

IN THE MATTER OF	*	BEFORE THE
ELAINE HONG JOHNSON, P.T.	*	MARYLAND BOARD
	*	OF PHYSICAL THERAPY
License No. 20371	*	EXAMINERS
* * *		

PRE-CHARGE CONSENT ORDER

Background

The Maryland Board of Physical Therapy Examiners (the “Board”) conducted a random continuing education audit of Elaine Hong Johnson, P.T. (the “Respondent”), after she renewed her license which expired on May 31, 2013. The Respondent failed to respond to the continuing education audit with documentation of the 30 requisite hours of approved continuing education. Thereafter, the Respondent failed to respond to the Board’s request for additional documentation.

In lieu of instituting formal proceedings against the Respondent, in accordance with the Maryland Physical Therapy Act, Md. Code Ann., Health Occ. § 13-101 *et seq.*, 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 hereto, the Respondent possessed a license to practice physical therapy under Maryland License No. 20371.
2. After the Respondent renewed her license which expired on May 31, 2013, the Board randomly selected the Respondent for a continuing education audit in accordance with Board regulations, COMAR 10.38.08.06.

3. The Respondent's response to the audit failed to provide evidence of completion of the requisite 30 approved continuing education hours as indicated on her license renewal application. The Respondent only provided certificates for 16 hours of continuing education.
4. On July 22, 2013, Board staff sent the Respondent, via electronic mail, notification that the Respondent did not satisfy the audit and instructed the Respondent to submit evidence of completion of the deficient continuing education credits as soon as possible.
5. The Respondent did not respond to the Board's notification.
6. Having received no response, on August 14, 2013, Board staff again contacted the Respondent, via telephonic voicemail, to instruct the Respondent to provide documentation to the Board to satisfy the continuing education audit.
7. The Respondent did not respond to the Board's second notification.
8. The Respondent's failure to respond, on two occasions, to the Board's follow-up of its continuing education audit constitutes unprofessional conduct in the practice of physical therapy.
9. The Respondent's failure to provide documentation of 30 approved continuing education credits which were indicated as completed on the Respondent's renewal application constitutes a fraudulent or deceptive attempt to obtain a license.

CONCLUSION OF LAW

Based on the foregoing Findings of Fact, the Board concludes that the Respondent is subject to disciplinary action in accordance with Md. Code Ann., Health Occ. §§13-316(1), (15) and (19) and § 13-407.1.

ORDER

Based on an affirmative vote of a majority of the Board, it is this 5TH day of December, 2013, hereby:

ORDERED that the Respondent shall be REPRIMANDED; and be it further,

ORDERED that the Respondent, shall pay a fine in the amount of \$500, payable to the Maryland Board of Physical Therapy Examiners within sixty (60) days of the date of this Order; and be it further,

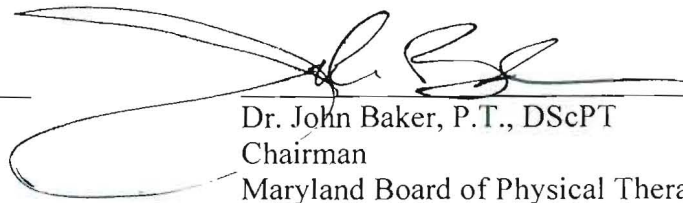
ORDERED that the Respondent shall submit to the Board documentation that she completed the 14 remaining continuing education contact hours within ninety (90) days of the date of this Order; and be it further,

ORDERED that the continuing education completed by the Respondent in accordance with this Consent Order shall not count toward her next licensure renewal; and be it further,

ORDERED that failure to comply with the above terms of this Order shall be considered a violation of this Order, and after notice and opportunity for a show cause hearing shall subject the Respondent 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 the Maryland Annotated Code, State Government Article, Section 10-617 (h).

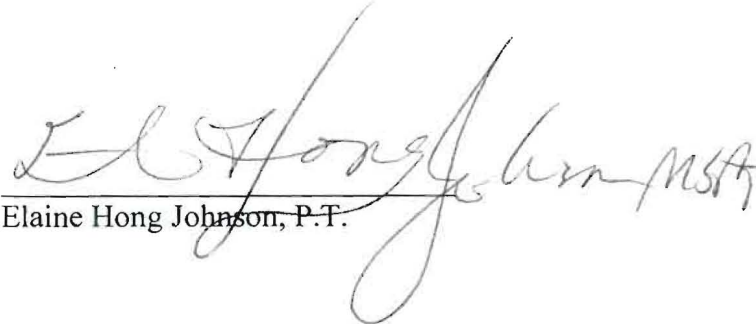
12/5/13
Date


Dr. John Baker, P.T., DScPT
Chairman
Maryland Board of Physical Therapy Examiners

CONSENT

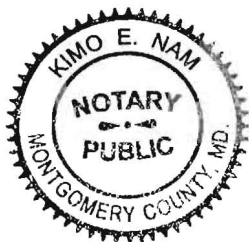
1. By signing this Consent, the Respondent submits to the foregoing Consent Order as a resolution of this matter in lieu of formal charges, which process would have afforded the Respondent the right to a full evidentiary hearing. The Respondent consents and submits to the foregoing Findings of Fact, Conclusions of Law, and Order as if made after a full evidentiary hearing in which the Respondent would have the right to counsel, to confront witnesses, to give testimony, to call witnesses on her behalf, and to all other substantive and procedural protections provided by law.
2. By signing this Consent, the Respondent waives any rights she may have had to contest the findings and determinations contained in this Consent Order.
3. The Respondent acknowledges the legal authority and the jurisdiction of the Board to enter into and enforce this Consent Order.
4. The Respondent signs this Consent Order freely and voluntarily and after having had the opportunity to consult with counsel. The Respondent fully understands the language, meaning, and effect of this Consent Order.

11/22/13
Date


Elaine Hong Johnson, P.T.

STATE OF MARYLAND,
COUNTY/CITY OF Anne Arundel

I hereby certify that on this 22nd day of November, 2013,
before me, a Notary Public of the State of Maryland and County/city aforesaid, personally
appeared ELAINE HONG JOHNSON, and made an oath in due form that the foregoing
Consent was her voluntary act and deed.



[Signature]
Notary Public
My commission expires: 11/07/2017