

IN THE MATTER OF

LAURA B. COX

Applicant

\*

\*

\*

\*

BEFORE THE MARYLAND

BOARD OF OCCUPATIONAL

THERAPY PRACTICE

Case Number: 2009-008

\* \* \* \* \*

**CONSENT ORDER**

**PROCEDURAL BACKGROUND**

On May 5, 2009, the Maryland State Board of Occupational Therapy Practice (the "Board") notified Laura B. Cox (the "Applicant"), date of birth: 04/18/1984, of its Initial Denial of her Application for Licensure (the "Application") under the Maryland Occupational Therapy Practice Act (the "Act"), Md. Health Occ. Code Ann. ("H.O.") §§ 10-101 *et seq.*, for violations under H.O. §§ 10-301, 10-302 and 10-315.

The Board initially denied the Applicant's Application based on the following provisions of the Act:

**H.O. § 10-301 License required; exceptions.**

(a) *In general.* – Except as otherwise provided in this title, an individual shall be licensed by the Board before the individual may practice occupational therapy ... in this State.

**H.O. § 10-302 Qualifications of applicants.**

(a) *In general.* – To qualify for a license, an applicant shall be an individual who meets the requirements of this section.

(b) *Moral character.* – The applicant shall be of good moral character.

**H.O. § 10-315 Denials, reprimands, suspensions, and revocation –Grounds.**

Subject to the hearing provisions of § 10-316 of this subtitle, the Board may deny a license ... to any applicant ... if the applicant ...:

- (1) Fraudulently or deceptively ... attempts to obtain a license ... for the applicant ...;
- (4) Knowingly violates any provisions of this title; [and/or]
- (9) Is disciplined by a licensing or disciplinary authority of any other state ... for an act that would be grounds for disciplinary action under this section.

On June 9, 2009, a Case Resolution Conference was convened in this matter. Based on negotiations occurring as a result of this Case Resolution Conference, the Applicant agreed to enter into this Consent Order, consisting of Procedural Background, Findings of Fact, Conclusions of Law, Order and Consent.

#### **FINDINGS OF FACT**

The Board finds as follows:

1. On or about March 20, 2009, the Applicant submitted an Application to the Board. The Board received the Application on or about April 7, 2009.

2. On page one of the Application, in the section entitled, "Discipline," the Applicant answered "NO" to the following question:

QUESTION 18(c): Are you or have you ever: had any disciplinary action taken against your license in any state or country?

3. At the conclusion of the Application, the Applicant affirmed that the contents of the Application were true and correct to the best of her knowledge and belief.

4. Board investigation determined that the Applicant entered into a Consent Order on August 29, 2008 with the North Carolina Board of Occupational Therapy (the "North Carolina Board") to resolve charges that she practiced occupational therapy without a current license, in violation of North Carolina General Statute 90.270.76(a)(6).

5. The North Carolina Board found as a matter of law that the Applicant violated the North Carolina Occupational Therapy Practice Act by practicing occupational therapy in North Carolina from July 1, 2008 through August 28, 2008, without a current license, in violation of North Carolina General Statute 90.270.76(a)(6).

6. According to the terms of the Consent Order, the North Carolina Board revoked the Applicant's occupational therapy license for a period of one year, which it suspended; and placed her on probation for a period of one year, subject to the following terms and conditions: (1) the Applicant shall develop a Personal Plan of Action to ensure future compliance with the North Carolina Board's renewal procedures; (2) the Applicant shall not violate the North Carolina Occupational Therapy Practice Act and related rules; (3) the Applicant shall pay a civil penalty (\$100); (4) the Applicant shall pay all costs (\$150); and (5) the effective date of the Consent Order shall be September 15, 2008. **See Consent Order, issued by the North Carolina Board, dated September 15, 2008, attached hereto and incorporated herein.**

7. The Board has a basis to deny the Applicant's Application based on her failure to possess good moral character, a requirement for initial licensure under H.O. § 10-302(b) of the Act. The Applicant failed to renew her North Carolina occupational therapy license and practiced occupational therapy in the State of North Carolina for a period of time without a current occupational therapy license, in violation of the North Carolina Occupational Therapy Practice Act, and was disciplined for such acts. In addition, the Applicant made a material misrepresentation to the Board in her Application by failing to disclose that the North Carolina Board had disciplined her for violating the North Carolina Occupational Therapy Practice Act, as described above.

8. The Board also has a basis to deny the Applicant's Application based on violations of H.O. § 10-315. The Applicant's failure to disclose the North Carolina Board's disciplinary action against her in her Application, as described above, constitutes a violation of the following provisions of the Act: fraudulently or deceptively attempting to obtain a license, in violation of H.O. § 10-315(1); and knowingly violating any provision of this title, in violation of H.O. § 10-315(4). The North Carolina Board's issuance of disciplinary action against the Applicant, as described above, constitutes disciplinary action by a disciplinary authority for an act that would be grounds for action under this section, in violation of H.O. § 10-315(9). Pursuant to H.O. § 10-315(9), grounds for action under this section (H.O. § 10-315) include but are not limited to the following: fraudulently or deceptively uses a license, in violation of H.O. § 10-315(2); commits any act of ... misconduct in the practice of occupational therapy, in violation of H.O. § 10-315(3); knowingly violates any provision of this title, in violation of H.O. § 10-315(4); and submits a false statement to collect a fee, in violation of H.O. § 10-315(12).

#### **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that it has a basis to deny the Applicant's Application, based on her violation of the following provisions of the Maryland Occupational Therapy Practice Act: fraudulently or deceptively attempting to obtain a license, in violation of H.O. § 10-315(1); knowingly violating any provision of this title, in violation of H.O. § 10-315(4); and is disciplined by a disciplinary authority of any other state for an act that would be grounds for action under this section, in violation of H.O. § 10-315(9). Pursuant to H.O. § 10-315(9), grounds for action under this section (H.O. § 10-315) include the following: fraudulently

or deceptively uses a license, in violation of H.O. § 10-315(2); commits any act of ... misconduct in the practice of occupational therapy, in violation of H.O. § 10-315(3); knowingly violates any provision of this title, in violation of H.O. § 10-315(4); and submits a false statement to collect a fee, in violation of H.O. § 10-315(12).

The Board also has a basis to deny the Applicant's Application based on her failure to possess good moral character, a requirement for initial licensure under H.O. § 10-302(b) of the Act.

### **ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 19<sup>th</sup> day of June, 2009, on the affirmative vote of a quorum of the Board considering this case hereby:

**ORDERED** that the Applicant shall be granted a license to practice occupational therapy in the State of Maryland, effective June 22, 2009; and it is further

**ORDERED** that the Applicant shall be placed on **PROBATION** for **ONE (1) YEAR**, to commence on the date the Applicant is granted a Maryland occupational therapy license; and it is further

**ORDERED** that the Applicant shall comply with and practice according to all statutes and regulations governing the practice of occupational therapy in the State of Maryland; and it is further

**ORDERED** that if the Applicant violates any of the terms or conditions of this Consent Order, the Board, after notice, opportunity for a hearing and determination of

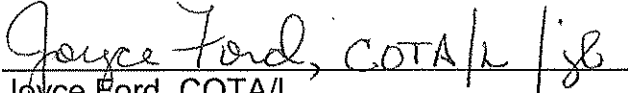
violation, may impose any other disciplinary sanctions it deems appropriate, including but not limited to, revocation or suspension, said violation being proven by a preponderance of the evidence; and it is further

**ORDERED** that the Applicant shall not apply for early termination of her probation; and it is further

**ORDERED** that the Applicant may petition the Board, in writing, for termination of her probation without further conditions or restrictions, provided the Applicant has satisfactorily complied with all conditions of this Consent Order, including the conclusion of the entire **ONE (1) YEAR** period of probation imposed above, and the Applicant has no pending complaints before the Board; and it is further

**ORDERED** that the Applicant shall be responsible for all costs incurred under this Consent Order; and it is further

**ORDERED** that this Order is a public document pursuant to Md. State Gov't Code Ann. §§ 10-611, *et seq.* (2004).

  
Joyce Ford, COTA/L  
Chairperson, Maryland State Board of  
Occupational Therapy Practice

**CONSENT**

I, Laura B. Cox, acknowledge that I have had the opportunity to consult with counsel before signing this document. By this Consent, I admit to the Findings of Facts

and Conclusions of Law, and I agree and accept to be bound by this Consent Order and its conditions and restrictions. I waive any rights I may have had to contest the Findings of Fact and Conclusions of Law.

I acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have had 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 as provided by law. I acknowledge the legal authority and the jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I also affirm that I am waiving my right to appeal any adverse ruling of the Board that might have followed any such hearing.

I sign this Consent Order after having had an opportunity to consult with counsel, without reservation, and I fully understand and comprehend the language, meaning and terms of this Consent Order. I voluntarily sign this Order, and understand its meaning and effect.

6/22/09  
Date

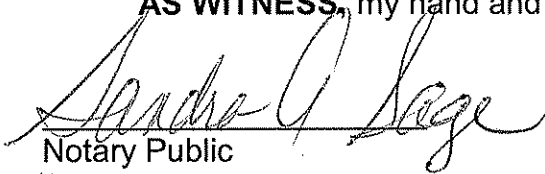
Laura Cox  
Laura B. Cox  
Applicant

**NOTARY**

STATE OF Maryland  
CITY/COUNTY OF: Baltimore

I HEREBY CERTIFY that on this 22 day of JUNE, 2009, before me, a Notary Public of the State and County aforesaid, personally appeared Laura B. Cox, and gave oath in due form of law that the foregoing Consent Order was her voluntary act and deed.

**AS WITNESS**, my hand and Notary Seal.

  
Notary Public

My commission expires: 10/10/11