

IN THE MATTER OF * BEFORE THE MARYLAND STATE
LAVELLE A. BLACKWELL, JR., O.T. *
REINSTATEMENT APPLICANT * BOARD OF OCCUPATIONAL
License Number: 07558 *
Case Number: 2019-001 * THERAPY PRACTICE

* * * * *

CONSENT ORDER OF REPRIMAND

On or about July 9, 2018, LaVelle A. Blackwell, Jr., O.T. (the "Applicant"), License Number 07558, submitted a reinstatement application for occupational therapist to the Maryland Board of Occupational Therapy Practice (the "Board"). In a July 9, 2018 phone conversation with Board staff, the applicant indicated that he unknowingly worked as an occupational therapist after the June 30, 2018 expiration of his license. Based on this information, the Board requested that the Applicant submit a written explanation of why he "unknowingly" practiced on an expired license in July 2018. On or about July 10, 2018, the Applicant submitted to the Board an email explaining the circumstances of his unlicensed practice.

Based upon the Applicant's reinstatement application and the Applicant's July 10, 2018 written response to the Board, on July 20, 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 October 28, 2014 the Board issued the Applicant a license to practice as an occupational therapist in the State of Maryland, license number 07558.
2. After failing to submit a renewal application by the applicable deadline, the Applicant's license expired on June 30, 2018.
3. On or about July 9, 2018, the Board received the Applicant's license reinstatement application. On the same day, the Applicant disclosed to the Board that he practiced as an occupational therapist after his license expired. The Board conducted an investigation into the matter.
4. In a written statement submitted to the Board on or about July 10, 2018, the Applicant made the following disclosure:

I unknowingly practiced with an expired license on the days of July 2nd and July 3rd [2018]. I was late renewing my license because of financial hardship. I ended up wanting to wait for a certain check to deposit in order to pay the renewal fee. During the midst of me waiting, I completely forgot to renew my license and mistakenly worked two days in the month of July.

CONCLUSIONS OF LAW

Based on the foregoing findings of fact, the Board concludes that the Applicant violated the following provisions of the Act:

Md. Code Ann., Health Occ. Art.:

§ 10-401(a) Except as otherwise provided in this title, a person may not practice, attempt to practice, or offer to practice occupational therapy in this State unless licensed by the Board to practice occupational therapy by the Board.

§ 10-402(a) Unless authorized to practice occupational therapy under this title or unless otherwise provided for under this article, a person may not represent to the public by title, by description of services, methods, or procedures, or otherwise that the person is authorized to practice occupational therapy in this State.

The Board also concludes that, by practicing occupational therapy without a license, the Applicant violated Md. Code Ann., Health Occ. § 10-315. Specifically:

§ 10-315 ... [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:

- (5) Violates any rule or regulation of the Board, including any code of ethics adopted by the Board; and
- (12) Submits a false statement to collect a fee.

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

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

ORDERED that the license of the Applicant to practice as an occupational therapist 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.*

10/1/2018
Date


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

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 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.

9-26-2018
Date

LaVelle A. Blackwell, Jr. OTCJ
LaVelle A. Blackwell, Jr., O. T.

NOTARIZATION

STATE: DISTRICT OF COLUMBIA

CITY/COUNTY:

I HEREBY CERTIFY that on this 27th day of September, 2018, before me, a Notary Public of the State and City/County aforesaid, personally appeared **LaVelle A. Blackwell, Jr.** and made oath in due form of law that signing the foregoing Consent Order of Reprimand was the voluntary act and deed of **LaVelle A. Blackwell, Jr.**

AS WITNESSETH my hand and Notarial Seal.



Shantese L. Max

Notary Public

My Commission Expires: 6/30/2023