

Judicial and Ethics Policies

The Board of Trustees has approved the following items as reasons for which applications for NBRC examinations may be refused or for which already credentialed individuals may be disciplined:

1. Obtaining or attempting to obtain Certification, Registration, Recertification, or Reregistration by fraud, deception, or artifice.
2. Knowingly assisting another person or other persons in obtaining or attempting to obtain Certification, Registration, Recertification, or Reregistration by fraud, deception, or artifice.
3. Failure to follow examination security protocols.
4. Unauthorized use of a Certification or Registry certificate or falsification of credentials, or any other NBRC documents.
5. Unauthorized possession and/or distribution of any official NBRC testing or examination materials to include copying and/or reproduction of any part of NBRC examination questions or problems.
6. Credentialed practitioners and/or examination candidates may be disciplined for offenses related to their practice of respiratory therapy and/or pulmonary technology which gives cause to question the individual's ability to practice in a safe and competent manner. Such offenses include, but are not limited to:
 - a. Conviction in a court of law, after all appeals have been exhausted, of a drug or alcohol-related offense that would cause question as to the individual's ability to appropriately interact with patients and others on the job.
 - b. Conviction in a court of law, after all appeals have been exhausted, of a job-related offense indicating the individual's intentional negligence and/or purposeful misconduct that results in endangering the health and/or safety of a patient.
 - c. Conviction in a court of law, after all appeals have been exhausted, of an act of physical violence (murder, assault, rape, robbery, etc.) that would cause question as to the individual's ability to appropriately interact with patients and others on the job.
 - d. Revocation or denial of a license to practice respiratory therapy and/or pulmonary technology, or another health related profession, by an authorized state agency due to:
 - i. a drug or alcohol-related offense that would cause question as to the individual's ability to appropriately interact with patients and others on the job.
 - ii. a job-related offense indicating the individual's intentional negligence and/or purposeful misconduct that results in endangering the health and/or safety of a patient.
 - iii. an act of physical violence (murder, assault, rape, robbery, etc.) that would cause question as to the individual's ability to appropriately interact with patients and others on the job.
 - e. Voluntary surrender of a license to practice respiratory therapy and/or pulmonary technology, or another health related profession, by a credentialed individual and/or examination candidate to an authorized state agency after the filing of a complaint proceeding by an authorized state agency alleging:
 - i. a drug or alcohol-related offense that would cause question as to the individual's ability to appropriately interact with patients and others on the job.
 - ii. a job-related offense indicating the individual's intentional negligence and/or purposeful misconduct that results in endangering the health and/or safety of a patient.
 - iii. an act of physical violence (murder, assault, rape, robbery, etc.) that would cause question as to the individual's ability to appropriately interact with patients and others on the job.
 - f. Use of any authorized designation (CRT, RRT, CRT-NPS, RRT-NPS, CRT-SDS, RRT-SDS, RRT-ACCS, CPFT, RPFT, and AE-C or any other designation granted by the NBRC) in any unauthorized manner, including, but not limited to, disparaging usage or usage for commercial gain.

If the NBRC determines that any evidence warrants additional consideration, the applicant will be notified and will have an opportunity to present information on their behalf. Upon receiving information from all parties involved, the Judicial & Ethics Committee will either issue a decision or recommend that a formal hearing be conducted and a final decision made by the Judicial and Ethics Committee.