

IN THE MATTER OF	*	BEFORE THE
KATHERINE BAYER, DPT	*	MARYLAND BOARD OF
PHYSICAL THERAPIST	*	PHYSICAL THERAPY EXAMINERS
LICENSE NO. 25195	*	Case No. PT 19-29

\* \* \* \* \*

**PRE-CHARGE CONSENT ORDER**

**Background**

On or about March 22, 2019, the Maryland Board of Physical Therapy Examiners (the “Board”) received an application from Katherine Bayer, DPT, to reinstate her license to practice physical therapy in Maryland, License No. 25195. On her application, Dr. Bayer stated that she continued to practice physical therapy after her license expired on May 31, 2017. In a follow-up email, Dr. Bayer stated that she practiced physical therapy on an expired license from June 1, 2017, to March 22, 2019, in her capacity as a physical therapist at a small home health company.

In lieu of instituting formal proceedings against Dr. Bayer in accordance with the Maryland Physical Therapy Act, Md. Code Ann., Health Occ. § 13-101 *et seq.*, the Board held a Pre-Charge Case Resolution Conference (“CRC”) with Dr. Bayer on September 17, 2019. As a result, the Board and Dr. Bayer have agreed to resolve this matter as set forth in this Consent Order.

**FINDINGS OF FACT**

1. Dr. Bayer was initially licensed by the Board to practice physical therapy under License No. 25195 on September 4, 2014. Her license is currently active and is set to expire on May 31, 2021.

2. On or about March 22, 2019, the Board received an application from Dr. Bayer to reinstate her license, which had expired on May 31, 2017. On her application, Dr. Bayer admitted that she had continued to practice physical therapy on her expired license. Dr. Bayer also sent an email to the Board taking responsibility for failing to renew her license and explaining that it was an embarrassing oversight. Dr. Bayer also stated that despite failing to renew her license she was up to date on continuing education, and clarified that she treated an average of less than 5 patients per week in Maryland.
3. The Board reinstated Dr. Bayer's license to practice as a physical therapist on March 27, 2019.
4. In response to an April 1, 2019 email from the Board's Chief Compliance Officer, Dr. Bayer reiterated the information from her March 22 email and clarified that she practiced physical therapy on an expired license between June 1, 2017, and March 22, 2019, before she realized her license was expired. Dr. Bayer also stated that she believed she had renewed her license in Maryland at the same time as she renewed her licenses in Virginia and the District of Columbia at that she must have failed to properly complete her Maryland renewal application.
5. At the September 17, 2019 CRC, Dr. Bayer took full responsibility for practicing on an expired license and expressed remorse for letting it happen. Dr. Bayer explained that she believed she had properly renewed her license and had checked it off her to-do list. Dr. Bayer also noted that because she worked as an independent contractor, there was no office wall to post her renewed license on or employer to remind her to renew.

### **CONCLUSION OF LAW**

Based on the foregoing Findings of Fact, the Board concludes that Dr. Bayer is subject to disciplinary action in accordance with Md. Code Ann., Health Occ. §§ 13-401 and 13-407, and COMAR 10.38.10.06.

**ORDER**

Based on an affirmative vote of a majority of the Board, it is this 12<sup>TH</sup> day of November, 2019, hereby:

**ORDERED** that Dr. Bayer shall pay a fine in the amount of \$2,500, payable to the Maryland Board of Physical Therapy Examiners, within ninety (90) days of the date of the Order; and be it further,

**ORDERED** that failure to pay in full the above fine within ninety (90) days of the date of this Order shall be considered a violation of this Order, and after notice and opportunity for a hearing shall subject Dr. Bayer to further discipline such as suspension, revocation, or further fines based on the violations cited in this Order; and be it further,

**ORDERED** that this is a formal order of the Maryland Board of Physical Therapy Examiners and as such is a public document pursuant to Maryland Code Ann., Gen. Provisions § 4-333(b).

11-12-19  
Date

Sumesh Thomas OTO  
Dr. Sumesh Thomas, PT, DPT  
Chair  
Maryland Board of Physical Therapy Examiners

### CONSENT

1. By signing this Consent, I submit to the foregoing Consent Order as a resolution of this matter in lieu of formal charges, which process would have afforded me the right to a full evidentiary hearing. I consent and submit to the foregoing Findings of Fact, Conclusions of Law, and Order as if made after a full evidentiary hearing in which I would have the right to counsel, to confront witnesses, to give testimony, to call witnesses on my behalf, and to all other substantive and procedural protections provided by law.
2. By signing this Consent, I waive any rights I may have had to contest the findings and determinations contained in this Consent Order.
3. I acknowledge that this is a formal order of the Board and as such is a public document.
4. I acknowledge the legal authority and the jurisdiction of the Board to enter into and enforce this Consent Order.
5. I sign this Consent Order freely and voluntarily and after having had the opportunity to consult with counsel. I fully understand the language, meaning, and effect of this Consent Order.

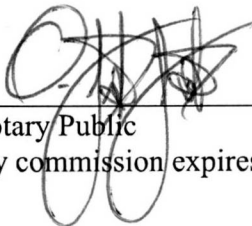
11/4/19  
Date

Katherine Bayer  
Katherine Bayer, DPT

STATE OF MARYLAND  
COUNTY/CITY OF MONTGOMERY / Potomac:

I hereby certify that on this 4 day of NOVEMBER, 2019,  
before me, a Notary Public of the State of Maryland and County/city aforesaid, personally  
appeared KATHERINE BAYER, and made an oath in due form that the foregoing Consent  
was her voluntary act and deed.



  
Notary Public  
My commission expires: 10/22/2022