BEFORE THE ARKANSAS STATE MEDICAL BOARD

IN THE MATTER OF:  JOSHUA CAREY COVERT, LRCP

EMERGENCY ORDER OF SUSPENSION AND NOTICE OF HEARING

Pursuant to ACA §25-15-201, and ACA § 25-15-211(c) et seq, both of the Administrative Procedure Act, and ACA § 17-99-308 of the Licensed Respiratory Care Practitioner Act, the Arkansas State Medical Board issues the following Emergency Order of Suspension and Notice of Hearing, charging Joshua Carey Covert, LRCP, with alleged violation of the Licensed Respiratory Care Practitioner Act, more specifically, ACA §17-99-307(1), that is, he has exhibited habitual drunkenness and substance abuse. The allegations upon which the above charges are based are as follows:

I.

Joshua Carey Covert, LRCP, is licensed to practice respiratory care in the State of Arkansas under the provisions of the Licensed Respiratory Care Practitioner Act.

II.

Joshua Carey Covert, LRCP, on September 13, 2016, entered into a Recovery Management Program Agreement with the Arkansas Medical Foundation. As part of that agreement, Joshua Carey Covert, LRCP, agreed to attend certain Caduceus meetings and take urinalysis tests.

III

The Arkansas State Medical Board received information from the Arkansas Medical Foundation that Joshua Carey Covert, LRCP, had failed to attend the required meetings during the month of December.

IV.

Pursuant to the Administrative Procedure Act, A.C.A. §25-15-211(c) and upon an
affirmative vote of the majority of the Arkansas State Medical Board, the Board finds that the acts of Joshua Carey Covert, LRCP, described herein above, endanger the public health, safety and welfare, and, therefore, the license to practice respiratory care in the State of Arkansas, heretofore issued to Joshua Carey Covert, LRCP, is suspended on an emergency basis, pending a disciplinary hearing in this matter or further Orders of the Board.

WHEREFORE, IT IS CONSIDERED, ORDERED AND ADJUDGED, by the Arkansas State Medical Board that the license to practice respiratory care in the State of Arkansas as issued to Joshua Carey Covert, LRCP, is suspended on an emergency basis, pending a disciplinary hearing in this matter, or further Orders of the Board.

IT IS FURTHER CONSIDERED, ORDERED, AND ADJUDGED, by the Arkansas State Medical Board, that a hearing should be conducted to determine whether Joshua Carey Covert, LRCP, has violated the Licensed Respiratory Care Practitioner Act as alleged hereinafter. If it is found that he has, in fact, violated the Licensed Respiratory Care Practitioner Act, then the Board should determine whether the license of Joshua Carey Covert, LRCP, to practice respiratory care in the State of Arkansas, should be revoked or suspended, or whether other sanctions should be given as punishment pursuant to the authority granted the Board in ACA § 17-99-307 and ACA§17-15-217 of the Administrative Procedure Act. Said hearing will be conducted on the 6th day of April, 2017 at 9:30 clock A.m. at a meeting of the Arkansas State Medical Board at the offices of the Board, 1401 W. Capitol Ave, Suite 340, Little Rock, Pulaski County, Arkansas.

Joshua Carey Covert, LRCP, is hereby advised that he may be represented by counsel at the hearing, and that he will be given the opportunity to examine all of the evidence offered to the Board, cross-examine witnesses, and offer evidence and witnesses in his own behalf.

Joshua Carey Covert, LCUP is further advised that any additional records and/or exhibits that he as a Respondent wishes to present to the Board at his hearing MUST be
supplied to the Board no later than 20 days prior to the hearing date. Failure to do so can result in the Board refusal to allow the information or documentation to be presented by the Respondent.

IT IS SO ORDERED.

ARKANSAS STATE MEDICAL BOARD

Steve Cathey, M.D., Chairman

Date

Approved as to Form:

Kevin M. O'Dwyer
Attorney for the Arkansas State Medical Board
BEFORE THE ARKANSAS STATE MEDICAL BOARD

IN THE MATTER OF: JOSHUA CAREY COVERT, LRCP

ORDER

On this 11th day of April, 2017, comes on for hearing the matter of Joshua Carey Covert, LRCP. The Arkansas State Medical Board appeared together by a quorum of its membership together with its attorney, Kevin M. O'Dwyer; Joshua Carey Covert, LRCP appeared together pro se. From the pleadings, evidence introduced, and testimony of the witnesses:

I

Joshua Carey Covert, LRCP is licensed to practice respiratory care in the State of Arkansas under the provisions of the Respiratory Care Practitioner Act.

II

Joshua Carey Covert, LRCP on September 13, 2016, entered into a Recovery Management Program Agreement with the Arkansas Medical Foundation. As part of the agreement, Joshua Carey Covert, LRCP agreed to attend certain Caduceus meetings and take urinalysis tests.

III

Joshua Carey Covert, LRCP has failed to attend the meetings as required by his Arkansas Medical Foundation Contract and has violated the Respiratory Care Practitioner Act.
IV

WHEREFORE, IT IS CONSIDERED, ORDERED AND ADJUDGED that: Joshua Carey Covert, LRCP has violated the Respiratory Care Practitioner Act, more specifically, A.C.A §17-99-307(1).

As a result of the above violation of the Respiratory Care Practitioner Act and the Order of the Board, the license to practice respiratory care in the State of Arkansas of Joshua Carey Covert, LRCP is hereby revoked.

IT IS SO ORDERED.

ARKEANSAS STATE MEDICAL BOARD

BY: STEVEN L. CATHEY, M.D., CHAIRMAN

DATE: 4/13/17

APPROVED AS TO FORM:

Kevin M. O'Dwyer
Attorney for the Arkansas State Medical Board