

IN THE MATTER OF

*

SARAH B. HASTINGS, O.T.A.

*

BEFORE THE MARYLAND STATE

REINSTATEMENT APPLICANT

*

BOARD OF OCCUPATIONAL

License Number: A01536

*

THERAPY PRACTICE

Case Number: 2019-030

*

* * * * *

CONSENT ORDER OF REPRIMAND

On or about November 8, 2018, Sarah B. Hastings, O.T.A. (the "Applicant"), License Number A01536, submitted a reinstatement application (the "Reinstatement Application") for reinstatement of her occupational therapy assistant ("O.T.A.") license to the Maryland Board of Occupational Therapy Practice (the "Board"). The Board received information that the Applicant's licensure as an O.T.A in the State of Delaware had been formally disciplined by the Delaware Board of Occupational Therapy Practice (the "Delaware Board"). Based on this information, on or about November 14, 2018, the Board requested that the Applicant submit a written explanation regarding the disciplinary action taken against her Delaware license. On or about November 19, 2018, the Board received the Applicant's written response.

Based upon the Applicant's Reinstatement Application, the Applicant's November 19, 2018 written response to the Board, and the Board's investigation, on November 30, 2018 the Board voted to offer a Consent Order of Reprimand to the Applicant, in lieu of issuing Charges for violations of the Maryland Occupational Therapy Practice Act (the "Act"), Md. Code Ann., Health Occupations Article ("H.O.") §§ 10-101 *et seq.* As a result of that offer, the Applicant and the Board agreed to the following Consent Order.

FINDINGS OF FACT

The Board finds that:

1. On or about March 18, 2005, the Board issued the Applicant a license to practice as an occupational therapy assistant in the State of Maryland, license number A01536.

2. The Applicant's Maryland license expired on June 30, 2006.

3. At all times relevant, the Applicant also holds a license to practice as an O.T.A. in the State of Delaware. The Applicant was originally licensed in Delaware as an O.T.A., license number U2-0000915 on May 26, 2005. The Applicant's Delaware license is active through July 31, 2020.

4. On or about November 8, 2018, the Board received the Applicant's Reinstatement Application. In the course of processing the Reinstatement Application, the Board received information that on or about May 17, 2013, the Delaware Board entered a Final Board Order ("2013 Board Order") against the Applicant's Delaware license. The Board conducted an investigation into the matter.

5. On or about November 14, 2018, the Board obtained a copy of the 2013 Board Order which found that the Applicant failed to comply with the Delaware Board's continuing education requirements in that she was deficient one continuing education hour in a "second category," in violation of Delaware Board Rule 3.2.1. As a result of the Delaware Board's finding, the Applicant was issued a Letter of Reprimand. The Letter of Reprimand stated that the Delaware Board found that the Applicant "falsely attested to having completed [her] required continuing education hours for the licensure renewal period 2010-2012." The 2013 Final Order required the Applicant complete "at least one acceptable continuing education credit in a category other than

coursework and submit acceptable proof to the [Delaware Board] within 30 days of this Final Order." The Delaware Board also ordered that the Applicant be "flagged for audit for the 2012-2014 biennial period."

6. As part of its investigation, the Board reviewed the Applicant's Reinstatement Application. The Applicant answered "No" to Discipline Question 3 of the Reinstatement Application which asked "Do you currently have, or have you ever had, any disciplinary action taken against your license in any state or country?"

7. In a written statement submitted to the Board on or about November 19, 2018, the Applicant acknowledged the disciplinary action taken against her Delaware license as follows:

I wanted to provide you with information pertaining to the disciplinary action against my license in 2013. It was due to not having CEU's (sic) in two separate categories. I was mistaken thinking that by completing a journal article I would have met the second category. I attended a Board meeting to become into compliance with the CEU's therefore my license remained in good standing. I have learned the rules and regulations pertaining to CEU's and have had no issues.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that the Respondent violated Md. Code Ann., Health Occ. § 10-315:

- (9) Is disciplined by a licensing or disciplinary authority of any other state or country or convicted or disciplined by a court of any state or country for an act that would be grounds for disciplinary action under this section; *specifically* HO§ 10-31 l(d).

The Board also concludes that, by falsely attesting that she had not received discipline against her license in another State, the Applicant violated Md. Code Ann., Health Occ. § 10-315 which provides:

...[T]he Board, may deny a license or temporary license to any applicant, reprimand any licensee or holder of a temporary license, place any licensee or holder of a temporary license on probation, or suspend or revoke a license or temporary license if the applicant, licensee, or holder:

(1) Fraudulently or deceptively obtains or attempts to obtain a license or temporary license for the applicant, licensee, or holder or for another; and

(5) Violates any rule or regulation of the Board, including any code

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby:

ORDERED that the request by the Applicant for licensure as an occupational therapy

assistant in the State of Maryland it is hereby **GRANTED**; and it is further

ORDERED that the Board shall **ISSUE** to the Applicant a license to practice as an occupational therapy assistant in the State of Maryland; and it is further

ORDERED that the license of the Applicant to practice as an occupational therapy assistant in the State of Maryland is hereby **REPRIMANDED**; and it is further

ORDERED that the Applicant shall comply with the Maryland Occupational Therapy Practice Act, Md. Code Ann., Health Occ. §§ 10-101 *et seq.*, and all federal and state laws and regulations governing the practice of occupational therapy in Maryland, and it is further

ORDERED that this document is a PUBLIC DOCUMENT under Md. Code Ann., General Provisions § 4-101 *et seq.*

Wanda R. Banks, M.A., OTR/L

Wanda R. Banks, M.A., OTR/L Chair
Maryland State Board of Occupational Therapy Practice

2/28/2019

CONSENT

By this Consent, I acknowledge that I have read this Consent Order in its entirety and I hereby admit the truth of the Findings of Fact and accept and submit to the foregoing Consent Order and its conditions. I acknowledge the legal authority and jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have had the right to legal counsel authorized to practice law in Maryland, to confront witnesses, to give testimony, to request subpoenas for witnesses, to call witnesses on my own behalf, to introduce testimony and evidence on my own behalf, and to all other substantive and procedural protections provided by law. I waive these rights, as well as any appeal rights under Maryland Code Annotated, State Government Article § 10-222.

I sign this Consent Order after having an opportunity to consult with an attorney, voluntarily and without reservation, and I fully understand and comprehend the language, meaning, terms, and effect of this Consent Order.

1/13/2019
Date



Sarah B. Hastings, O.T. A.

NOTARIZATION

STATE: Delaware

CITY/COUNTY: Sussex

I HEREBY CERTIFY that on this 31st day January, 2019, before me,
a Notary Public of the State and City/County aforesaid, personally appeared **Sarah B. Hastings**
and made oath in due form of law that signing the foregoing Consent Order of Reprimand was
the voluntary act and deed of **Sarah B. Hastings**.

AS WITNESSETH my hand and Notarial Seal.

SEAL

A handwritten signature in cursive script, reading "Shelly Lynn Rubel", written over a horizontal line.

Notary Public

My Commission Expires: *upon offered*