

IN THE MATTER OF	*	BEFORE THE MARYLAND
SONYA SCHWAB, PTA	*	BOARD OF PHYSICAL
APPLICANT FOR LICENSURE	*	THERAPY EXAMINERS

* * * * *

PRE-CHARGE CONSENT ORDER

Background

On May 22, 2012, the Maryland Board of Physical Therapy Examiners (the “Board”) received an application for licensure from Sonya Schwab, P.T.A. On the application, Ms. Schwab indicated that she had two arrests for driving while intoxicated resulting in one conviction and a probation before judgment. As a result, the Board ordered that Ms. Schwab submit to a substance abuse evaluation to assess her ability to practice limited physical therapy in a safe and ethical manner. The Board’s evaluator determined that Ms. Schwab was fit to practice limited physical therapy under certain terms, which have been incorporated herein.

In lieu of instituting formal proceedings against Ms. Schwab’s application, in accordance with the Maryland Physical Therapy Act, Md. Code Ann., Health Occ. § 13-101 *et seq.*, the Board held a Pre-Charge Case Resolution Conference with Ms. Schwab and her counsel on September 11, 2012. As a result, the Board and Ms. Schwab have agreed to resolve this matter as set forth in this Consent Order.

FINDINGS OF FACT

1. On May 22, 2012, the Board received an application for licensure as a physical therapist assistant from Ms. Schwab. Ms. Schwab graduated from the physical therapist assistant program at Montgomery College.
2. In the application, Ms. Schwab disclosed that she was twice arrested for driving while

intoxicated, in January 2010 and August 2011. The DWI arrests resulted in a probation before judgment and a conviction.

3. Ms. Schwab is fully compliant with all terms of her criminal probation.
4. Ms. Schwab attends AA approximately 3 times per week and is actively participating in an aftercare program at The Right Turn.
5. Ms. Schwab has been abstinent from alcohol use since August 26, 2011.
6. The Board has received letters of reference from Ms. Schwab's clinical coordinator, criminal probation officer, and The Right Turn.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that Ms. Schwab is subject to disciplinary action in accordance with Md. Code Ann., Health Occ. §§ 13-302(b) and 13-316(17).

ORDER

Based on an affirmative vote of a majority of the Board, it is this 18th day of September, 2012, hereby:

ORDERED that Ms. Schwab be approved to sit for the National Physical Therapy Examination ("NPTE"); and be it further,

ORDERED that upon successful completion of the NPTE and the State jurisprudence examination, Ms. Schwab shall be issued a physical therapist assistant license; and be it further,

ORDERED that Ms. Schwab's license shall be placed on immediate PROBATION for TWO (2) YEARS; and be it further,

ORDERED that during the probationary period, Ms. Schwab shall:

- (1) Continue her participation in AA at least 3 times per week, and submit attendance

slips to the Board on a monthly basis;

(2) Engage in group therapy sessions and ensure that the program submits quarterly progress reports to the Board;

(3) Submit to Board-ordered random urine drug screens at a CLIA-certified laboratory every other week. Such urine screens shall be negative for alcohol and all mood-altering substances; and be it further,

ORDERED that after one (1) year of probation, Ms. Schwab may petition to modify the terms of probation provided that she has been fully compliant with all probationary terms and conditions; and be it further,

ORDERED that after two (2) years of probation, Ms. Schwab may petition to terminate the probation provided that she has fully complied with the terms of probation and does not have any pending complaints filed against her; and be it further,

ORDERED that Ms. Schwab's execution of this Order shall constitute a release of any and all medical records, substance abuse treatment records, and psychological/psychiatric records pertaining to Ms. Schwab to the Board in complying with the terms and conditions set forth herein. Further, Ms. Schwab agrees and consents to the release by the Board of any information or data produced in relation to this Order to any treatment provider; and be it further,

ORDERED that Ms. Schwab shall at all times cooperate with the Board in the monitoring, supervision, and investigation of Ms. Schwab's compliance with the terms and conditions of this Order; and be it further,

ORDERED that Ms. Schwab's failure to fully cooperate with the Board shall be deemed a violation of the probationary terms and a violation of this Order; and be it further,

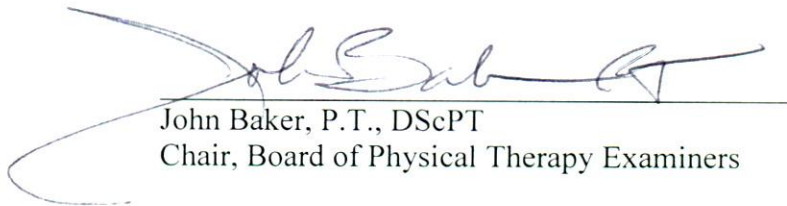
ORDERED that in the event the Board finds for any good faith reason that Ms. Schwab

has violated any of the conditions of probation herein, or in the event that the Board finds for any good faith reason that Ms. Schwab has relapsed, or committed a violation of Title 13 of the Health Occupations Article or regulations adopted thereunder, the Board may take further disciplinary action against Ms. Schwab's license after notice and an opportunity for a hearing; and be it further,

ORDERED that Ms. Schwab 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).

10/03/2012
Date


John Baker, P.T., DScPT
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.

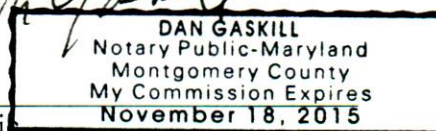
1 Oct. 2012
Date

Sonya Schwab PTA
Sonya Schwab, P.T.A.

STATE OF MARYLAND
COUNTY/CITY OF Montgomery :

I hereby certify that on this 1st day of Oct, 2012, before me, a Notary Public of the State of Maryland and County/City aforesaid, personally appeared SONYA SCHWAB and made an oath in due form that the foregoing Consent was her voluntary act and deed.

Dan Gaskill



Notary Public
My commission expires: _____

