

IN THE MATTER OF
THOMPSON IBIDUN, PT
LICENSE NO. 18394

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BEFORE THE MARYLAND
BOARD OF PHYSICAL
THERAPY EXAMINERS

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PRE-CHARGE CONSENT ORDER

Background

The Maryland Board of Physical Therapy Examiners (the “Board”) received a complaint from the President of Rehabilitation Service, Inc., alleging that employee Thompson Ibidun, P.T., (the “Respondent”), submitted treatment notes for patients he failed to treat at Heritage Harbour Health & Rehabilitation. As a result, the Board conducted an investigation into the matter which confirmed that the Respondent submitted false treatment notes for approximately five patients he failed to treat in whole or in part.

In lieu of issuing Charges against the Respondent for violation of the Maryland Physical Therapy Act, Md. Code Ann., Health Occ. § 13-101 *et seq.*, the Board held a Pre-Charge Case Resolution Conference with the Respondent on November 10, 2009. As a result, the Board and the Respondent have agreed to resolve this matter as set forth in this Consent Order.

FINDINGS OF FACT

1. At all times relevant, the Respondent was a contract employee for Rehabilitation Services, Inc., a company that provides facilities with contract physical therapists.
2. On Saturday, August 23, 2008, the Respondent was assigned to provide physical therapy services to at least five (5) patients at Harbour Health & Rehabilitation, a nursing home facility in Annapolis, Maryland.
3. The Respondent did not provide any treatment to two of the scheduled patients, and provided only partial treatment to three patients.
4. Nonetheless, the Respondent created treatment notes for each of these patients

documenting full physical therapy treatment. The Respondent's treatment notes were used by the facility to substantiate billing to third party payors.

5. Several patients complained that they did not receive physical therapy treatment as scheduled. This prompted an internal investigation by Harbour Health during which the Respondent apologized and admitted to creating the false treatment records and failing to treat his scheduled patients.
6. Due to the Respondent's misconduct, Harbour Health was reimbursed approximately \$5,900.
7. The Respondent is still contracted with Rehabilitation Specialists although he is not permitted to practice at Harbour Health.
8. Recognizing that there is no justification for creating false treatment records, the Respondent explained that he had child care issues on the date in question that compelled him to leave the facility early.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that the Respondent has violated Md. Code Ann., Health Occ. §§13-316(2), (12), (14), (15), (19) and (25).

ORDER

Based on an affirmative vote of a quorum of the Board, it is this 16th day of December, 2009, hereby:

ORDERED that the Respondent's license to practice physical therapy shall be REPRIMANDED; and be it further,

ORDERED that the Respondent shall comply with the following terms and conditions for at least ONE (1) YEAR from the date of this Order:

(1) The Respondent shall successfully complete a Board-approved continuing education course in healthcare ethics. Such course may be used toward the continuing education requirements for licensure renewal; *Took law ethics course 6/24/10*

(2) The Respondent shall insure that his employer submits quarterly performance reports to the Board. The first employer report shall be due three (3) months after the date of this Consent Order; *Report received in Mar 2010 & May 2010*

(3) The Respondent shall at all times cooperate with the Board in the monitoring, supervision, and investigation of the Respondent's compliance with the terms and conditions of this Consent Order; and

(4) The Respondent's failure to fully comply with the terms of this Consent Order shall constitute unprofessional conduct in the practice of physical therapy and may subject the Respondent to further disciplinary action by the Board; and be it further,

ORDERED that within one (1) year of the date of this Consent Order, the Respondent shall pay a FINE of \$500, payable to the Maryland Board of Physical Therapy Examiners; and be it further *Paid \$500 fine 6/1/10 act*

ORDERED that after two (2) years from the date of this Consent Order, the Respondent may petition to terminate the terms and conditions of this Consent Order provided that the Respondent has been in full compliance, has paid the fine, and does not have any outstanding complaints filed against him; and be it further,

ORDERED that the Respondent shall be responsible for all costs associated with this Consent 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 the Maryland Annotated Code, State

Government Article, Section 10-617(h).

Dec. 15, 2009
Date

Margery F. Rodgers, P.T.
Margery Rodgers, P.T.
Chair, 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 own 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 the legal authority and the jurisdiction of the Board to enter and enforce this Consent Order.
4. I sign this Consent Order freely and voluntarily, after having had the opportunity to consult with counsel. I fully understand the language, meaning, and effect of this Consent Order.


12/11/09
Date

Thompson Ibidun
Thompson Ibidun, P.T.

Thompson Ibidun

STATE OF MARYLAND
COUNTY/~~CITY~~ OF Prince Georges

I hereby certify that on this 14th day of December, 2009, before me, a Notary Public of the State of Maryland and County/~~City~~ aforesaid, personally appeared THOMPSON IBIDUN and made an oath in due form that the foregoing Consent was ~~her~~ ^{his} voluntary act and deed.


Toni R. Coleman
Notary Public
My commission expires: April 3, 2011

MS. TONI R. COLEMAN
NOTARY PUBLIC
PRINCE GEORGE'S COUNTY
MARYLAND
MY COMMISSION EXPIRES APRIL 3, 2011

* Preceding Document bears embossment. (R)