

**Scott Zimmerman
10198 Tree Frog Place
White Plains, Maryland 20695**

Date: 8-21-12

John Baker, P.T., D.P.T., Chairman
Maryland Board of Physical Therapy Examiners
4201 Patterson Avenue
Baltimore, Maryland 21215

RE: Surrender of License to Practice Physical Therapy
License Number: A3257
MBP Case Number: PT-12-18

Dear Dr. Baker and Members of the Board:

I have decided to **SURRENDER** my license to practice as a physical therapy assistant in the State of Maryland, License Number A3257 (D.O.B. 12/26/1977). I understand that the surrender of my license means that I may not practice limited physical therapy, as it is defined in the Maryland Physical Therapy Act (the "Act"), codified at Md. Code Ann., Health Occupations ("Health Occ.") §§ 13-101, *et seq.*, (2009 Repl. Vol. and 2011 Supp.). In other words, I understand that the surrender of my license means that I am in the same position as an unlicensed individual. This Letter of Surrender shall become effective immediately upon the date of acceptance by the Maryland Board of Physical Therapy Examiners (the "Board").

I understand that this Letter of Surrender is a **PUBLIC** document and on the Board's acceptance becomes a **FINAL ORDER** of the Board.

My decision to surrender my license to practice limited physical therapy in the State of Maryland has been prompted by an investigation of my license by the Board and the Office of the Attorney General. The investigation resulted in the Board's issuance of an Order for Summary Suspension in Board Case Number PT-12-18. **[See Order for Summary Suspension, incorporated in its entirety as Attachment 1]** I have decided to surrender my license to practice limited physical therapy in the State of Maryland to avoid further disciplinary action before the Board.

I acknowledge that the Board initiated an investigation of this matter and that on April 17, 2012, voted to summarily suspend my license to practice as a physical therapy assistant pursuant to its authority under Md. Code Ann., State Government ("State Govt.") § 10-226(c)(2009 Repl. Vol. and 2011 Supp.). Specifically, the Board acted based upon its investigative findings that I had been arrested and indicted by the Baltimore City Police Department for sexual

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solicitation of a minor, a felony. The charges stemmed from my involvement in a series of online "chats" with undercover police officers posing as underage females. The chats occurred between July 5, 2011 and December 5, 2011. Subsequently, I entered an Alford plea of guilty to one count of sexual solicitation of a minor and was sentenced to 10 years incarceration, with all but six months suspended, credit for time served, and five years of supervised probation. As part of the plea agreement, I am eligible to request that the court convert my sentence to probation before judgment after a period of time to be determined by the court.

I wish to make it clear that I have voluntarily, knowingly and freely chosen to submit this Letter of Surrender to avoid further prosecution under the Act and to resolve this matter. I acknowledge that if the case proceeded, the Board would proceed with disciplinary action against my license. Further, the case may proceed to an evidentiary hearing, where the Board would submit evidence to support the investigatory findings it made in this case. I acknowledge that for all purposes relevant to licensure, those investigative findings will be treated as if proven.

I understand that by executing this Letter of Surrender I am waiving any right to contest the charges that have been issued by the Board in a formal evidentiary hearing at which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf and all other substantive and procedural protections provided by law, including the right to appeal.

I understand that the Board will advise the Health Integrity and Protection Data Bank ("HIP-DB") of this Letter of Surrender, and in response to any inquiry, will advise that I have surrendered my license in lieu of further disciplinary action under the Act as a resolution of the matters pending against me. I also understand that, in the event that I would apply for licensure in any form in any other state or jurisdiction, that this Letter of Surrender, and all underlying documents, may be released or published by the Board to the same extent as a Final Order that would result from disciplinary action pursuant to State Govt. § 10-611 *et seq.* (2009 Repl. Vol. and 2011 Supp.). Finally, I understand that this Letter of Surrender is considered a disciplinary action by the Board.

I affirm that as of the date of this Letter of Surrender, I will present to the Board my original Maryland physical therapy license number A3257, and my most recent wallet-sized renewal card.

I recognize and agree that by submitting this Letter of Surrender, my license will remain surrendered until such time as I apply for reinstatement and comply with the terms and conditions set forth in this Letter and those determined by the case resolution conference committee and/or the Board.

I acknowledge that I shall not apply for reinstatement of my Maryland license to practice as a physical therapy assistant before the expiration of **two (2) years** after the date on which the Board accepts this Letter of Surrender.

In the event that I apply for reinstatement of my Maryland license to practice as a physical therapy assistant or for the issuance of a new Maryland license, I understand that the Board may set terms and conditions that shall apply to my receiving a reinstated Maryland license or a new Maryland license, including but not limited to a probationary period. I also understand that if I apply for reinstatement or for a new Maryland license that I bear the burden of demonstrating to the Board that I am competent to practice physical therapy and possess good moral character, as specified in Health Occ. §§13-302 and 13-303. I understand that if I determine that if I would like once again to practice in Maryland, I will approach the Board in the same posture as one whose license has been revoked for violation of the Act.

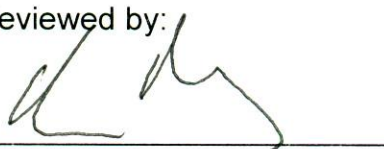
I acknowledge that I may not rescind this Letter of Surrender in part or in its entirety for any reason whatsoever. Finally, I wish to make clear that I have consulted with an attorney before signing this Letter of Surrender. I understand both the nature of the Board's actions and this Letter of Surrender fully. I acknowledge that I understand and comprehend the language, meaning and terms and effect of this Letter of Surrender. I make this decision knowingly and voluntarily.

Sincerely,



Scott Zimmerman, P.T.A.

Reviewed by:

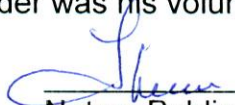


Dennis Murphy, Esquire
Attorney for the Respondent

NOTARY SEAL

STATE OF MARYLAND
CITY/COUNTY:

I HEREBY CERTIFY that on this 15th day of August, 2012, before me, a Notary Public of the State and City/County aforesaid personally appeared Scott Zimmerman and declared and affirmed under the penalties of perjury that signing the foregoing Letter of Surrender was his voluntary act and deed.



Notary Public




ACCEPTANCE

On behalf of the Maryland Board of Physical Therapy Examiners, on this 21st day of August, 2012, I accept Scott Zimmerman's **PUBLIC SURRENDER** of his license to practice as a physical therapy assistant in the State of Maryland.

8/21/12

Date



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