

EDUCATION LEVEL AND ENFORCEMENT ACTIONS

Review of Enforcement Data | July 1, 2021 - June 30, 2026

BACKGROUND

As part of the Respiratory Care Board's (RCB) consideration of educational requirements for RCP licensure, the Professional Qualifications Committee asked staff to review education information associated with enforcement actions taken during the last five years. The purpose of this review was to provide descriptive information regarding the education levels represented among Board enforcement actions. For purposes of this review, citations are referred to as Administrative Actions and disciplinary orders (including probation, revocation, surrender, cease practice orders, and related outcomes) are referred to as Formal Disciplinary Actions.

221 ADMINISTRATIVE ACTIONS	128 FORMAL DISCIPLINARY ACTIONS	349 TOTAL ACTIONS
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OVERALL RESULTS

Highest Education	Overall RCP Education Data	Administrative Actions	Formal Disciplinary Actions
Associate's Degree	70.7%	81.9%	85.5%
Bachelor's Degree	20.7%	14.8%	6.8%
Master's/Doctoral Degree	4.3%	1.4%	0.9%
Vocational/Practical Certificate	4.2%	1.9%	6.8%

**Percentages are based on records with a known education level. Declined and unknown responses are excluded.*

SUMMARY OF FINDINGS

Bachelor's Degree or Higher: Licensees with a bachelor's degree or higher comprised 25.0% of the education data, 16.2% of Administrative Actions, and 7.7% of Formal Disciplinary Actions.

Associate's Degree: Associate degree holders comprised 70.7% of the education data, 81.9% of Administrative Actions, and 85.5% of Formal Disciplinary Actions.

Time Licensed Prior to Enforcement: Associate degree holders received Administrative Actions an average of approximately 592 days (1 year, 7 months, 14 days) sooner than licensees with a bachelor's degree or higher. For Formal Disciplinary Actions, associate degree holders were subject to enforcement actions an average of approximately 184 days (6 months and 4 days) sooner.

Formal Disciplinary Action Costs: The median enforcement cost was similar between the two education groups. Associate degree holders accounted for 75.31% of total Formal Disciplinary Action costs, compared with 7.34% for licensees with a bachelor's degree or higher.

Overall, RCPs with a bachelor's degree or higher represented a smaller share of enforcement actions than their representation in the overall education data. These findings are descriptive only and identify observed differences in the data. The analysis does not determine whether education level caused any difference in enforcement activity or enforcement costs.

DATA LIMITATIONS

Education information is self-reported through the voluntary Department of Health Care Access and Information (HCAI) renewal survey, and licensees may decline to respond. The overall RCP data include 1,939 declined responses.

ENFORCEMENT ACTIONS BY CASE TYPE

ADMINISTRATIVE ACTIONS

Case Classification	Actions	Share of Administrative Actions
Criminal Charges/Convictions	175	79.2%
Unlicensed Practice	37	16.7%
CE Audits	8	3.6%
Discipline by Another Agency	1	0.5%
Total	221	100.0%

FORMAL DISCIPLINARY ACTIONS

Case Classification	Actions	Share of Formal Discipline
Criminal Charges/Convictions	53	41.4%
Fraud	19	14.8%
Incompetence/Negligence	18	14.1%
Violation of Probation	15	11.7%
Substance Abuse/Drug-Related Offenses	10	7.8%
Unprofessional Conduct	8	6.3%
Mental/Physical Impairment	2	1.6%
Sexual Misconduct	2	1.6%
Discipline by Another Agency	1	0.8%
Total	128	100.0%

EDUCATION COMPARISON BY TYPE OF MATTER

Comparison Group	Bachelor's Degree or Higher	Associate's Degree
Overall RCP Education Data	25.0%	70.7%
Admin. Actions - Criminal/Conviction Related	15.8%	81.8%
Admin. Actions - Practice/Professional Matters	15.9%	84.1%
Formal Discipline - Criminal/Conviction Related	10.0%	86.0%
Formal Discipline - Practice/Professional Matters	7.9%	89.5%

Associate degree holders represented a larger share of both Administrative Actions and Formal Disciplinary Actions than their representation in the overall RCP education data, while licensees with a bachelor's degree or higher represented a smaller share of enforcement actions. Similar patterns were observed across both criminal/conviction-related and practice/professional matters.

TIME LICENSED PRIOR TO ENFORCEMENT ACTION

Below reflects the average number of days between initial licensure and issuance of an action.

ADMINISTRATIVE ACTIONS

Education Group	Average Days Licensed Before Action
Associate's Degree	3,269 (8 yrs, 11 months)
Bachelor's Degree	3,861 (10 yrs, 7 months)

FORMAL DISCIPLINARY ACTIONS

Education Group	Average Days Licensed Before Action
Associate's Degree	3,694 (10 yrs, 1 month)
Bachelor's Degree	3,878 (10 yrs, 7 months)

Associate degree holders received both Administrative Actions and Formal Disciplinary Actions sooner on average than licensees with a bachelor's degree or higher.

FORMAL DISCIPLINARY ACTION COSTS

The RCB reviewed costs ordered in Formal Disciplinary Actions. These amounts represent costs ordered to reimburse the Board for investigation and prosecution of the case. Administrative Actions are excluded from this comparison because citation fines are penalties assessed against the cited person and do not represent the Board's investigative and prosecution costs.

Education Group	Median Costs Ordered	Share of Total Costs
Associate's Degree	\$8,663.75	75.3%
Bachelor's Degree	\$8,317.25	7.3%

Associate degree holders accounted for a larger share of total Formal Disciplinary Action costs, while the median cost ordered per case was similar between the two education groups.

KEY OBSERVATIONS

A review of the data showed several notable trends related to education level and enforcement actions among RCPs. RCPs with a bachelor's degree or higher appeared less often in both Administrative Actions and Formal Disciplinary Actions than would be expected based on their share of the overall RCP population. Although about 25.0% of RCPs reported having a bachelor's degree or higher, this group accounted for 16.2% of Administrative Actions and 7.7% of Formal Disciplinary Actions.

Associate degree holders, by comparison, made up most of the RCP population, representing about 70.7% of the education data. They also accounted for a larger share of enforcement actions: 81.9% of Administrative Actions and 85.5% of Formal Disciplinary Actions. The same general pattern appeared in both criminal or conviction-related matters and practice or professional matters.

The review also showed differences in how long licensees had been licensed before receiving an enforcement action. Associate degree holders received Administrative Actions an average of 3,269 days after licensure, compared with 3,861 days for licensees with a bachelor's degree or higher. For Formal Disciplinary Actions, the average was 3,694 days for associate degree holders and 3,878 days for licensees with a bachelor's degree or higher.

Staff also reviewed the costs associated with Formal Disciplinary Actions. Because disciplinary decisions include costs ordered to reimburse the Board for investigation and prosecution of the case, these costs provide a measure of the Board's enforcement expenditures. The median cost ordered was \$8,663.75 for associate degree holders and \$8,317.25 for licensees with a bachelor's degree or higher. Associate degree holders accounted for 75.3% of total Formal Disciplinary Action costs, while licensees with a bachelor's degree or higher accounted for 7.3%.

These findings are descriptive and reflect differences observed in the data. They do not show that education level caused differences in enforcement activity or costs. Education information was self-reported through the HCAI survey, and some individuals may have been involved in more than one enforcement action.