

IN THE MATTER OF	*	BEFORE THE MARYLAND
KARYN A. REBSTOCK, P.T.A.	*	STATE BOARD OF
LICENSE No: A3450	*	PHYSICAL THERAPY EXAMINERS
Respondent	*	CASE NUMBER: PT 14-08
* * * * *		* * * * *

**ORDER FOR SUMMARY SUSPENSION**

The Maryland Board of Physical Therapy Examiners (the "Board") hereby **SUMMARILY SUSPENDS** the license of **KARYN A. REBSTOCK, P.T.A. (the "Respondent")**, license number: **A3450**, to practice as a physical therapy assistant in the State of Maryland. The Board takes such action pursuant to its authority under Md. State Gov't Code Ann. § 10-226(c)(2009 Repl. Vol. and 2012 Supp.) concluding that the public health, safety or welfare imperatively requires emergency action.

**INVESTIGATIVE FINDINGS**

Based on information received by, and made known to the Board, and the investigatory information obtained by, received by and made known to and available to the Board, including the instances described below, the Board has reason to believe that the following facts are true:<sup>1</sup>

1. The Respondent is licensed to practice as a physical therapy assistant in the State of Maryland under License Number A3450. The Respondent's license is currently active and scheduled to expire on May 31, 2014.

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<sup>1</sup> The statements regarding the Respondent's conduct are intended to provide the Respondent with notice of the basis of the suspension. They are not intended as, and do not necessarily represent a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent in connection with this matter.

2. At all times relevant, the Respondent was employed at Facility A in Baltimore, Maryland.<sup>2</sup>

3. On November 27, 2012, the Respondent and the Board entered into a Consent Order ("2012 Consent Order") placing the Respondent's on probation for a period of three (3) years, after the Board received an anonymous complaint that the Respondent was arrested for possession of controlled dangerous substances ("CDS").

4. Under to the 2012 Consent, the Respondent's probation was subject to terms and conditions, including but not limited to random urinalysis.

5. On February 26, 2013, the Board issued a warning letter to the Respondent after two consecutive urinalysis tests were positive, one for opiates and the other for codeine and opiates. The Respondent had admitted to taking prescription cough syrup that was not prescribed for her. Furthermore, the opiate level was low on both tests, indicating that the positive results could have been caused by a food source, such as poppy seeds. The Board warned the Respondent that future violations of her probation would result in greater disciplinary action.

6. On July 29, 2013, a member of the Board's staff ("Staff A") notified the Respondent that she must submit to a urinalysis test by close of business on July 30, 2013. The Respondent reported for her urinalysis test on July 30, 2013.

7. On August 1, 2013, the Board received the results of the Respondent's urinalysis test, which was positive for methadone and opiates.<sup>3</sup>

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<sup>2</sup> To ensure confidentiality, the names of facilities and individuals other than the Respondent are not named in this document. The Respondent can obtain the names of the facilities and individuals names in this document by contacting the administrative prosecutor.

<sup>3</sup> The Respondent was participating in a methadone treatment program, so the presence of methadone in her urine was anticipated. However, the presence of opiates was not anticipated.

8. A confirmation test by the laboratory confirmed the presence of morphine in the Respondent's urine sample. The confirmation test revealed a low level of morphine, indicating that it might have come from a food source.

9. On August 27, 2013, at 8:20 a.m., Staff A notified the Respondent to report for her random urinalysis by the close of business on August 28, 2013. At 9:04 a.m., the Respondent acknowledged receipt of the notification.

10. The Respondent failed to appear for the required urinalysis by the designated date and time.

11. On August 28, 2013, at 4:23 p.m., the Respondent sent an email to Staff A indicating that she was ill and would not be able to report for the required urinalysis. Staff A received the email on August 29, 2013 when he arrived at work.<sup>4</sup>

12. Staff A emailed the Respondent at 7:38 a.m. on August 29, 2013 and notified the Respondent that her failure to submit to urinalysis before close of business on August 28, 2013 was considered a missed test. Staff A also informed the Respondent that the order for the urinalysis remained in force.

13. The Respondent replied that she had been trying to see her doctor since the previous day but was unable to get an appointment.

14. On August 30, 2013 at 8:34a.m., the laboratory notified Staff A that the Respondent failed to report for her urinalysis. However, shortly after the laboratory notified Staff A, the Respondent appeared for a urine screen, which was negative.<sup>5</sup>

15. On September 2, 2013, the Respondent submitted a doctor's note to the Board from Physician A. The doctor's note was dated August 30, 2013 and stated that

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<sup>4</sup> The Respondent was aware that Staff A's work day ends at 3:00 p.m.

<sup>5</sup> The urine screen was positive for methadone, which was anticipated due to her participation in a methadone treatment program.

the Respondent had been seen in Physician A's office on August 29, 2013. The doctor's note stated that the Respondent could return to work with no restrictions. Further, in the body of the doctor's note, the date appeared to have been altered.

16. On September 3, 2013, Staff A contacted Physician A's office and spoke to the office manager, who confirmed that the Respondent was seen by Physician A on August 28 and 30, 2013. Physician A did not see the Respondent on August 29, 2013, as the note stated.

17. Staff A obtained a copy of the original note, which stated that Physician A saw the Respondent in his office on August 30<sup>th</sup>. The Respondent altered the doctor's note before submitting it to the Board.

18. On September 9, 2013, Staff A interviewed the Respondent under oath. The Respondent admitted that she could not go to the laboratory on August 27, 2013 because of childcare issues, as well as caring for her elderly grandmother.

19. The Respondent further stated that she attempted to go to the laboratory for the urine screen on August 28, 2013, but was ill and returned home. The Respondent could not explain why she did not contact the Board sooner.

20. When confronted with the altered doctor's note, the Respondent stated that someone in Physician A's office changed the date when the Respondent pointed out that the date was incorrect.

21. Staff A then showed the Respondent the original, unaltered doctor's note. The Respondent changed her explanation and stated that her mother had returned to the physician's office and had the note changed. The Respondent denied changing the note herself.

22. The Respondent could not explain why the doctor's note did not indicate that she was seen for a sick visit.

### **INVESTIGATIVE CONCLUSIONS**

Based on the foregoing facts, the Board has reason to determine that there is a substantial likelihood of a risk of serious harm to the public health, safety, or welfare by the Respondent. The Respondent's conduct constitutes actual harm to public health, safety or welfare and undermines the integrity and dignity of the physical therapy profession.

### **CONCLUSION OF LAW**

Based on the foregoing facts, the Board concludes that the public health, safety or welfare imperatively requires emergency action in this case, pursuant to State Gov't § 10-226(c)(2)(i) (2009 Repl. Vol. and 2011 Supp.).

### **ORDER**

Based on the foregoing, it is this 20<sup>th</sup> day of September, 2013, by a majority of the Board:

**ORDERED** that pursuant to the authority vested by State Gov't § 10-226(c)(2), the Respondent's license to practice as a physical therapy assistant be and hereby is **SUMMARILY SUSPENDED**; and it is further

**ORDERED** that on presentation of this Order, the Respondent **SHALL SURRENDER** to the Board's Investigator her original Maryland license number A3450; and it is further

**ORDERED** that this is a Final Order of the Board and, as such, is a **PUBLIC DOCUMENT** pursuant to State Gov't §§ 10-611 *et seq.*

9/20/13  
Date

John Baker  
John Baker, P.T., D.P.T., Chair  
Board of Physical Therapy Examiners

IN THE MATTER OF  
KARYN REBSTOCK

Respondent

License Number: A3450

\* \* \* \* \*

\* BEFORE THE  
\* MARYLAND  
\* BOARD OF PHYSICAL THERAPY  
\* Case Number: PT 14-08

AFFIDAVIT OF SERVICE

I, John R. Bull, swear and affirm that I am a competent person over eighteen (18) years of age and that I did personally serve, by hand delivery, after verifying the subject's identity through personal knowledge, his or her professional licensing card, Prison Identification or driver's license, the following agency documents:

Letter of Procedure

Summary Suspension

**Karyn Rebstock**  
License No.: **A3450**

At

**Board of Physical Therapy Examiners**  
**4201 Patterson Ave**  
**Baltimore, Maryland 21215**

On: 9-24-13

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing paper are true.

9-24-13  
Date

  
John R. Bull  
Compliance Manager  
Maryland State Board of Physical Therapy