

Sandra M. Severin, OTA
268 W. Maberry Drive 102
Lynden, Washington 98264

Date: July 29, 2010

Joyce Ford, COTAL, Chairperson
Maryland State Board of Occupational Therapy Practice
Spring Grove Hospital Center
55 Wade Avenue
Baltimore, Maryland 21228

RE: Surrender of Occupational Therapy Assistant License
License Number: A01657
MBOT Case Number: 2010-001

Dear Ms. Ford and Members of the Board:

I have decided to permanently surrender my license to practice limited occupational therapy in the State of Maryland, License Number A01657, effective immediately. I understand that upon surrender of my license, I may not practice limited occupational therapy, with or without compensation, or otherwise engage in the practice of limited occupational therapy in the State of Maryland as it is defined in the Maryland Occupational Therapy Practice Act (the "Act"), Md. Health Occ. ("H.O.") Code Ann. §§ 10-101 *et seq.*, (2009 Repl. Vol.) and other applicable laws. In other words, as of the effective date of this Letter of Surrender, I understand that the surrender of my license means that I am in the same position as an unlicensed individual in the State of Maryland. I understand that this Letter of Surrender is a **PUBLIC** document and on the Board's acceptance becomes a **FINAL ORDER** of the Board.

My decision to surrender my license to practice limited occupational therapy in the State of Maryland has been prompted by an investigation of my license by the Maryland State Board of Occupational Therapy Practice (the "Board") and the Office of the Attorney General. This investigation resulted in the Board's issuance of disciplinary charges under Board Case Number 2010-001.

The Board initiated an investigation of me on or about December 23, 2009, after receiving a copy of a Stipulated Settlement and Disciplinary Order ("California Disciplinary Order") that was issued by the California Board of Occupational Therapy ("the California Board") against me. On December 9, 2009, the California Board issued the California Disciplinary Order against me after determining that I failed to disclose that I had been convicted of criminal offenses in 1996 and 2003 when I applied for an Occupational Therapy Assistant ("OTA") license in 2009.

Based upon the Board's receipt of the California Disciplinary Order, the Board initiated an investigation of me. The Board made the following findings, which I admit are true:

On or about April 23, 1996, I appeared in the Tenth Judicial District of Minnesota and entered a plea of guilty to and was convicted of the following misdemeanor: Disorderly Conduct, in violation of Minn. Stat. § 609.72 (1), (3) (2009). I was placed on supervised probation for one year.

On or about September 24, 2003, I appeared in the North Hudson Municipal Court of Wisconsin and entered a plea of no contest to and was convicted of the following forfeiture violation: Operating a Motor Vehicle While Under the Influence, in violation of Wis. Stat. § 346.63(1)(a) (2009). On November 21, 2003, my driver's license was revoked for six months.

On or about November 13, 2006, I appeared in the Tenth Judicial District of Minnesota and entered a plea of guilty to and was convicted of the following gross misdemeanor: Second Degree Driving Under the Influence of Alcohol, in violation of Minn. Stat. § 169A.20(1) and § 169A.25(2) (2009). I was placed on supervised probation for three years.

On or about June 4, 2009, I submitted an application to the California Board for a license to practice as an OTA in the State of California. I certified under penalty of perjury that the information I provided on my application was true and correct. I also acknowledged that falsification or misrepresentation of any item or response on the application or any attachment thereto was sufficient grounds for denial of my application. On this application, I failed to disclose that I had been convicted of criminal offenses in 1996 and 2003. On or about September 24, 2009, the California Board denied my OTA application because I failed to disclose that I had been convicted of criminal offenses in 1996 and 2003, as noted above.

On or about December 1, 2009, I entered into the California Disciplinary Order with the California Board, wherein the California Board granted me an OTA license, which it then automatically revoked. It then stayed the revocation of my license and placed me on probation for three years, subject to a series of probationary terms and conditions. Pursuant to the disciplinary order, the California Board found, and I acknowledged, that the California Board had grounds to deny my application based on the following:

criminal convictions; use of alcoholic beverages to an extent or in a manner dangerous or injurious to oneself and others; convictions of criminal offenses involving consumption of alcoholic beverages; false statements on my application for licensure; fraudulent, dishonest or corrupt acts; and dishonesty, fraud, or deceit. Cal. (Bus. & Prof.) Code. § 2570.28(a),(d),(e), and (h) and § 2570.29(b), (c) (2009 Repl. Vol.).

On October 25, 2007, I applied for a license to practice as an OTA in Maryland ("the Application"). Under the header "Discipline," I answered "NO" to Questions 18 A and B, which state as follows:

QUESTION 18. Are you or have you ever:

- A. Been convicted of a misdemeanor?
- B. Been convicted of a felony?

I submitted a letter of explanation with my Application in which I disclosed that I had been convicted of Driving While Under the Influence in Minnesota in 2006. I, however, failed to disclose that I had been convicted of other criminal offenses in 1996 and 2003. In addition, I failed to provide certified copies of the court documents associated with these criminal convictions.

At the conclusion of my Application, I affirmed that the contents of my Application were true and correct to the best of my knowledge and belief. The Application stated that failure to provide accurate information may result in denial of licensure. The Board issued an OTA license to me on or about December 31, 2007, under License Number A01657. My license expired on June 30, 2010 and is unrenewed.

Based on these investigative findings, the Board, on February 26, 2010, charged me with violating the following provisions of the Act under H.O. § 10-315:

H.O. § 10-315. Denials, reprimands, suspensions, and revocations – Grounds.

- (a) Subject to the hearing provisions of § 10-316 of this subtitle, the Board may reprimand any licensee...place any licensee... on probation, or suspend or revoke a license... if the ...licensee...:
 - (1) Fraudulently or deceptively obtains or attempts to obtain a license or temporary license for the applicant, licensee, or holder or for another;

- (9) Is disciplined by a licensing or disciplinary authority of any other state or convicted or disciplined by a court of any other state or country for an act that would be grounds for disciplinary action under this section; [and]
- (10) Willfully makes or files a false report or record in this practice of occupational therapy or limited occupational therapy.

Grounds for disciplinary action under H.O. § 10-315(9) include the following:

- (1) Fraudulently or deceptively obtains or attempts to obtain a license or temporary license for the applicant, licensee, or holder or for another; [and]
- (10) Willfully makes or files a false report or record in the practice of occupational therapy or limited occupational therapy.

A copy of the Board's charges under Board Case Number 2010-001 is attached hereto and incorporated herein.

I wish to make it clear that I have voluntarily, knowingly and freely chosen to submit this Letter of Surrender to avoid further prosecution on the disciplinary charges under the Act, that are pending against me before the Board in this matter. I acknowledge that the Office of the Attorney General could prove by a preponderance of the evidence at an administrative hearing that I violated the Act as detailed herein, and I acknowledge that I have violated the Act as detailed herein.

I understand that by executing this Letter of Surrender I am waiving any right to contest the investigative findings in a formal evidentiary hearing at which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf and all other substantive and procedural protections provided by law, including the right to appeal.

I understand that the Board will notify boards of this state and other states regarding the Letter of Surrender. I also understand that if I apply for licensure in any form in any state or jurisdiction, this Letter of Surrender and all underlying documents may be released or published by the Board to the same extent as a final order which would result from disciplinary action pursuant to Md. St. Gov't Code Ann. §§ 10-611 *et seq.* (2009 Repl. Vol.). I affirm that I have ceased the practice of limited occupational therapy in Maryland. In accordance with the terms and conditions of this Letter of Surrender, I permit the Board to advise any health care institution and health care professionals that I have surrendered my license to practice limited occupational therapy. I hereby submit my wall certificate, display license, and wallet license. I confirm that I have no current license to practice limited occupational therapy in Maryland.

I have permanently relocated to the West Coast and have decided to surrender my license to avoid prosecutorial proceedings in Maryland. I further recognize and agree that by submitting this Letter of Surrender, my license in Maryland will remain surrendered permanently. I also understand that I may not apply for reinstatement in Maryland.

Upon submission of this Letter of Surrender to the Board of Occupational Therapy Practice, I agree to immediately surrender to the Board, and have enclosed, the following items regarding License Number A01657: my wall certificate; my display license; and my wallet license.

I acknowledge that I may not rescind this Letter of Surrender in part or in its entirety for any reason whatsoever. Finally, I wish to make clear that I have been given the opportunity to consult with counsel before signing this Letter of Surrender, but I have elected to proceed without counsel. I understand both the nature of the Board's actions and this Letter of Surrender fully. I acknowledge that I understand and comprehend the language, meaning and terms and effect of this Letter of Surrender. I make this decision knowingly and voluntarily.

Very truly yours,

 Sandra Severin C.O.T.A.

Sandra Severin, OTA

NOTARY

STATE OF WASHINGTON

CITY/COUNTY OF Bellingham, Whatcom County

I HEREBY CERTIFY that on this 21 day of July, 2010, before me, a Notary Public of the State and City/County aforesaid, personally appear Sandra Severin, OTA, and declared and affirmed under the penalties of perjury that signing the foregoing Letter of Surrender was her voluntary act and deed.

AS WITNESS my hand and Notarial seal.

Maria J McCallum
Notary Public

My Commission expires: September 15 2011



ACCEPTANCE

On this 29th day of July, 2010, I, Joyce Ford, COTAL, on behalf of the Maryland State Board of Occupational Therapy Practice, accept Sandra Severin's **PUBLIC SURRENDER** of her license to practice limited occupational therapy in the State of Maryland.

Joyce Ford COTAL/OTA
Joyce Ford, COTAL
Chairperson
Maryland State Board of
Occupational Therapy Practice

IN THE MATTER OF	*	BEFORE THE MARYLAND
SANDRA M. SEVERIN, OTA	*	STATE BOARD OF
	*	OCCUPATIONAL
Respondent	*	THERAPY PRACTICE
License Number: A01657	*	Case Number: 2010-001

* * * * *

CHARGES UNDER THE MARYLAND OCCUPATIONAL THERAPY PRACTICE ACT

The Maryland State Board of Occupational Therapy Practice (the "Board") hereby charges **SANDRA M. SEVERIN, OTA** (the "Respondent") (DOB: 01/23/60), License Number A01657, with violating provisions under the Maryland Occupational Therapy Practice Act (the "Act"), Md. Health Occ. Code Ann. ("H.O.") §§ 10-101 *et seq.* (2009 Repl. Vol.).

The Board charges the Respondent with violating the following provisions of the Act under H.O. § 10-315:

Subject to the hearing provisions of § 10-316 of this subtitle, the Board may reprimand any licensee ... place any licensee ... on probation, or suspend or revoke a license ... if the ... licensee ... :

- (1) Fraudulently or deceptively obtains or attempts to obtain a license or temporary license for the applicant, licensee, or holder or for another;
- (9) Is disciplined by a licensing or disciplinary authority of any other state or convicted or disciplined by a court of any other state or country for an act that would be grounds for disciplinary action under this section; [and]
- (10) Willfully makes or files a false report or record in the practice of occupational therapy or limited occupational

therapy.

Grounds for disciplinary action under H.O. §10-315(9) include the following:

- (1) Fraudulently or deceptively obtains or attempts to obtain a license or temporary license for the applicant, licensee, or holder or for another; [and]
- (10) Willfully makes or files a false report or record in the practice of occupational therapy or limited occupational therapy.

ALLEGATIONS OF FACT¹

The Board bases its charges on the following facts that the Board has reason to believe are true:

BACKGROUND

1. At all times relevant to these charges, the Respondent was and is certified to practice as an occupational therapy assistant ("OTA") in the State of Maryland.

2. By letter to the Board dated December 23, 2009, the California Board of Occupational Therapy ("the California Board") provided a copy of a Stipulated Settlement and Disciplinary Order ("California Disciplinary Order") that it issued against the Respondent, dated December 9, 2009. The California Board took disciplinary action against the Respondent after determining that she failed to disclose that she had been convicted of criminal offenses in 1996 and 2003 when applying for a California OTA license in 2009.

3. Based on this complaint, the Board initiated an investigation of the

¹ The allegations set forth in this document are intended to provide the Respondent with notice of the alleged charges. They are not intended as, and do not necessarily represent, a complete description of the evidence, either documentary or testimonial, to be offered against the

Respondent, the findings of which are set forth *infra*.

INVESTIGATIVE ALLEGATIONS

4. On or about April 23, 1996, the Respondent appeared in the Tenth Judicial District of Minnesota and entered a plea of guilty to and was convicted of the following misdemeanor: Disorderly Conduct, in violation of Minn. Stat. §609.72(1),(3) (2009 Repl. Vol.). The Respondent was placed on supervised probation for a period of one year.²

6. On or about September 24, 2003, Respondent appeared in the North Hudson Municipal Court of Wisconsin and entered a plea of no contest to and was convicted of the following forfeiture violation: Operating a Motor Vehicle While Under the Influence, in violation of Wis. Stat. §346.63(1)(a) (2009 Repl. Vol.).³ On November 21, 2003, the Respondent's driver's license was revoked for six months.

7. On or about November 13, 2006, the Respondent appeared in the Tenth Judicial District of Minnesota and entered a plea of guilty to and was convicted of the following gross misdemeanor: Second Degree Driving Under the Influence of Alcohol, in violation of Minn. Stat. §169A.20(1) and §169A.25(2) (2009 Repl. Vol.). The Respondent was placed on supervised probation for three

Respondent in connection with these charges.

² According to the California Disciplinary Order, the circumstances of the crime were that the Respondent and her former husband engaged in an argument after drinking alcoholic beverages.

³ According to the California Disciplinary Order, the circumstances of the crime were that a police officer pulled the Respondent over and noticed that Respondent had the smell of alcohol on her breath, her speech was slurred, and her eyes were red. Respondent admitted to the officer that she had consumed at least two rum and Cokes before driving. Respondent's breath alcohol content was .158 percent. First time offenses for Operating While Impaired or Intoxicated "forfeiture violations," meaning that the offender forfeits his license. Second time offenses are

years.⁴

8. On or about June 4, 2009, the Respondent submitted an application to the California Board for a license to practice as an OTA in the State of California. The Respondent certified under penalty of perjury that the information she provided in her application was true and correct. The Respondent also acknowledged that falsification or misrepresentation of any item or response on the application or any attachment thereto was sufficient grounds for denial of her application. On this application, the Respondent failed to disclose that she had been convicted of criminal offenses in 1996 and 2003.

9. On or about September 24, 2009, the California Board denied the Respondent's OTA application because she failed to disclose that she had been convicted of criminal offenses in 1996 and 2003, as noted above.

10. On or about December 1, 2009, the Respondent entered into the California Disciplinary Order with the California Board, wherein it granted the Respondent an OTA license, which it then automatically revoked. It then stayed the revocation of her license and placed her on probation for three years, subject to a series of probationary terms and conditions. Pursuant to the disciplinary order, the California Board found, and the Respondent acknowledged, that the California Board had grounds to deny her application based on the following: criminal convictions; use of alcoholic beverages to an extent or in a manner dangerous or injurious to oneself and others; convictions of criminal offenses

misdemeanors.

⁴ According to the California Disciplinary Order, the circumstances of the crime were that the Respondent allegedly drove a motor vehicle while under the influence of alcohol. Her blood

