



**OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY,
and ATHLETIC TRAINERS BOARD**

NOTICE OF OPPORTUNITY FOR HEARING

July 29, 1996

Certified Mail P348 929-205

In Re: To the Eligibility of Donald Fuller
to Be Licensed as a Athletic Trainer
in the State of Ohio

To: Donald Fuller -
823 Scott Hamilton #4
Bowling Green, Ohio 43402

Pursuant to Ohio Revised Code Chapter 4755.64(A) the Athletic Trainers Section of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board (hereinafter Board) may suspend, revoke, or refuse to issue or renew any athletic trainers license or reprimand or place a licensee on probation, if the Board determines that the applicant or licensee has violated any of the provisions contained in Ohio Revised Code Chapter 4755.61 to 4755.65, or has violated any rule or order adopted thereunder.

In accordance with Chapter 119 of the Ohio Revised Code, you are hereby notified that the Board proposes to deny your application for licensure as an Athletic Trainer for one or more of the following reasons:

- 1) On January 30, 1996, you submitted an application for licensure as an Athletic Trainer in the State of Ohio.
- 2) In 1995 and 1996 you have acted in the capacity of Curriculum Coordinator for the Athletic Training program at Bowling Green State University in Ohio.
- 3) In your capacity as Curriculum Coordinator for the Athletic Training program and without holding a valid license issued by the Board, you taught courses in Therapeutic Modalities and Therapeutic Athletic Exercise to Athletic Training students.
- 4) In your capacity as Curriculum Coordinator for the Athletic Training program you have utilized business cards which state in part "Donald Fuller, Ph.D., A.T.C... Curriculum Coordinator Athletic Training."

Your acts as alleged in paragraphs 2 and 3 above constitute the practice of "Athletic Training" which is defined in Ohio Revised Code Chapter 4755.60(A) and states in part that Athletic Training is..."the organization and administration of educational programs and athletic facilities, and the education of and consulting with the public as it pertains to athletic training."

Count 1



**OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY,
and ATHLETIC TRAINERS BOARD**

Your acts as alleged in paragraphs 1 through 5 above constitute a violation of Ohio Revised Code Chapter 4755.62(A) which provides in part that "No person shall hold himself out as being an athletic trainer or imply by words or letters that he is an athletic trainer unless he is licensed as an athletic trainer."

Count 2

Your acts as alleged in paragraphs 1 through 5 above constitute a violation of Ohio Administrative Code Section 4755-42-01 which provides in part that..." no person shall use the words or letters, athletic trainer, athletic training, licensed athletic trainer, licensed trainer, AT., ATC, A.T.,C., L.A.T., or any other letters, words, abbreviations, or insignia, indicating or implying that he/she is an athletic trainer without a valid license under Chapters 4755.60 to 4755.65 of the Revised Code."

Pursuant to Chapter 119 of the Ohio Revised Code, you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing, the request must be made in writing and must be received in the Board office within thirty (30) days of the date of the mailing of this notice.

You are further advised that you are entitled to appear at such hearing in person, or by your attorney, or by such other representative as is permitted to practice before the Board, or you may present your position, arguments, or contentions in writing and that at the hearing you may present evidence and examine witnesses appearing for or against you.

In the event that there is no request for such hearing received within thirty (30) days of the time of mailing of this notice, the Board may, in your absence and upon consideration of this matter, determine whether to refuse to issue you a license.

**SENT BY ORDER OF THE ATHLETIC TRAINERS SECTION OF THE OHIO
OCCUPATIONAL THERAPY, PHYSICAL THERAPY, AND ATHLETIC
TRAINERS BOARD.**

Carl Gabriel Williams

CARL GABRIEL WILLIAMS, M.P.A.
Executive Director

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**Attorney General
Betty D. Montgomery**

MEMORANDUM

TO: OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY, AND
ATHLETIC TRAINER'S BOARD.

FROM: PATRICK W. BEATTY 
ASSISTANT ATTORNEY GENERAL

DATE: October 21, 1996

RE: Donald Fuller A.T. consent agreement

The consent agreement as signed by Donald Fuller on August 7, 1996, contained two blank spaces on the first page which were to reference the date of the Notice of Opportunity for Hearing. On September 17, 1996, I spoke with Mr. Fuller regarding those blank spaces. I informed Mr. Fuller that in order to avoid having him resign a completed consent agreement, I would fill in the dates on the consent agreement as he signed it, unless he had an objection. He stated that he had no objection to the dates being filled in.



**OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY,
and ATHLETIC TRAINERS BOARD**

RECEIVED

OCT 07 1996

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Ohio Occupational Therapy,
Physical Therapy and
Athletic Trainers Board.

Ohio Occupational Therapy
Physical Therapy and
Athletic Trainers Board

**CONSENT AGREEMENT
BETWEEN
DONALD FULLER
AND**

**THE OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY, AND
ATHLETIC TRAINERS BOARD ATHLETIC TRAINERS SECTION**

This CONSENT AGREEMENT is entered into by and between DONALD FULLER, and THE OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY, AND ATHLETIC TRAINERS BOARD-ATHLETIC TRAINERS SECTION [hereinafter BOARD]. The BOARD is a state agency charged with enforcing Chapter 4755.60 to 4755.65 of the Ohio Revised Code.

DONALD FULLER, voluntarily enters into this Agreement being fully informed of his rights under Chapter 119., Ohio Revised Code, including the right to representation by counsel and the right to a formal adjudicative hearing on the issues considered herein.

This CONSENT AGREEMENT contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this CONSENT AGREEMENT.

This CONSENT AGREEMENT is entered into on the basis of the following stipulations, admissions and understandings:

- A. THE OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY, AND ATHLETIC TRAINERS BOARD ATHLETIC TRAINERS SECTION is empowered by Section 4755.64(A) Ohio Revised Code, to suspend, revoke, or refuse to issue or renew any athletic trainers license, or reprimand or place a licensee on probation for any of the enumerated violations.
- B. THE OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY, AND ATHLETIC TRAINERS BOARD ATHLETIC TRAINERS SECTION enters into this CONSENT AGREEMENT in lieu of further formal proceedings based upon the violations as set forth in the Notice of Opportunity for Hearing issued by the BOARD on 7/29, 1996 attached hereto as Exhibit A and incorporated herein by this reference. The BOARD expressly reserves the right to institute additional formal proceedings based upon any other violations of Chapter 4755.60 to 4755.65 of the Ohio Revised Code whether occurring before or after the effective date of this AGREEMENT.
- C. DONALD FULLER, has applied for a license to practice athletic training in the State of Ohio.
- D. DONALD FULLER ADMITS the factual and legal allegations set forth in the Notice of Opportunity for Hearing issued by the BOARD on 7/29, 1996, attached hereto as Exhibit A and incorporated herein by reference.

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**77 South High Street/Sixteenth Floor/Columbus, Ohio 43266-0317
(614) 466-3774**



**OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY,
and ATHLETIC TRAINERS BOARD**

WHEREFORE, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any further formal proceedings at this time, DONALD FULLER, knowingly and voluntarily agrees with THE OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY, AND ATHLETIC TRAINERS BOARD ATHLETIC TRAINERS SECTION to the following terms, conditions and limitations:

1. THE OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY, AND ATHLETIC TRAINERS BOARD ATHLETIC TRAINERS SECTION will grant DONALD FULLER a license to practice as an Athletic Trainer.
2. DONALD FULLER will perform continuing education as required under Ohio Law. He further agrees to perform an additional three (3) units prior to the first renewal of his license.
3. DONALD FULLER will be required to adhere to quarterly reviews by the Athletic Trainers Section for a period of one (1) year.
4. DONALD FULLER agrees to practice for a period of one (1) year in a setting or work in conjunction with at least one licensed Athletic Trainer who shall supervise and monitor his practice on a weekly basis.
5. DONALD FULLER will notify the BOARD in writing of the name of the facility or educational institution where he will be practicing for the next year, as well as the Athletic Trainer with whom he will be practicing.
6. DONALD FULLER shall obey all federal, state, and local laws, and all rules governing the practice of Athletic Training in Ohio.

This AGREEMENT shall remain in force for a minimum of one (1) year prior to any request for termination of said AGREEMENT. Otherwise, the above described terms, limitations and conditions may be amended or terminated in writing at any time upon the agreement of both parties.

If, in the discretion of the OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY, AND ATHLETIC TRAINERS BOARD ATHLETIC TRAINERS SECTION, DONALD FULLER appears to have violated or breached any term or condition of this Agreement, THE OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY, AND ATHLETIC TRAINERS BOARD ATHLETIC TRAINERS SECTION reserves the right to institute formal disciplinary proceedings for any and all possible violations or breaches, including but not limited to, alleged violations of the laws of Ohio occurring before the effective date of this Agreement.

Any action initiated by the BOARD based on alleged violations of this CONSENT AGREEMENT shall comply with the Administrative Procedure Act, Chapter 119., Ohio Revised Code.

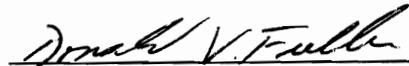
DONALD FULLER hereby releases the BOARD, its members, employees, agents, officers and representatives jointly and severally from any and all liability arising from the within matter.

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**OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY,
and ATHLETIC TRAINERS BOARD**

This CONSENT AGREEMENT shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code. It is expressly understood that this CONSENT AGREEMENT is subject to ratification by the BOARD and shall become effective upon the last date of signature below.


DONALD FULLER

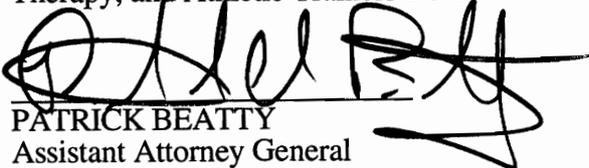
8/7/96
DATE


Witness or Legal Counsel

8/7/96
DATE


WILLIAM R. DAVIS, AT, CHAIRMAN
ATHLETIC TRAINERS SECTION
Ohio Occupational Therapy, Physical
Therapy, and Athletic Trainers Board

10/2/96
DATE


PATRICK BEATTY
Assistant Attorney General

9/30/96
DATE

consent.pt

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**77 South High Street/Sixteenth Floor/Columbus, Ohio 43266-0317
(614) 466-3774**



**OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY,
and ATHLETIC TRAINERS BOARD**

August 6, 1997

Donald Fuller A.T.
823 Scott Hamilton #4
Bowling Green, Ohio 43402

RE: Consent Agreement

Dear Mr. Fuller:

This letter is to inform you that the **Athletic Trainers Section** of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board has reviewed and approved your continuing education units. Furthermore, the Board has determined that you have fulfilled all of the obligations listed in your consent agreement. Your consent agreement will expire on October 2, 1997.

Your cooperation with the Board and our staff is appreciated. Should you have questions, please contact the Board office.

Sincerely,

OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY, AND
ATHLETIC TRAINERS BOARD - Athletic Trainers Section

A handwritten signature in cursive script, reading "Carl Gabriel Williams".

Carl Gabriel Williams, M.P.A.
Executive Director



**OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY,
and ATHLETIC TRAINERS BOARD**

October 2, 1997

Donald Fuller A.T.
701 W. Locust #14
Johnson City, TN 37604

RE: Consent Agreement

Dear Mr. Fuller:

This letter is to inform you that on October 2, 1997, the *Athletic Trainers Section* of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board terminated your consent agreement. Your license is now in good standing; however, please be aware that a record of this disciplinary action will be part of your permanent record.

Your cooperation with the Board and our staff is appreciated.

Sincerely,

OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY, AND
ATHLETIC TRAINERS BOARD - *Athletic Trainers Section*

A handwritten signature in cursive script that reads "Carl Gabriel Williams".

Carl Gabriel Williams, M.P.A.
Executive Director