

IN THE MATTER OF  
THE LICENSE OF  
KARI STONE, R.C.P.

BEFORE THE  
TEXAS BOARD OF  
RESPIRATORY CARE

**AUTOMATIC SUSPENSION ORDER**

On March 22, 2016, Kari Stone, R.C.P. (“Probationer”) appeared in person at an Informal Show Compliance Proceeding and Settlement Conference (“ISC”), in response to a letter of invitation from the staff of the Texas Board of Respiratory Care (“Board”), to address Probationer’s violation of the terms and conditions of an Agreed Order for Suspended Probation entered on March 6, 2015 (“Order”). The Board’s representatives were Melissa Tonn, M.D. and James Dickerson, members of a District Review Committee of the Texas Medical Board, (“Panel”). Johnathan Stone represented Board Staff.

After hearing the evidence presented by both Probationer and Board Staff, the ISC Panel hereby directs the Executive Director to make the following Findings and Conclusions of Law pursuant to the authority granted to her by the Board.

**FINDINGS**

The Board finds the following:

1. Probationer received all notice required by law. All jurisdictional requirements have been satisfied.
2. Probationer currently holds R.C.P. License No. 62320. Probationer’s license expired on December 31, 2015. Probationer’s license has not been renewed. Probationer is not licensed to practice in any other state.
3. Probationer is 52 years of age.
4. Section VI, Paragraph No. 3 of the Order requires Probationer to submit to random drug screening for three years.
5. Probationer failed to comply with the random drug screening in violation of the Order.

6. Section VI, Paragraph No. 7 of the Order authorizes the Board to revoke probation and suspend Probationer's license if Probationer fails to comply with any of the Order's terms and conditions.

### CONCLUSIONS OF LAW

Based on the above Findings, the Board concludes that:

1. The Board has jurisdiction over the subject matter and Probationer pursuant to Tex. Occ. Code § 604.

2. Texas Occ. Code § 604.201(a) authorizes the Board to impose a range of disciplinary actions against a person for violation of the Texas Respiratory Care Practitioners Act, Tex. Occ. Code § 604, and/or Board Rules, 25 Tex. Admin. Code § 140.201-18. Such sanctions include: revocation, suspension, probation, public reprimand, limitation or restriction on practice, counseling or treatment, required educational or counseling programs, monitored practice, public service, and an administrative penalty.

3. Texas Occ. Code § 604.201(b)(9)(B) authorizes the Board to take disciplinary action if it finds that a probationer failed to comply with all the terms and conditions of a previous Order.

4. Section VI, Paragraph No. 7 of the Order authorizes the Board to revoke Probationer's probated suspensions should Probationer fail to comply with any of the terms or conditions.

5. Probationer's violated the terms and conditions of the Order by failing to comply with random drug screening.

6. 22 Tex. Admin. Code § 189.9(a) authorizes the Executive Director to enter an Order of Suspension for violation of an Order.

### ORDER

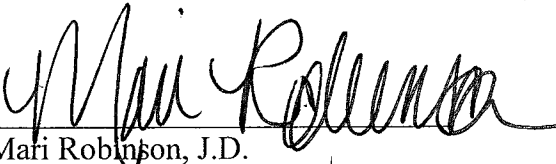
Based on the above Findings and Conclusions of Law, the Board ORDERS that:

1. Probationer's R.C.P. License No. 62320 is hereby SUSPENDED.
2. Probationer shall immediately cease practicing as a R.C.P. in the State of Texas on the date that the Executive Director signs this Order, and shall not again practice in the State

of Texas until authorized to do so by the Board. This Order shall remain in effect until superseded by subsequent order of the Board.

THIS ORDER IS A PUBLIC RECORD.

SIGNED AND ENTERED by the Executive Director on this 23<sup>rd</sup> day of March 2016.

  
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Mari Robinson, J.D.  
Executive Director