



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

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**CONSENT AGREEMENT  
BETWEEN  
EDWARD SWINARSKI  
AND  
THE OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY, AND ATHLETIC  
TRAINERS BOARD, PHYSICAL THERAPY SECTION**

This CONSENT AGREEMENT is entered into by and between EDWARD SWINARSKI, AND THE OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY, AND ATHLETIC TRAINERS BOARD PHYSICAL THERAPY SECTION [hereinafter PHYSICAL THERAPY SECTION] The PHYSICAL THERAPY SECTION IS A STATE AGENCY CHARGED WITH ENFORCING CHAPTER 4755.40 to 4755.56 of the Ohio Revised Code.

EDWARD SWINARSKI, voluntarily enters into this agreement being fully informed of his rights under Chapter 119., of the Ohio Revised Code, including the right to representation by council 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 PHYSICAL THERAPY SECTION is empowered by Section 4755.47 Ohio Revised Code, to suspend, revoke, or refuse to issue or renew any Physical therapist of physical therapist assistant's license, for any of the enumerated violations.
- B. The PHYSICAL THERAPY 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 PHYSICAL THERAPY SECTION attached hereto as Exhibit A and incorporated herein by this reference, The additional formal proceedings based upon any other violations of Chapter 4755.40 to 4755.56 of the Ohio Revised Code whether occurring before or after the effective date of this AGREEMENT
- C. EDWARD SWINARSKI has applied for licensure as a physical therapist in the State of Ohio.
- D. EDWARD SWINARSKI admits the factual and legal allegations set forth in the Notice of Opportunity for Hearing issued by the PHYSICAL THERAPY SECTION attached hereto as Exhibit A and incorporated herein by reference.

WHEREFORE, in consideration of the Foregoing and mutual promises hereinafter set forth, and in lieu of any further formal proceedings at this time, EDWARD SWINARSKI, knowingly and voluntarily agrees with the PHYSICAL THERAPY SECTION to following terms, conditions and limitations:

1. PHYSICAL THERAPY SECTION will grant EDWARD SWINARSKI a license to practice as a physical therapist.



**OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY,  
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2. EDWARD SWINARSKI shall obey all federal, state, and local laws, and all laws and rules governing the practice of Physical therapy in Ohio.
3. EDWARD SWINARSKI shall perform continuing education as required under Ohio Law. He further agrees to perform an additional ten (10) units of continuing education prior to the expiration of his license.
4. EDWARD SWINARSKI shall adhere to quarterly reviews by the PHYSICAL THERAPY SECTION for a period of (1) year.
5. EDWARD SWINARSKI shall practice for a period of one year in a setting of work in conjunction with at least one licensed physical therapist who shall supervise and monitor his practice on a weekly basis.
6. EDWARD SWINARSKI shall notify the PHYSICAL THERAPY SECTION in writing of the name of the facility or educational institution where he will be practicing for next year, and of the physical therapist required in paragraph five (5) above.

This AGREEMENT shall remain in force for a minimum of one year. 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 PHYSICAL THERAPY SECTION, EDWARD SWINARSKI appears to have violated or breached any term or condition of this Agreement, PHYSICAL THERAPY 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 PHYSICAL THERAPY SECTION based on an alleged violation of this CONSENT AGREEMENT shall comply with the Administrative Procedure Act, Chapter 119., Ohio Revised Code.

EDWARD SWINARSKI hereby releases the OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY, AND ATHLETIC TRAINERS BOARD, its members, employees, agents, officers and representatives jointly and severally from any and all liability arising from the within matter.

EDWARD SWINARSKI hereby releases the OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY, AND ATHLETIC TRAINERS BOARD, its members, employees, agents officers and representatives jointly and severally form any all liability arising from the within matter.

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 PHYSICAL THERAPY SECTION and shall become effective upon the last date of signature below.

  
EDWARD SWINARSKI

1-3-97  
DATE



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

*[Handwritten Signature]*

Witness of Legal Counsel

*January 3, 1997*  
DATE

*Sandra Pomeroy*

SANDRA POMEROY, PT, CHAIRPERSON  
PHYSICAL THERAPY SECTION  
Ohio Occupational Therapy, Physical  
Therapy, and Athletic Trainers Board

*1/15/97*

*[Handwritten Signature]*

PATRICK BEATTY  
Assistant Attorney General

*1/15/97*  
DATE