

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

3 In the Matter of: ) **CASE NO. 2019-RCE-0138**  
4 )  
5 **JACINDA A. DEMETROS, RCP** ) **CONSENT AGREEMENT FOR**  
6 Holder of License No. **009377** ) **NON-DISCIPLINARY CIVIL**  
7 ) **PENALTY**  
8 Or the Practice of Respiratory Care )  
9 In the State of Arizona )

10 **CONSENT AGREEMENT**  
11 **RECITALS**

12 In the interest of a prompt and judicious settlement of the above-captioned matter before  
13 the Arizona State Board of Respiratory Care Examiners (“Board”) and in the interest of  
14 protecting the people of the State of Arizona, consistent with the statutory requirements and  
15 responsibilities of the Board pursuant to A.R.S. § 32-3501, *et seq.* and A.R.S. § 41-1092.07  
16 (F)(5), Jacinda A. Demetros, RCP (“Respondent”), holder of license number 009377 to practice  
17 respiratory care in the State of Arizona, and the Board enter into the following Consent  
18 Agreement for Non-Disciplinary Civil Penalty (“Consent Agreement”) as the final disposition of  
19 this matter.

20 1. Respondent agrees to accept this Consent Agreement for Non-Disciplinary Civil  
21 Penalty without admitting any guilt and states that patient health, safety and welfare was not at  
22 risk because she did not practice any direct patient care.

23 2. Respondent has the right to consult with an attorney prior to entering into this  
24 Consent Agreement. Respondent has read and understands this Consent Agreement as set forth  
25 herein, and has had the opportunity to discuss this Consent Agreement with an attorney or has  
26 waived the opportunity. Respondent voluntarily enters into this Consent Agreement for the  
purpose of avoiding the expense and uncertainty of an administrative hearing.

3. Respondent understands that she has a right to a public administrative hearing  
concerning each and every allegation set forth in the above-captioned matter, at which time  
Respondent could present evidence and cross-examine witnesses. By entering into this Consent

1 Agreement, Respondent freely and voluntarily relinquishes all rights to such an administrative  
2 hearing, as well as all rights of rehearing, review, reconsideration, appeal, judicial review, or  
3 any other administrative, and/or judicial action concerning the matters set forth herein.

4 4. Respondent affirmatively agrees that this Consent Agreement shall be  
5 irrevocable and any modifications to this original document are ineffective and void unless  
6 mutually approved by the parties in writing.

7 5. Respondent agrees that the Board may adopt this Consent Agreement or any part  
8 of this agreement under A.R.S. §§ 32-3552 and 32-3553. Respondent understands that the  
9 Board may consider this Consent Agreement or any part of it in any future disciplinary action  
10 against her.

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

15 7. All admissions Respondent makes in this Consent Agreement are made solely  
16 for the final disposition of case number 2019-RCE-0138, and any related administrative  
17 proceedings or civil litigation involving the Board and Respondent. Respondent further  
18 understands that acceptance of the Consent Agreement does not preclude any other agency,  
19 subdivision, or officer of this state from instituting other civil or criminal proceedings with  
20 respect to the conduct that is the subject of this Consent Agreement.

21 8. The Consent Agreement shall be subject to adoption by the Board and shall be  
22 effective only when signed by the Chairperson of the Board or the Executive Director of the  
23 Board, on behalf of the Chair. In the event that the Board does not adopt this Consent  
24 Agreement, it is withdrawn and shall be of no evidentiary value and shall not be relied upon nor  
25 introduced in any action by any party. The parties agree that if the Board rejects this Consent  
26 Agreement and this case proceeds to hearing, Respondent shall assert no claim that the Board

1 was prejudiced by its review and discussion of this document or any other records relating  
2 thereto.

3 9. Respondent understands that this Consent Agreement is a public record that may  
4 be publicly disseminated as a formal action of the Board.

5 10. Respondent understands that any violation of this Consent Agreement could be  
6 grounds for further disciplinary action by the Board pursuant to A.A.C. R4-45-214(3).

7 **FINDINGS OF FACT**

8 1. The Arizona State Board of Respiratory Care Examiners is the duly constituted  
9 agency for licensing and regulating of the practice of respiratory care in the State of Arizona  
10 pursuant to A.R.S. § 32-3501, *et seq.*

11 2. Jacinda A. Demetros, RCP (“Respondent”), is the holder of License Number  
12 009377 which enables her to practice respiratory care in the State of Arizona.

13 3. Respondent’s license to practice respiratory care was originally issued on  
14 February 18, 2010 and expires on May 12, 2021.

15 4. Under A.R.S. § 32-3501, *et seq.*, the Board possesses jurisdiction over the subject  
16 matter and over Respondent as a licensee of the Board.

17 5. Respondent allowed her license to expire on May 12, 2019. Respondent  
18 submitted a late renewal application on June 3, 2019. On her Affidavit Respondent self-  
19 disclosed that she had practiced respiratory care without the benefit of holding an active and  
20 valid license on between May 12, 2019 and June 3, 2019.

21 6. Respondent worked fifteen (15) shift(s) without the benefit of holding an active  
22 and valid license issued by this Board.

23 **CONCLUSIONS OF LAW**

24 1. The conduct described in the Findings of Fact constitute grounds for disciplinary  
25 action pursuant to A.R.S. §§ 32-3552(A)(3) and violate the provisions of A.R.S. § 32-  
26

1 3501(10)(k), which states, "Violating or attempting to violate, directly or indirectly, or assisting  
2 in or abetting the violation of or conspiring to violate a provision of this chapter."

3  
4 DATED: 10/14/2019


SIGNED:   
Jacinda A. Demetros, RCP

6 **ORDER**

7 **IT IS HEREBY ORDERED THAT** Jacinda A. Demetros, RCP, holder of license  
8 number 009377, shall be assessed a non-disciplinary **CIVIL PENALTY** in the amount of  
9 **THREE HUNDRED FIFTY AND 00/100 DOLLARS (\$350.00)**. This non-disciplinary Civil  
10 Penalty shall be paid to the Arizona State Board of Respiratory Care Examiners by no later than  
11 **NINETY (90) DAYS** from the effective date of this Order.



ARIZONA STATE BOARD OF RESPIRATORY CARE

  
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Jack Confer, Executive Director

DATED THIS 15th DAY OF October 2019.

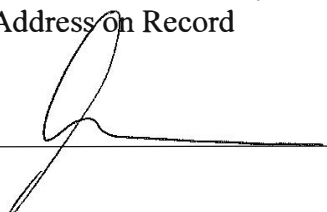
16 Original Consent Agreement for  
17 Non-Disciplinary Civil Penalty  
filed this 15th day of October 2019 with the:

18 Arizona Board of Respiratory Examiners  
19 1740 West Adams Street, Suite 3406  
20 Phoenix, AZ 85007

21 Copy of the foregoing sent by electronic,  
22 Regular and certified mail this 15th  
day of October 2019 to:

23 Jacinda A. Demetros, RCP  
24 Address on Record

Camilla Porter, Esquire  
340 E. Palm Lane, Suite 250  
Phoenix, Arizona 85004  
cporter@slatterypetersen.com

  
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