreement are made solely
14 for the final disposition of Case Number 2018-RCE-0144 regarding allegations of
15 unprofessional conduct against Respondent, and any related administrative proceedings or civil
16 litigation involving the Board and Respondent. Respondent further understands that acceptance
17 of the Consent Agreement does not preclude any other agency, subdivision, or officer of this
18 state from instituting other civil or criminal proceedings with respect to the conduct that is the
19 subject of this Consent Agreement.

20 6. The Consent Agreement shall be subject to approval by the Board and shall be
21 effective only when signed by the Executive Director and accepted by the Board. In the event
22 that the Board does not approve this Consent Agreement, it is withdrawn and shall be of no
23 evidentiary value and shall not be relied upon nor introduced in any action by any party. The
24 parties agree that if the Board rejects this Consent Agreement and this case proceeds to hearing,
25 Respondent shall assert no claim that the Board was prejudiced by its review and discussion of
26 this document or any other records relating thereto.

1 3501(9)(k), which states, "Violating or attempting to violate, directly or indirectly, or assisting in
2 or abetting the violation of or conspiring to violate a provision of this chapter."

3 3. The conduct described in the Findings of Fact constitute grounds for disciplinary
4 action pursuant to A.R.S. §§ 32-3552(A)(1) and (3) and violate the provisions of A.A.C. R4-45-
5 214 (2) which states, "Procuring or attempting to procure by fraud or misrepresentation a license
6 or renewal of a license to practice respiratory care."

7 4. The conduct described in the Findings of Fact constitute grounds for disciplinary
8 action pursuant to A.R.S. §§ 32-3552(A)(1) and (3) and violate the provisions of A.A.C. R4-45-
9 214 (5), which states, "Falsely claiming attendance at an approved continuing education to
10 meeting license renewal requirements."

11 5. The conduct described in the Findings of Fact constitute grounds for disciplinary
12 action pursuant to A.R.S. §§ 32-3552(A)(1) and (3) and violate the provisions of A.A.C. R4-45-
13 214 (6), which states, "Endangering a patient's or the public's physical or emotional health or
14 safety or engaging in conduct or practice that may reasonably be expected to do so."

15
16
17 DATED: 6/30/19

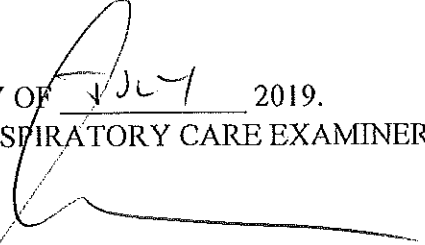
SIGNED: 
Seema Sharma, Respondent

18 **ORDER**

19 1. Based upon the foregoing Findings of Fact and Conclusions of Law, **IT IS**
20 **HEREBY ORDERED THAT** License Number 006970 issued to Seema Sharma RCP shall be
21 **VOLUNTARILY SURRENDERED** upon the signing of this Order by the Executive Director
22 of the Board.



23 DATED THIS 30th DAY OF July 2019.
24 ARIZONA BOARD OF RESPIRATORY CARE EXAMINERS

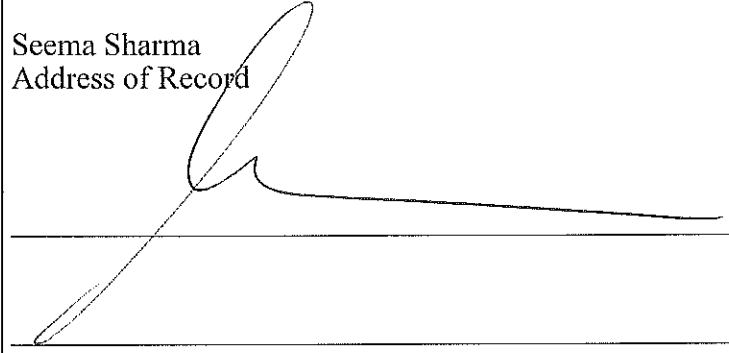
25 By: 
26 Jack Confer, Executive Director

1 Original Consent Agreement for
2 Non-Disciplinary Voluntary
3 Surrender of License filed this
4 32 day of July 2019 with the:

5 Arizona Board of Respiratory Examiners
6 1740 West Adams Street, Suite 3406
7 Phoenix, Arizona 85007

8 Copy of the foregoing send by Electronic,
9 and Regular mail this 32 day
10 of July 2019 to:

11 Seema Sharma
12 Address of Record



A handwritten signature in black ink, appearing to read 'Seema Sharma', is written over a horizontal line. The signature is cursive and extends across the line, with a long horizontal stroke at the end. Below the signature, there is another horizontal line.