

IN THE MATTER OF	*	BEFORE THE STATE BOARD
CAROLINE N. PRATT P.T.	*	OF PHYSICAL THERAPY
License No.: 21342	*	EXAMINERS
Respondent	*	Case Number: PT 22-14
*   *   *   *   *	*	*   *   *   *   *

**CONSENT ORDER**

On November 16, 2022, the Maryland State Board of Physical Therapy Examiners (the "Board") charged **CAROLINE N. PRATT, P.T.** (the "Respondent"), License Number 21342, with violations of certain provisions of the Maryland Physical Therapy Act (the "Act"), Md. Code Ann., Health Occ. ("Health Occ.") §§ 13-101 *et seq.* (2021 Repl. Vol.) and Health Occ. § 1-212.

Specifically, the Board charged the Respondent with violations of the following provisions of the Health Occupations Article:

**Health Occ. § 13-316. Denials, reprimand, probations, suspensions, and revocations - Grounds.**

Subject to the hearing provisions of § 13-317 of this subtitle, the Board may deny a license or restricted license to any applicant, reprimand any licensee or holder of a restricted license, place any licensee or holder of a restricted license on probation, or suspend or revoke a license or restricted license if the applicant, licensee or holder:

...

- (15) Violates any provision of this title or rule or regulation adopted by the Board;

...

- (19) Commits an act of unprofessional conduct in the practice of physical therapy[.]

**Health Occ. § 1-212. Sexual misconduct prohibited; regulations; discipline.**

(a) Adoption of regulations. – Each health occupations board authorized to issue a license or certificate under this article shall adopt regulations that:

- (1) Prohibit sexual misconduct; and
- (2) Provide for the discipline of a licensee or certificate holder found to be guilty of sexual misconduct.

(b) Sexual misconduct. - For the purposes of the regulations adopted in accordance with subsection (a) of this section, "sexual misconduct" shall be construed to include, at a minimum, behavior where a health care provider:

...

- (3) Has engaged in any sexual behavior that would be considered unethical or unprofessional according to the code of ethics, professional standards of conduct, or regulations of the appropriate health occupations board under this article.

The Board further charged the Respondent with violations of Md. Code Regs.

10.38.02.02 - Code of Ethics.

**Md. Code Regs. 10.38.02.02 Code of Ethics - Sexual Misconduct**

A. A physical therapist ... may not engage in sexual misconduct.

B. Sexual misconduct includes, but is not limited to:

...

- (7) Physical contact of a sexual nature with a patient[.]

On January 17, 2023, a conference with regard to this matter was held before the Board's Case Resolution Committee ("CRC"). As a result of the CRC, the

Respondent agreed to enter into this Consent Order, consisting of Findings of Fact, Conclusions of Law and Order.

### **FINDINGS OF FACT**

1. At all times relevant to the charges herein, the Respondent was licensed to practice physical therapy in the State of Maryland. The Respondent was originally licensed in Maryland on June 10, 2014. The Respondent's license is scheduled to expire on May 31, 2024.
2. The Respondent holds an active license to practice physical therapy in Delaware.
3. During all relevant times, the Respondent was contracted to practice physical therapy at a manufacturing company (the "Company") in Chestertown, Maryland.<sup>1</sup> The Respondent performed physical therapy on Company employees on Company premises.
4. The Respondent also maintained a private PT practice.
5. On or about May 11, 2022, the Board received a written complaint (the "Complaint") from a family member (hereinafter referred to as the "Complainant") of a Company employee alleging that the Respondent had provided physical therapy to the employee (hereinafter referred to as the "Patient") and engaged in a sexual relationship with the Patient.

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<sup>1</sup> The names of the Company and individuals relevant to this case are confidential. The Respondent is aware of their identities.

6. Upon receipt of the Complaint, the Board conducted an investigation that included interviewing under oath the Complainant and the Respondent and issuing to the Respondent a *subpoena duces tecum* for all "written and computer generated patient records, files, invoices, letters, bills, insurance documentation, memoranda, x-rays, office appointment and calendar notations and any other related data or records pertaining to [the Patient]."
7. The relevant findings of the Board's investigation are summarized herein.
8. On December 9, 2020, the Patient presented to the Respondent for an initial evaluation after undergoing shoulder surgery.
9. The Respondent provided physical therapy to the Patient on most work-days in January 2021, on four (4) occasions in February 2021, and four (4) occasions in March 2021 . The Respondent discharged the Patient on March 26, 2021.<sup>2</sup>
10. The Respondent stated in her under oath interview that beginning in October 2020, her relationship with the Patient "went across the line from friendship into a romantic relationship."
11. The Respondent had physical contact of a sexual nature with the Patient during a time she provided physical therapy to the Patient.

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<sup>2</sup>The Respondent's treatment records indicate that the Patient was discharged on March 26, 2022. When interviewed by Board staff, the Respondent stated that the "2022" date was "an error" and confirmed that she discharged the Patient on March 26, 2020.

## CONCLUSIONS OF LAW

Based on the foregoing findings of Fact, the Board concludes as a matter of law that the Respondent committed acts of unprofessional conduct in the practice of physical therapy and violated provisions of the Board's regulations in violation of Health Occ. § 13-316 (15) and (19), Health Occ. § 1-212, and COMAR 10.38.02.02 A and B(7).

## ORDER

It is, on the affirmative vote of a majority of the quorum of the Board hereby:

**ORDERED** that the Respondent shall be suspended for twelve (12) months, nine (9) months of which shall be stayed; and it is further

**ORDERED** that the active period of suspension shall begin on April 1, 2023; and it is further

**ORDERED** that following the Respondent's three (3) month active suspension, the Respondent shall be placed on probation for a minimum of two (2) years; and it is further

**ORDERED** that the probation shall be stayed during the period of active suspension; and it is further

**ORDERED** that during the probationary period, the Respondent shall comply fully with the following terms and conditions:

- (I) The Respondent shall enroll in and successfully complete the Professional/Problem-Based Ethics ("ProBE") Ethics and Boundaries course; and

- (2) The Respondent shall successfully pass the Board's closed-book jurisprudence examination with a passing score of 90 percent; and

**IT IS FURTHER ORDERED** that the Respondent shall practice in accordance with the laws and regulations governing physical therapy; and it is further

**ORDERED** that failure to comply fully and satisfactorily with the terms and conditions of the Consent Order shall constitute a violation of probation; and it is further

**ORDERED** that, if the Board determines, after notice and an opportunity for a hearing, that the Respondent has failed to comply with any term or condition of this Consent Order, the Board may impose further disciplinary action and/or a monetary penalty. The burden is upon the Respondent to prove his compliance with the Consent Order; and it is further

**ORDERED** that the Respondent may petition the Board to terminate probation after a minimum of two (2) years provided that the Respondent has fully complied with the above conditions and no complaints regarding the Respondent are pending before the Board; and it is further

**ORDERED** that the Respondent shall bear all costs associated with fulfilling the terms of the Consent Order; and it is further

**ORDERED** that, unless stated otherwise in the Consent Order, any time period prescribed in this order begins when the Consent Order goes into effect; and it is further

**ORDERED** that for purposes of public disclosure, as permitted by Md. Code Ann., General Provisions Article§ 4-333(b), this document consists of the foregoing Findings of Fact, Conclusions of Law and Order and that the Board may disclose same to any national reporting data bank to which it is mandated to report.

April 10, 2023

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Date



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Karen Gordes, P.T., Ph.D. D.Sc.P.T.  
Chair  
Maryland State Board of Physical  
Therapy Examiners



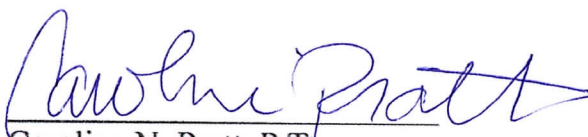
## CONSENT

I, Caroline N. Pratt, P.T., acknowledge that I have had the opportunity to be represented by counsel before entering this Consent Order. By this Consent and for the purpose of resolving the issues raised by the Board, I agree and accept to be bound by the foregoing Consent Order and its conditions.

I acknowledge the validity of this Consent Order as if entered into after the conclusion of 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 the law. I agree to forego my opportunity to challenge these allegations. I acknowledge the legal authority and jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I affirm that I am waiving my right to appeal any adverse ruling of the Board that I might have filed after any such hearing. I acknowledge that this is a formal order of the Board and as such is a public document.

I sign this Consent Order after having an opportunity to consult with counsel, voluntarily and without reservation, and I fully understand and comprehend the language, meaning and terms of the Consent Order.

3.31.23  
Date

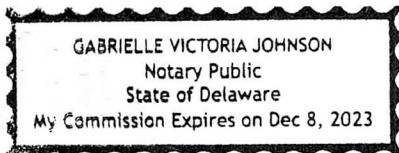
  
Caroline N. Pratt, P.T.  
Respondent



Delaware  
STATE OF ~~MARYLAND~~  
CITY/COUNTY OF Sussex

I HEREBY CERTIFY that on this 31<sup>st</sup> day of March 2023,  
before me, a Notary Public of the foregoing State and City/County personally  
appeared Caroline N. Pratt, P.T., and made oath in due form of law that signing the  
foregoing Consent Order was her voluntary act and deed.

AS WITNESSETH my hand and notarial seal.



Gabrielle Victoria Johnson  
Notary Public

My commission expires: 12/8/2023