

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

Occupational Therapy Section

Stephanie C. Jeffrey
3180 Clearview Rd
Ravenna, Ohio 44266

IN RE:

The eligibility of Stephanie C. Jeffrey,
OTA-04177, to retain her license as an
Occupational Therapy Assistant in the
State of Ohio

Case No: OT FY09-024

Issue Date: July 16, 2009

Notice of Opportunity for a Hearing

Introduction and Jurisdiction

Section 4755.11(A) of the Ohio Revised Code authorizes the Board to suspend, revoke, or refuse to issue or renew an occupational therapist license, occupational therapy assistant license, occupational therapist limited permit, occupational therapy assistant limited permit, or reprimand, fine, or place a license or limited permit holder on probation, for any of the following:

- (2) Violation of any provision of sections 4755.04 to 4755.13 of the Revised Code;
- (14) Working or representing oneself as an occupational therapist, occupational therapy assistant, occupational therapist limited permit holder, or occupational therapy assistant limited permit holder without a current and valid license or limited permit issued by the occupational therapy section;

In accordance with Chapter 119 and section 4755.11 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, fine, or place you on probation for the following reason:

Count 1

You engaged in the practice of occupational therapy, as that term is defined in section 4755.04(A) of the Ohio Revised Code, as an employee of Blue Sky Therapy, (510 W. Main Street, Suite B, Canfield, Ohio, 44406), while working at Stow Glenn Retirement Village, located at 4285 Kent Rd, Stow, Ohio 44224, when you did not hold an occupational therapy assistant license on the following dates:

November 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 28, 2008;

December 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 15, 16, 18, 19, 20, 21, 22, 23, 24, 26, 29, 30 and 31, 2008;

January 2, 3, 7, 8, 9, 10, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 26, 27, 28, 29, and 30, 2009;

February 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 23, 24, and 27, 2009;

March 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, 30 and 31, 2009;

April 1, 2, 3, 6, 7, 8, 9, 10, 13, 14, 15, and 16, 2009.

Said conduct constitutes a violation of Ohio Revised Code sections 4755.11(A)(2) & (14), and 4755.05.

Ohio Revised Code section 4755.05 states:

No person who does not hold a current license or limited permit under sections 4755.04 to 4755.13 of the Revised Code shall practice or offer to practice occupational therapy, or use in connection with the person's name, or otherwise assume, use, or advertise, any title, initials, or description tending to convey the impression that the person is an occupational therapist or an occupational therapy assistant. No partnership, association, or corporation shall advertise or otherwise offer to provide or convey the impression that it is providing occupational therapy unless an individual holding a current license or limited permit under section 4755.04 to 4755.13 of the Revised Code is or will at the appropriate time be rendering the occupational therapy services to which reference is made.

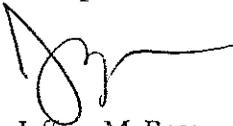
Hearing Procedures

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, 16th 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.

Please be advised that under section 4755.031 of the Ohio Revised Code, a person sanctioned under section 4755.11, 4755.47, 4755.482, or 4755.64 of the Revised Code shall pay a fee in the amount of the actual cost of the administrative hearing including the cost of the court reporter, the hearing officer, transcripts, and any witness fees for lodging and travel, as determined by the appropriate section of the board. The fee shall be collected by the appropriate section.

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



Jeffrey M. Rosa
Executive Director

Certified Mail: 7004 1160 0000 5922 4009

Return Receipt Requested

cc: Yvonne Tertel, Principal Assistant Attorney General

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

Occupational Therapy Section

IN RE:

The eligibility of Stephanie C. Jeffrey,
OTA-04177, to retain her license as an
Occupational Therapy Assistant in the
State of Ohio

Case No: OT FY09-024

Consent Agreement

This Consent Agreement ("Agreement") is entered into by and between **Stephanie C. Jeffrey**, ("Jeffrey") 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. Jeffrey hereby enters into this Agreement being fully informed of her rights, including those under Chapter 4755 and Chapter 119, 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, Jeffrey 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 4755.11(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, fine, or place a license holder on probation for any of the following:
 - (2) Violation of any provision of sections 4755.04 to 4755.13 of the Revised Code;
 - (14) Working or representing oneself as an occupational therapist, occupational therapy assistant, occupational therapist limited permit holder, or occupational therapy assistant limited permit holder without a current and valid license or limited permit issued by the occupational therapy section;

2. Ohio Revised Code section 4755.05 states:
"No person who does not hold a current license or limited permit under sections 4755.04 to 4755.13 of the Revised Code shall practice or offer to practice occupational therapy, or use in connection with the person's name, or otherwise assume, use, or advertise, any title, initials, or description tending to convey the impression that the person is an occupational therapist or an occupational therapy assistant. No partnership, association, or corporation shall advertise or otherwise offer to provide or convey the impression that it is providing occupational therapy unless an individual holding a current license or limited permit under section 4755.04 to 4755.13 of the Revised Code is or will at the appropriate time be rendering the occupational therapy services to which reference is made."

3. Jeffrey engaged in the practice of occupational therapy, as that term is defined in section 4755.04(A) of the Ohio Revised Code, as an employee of Blue Sky Therapy, (510 W. Main Street, Suite B, Canfield, Ohio, 44406), while working at Stow Glenn Retirement Village, located at 4285 Kent Rd, Stow, Ohio 44224, when you did not hold an occupational therapy assistant license on the following dates:

November 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 28, 2008;

December 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 15, 16, 18, 19, 20, 21, 22, 23, 24, 26, 29, 30 and 31, 2008;

January 2, 3, 7, 8, 9, 10, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 26, 27, 28, 29, and 30, 2009;

February 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 23, 24, and 27, 2009;

March 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, 30 and 31, 2009;

April 1, 2, 3, 6, 7, 8, 9, 10, 13, 14, 15, and 16, 2009.

Said conduct constitutes a violation of Ohio Revised Code sections 4755.11(A)(2) & (14), and 4755.05.

4. Jeffrey was initially licensed as an occupational therapy assistant in the State of Ohio on April 21, 2009.

5. Jeffrey 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.

Admissions

1. Jeffrey 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. Jeffrey 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. Jeffrey admits that the facts as set forth above are true and accurate and expressly waives all rights to challenge said facts.
4. Jeffrey 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 4755.11 of the Ohio Revised Code.

Terms

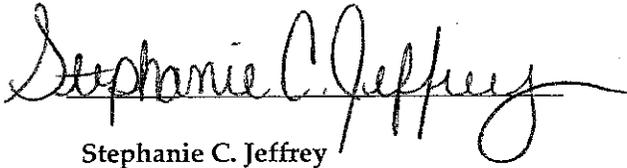
WHEREFORE, in consideration of the foregoing, and in lieu of any further disciplinary action, Jeffrey and the Board, knowingly and voluntarily agree to the following terms:

1. Jeffrey agrees that this Agreement serves as a written reprimand.
2. Jeffrey shall pay a fine of \$600.00 within thirty (30) days of the effective date of the agreement. Acceptable forms of payment include cashier's check, business check, or money order. Payments should be made payable to "Treasurer, State of Ohio."
3. Jeffrey shall develop a Personal Plan of Action to ensure future compliance with occupational therapy licensing and renewal procedures. This plan shall address how Jeffrey intends to keep a current and valid license in accordance with license renewal procedures. Jeffrey shall submit the plan within forty-five (45) days of the effective date of this consent agreement.
4. Jeffrey shall provide a copy of the consent agreement to any current and future employers during the term of this agreement. Jeffrey's employer(s) must send written notification on company letterhead to the Enforcement Division indicating that they were provided with a copy of this agreement. Jeffrey shall ensure that this notification by her employer is received within (30) days of the effective date of this agreement. If Jeffrey changes employers during the course of this agreement, she shall ensure that written notification by her new employer(s) is received within thirty (30) days of her start date.

5. Jeffrey agrees to abide by all federal, state, and local laws, and all laws and rules governing the practice of occupational therapy in the State of Ohio.
6. Failure to abide by the terms of this Agreement shall constitute an actionable violation in and of itself without further proof and may subject Jeffrey to any and all disciplinary remedies to the Occupational Therapy Section including, but not limited to, revocation.
7. Jeffrey 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.
8. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code section 149.43.
9. 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
10. By her signature on this Agreement, Jeffrey 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. Jeffrey 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.
11. 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 Jeffrey resulting from the aforementioned conduct.
12. 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, **Stephanie C. Jeffrey**, 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.



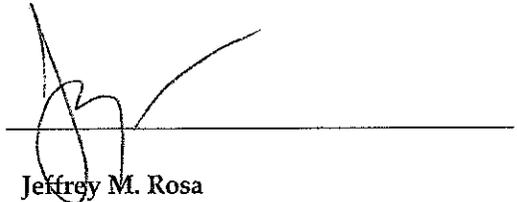
Stephanie C. Jeffrey

8-8-2009

DATE

Counsel to Stephanie C. Jeffrey
(If represented)

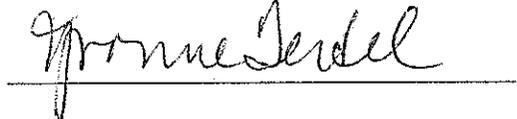
DATE



Jeffrey M. Rosa
Executive Director

9-17-09

DATE



Yvonne Tertel
Principal Assistant Attorney General

9/17/2009

DATE