

**Before The Ohio  
Occupational Therapy, Physical Therapy, and Athletic Trainers Board**

**Occupational Therapy Section**

Cheryl A. Jones  
27450 Tremaine Dr. Apt. #20104  
Euclid, Ohio 44132

IN RE:

The eligibility of Cheryl A. Jones,  
OTA-3344, to retain her license as  
an Occupational Therapy Assistant  
in the State of Ohio

Case No: 06-19 OT

Issue Date: April 3, 2007

**Notice of Opportunity for a Hearing**

**Introduction and Jurisdiction**

Section 4755.10(A) of the Ohio Revised Code authorizes the Board to suspend, revoke, or refuse to issue or renew an occupational therapist or occupational therapy assistant license, or reprimand or place a license holder on probation, for any of the following:

- (3) Violation of any lawful order or rule of the occupational therapy section;

In accordance with Chapter 119 and section 4755.10 of the Ohio Revised Code, you are hereby notified that the Occupational Therapy Section of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board (hereinafter, "**Board**") intends to

determine whether or not to suspend or revoke your occupational therapy assistant license, or reprimand or place you on probation for the following reason:

### **Count 1**

From about August 2006 through October 12, 2006, Jones provided occupational therapy services at 4511 Rockside Rd. Suite 330, Independence, Ohio 44131, as an employee of Supplemental Health Care. On October 12, 2006, Jones indicated that a verbal conflict occurred. As a result of the conflict, Jones left the facility without completing any of her documentation. Arrangements were made by Supplemental Health Care Cleveland office for Jones to be escorted back to the facility to complete her documentation. Jones refused to return to the facility to complete the documentation. Said conduct constitutes a violation of Ohio Revised Code Sections 4755.10(A)(3) Ohio Administrative Code rule 4755-7-08(A)(5)(c).

Ohio Administrative Code rule 4755-7-08 (A)(5)(c) states:  
Pursuant to section 4755.05(E) of the Revised Code, the standard of ethical conduct in the practice of occupational therapy will be as follows: Occupational therapy practitioners shall comply with the laws and rules governing the practice of occupational therapy. Occupational therapy practitioners shall maintain accurate and timely documentation of occupational therapy services.

### **Hearing Procedures**

Pursuant to section 119.07 of the Ohio Revised Code, you have the right to request a hearing on these charges, if your written request for a hearing is received by the Board office, located at 77 South High Street, 16<sup>th</sup> Floor, Columbus, OH 43215, within thirty (30) days of the mailing of this Notice. Further, you are advised that you are entitled to appear at such hearing in person, or by an attorney, or by such other representative who is permitted to practice before the agency. At the hearing, you may present evidence and examine witnesses appearing for or against you. Also, In lieu of personally appearing, you may present your positions, arguments or contentions in writing.

If you do not timely request such a hearing, the Board, upon consideration of the charges cited, may, in your absence, take such disciplinary action it deems appropriate. This action may include, but is not limited to, suspension or revocation of your license.

By Order of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers  
Board:

**Occupational Therapy Section**



Jeffrey M. Rosa  
Executive Director

Certified Mail: 70042510000173519836

**Return Receipt Requested**

cc: PR Casey IV, Assistant Attorney General

Attention Enforcement Division.

5 pages

**COPY**

Before The Ohio  
Occupational Therapy, Physical Therapy and Athletic Trainers Board  
Occupational Therapy Section

IN RE:

The eligibility of Cheryl A. Jones, OTA-3344, to retain her license as an Occupational Therapy Assistant in the State of Ohio

Case No: 06-19 OT

Consent Agreement

This Consent Agreement ("Agreement") is entered into by and between **CHERYL A. JONES**, ("**Jones**") and the **OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY AND ATHLETIC TRAINERS BOARD, OCCUPATIONAL THERAPY SECTION** ("**Board**").

The Board is a state agency, charged with enforcing relevant provisions of Ohio Revised Code Chapter 4755 and all rules promulgated thereunder. **Jones** hereby enters into this Agreement being fully informed of her rights, pursuant to Chapter 4755 and Chapter 119 of the Ohio Revised Code, including the right to representation by counsel and an adjudication hearing.

In consideration of the forgoing and mutual promises hereinafter set forth, **Jones** and the Board hereby agree as follows:

Jurisdiction and Predicate Facts

1. The Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board, Occupational Therapy Section, is empowered by section 4755.10(A) of the Ohio Revised Code to suspend, revoke, or refuse to issue or renew an occupational therapist or occupational therapy assistant license, or reprimand or place a license holder on probation for any of the following:

(3) Violation of any lawful order or rule of the occupational therapy section;



- 2. Jones currently holds a license to practice as an occupational therapy assistant in the State of Ohio, and is subject to all laws and rules of Ohio regulating the practice of occupational therapy.
- 3. Jones was initially licensed as an occupational therapy assistant in the State of Ohio on January 31, 2005.
- 4. From about August 2006 through October 12, 2006, Jones provided occupational therapy services for <sup>for Nursing Home</sup> 4511 Rockside Rd. Suite 330, Independence, Ohio 44131, as an employee of Supplemental Health Care. On October 12, 2006, Jones indicated that a verbal conflict occurred. As a result of the conflict, Jones was asked to leave the facility. Arrangements were made by Supplemental Health Care Cleveland office for Jones to be escorted back to the facility to complete the outstanding patient documentation. Jones refused to return to the facility to complete the documentation. Said conduct constitutes a violation of Ohio Revised Code section 4755.10(A)(3) and Ohio Administrative Code rule 4755-7-08(A)(5)(c).

Admissions

- 1. Jones hereby admits and acknowledges that she has received proper notice of her right to a formal hearing pursuant to Ohio Revised Code Chapter 119.
- 2. Jones hereby knowingly waives all rights to a formal hearing in this matter, and agrees that this Agreement shall have the full force and effect of an Order duly entered in accordance with those procedures set forth in Ohio Revised Code Chapter 119 and Chapter 4755 relating to administrative proceedings.
- 3. Jones admits that the facts as set forth above are true and accurate and expressly waives all rights to challenge said facts.
- 4. Jones admits that the facts set forth above constitute a violation of Ohio law thereby subjecting her to disciplinary action by the Board, pursuant to section 4755.10 of the Ohio Revised Code.

Terms

WHEREFORE, in consideration of the foregoing, and in lieu of any further disciplinary action, Jones and the Board, knowingly and voluntarily agree to the following terms:

- 1. Jones agrees that this Agreement serves as a written reprimand.

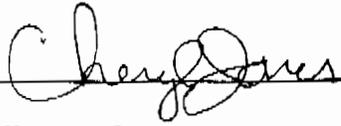


2. Jones agrees to complete at least a one hour ethics course and submit proof of completion to the Board. Taking the Ohio Laws and Rules exam will not count towards the one hour ethics requirement. Jones shall complete the ethics course requirement within thirty days (30) and submit proof to the Board no later than forty-five days (45) of the ratification of this agreement. Verification of course completion shall be submitted to the attention of the Enforcement Division of the Board.
3. Failure to abide by the terms of this Agreement shall constitute an actionable violation in and of itself without further proof and may subject Jones to any and all disciplinary remedies to the Occupational Therapy Section including, but not limited to, revocation.
4. Jones hereby releases the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board, its members, employees, agents and officers jointly and severally from any and all liability from the within matter.
5. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code 149.43.
6. All parties to this Agreement understand that this information will be sent to the Federal Department of Health and Human Services' Healthcare Integrity and Protection Data Bank (HIPDB), pursuant to 42 U.S.C. §1320a-7e(b), 5 U.S.C. §5525a, and 45 C.F.R. pt. 61
7. By her signature on this Agreement, Jones agrees that in the event the Board, in its discretion, does not approve this Agreement, this settlement offer is withdrawn and shall be of no evidentiary value and shall not be relied upon or introduced in any disciplinary action or appeal by either party. Jones agrees that should the Board reject this Agreement and if this case proceeds to hearing, she will assert no claim that the Board was prejudiced by its review and discussion of this Agreement or of any information relating thereto.
8. By adopting and executing this Agreement, the Board hereby acknowledges that this Agreement is a full and final settlement of the within matter and agrees that it will not pursue further action against Jones resulting from the aforementioned conduct.
9. This 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 Agreement.

I, **CHERYL A. JONES**, have carefully read the above agreement and enter into it freely and voluntarily with full knowledge of its force and effect, and full knowledge of my rights under Ohio law. By executing this agreement, I recognize that if, in the discretion of the Board it appears that I have breached any terms or conditions of this consent agreement, the Board may

initiate formal disciplinary proceedings which may be based solely upon a breach of the consent agreement. If the Board finds a breach of this consent agreement, it may impose any disciplinary remedy available under Ohio law.

The terms and conditions of this agreement shall not become effective until approved by the Board and executed pursuant to its approval.



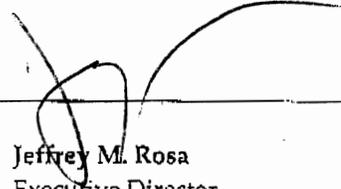
Cheryl A. Jones

6/8/07

DATE

Counsel to Cheryl A. Jones  
(If represented)

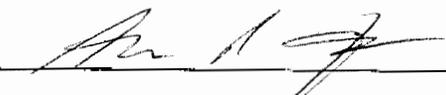
DATE



Jeffrey M. Rosa  
Executive Director

6-19-07

DATE

  
~~PR Casey IV~~ Aaron D. Epstein  
Assistant Attorney General

6/21/07

DATE

 **COPY**



**Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board**

77 South High Street, 16<sup>th</sup> Floor  
Columbus, Ohio 43215-6108

Governor  
*Ted Strickland*  
Executive Director  
*Jeffrey M. Rosa*

August 8, 2007

Cheryl A. Jones, OTA #3344  
470 Mayflower Avenue  
Brentwood, NY 11717

RE: Consent Agreement

Dear Ms. Jones:

This letter is to inform you that the Occupational Therapy Section of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board has released you from your consent agreement. After reviewing your file at the August 7, 2007 Occupational Therapy Section Investigative meeting, it was determined that you have fulfilled all of the obligations listed in your consent agreement. I am pleased to inform you that your license is now without restrictions. 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. With your continuing cooperation and support, we can ensure the best possible service delivery for individuals receiving occupational therapy in the State of Ohio.

Sincerely,  
OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY, AND  
ATHLETIC TRAINERS BOARD - **Occupational Therapy Section**

Lisa S. Foor, M.S.A.  
Enforcement Division Supervisor

cc: Licensure File