

**BEFORE THE ARIZONA STATE BOARD
RESPIRATORY CARE EXAMINERS**

In the Matter of:)	CASE NO. 2019-RCE-0048
)	
ROWEEN L. OTTAWAY, RCP)	
Holder of License No. 001152)	FINDINGS OF FACT,
)	CONCLUSIONS OF LAW, AND
For the Practice of Respiratory Care)	ORDER FOR REVOCATION
In the State of Arizona)	
)	

Roween L. Ottaway, RCP (“Respondent”), did not appear before the Arizona State Board of Respiratory Care Examiners (“Board”) for a Formal Administrative Hearing on Thursday, July 18, 2019. Frankie Shinn-Eckberg, Assistant Attorney General, appeared on behalf of the State of Arizona. Mary Williams, 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

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.*

2. Roween L. Ottaway, RCP (“Respondent”), was the holder of License Number 001152 which enabled her to practice respiratory care in the State of Arizona, prior to this Order.

3. Respondent has been licensed to practice respiratory care in the State of Arizona since September 17, 1996 and Respondent’s license to practice respiratory care was active until February 28, 2021, prior to this Order.

4. On February 8, 2019, Respondent timely submitted an application for renewal of her respiratory care license.

5. As part of the renewal process, the Board conducts a mandatory Continuing

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

2 6. Respondent responded to the Board's request for the Continuing Education Audit
3 on or before the date specified in the audit notice and submitted twenty units of approved
4 continuing education. Unfortunately, all twenty units were obtained between January 29, 2017
5 and February 17, 2017, which is outside of Respondent's renewal period of February 18, 2017 to
6 February 28, 2019. Respondent was unable to produce documentation showing she had obtained
7 any units of approved continuing education as required by law and failed to demonstrate
8 compliance with the continuing education requirement mandated for Respondent's last renewal
9 period.

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

12 **CONCLUSIONS OF LAW**

13 1. The conduct described in the Findings of Fact constitute grounds for disciplinary
14 action pursuant to A.R.S. §§ 32-3552(A)(1) and (3) and violate the provisions of A.R.S. § 32-
15 3501(9)(i) which states, "Any conduct or practice which is contrary to recognized standards of
16 ethics of the respiratory therapy profession or any conduct or practice which does or might
17 constitute a danger to the health, welfare or safety of the patient or the public."

18 2. The conduct described in the Findings of Fact constitute grounds for disciplinary
19 action pursuant to A.R.S. §§ 32-3552(A)(1) and (3) and violate the provisions of A.R.S. § 32-
20 3501(9)(k), which states, "Violating or attempting to violate, directly or indirectly, or assisting in
21 or abetting the violation of or conspiring to violate a provision of this chapter."

22 3. The conduct described in the Findings of Fact constitute grounds for disciplinary
23 action pursuant to A.R.S. §§ 32-3552(A)(1) and (3) and violate the provisions of A.A.C. R4-45-
24 214 (2) which states, "Procuring or attempting to procure by fraud or misrepresentation a license
25 or renewal of a license to practice respiratory care."

26 4. 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-

1 214 (5), which states, “Falsely claiming attendance at an approved continuing education to
2 meeting license renewal requirements.”

3 5. 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 (6), which states, “Endangering a patient’s or the public’s physical or emotional health or
6 safety or engaging in conduct or practice that may reasonably be expected to do so.”

7 **ORDER**

8 Based upon the foregoing Findings of Fact and Conclusions of Law, **IT IS HEREBY**
9 **ORDERED THAT** License No. 001152 issued to Roween L. Ottaway shall be **REVOKED** on
10 the effective date of this Order.

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

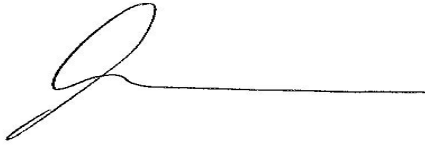
14 **NOTICE**

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



22 DATED THIS 22ND DAY OF JULY, 2019.

23 ARIZONA STATE BOARD OF RESPIRATORY CARE EXAMINERS

24
25 By: 
26 _____
Jack Confer, Executive Director

1 Original Findings of Fact, Conclusions
2 Of Law, and Order for Revocation of License to
3 Practice Respiratory Care filed this
4 22nd day July, 2019 with the:

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

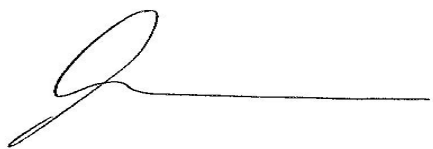
6 Copy of the foregoing send by Electronic,
7 Certified and Regular mail this 22nd day
8 of July, 2019 to:

8 Roween L. Ottaway
9 Address of Record

9 Copy of the foregoing sent by electronic
10 mail this 22nd day of July, 2019 to:

11 Frankie Shinn-Eckberg, Assistant Attorney General
12 Office of Arizona Attorney General
13 2005 North Central Avenue
14 Phoenix, AZ 85004

14 Mary D. Williams, Assistant Attorney General
15 Office of Arizona Attorney General
16 2005 North Central Avenue
17 Phoenix, AZ 85004

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