

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

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In the Matter of: )  
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**CHELSEA M. RODRIGUEZ, RCP** )  
Holder of License No. **009175** )  
)  
For the Practice of Respiratory Care )  
In the State of Arizona )  
\_\_\_\_\_ )

**CASE NO. 2018-RCE-0025**  
  
**INTERIM ORDER FOR SUMMARY  
SUSPENSION OF LICENSE**

In order to protect the public health, safety or welfare, the Arizona State Board of Respiratory Care Examiners ("Board") enters the following Findings of Fact, Conclusions of Law, and Interim Order for Summary Suspension of License, setting forth the charges against Chelsea M. Rodriguez, RCP ("Respondent").

**FINDINGS OF FACT**

1. The Arizona State Board of Respiratory Care Examiners is the duly constituted agency for licensing and regulating the practice of respiratory care in the State of Arizona and possesses jurisdiction over Respondent and the subject matter pursuant to A.R.S. § 32-3501, *et seq.*
2. Chelsea M. Rodriguez, RCP, is the holder of License Number 009175 which enabled her to practice respiratory care in the State of Arizona.
3. Respondent has been licensed to practice respiratory care in the State of Arizona since March 18, 2010 and Respondent's license to practice respiratory care was active until July 25, 2019 prior to this Order.
4. On May 29, 2018, the Board received information from Respondent's employer, Honor Health – Scottsdale Healthcare, that Respondent had been terminated from employment on May 22, 2018 for violating hospital policy HR1333 – Substance Abuse.
5. On May 6, 2018, Respondent began her shift at 1823. At 2032, Respondent notified RCP Sherrie Toledo that she was taking a 30 minute lunch and would be forwarding her calls to RCP Toledo. RCP Amy Acuna was asked to assist RCP Toledo while Respondent was at

1 lunch. Approximately one hour later, RCP Acuna contacted RCP Toledo about Respondent's  
2 whereabouts. RCP Toledo responded that Respondent had not returned from lunch and that calls  
3 were still being forwarded to RCP Toledo. Concerned, RCP Acuna went to look for  
4 Respondent's vehicle and could not locate it. RCP Acuna reported Respondent's absence to  
5 Nursing Administrator Wynema McElveen. Multiple attempts to contact Respondent via her  
6 work phone and personal phone were made unsuccessfully. Nursing Administrator McElveen  
7 contacted Director Abbie Woolstenhulme and Joe Villa from hospital security.

8         6. Mr. Villa notified Nursing Administrator McElveen that hospital security was  
9 familiar with Respondent, her vehicle, and her parking habits due to a prior request from Nursing  
10 Administrator Cindy Sackett to monitor Respondent's whereabouts, as Respondent was reported  
11 to disappear for "hours at a time." Mr. Villa was asked to canvas the perimeter of the building  
12 but was unsuccessful at locating Respondent or her vehicle. During this time, 2EC nursing staff  
13 had also contacted Nursing Administrator McElveen to report Respondent missing. Respondent  
14 finally attempted to contact RCP Toledo at 2322. RCP Toledo was unavailable for RCP Acuna  
15 answered and told Respondent Nursing Administrator McElveen wanted to see her.

16         7. At 2322, Director Woolstenhulme called Respondent's personal cell and noted  
17 that Respondent sounded confused and out of sorts and did not understand the situation.  
18 Respondent met with Nursing Administrator McElveen and Nicole Bagnoli shortly thereafter  
19 and claimed she had only been gone for a short while and had been working in 2EC. Nursing  
20 Administrator McElveen notified Respondent that 2EC nursing staff had called looking for her.  
21 Respondent could not verbalize a reasonable explanation of where she had been for nearly three  
22 hours and did not notify her director or any other employee of her extended absence. Universal  
23 Background was contacted to conduct a for-cause drug screen. Respondent consented to a for-  
24 cause drug screen, which was conducted at approximately 0020 on May 7, 2018.

25         8. Respondent was told she could not drive herself home and Administrator  
26 McElveen called Yellow Cab to pick Respondent up.



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- b. A.R.S. § 32-3501(9)(c) Illegal use of narcotic or hypnotic drugs or substances.
- c. A.R.S. § 32-3501(9)(g) Immorality or misconduct that tends to discredit the respiratory therapy profession.
- d. A.R.S. § 32-3501(9)(i) 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.
- e. A.R.S. § 32-3501(9)(j) Any conduct, practice or condition which does or might impair the person's ability to safely and skillfully practice respiratory therapy.
- f. A.R.S. § 32-3501(9)(k) 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.
- g. A.R.S. § 32-3501(9)(l) Failing to report to the board within ten calendar days an incident or incidents that appear to show the existence of a cause for disciplinary action or that a licensed respiratory care practitioner is or may be professionally incompetent or is or may be mentally or physically unable to engage safely in the practice of respiratory care.
- h. A.A.C. R4-45-214 (1) Engaging in the practice of respiratory care in a manner that harms or may harm a patient or that the Board determines falls below the community standard.
- i. A.A.C. R4-45-214(6) Endangering a patient's or the public's physical or emotional health or safety or engaging in conduct or practice that may be reasonably expected to do so.

1 j. A.A.C. R4-45-214(10) Abandoning or neglecting a patient, including  
2 leaving a respiratory therapy assignment before properly advising supervisory  
3 personnel.

4 k. A.A.C. R4-45-214 (12) Using or being under the influence of alcohol,  
5 illegal drugs or substances, or drugs or substances that impair judgment, while on  
6 duty in any health care work location.

7  
8 **ORDER**

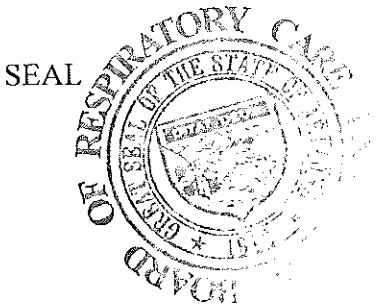
9 **THEREFORE**, based upon the evidence and information known to the Board regarding  
10 the allegations set forth above, the Board finds that in order to protect the public health, welfare  
11 or safety, it is necessary to invoke the Board's authority, pursuant to A.R.S. § 32-3553 (E), to  
12 summarily suspend Respondent's license to practice respiratory care.

13 **IT IS HEREBY ORDERED** that License Number 009175, issued to and held by  
14 Chelsea M. Rodriguez is hereby **SUMMARILY SUSPENDED** from the **PRACTICE OF**  
15 **RESPIRATORY CARE**, effective immediately upon issuance of this Order.

16 **NOTICE**

17 Pursuant to A.R.S. § 32-3553(E) the Respondent is entitled to a formal hearing before the  
18 Board on the charges within sixty (60) days. The Respondent shall be served with a written  
19 notice of complaint and formal hearing, setting forth the charges made against her as required by  
20 the operative statute and rule.

21 **ARIZONA STATE BOARD OF RESPIRATORY CARE**



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26 John Confer  
Executive Director

DATED THIS 7<sup>th</sup> DAY OF JUNE, 2018.

1 Original Interim for Summary  
2 Suspension filed this 7<sup>th</sup> day of  
3 June 2018 with the:

4 Arizona Board of Respiratory Examiners  
5 1740 West Adams, #3406  
6 Phoenix, AZ 85007

7 Copies of the foregoing sent by certified,  
8 regular and electronic mail this 7<sup>th</sup> day  
9 of June, 2018 to:

10 Chelsea Rodriguez  
11 Address on Record & Email

12 Copy of the foregoing sent by inter  
13 agency and electronic mail this 7<sup>th</sup>  
14 day of May, 2018 to:

15 Frankie Shinn-Eckberg, AAG  
16 Office of Arizona Attorney General  
17 2005 N. Central Ave  
18 Phoenix, AZ 85004

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