

the direct supervision of the physical therapist. At this visit the physical therapist is to assess the treatment performed by the physical therapist assistant, reevaluate the patient's program, and document the treatment program.

.02-1 Requirements for Documentation.

A. As established by the American Physical Therapy Association of Maryland, and as approved by the Board, the physical therapist shall document the patient's chart as follows:

(1) For Initial visit:

- (a) Date,
- (b) Condition/diagnosis for which physical therapy is being rendered,
- (c) Onset,
- (d) History, if not previously recorded,
- (e) Evaluation and results of test (measurable and objective data),
- (f) Interpretation,
- (g) Goals,
- (h) Plan of care, and
- (i) Signature, title (PT), and license number;

(2) For subsequent visits:

- (a) Date,
- (b) Modalities, procedures, etc.,
- (c) Cancellations, no-shows,
- (d) Response to treatment,

(e) Signature and title (PT), with identifying signatures appearing on the patient's chart, although the flow chart may be initialed,

(f) Weekly progress or lack of it,

(g) Unusual incident/unusual response,

(h) Change in plan of care,

(i) Temporary discontinuation or interruption of services and reasons,

(j) Reevaluation, and

(k) If there is a physical therapist assistant, reevaluate and document as required by Regulation .02L of this chapter;

(3) For discharge or last visit:

(a) Date,

(b) Reason for discharge,

(c) Status at discharge,

(d) Recommendation for follow-up, and

(e) Signature and title.

FINDINGS OF FACT

The Board finds:

1. At all times relevant to the charges herein, the Respondent was and is licensed to practice physical therapy in the State of Maryland. The Respondent was originally licensed on or about April 28, 1998.

2. At all times relevant to the charges herein, Maryland Health Clinics employed the Respondent.¹ The Respondent worked approximately two (2) days per week at the East 32nd Street Rehabilitation Center.

PATIENT A²

3. Patient A, a 58-year-old male, was referred to the East 32nd Street Rehabilitation Center ("East 32nd Street Rehab") for evaluation and treatment. Patient A was diagnosed with musculoligamentous strain of the cervical, thoracic, and lumbar spine. Patient A was initially seen by the Respondent on December 21, 1998.

4. Following his initial evaluation, Patient A was treated at the East 32nd Street Rehab on three separate occasions from December 1998 to January 1999. Patient A's treatment included ultrasound and hot/cold packs.

5. Patient A received his physical therapy treatments from physical therapist assistant, Anthony Anderson.

6. Patient A received his last physical therapy treatment at the East 32nd Street Rehab on January 7, 1999.

7. There is no documentation in Patient A's treatment records to support his last visit.

¹ The Maryland Healthcare Clinics is a group of facilities that provide physical therapy at various locations in Baltimore, Maryland and the surrounding areas. The facilities include Westside Rehabilitation Center, East 32nd Street Rehabilitation Center, Monument Medical Center, and the Reisterstown Medical Center.

² To ensure confidentiality, patient names are not set forth in this document. The Administrative Prosecutor has released the names of the patients to the Respondent.

PATIENT B

8. Patient B, a 48 year old male, was referred to East 32nd Street Rehab for an evaluation and treatment. Patient B was diagnosed with musculoligamentous strain of the cervical and lumbar strain. Patient B was initially evaluated by the Respondent on January 6, 1999.

9. Following his initial evaluation, Patient B was treated at East 32nd Street Rehab on eleven separate occasions from January 1999 to February 1999. Patient B's treatment included ultrasound and hot/cold packs. Patient B was reevaluated by the Respondent on February 1, 1999.

10. Patient B received the majority of his physical therapy treatment from physical therapist assistant, Anthony Anderson.

11. Patient B received his last physical therapy treatment at East 32nd Street Rehab on February 11, 1999.

12. At no point, while Patient B was being treated at East 32nd Street Rehab, did the Respondent conduct a joint on-site visit with the physical therapist assistant as required by Code Md. Regs. tit. 10, § 38.03.02L. The Respondent also failed to document Patient B's last visit in the patient's chart.

CONCLUSIONS OF LAW

The Board finds that the Respondent violated H.O. § 13-316(16) and Code Md. Regs. tit. 10, §§ 38.03.02L and 38.03.02-1A.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 21st day of August 2001, the Board on the affirmative vote of a majority of its members then serving, hereby

ORDERED that the Respondent's license to practice physical therapy is hereby **REPRIMANDED**; and be it further

ORDERED that the Respondent shall be placed on **PROBATION** for a period of **one (1) year**, subject to the following conditions:

1. The Respondent shall take and pass the Maryland physical therapy law course and examination no later than December 31, 2001; and be it further *Completed Nov. 29, 2001*

ORDERED that if the Respondent fails to comply with any of the terms or conditions of probation set forth above, then her failure shall be deemed a violation of this Consent Order; and be it further

ORDERED that the Respondent shall practice physical therapy in accordance with the Maryland Physical Therapy Act, and in a competent manner; and be it further

ORDERED that if the Respondent violates any of the terms or conditions of this Consent Order, including the probationary terms or conditions as set forth herein, then the Board, after a determination of violation and notice, and an opportunity for a hearing, may impose any other disciplinary sanctions it deems appropriate, including suspension or revocation, said violation of probation being proved by a preponderance of evidence; and

be it further

ORDERED that the conditions of this Consent Order be, and the same is hereby, effective as of the date of this Order; and be it further

ORDERED that in the event the Board finds for any reason in good faith that the Respondent has violated any provision of Title 13 of the Health Occupations Article, Annotated Code of Maryland or the regulations thereunder, the Board, after notification to the Respondent, and an opportunity for a hearing, may take immediate action and may impose any lawful disciplinary sanctions it deems appropriate, including but not limited to revocation or suspension of the Respondent's license to practice physical therapy; and be it further

ORDERED that only after the Respondent has completed her one (1) year probationary period, the Respondent may petition the Board for termination of the probationary status and reinstatement of her license without any conditions or restrictions, provided that she has fulfilled all the terms and conditions of probation set forth herein, is not in violation of this Consent Order, and there are no outstanding complaints against the Respondent. If the Board determines that the terms of probation have not been successfully completed, then the Board may modify one or more conditions upon which the Respondent was placed on probation, upon notice to the Respondent. However, if the Respondent fails to make any such petition, then the probationary period status shall continue indefinitely, subject to the conditions set forth in this Order; and be it further

ORDERED that the Respondent shall be responsible for all costs incurred under this Consent Order; and be it further

ORDERED that this is a **FINAL ORDER** and as such is a public document pursuant to Md. State Gov't. Code Ann. §§ 10-611 ~~et seq.~~ (1999).

8/21/01
Date

Mindy Sacks, PTA
Mindy Sacks, PTA
Chairperson
Board of Physical Therapy Examiners

CONSENT OF NEJAMA R. GRANADA, P.T.

I, Nejama R. Granada, P.T., by affixing my signature hereto, acknowledge that:

1. I am represented by an attorney, Peter R. Lee.
2. I am aware that I am entitled to a formal evidentiary hearing before the Board, pursuant to § 13-317 of the Act, Md. State Gov't. Code Ann. §§ 10-201 et seq. (1999), and Md. Reg. Code tit. 10, § 10.38.05.
3. I acknowledge the validity of this Consent Order as if entered after a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other substantive and procedural protections provided by law.
4. I waive any right to contest the findings of fact and conclusions of law, and I waive my right to a full evidentiary hearing, as set forth above, and any right to appeal this Order or as set forth in § 13-318 of the Act and Md. State Gov't Code Ann. §§ 10-201 et seq. (1999).
5. I acknowledge that by failing to abide by the conditions set forth in this Consent Order, and, following proper procedures, I may suffer disciplinary action which may include revocation of my license to practice physical therapy in the State of Maryland.

6. I sign this Consent Order without reservation as my voluntary act and deed. I acknowledge that I fully understand and comprehend the language, meaning, and terms of this Consent Order.

8/7/01
Date

Nejama R. Granada
Nejama R. Granada, P.T.
Respondent

Read and Approved:

8/6/01
Date

Peter R. Lee
Peter R. Lee
Attorney for Respondent

NOTARY

STATE OF

Maryland

CITY/COUNTY OF

Baltimore

I HEREBY CERTIFY THAT on this 7th day of August, 2001, before me, a Notary Public for the State of Maryland and the City/County aforesaid, personally appeared Nejama R. Granada, P.T., and made oath in due form of law that the foregoing Consent Order was her voluntary act and deed.

AS WITNESS my hand and Notarial Seal.


Notary Public

My Commission Expires:

7/22/02