

IN THE MATTER OF	*	BEFORE THE MARYLAND
WAYLAND J. ROBINSON	*	BOARD OF PHYSICAL
PHYSICAL THERAPIST ASSISTANT	*	THERAPY EXAMINERS
License No. A3334	*	Case No. PT 17-14

* * * * *

CONSENT ORDER

HISTORY

On or about November 29, 2016, the Maryland Board of Physical Therapy Examiners (the “Board”) received a request from the North Carolina Board of Physical Therapy (the “N.C. Board”) for verification of the physical therapist assistant license held by Wayland J. Robinson, License No. A3334. Along with the request for verification, the N.C. Board informed the Board of a number of convictions that were discovered during Mr. Robinson’s criminal background check. A review of the Board’s records revealed that Mr. Robinson never disclosed several of his convictions to the Board.

In lieu of instituting formal proceedings against Mr. Robinson, in accordance with the Maryland Physical Therapy Act, Md. Code Ann., Health Occ. § 13-101 *et seq.*, the Board proposed, and Mr. Robinson agreed, to resolve this matter as set forth in this Consent Order.

FINDINGS OF FACT

1. At all times relevant hereto, Mr. Robison was licensed by the Board as a physical therapist assistant, License No. A3334. Mr. Robinson was initially license by the Board on October 8, 2008, and his license is set to expire on May 31, 2018.
2. On November 29, 2016, the Board received a request from the N.C. Board to verify the license held by Mr. Robinson. In addition to the request for verification, the N.C. Board

provided the Board with information about Mr. Robinson's criminal background check, which included multiple convictions:

- a. On September 16, 1991, Mr. Robinson was convicted in Oklahoma of Distribution of CDS – LSD and Possession of CDS with Intent to Distribute – LSD, and served one year of incarceration and 8 years of probation;
 - b. On October 29, 1999, Mr. Robinson received probation before judgment for one count of CDS Possession – Marijuana in the District Court for Baltimore City;
 - c. On March 21, 2013, Mr. Robison pled guilty to one count of Possession of CDS Paraphernalia and paid a \$100 fine in the District Court for Baltimore County; and,
 - d. On May 8, 2013, Mr. Robinson pled guilty to one count of CDS Possession – Marijuana in the District Court for Baltimore County and served 10 days in jail.
3. Upon receipt of this information from the N.C. Board, the Board reviewed Mr. Robinson's licensing file. On August 13, 2008, on his initial application for licensure with the Board, Mr. Robinson answered "yes" to personal attestation question #6, which asks, "Have you committed a criminal act to which you pled guilty or nolo contendere or for which you were convicted or received probation before judgment?", and to personal attestation question #12, which asks, "Have you committed an offense involving alcohol or controlled dangerous substances to which you pled guilty or nolo contendere or for which you were convicted or received probation before judgment?" In explaining his "yes" answers, Mr. Robinson disclosed his 1991 Oklahoma conviction and 1999 probation before judgment in Baltimore City to the Board.
4. Mr. Robinson, however, answered "no" to both question #6 and question #12 on his

renewal applications that he submitted to the Board on March 30, 2014, and March 30, 2016. Mr. Robinson never disclosed his two 2013 convictions to the Board.

5. On December 14, 2016, the Board emailed Mr. Robinson asking for an explanation of the circumstances of his convictions, any treatment he sought, and why he failed to inform the Board of his 2013 convictions. Mr. Robinson stated that at the time, he was using marijuana recreationally to deal with various stresses, and that he stopped practicing as a physical therapist assistant and moved to North Carolina to focus on himself and deal with his use of marijuana. Mr. Robinson also stated that he was not truthful to the Board about his convictions because he was afraid he would lose his license.

6. Mr. Robinson currently lives in North Carolina and plans to resume practice as a physical therapist assistant in North Carolina.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that Mr. Robinson is subject to discipline pursuant to Md. Code Ann., Health Occ. § 13-316(1), (6), and (7).

ORDER

It is this 23rd day of January, 2017, by an affirmative vote of the Maryland Board of Physical Therapy Examiners, hereby:

ORDERED that Mr. Robinson shall pay a fine in the amount of \$500, payable to the Maryland Board of Physical Therapy Examiners, within ninety (90) days of the date of this Order; and be it further,

ORDERED that Mr. Robinson shall notify the Board if he resumes practicing as a physical therapist assistant in Maryland, at which time he shall submit to a comprehensive evaluation with a Board-approved substance abuse evaluator; and be it further,

ORDERED that the Board may impose further terms or conditions on Mr. Robinson's license following any recommendations made by the Board-approved substance abuse evaluator; and be it further,

ORDERED that in the event the Board finds in good faith that Mr. Robinson has violated any of the terms or conditions of this Consent Order, the Board may impose further disciplinary action against Mr. Robinson's license, including but not limited to suspending or revoking his license, provided that he is first given the opportunity for a hearing; and be it further,

ORDERED that Mr. Robinson shall bear all expenses 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 Maryland Code Ann., General Provisions § 4-333(b).

1/23/2017
Date

Carlton Curry
Carlton Curry, Executive Director
for
Krystal Lighty, Chair
Maryland Board of Physical Therapy Examiners

CONSENT

1. By signing this Consent, I hereby affirm the findings of fact contained herein and agree to be bound by the foregoing Consent Order and its conditions.
2. By this Consent, I submit to the foregoing Consent Order as a resolution of this matter. 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 that this is a formal order of the Board and as such is a public document.
4. I acknowledge the legal authority and the jurisdiction of the Board to enter and enforce this Consent Order.
5. 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.

01-19-17
Date

Wayland J. Robinson A3334
Wayland J. Robinson, License No. A3334

STATE OF NC
COUNTY/CITY OF Buncombe:

I hereby certify that on this 19 day of Jan., 2017, before me, a Notary Public of the State of NC and County/City aforesaid, personally appeared WAYLAND ROBINSON, and made an oath in due form that the foregoing Consent was his voluntary act and deed.



Kristen McKay Ketrung
Notary Public
My commission expires: May 12, 2018