OF THE STATE OF NEVADA

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In The Matter of Charges and)	Case No. 10-23244-1
Complaint Against)	FILED
MARILYN ATKINS, R.R.T.)	FEB - 4 2011
Respondent.)	NEVADA STATE BOARD OF MEDICAL EXAMINERS By:

ORDER OF SUMMARY SUSPENSION

On February 4, 2010, Board Staff presented evidence and information to the Investigative Committee, composed of Charles N. Held, M.D., Chair, Theodore Berndt, M.D., Member, and Valerie Clark, BNS, RHU, LUTCF, Member, regarding Marilyn Atkins, R.R.T. Upon review of the evidence and information presented by Board Staff, the Investigative Committee hereby **IMMEDIATELY SUSPENDS** the license to practice respiratory care of Marilyn Atkins, R.R.T. (hereinafter "Ms. Atkins") pursuant to NRS 630.326(1) based upon the following findings:

- 1. Ms. Atkins is currently licensed to practice respiratory care in the state of Nevada in Active-Probation status.
- 2. On September 10, 2010, the Board approved an adopted a Settlement, Waiver and Consent Agreement with Ms. Atkins to in order to resolve pending disciplinary charges filed against her in the above referenced case number.
- 3. The Settlement, Waiver and Consent Agreement revoked Ms. Atkins' license to practice respiratory care, but stayed the revocation and placed her on probation for a period of forty-eight months with various terms and conditions of probation.
- 4. The terms and conditions of probation included Ms. Atkins' agreement that she would submit to random hair or urine screens as required by the Board. On January 27, 2011, Ms. Atkins was request to submit to a hair and urine screen.

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5. On February 3, 2011 results from said screens were received which indicated that Ms. Atkins had tested positive for methamphetamine as well as codeine and hydrocodone in her hair and Tramadol in her urine.

The Investigative Committee believes that due to Ms. Atkins's use of an illegal narcotic substance, specifically methamphetamine, along with other narcotic substances, and being currently licensed to provide respiratory care, that the health, safety and welfare of the public is at imminent risk of harm and that a summary suspension of Ms. Atkins' license to practice respiratory care is necessary to remove said risk of imminent harm to the health, safety and welfare of the public. Accordingly, pursuant to NRS 630.326(1):

IT IS HEREBY ORDERED that the license to practice respiratory care in the state of Nevada of Marilyn Atkins, R.R.T., (License No. RC802) is hereby suspended until further order of the Investigative Committee or Board; and

IT IS FURTHER ORDERED that this matter be heard on March 11, 2011 at 9:30 a.m. concurrently with the hearing set regarding the Order to Show Cause filed on February 4, 2011 in the above entitled matter determine the appropriateness of this suspension, unless the parties mutually agree to a longer period of time pursuant to NRS 630.326.

DATED this 4th day of February, 2010.

INVESTIGATIVE COMMITTEE OF NEVADA STATE BOARD OF MEDICAL EXAMINERS

Bv:

Charles N. Held, M.D.

Investigative Committee Chair