

- b. On July 13, 2006, Defendant represented that she had conducted physical therapy on Patient CWD for 4 billable units (60 minutes) when in fact she spent just over 1 billable unit (17 minutes) with him.

4. Defendant admits that on at least two (2) occasions, she left Patient CWD, a seventy (70) year old patient, in a swimming pool by himself for approximately fifteen (15) minutes during therapy sessions. Defendant admits that the pool at issue is between 3 ½ and 7 feet deep. During the times Defendant left Patient CWD unattended in the pool, she was treating other patients in the gym area of the physical therapy facility.

5. Defendant is guilty of unprofessional conduct in that she:

- A. Is guilty of conduct unbecoming a person licensed as a physical therapist or physical therapy assistant or guilty of conduct detrimental to the best interests of the public or his profession in violation of 59 O.S. §887.13(9).
- B. Is guilty of any act in conflict with the ethics of the profession of physical therapy in violation of 59 O.S. §887.13(10).
- C. Engaged in dishonorable or immoral conduct that is likely to deceive, defraud, or harm the public in violation of OAC 435:20-5-8(b)(5).
- D. Participated in fraud, abuse and/or violation of state or federal laws in violation of OAC 435:20-5-8(b)(8).
- E. Engaged in any conduct which potentially or actually jeopardizes a patient's life, health or safety in violation of OAC 435:20-5-8(b)(9).
- F. Engaged in fraudulent billing practices and/or violation of Medicare and Medicaid laws or abusive billing practices in violation of OAC 435:20-5-8(b)(15).
- G. Engaged in the improper management of medical records, inaccurate recording, falsifying or altering of patient records in violation of OAC 435:20-5-8(b)(16).
- H. Violated any provision of the Physical Therapy Practice Act or the rules and regulations of the board or of an action, stipulation, agreement or order of the Board in violation of OAC 435:20-5-8(b)(31).

WHEREFORE, plaintiff requests that the Board conduct a hearing, and upon proof of the allegations contained herein, impose such disciplinary action as authorized by law, up to and

including suspension or revocation, the assessment of costs and fees incurred in this action, and any other appropriate action with respect to Defendant's license to practice as a physical therapist in the State of Oklahoma.

Dated this 21 day of October, 2006.

Respectfully submitted,


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