

IN THE MATTER OF  
SHARON DAWN WEIL

LICENSE No: A1042

Respondent

\* BEFORE THE MARYLAND  
\* STATE BOARD OF  
\* PHYSICAL THERAPY EXAMINERS  
\* CASE NUMBER: PT 13-14

\* \* \* \* \*

FINAL ORDER

On Nov. 28<sup>th</sup> 2012 the Maryland Board of Physical Therapy Examiners ("the Board") issued a Notice of Intent to Revoke the physical therapy assistant license of **SHARON DAWN WEIL ("the Respondent")** (DOB: 12/07/1955) License No.: A1042 based on her violation of Maryland Physical Therapy Act (the "Act"), codified at Md. Health Occ. Code Ann. § 13-101, *et seq.*, (2009 Repl. Vol. and 2011 Supp.)

. The Board found that the Respondent violated the following provisions of H.O. § 13-316:

Subject to the hearing provisions of § 13-317 of this title, the Board may deny a license or a restricted license to any applicant, reprimand any license 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:

(6) Is convicted of or pleads *nolo contendere* to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside;

(10) Is disciplined by a licensing or disciplinary authority of any state or country or convicted or disciplined by a court of any state or country or disciplined by any branch of the United States uniformed services or Veterans Administration for an act that would be grounds for disciplinary action under the Board's disciplinary statutes;

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

COMAR 10.38.02.01 H. A licensee shall notify the Board in writing within 60 days if any license, certificate, permit, or

registration granted by another state for the practice of physical therapy or limited physical therapy has been limited, restricted, suspended, revoked, or subjected to other disciplinary action by the licensing or certifying authority.

The Respondent received the Notice on October 19, 2012. The Respondent was notified that failure to request a hearing within 30 days of the date she received the Notice would result in the Board signing this Final Order. The Respondent's hearing request was due on November 19, 2012. The Respondent failed to request a hearing.

#### **FINDINGS OF FACT**

1. The Respondent was initially licensed to practice as a physical therapy assistant in the State of Maryland on June 30, 1976. The Respondent's license is currently inactive, having expired on May 31, 2012.
2. The Respondent is also licensed in Florida (License No.: PTA 1685).
3. On or about September 7, 2012, the Board received information that the Respondent's Florida license was indefinitely suspended by an order ("Florida Order") dated August 31, 2012.
4. Thereafter, the board initiated an investigation.
5. The Board's investigation revealed that on or about May 6, 2011, the Respondent was arrested in Florida for drinking and driving. At the time of the Respondent's arrest, her blood alcohol level was 0.149, which is above the legal limit. The Respondent also had an altercation with the arresting officer and was charged with battery of a law enforcement officer, aggravated assault on a law enforcement officer, resisting arrest, and introducing contraband into a detention center.

6. On October 17, 2011, the Respondent pled *nolo contendere* to driving under the influence, battery and resisting arrest. The Respondent was sentenced to one year of probation for driving under the influence, and five years of probation each for resisting arrest and for battery, to run concurrently.

7. The Respondent was also referred to the impaired practitioner program for the Florida Board.

8. On or about January 5, 2012, the Respondent was evaluated by a Florida Board-approved physician who specializes in addiction medicine ("Physician A").<sup>1</sup> Physician A diagnosed the Respondent with alcohol dependence and opined that the Respondent was not safe to practice physical therapy with reasonable skill and safety to patients.

9. The Respondent declined to participate in the impaired practitioner program.

10. On or about June 13, 2012, the Respondent entered into a settlement agreement with the Florida Board. Pursuant to the Florida Order, the Respondent's license to practice as a physical therapy assistant was indefinitely suspended. The Florida Board signed the Order on August 31, 2012.

11. The Respondent failed to notify the Board of the disciplinary action against her license by the Florida Board.

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<sup>1</sup> In order to maintain confidentiality, names of witnesses are not used in this document, but will be provided to the Respondent upon request.



### CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board finds by a preponderance of evidence and concludes that the Respondent violated H.O. §§ 13-316(6) Is convicted of or pleads *nolo contendere* to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside; (10) Is disciplined by a licensing or disciplinary authority of any state or country or convicted or disciplined by a court of any state or country or disciplined by any branch of the United States uniformed services or Veterans Administration for an act that would be grounds for disciplinary action under the Board's disciplinary statutes; and (15) Violates any provision of this title or rule or regulation adopted by the Board, to wit: COMAR 10.38.02.01 H. A licensee shall notify the Board in writing within 60 days if any license, certificate, permit, or registration granted by another state for the practice of physical therapy or limited physical therapy has been limited, restricted, suspended, revoked, or subjected to other disciplinary action by the licensing or certifying authority.

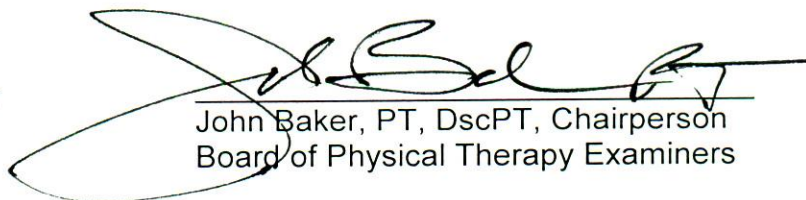
### ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby:

**ORDERED** that the Respondent's license to practice as a physical therapy assistant is hereby **REVOKED**;

**ORDERED** that this Order is a PUBLIC DOCUMENT, pursuant to Md. Code Ann., State Govt. § 10-611 et seq. (2009 Repl. Vol. and 2011 Supp.).

11/28/2012  
Date

  
John Baker, PT, DscPT, Chairperson  
Board of Physical Therapy Examiners

### **NOTICE OF RIGHT TO APPEAL**

Pursuant to Md. Health Occ. Code Ann. §19-313 (2009 Repl. Vol. and 2011 Supp.), you have a right to take a direct judicial appeal. A Petition for Judicial Review must be filed within thirty (30) days of your receipt of this Order and shall be made as provided for judicial review of a final decision in the Md. State Govt. Code Ann. §§ 10-201 *et seq.* (2009 Repl. Vol. and 2011 Supp.), and Title 7, Chapter 200 of the Maryland Rules.