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8 **BEFORE THE**
RESPIRATORY CARE BOARD
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 1H 2011 372

11 **WILLIAM LLOYD CLOER**

12 **10 San Pablo Avenue #3566**
13 **San Rafael, CA 94903**

A C C U S A T I O N

14 **Respiratory Care Practitioner License No.**
15 **7699**

16 Respondent.

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18 Complainant alleges:

19 PARTIES

20 1. Stephanie Nunez (Complainant) brings this Accusation solely in her official capacity
21 as the Executive Officer of the Respiratory Care Board of California, Department of Consumer
22 Affairs.

23 2. On or about July 26, 1985, the Respiratory Care Board issued Respiratory Care
24 Practitioner License Number 7699 to William Lloyd Cloer (Respondent). The Respiratory Care
25 Practitioner License was in full force and effect at all times relevant to the charges brought herein
26 and will expire on April 30, 2013, unless renewed.

1 the official custodian of the record or his or her designated representative shall be prima facie
2 evidence of the actual costs of the investigation and prosecution of the case."

3 9. Section 3753.7 of the Code states:

4 "For purposes of the Respiratory Care Practice Act, costs of prosecution shall include
5 attorney general or other prosecuting attorney fees, expert witness fees, and other administrative,
6 filing, and service fees."

7 10. Section 3753.1 of the Code states:

8 "(a) An administrative disciplinary decision imposing terms of probation may include,
9 among other things, a requirement that the licensee probationer pay the monetary costs associated
10 with monitoring the probation. "

11 FACTS

12 11. On or about May 5, 2011, Respondent was working as a respiratory therapist at Marin
13 General Hospital (hereinafter "Marin General.") He was assigned to provide respiratory care and
14 treatment to Patient C.S., a fifty two year old female with a history of severe developmental
15 disabilities secondary to a severe case of tuberous sclerosis. She had initially been taken to
16 Sonoma Valley Hospital for treatment of a retroperitoneal bleed (internal bleeding) and on April
17 17, 2011, C.S. was transferred to Marin General based on the need for a higher level of care to
18 treat kidney tumors.

19 12. Upon arrival at Marin General's Emergency Room, C.S. was in respiratory failure
20 and required intubation and mechanical ventilation to maintain her oxygen and carbon dioxide
21 levels. She continued to require mechanical ventilation intermittently throughout her
22 hospitalization. The following events occurred on May 5, 2011:

23 13. At 10:00 a.m., C. S. was extubated. The patient's original ventilator was equipped
24 with neonatal capabilities and was removed from her room for use in the nursery. At some point
25 after 10:00 a.m, another ventilator was brought outside the patient's room per hospital policy.

26 14. At 12:30, C.S. required Bi-level positive pressure ventilation (Bipap) to maintain her
27 breathing.

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SECOND CAUSE FOR DISCIPLINE

(Unprofessional Conduct)

19. Paragraphs 11 through 18 are incorporated herein.

20. Respondent's actions as described above constitute unprofessional conduct in violation of code section 3755.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Respiratory Care Board issue a decision:

1. Revoking or suspending Respiratory Care Practitioner License Number 7699, issued to William Lloyd Cloer;
2. Ordering William Lloyd Cloer to pay the Respiratory Care Board the costs of the investigation and enforcement of this case, and if placed on probation, the costs of probation monitoring;
3. Taking such other and further action as deemed necessary and proper.

DATED: November 23, 2011

Original Signed by Liane Freels for:
STEPHANIE NUNEZ
Executive Officer
Respiratory Care Board of California
Department of Consumer Affairs
State of California
Complainant

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