

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

CONSENT AGREEMENT

This Consent Agreement ("Agreement") is entered into by and between SHARMAINE WORKMAN, PT ("Workman") and the OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY AND ATHLETIC TRAINERS BOARD, PHYSICAL THERAPY SECTION ("Board").

The Board is a state agency, charged with enforcing relevant provisions of Ohio Revised Code Chapter 4755. Workman is a Physical Therapist licensed in the State of Ohio and is therefore subject to the jurisdiction of the Board. Workman 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 to the entry of formal charges and the right to a hearing on those charges. By entering into this agreement, Workman knowingly and voluntarily waives any and all rights she may have in order to bring this issue to a mutually satisfactory conclusion and to avoid litigation and expense to all parties.

In consideration of the foregoing and mutual promises hereinafter set forth, Workman and the Board hereby agree as follows:

1. The Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board, Physical Therapy Section, is empowered by Section 4755.47 of the Ohio Revised Code to suspend, revoke, reprimand, or place on probation any licensee that the Board determines has violated Section 4755.47 of the Revised Code or any order or rule adopted there under.
2. Workman hereby admits and acknowledges that she has received proper notice of her rights to a formal hearing pursuant to Ohio Revised Code Chapter 119.
3. The Board has conducted an investigation into the conduct of Workman and has brought certain issues to her attention that could constitute licensure violations if charged by the Board.
4. The Board and Workman, in order to resolve this issue without the need for further proceedings have agreed to enter into this consent Agreement before a formal Notice of Opportunity is issued. Workman, hereby acknowledges she has been informed and understands the nature of the Board's concerns and waives her right to the issuance of a Notice of Opportunity
6. Workman hereby knowingly waives all rights to a formal hearing in this matter, and agrees that this Consent 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.
7. Workman neither admits nor denies that she has engaged in conduct that would subject her to discipline if proven.

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

1. This consent agreement shall serve as a written reprimand.
2. Workman agrees to cease and desist from the activity that gave rise to the Board's investigation. The substance of which involved the unlawful delegation of task within a multi-disciplinary practice setting.
3. Workman agrees to fully cooperate with any continuing or subsequent investigation of the matter and/or of the facility that gave rise to this Consent agreement. Workman understands that cooperation includes but is not limited to providing testimony at any subsequent administrative hearing if one arises.
4. Workman agrees to abide by all federal, state, and local laws, and all laws and rules governing the practice of physical therapy in the State of Ohio.

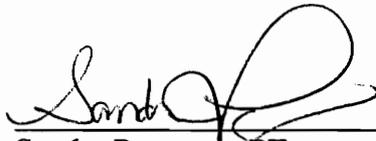
5. Failure to abide by the terms of this agreement shall constitute an actionable violation in and of itself without further proof and may subject Workman to any and all disciplinary remedies to the Physical Therapy Section including, but not limited to, revocation of her physical therapist license.
6. Workman 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.
7. All parties to this agreement understand that this document is a public record pursuant to Ohio Revised Code 149.43.
8. All parties to this agreement understand that this information will be sent to the Healthcare Integrity and Protection Data Bank pursuant to amended Section 1128E of the Social Security Act.
9. By adopting and executing this Consent Agreement, the Ohio Occupational Therapy, Physical Therapy and Athletic Trainer's Board, Physical Therapy Section hereby acknowledges that this Consent Agreement is a full and final settlement of the within matter and agrees that it will not pursue further action against Workman resulting from the aforementioned conduct.

I, Sharmaine Workman, 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 Physical Therapy Section, Physical Therapy and Athletic Trainers Board, it appears that I have breached any terms or conditions of this Consent Agreement, the Board may initiate formal disciplinary proceedings that 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.

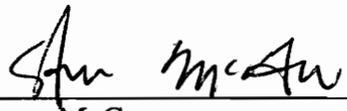
The terms and conditions of this agreement shall not become binding upon the Board until executed pursuant to its' approval.

Sharmaine Workman, PT #7889
Sharmaine Workman, PTA
Error SW 11/23/03

11-23-03
Date


Sandra Pomeroy, PT
Chairperson, Ohio Occupational Therapy,
Physical Therapy, and Athletic Trainers Board,
Physical Therapy Section

1-15-04
Date


Steven McGann
Assistant Attorney General
Physical Therapy Section

1-15-04
Date

BOARD SEAL



Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board

Governor
Bob Taft

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

OT Section Chair
Martha Cameron, O.T.

PT Section Chair
Sandra Pomeroy, P.T.

AT Section Chair
Kurt McClurg, A.T.

Joint Board President
Amy Heilmann-Rocco, P.T.

October 24, 2003

Sharmaine Workman
4140 Chico Court
Springfield, OH 45502

Dear Ms. Workman:

The Physical Therapy Section of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board proposes to take disciplinary action against your Ohio physical therapy license.

In lieu of a formal disciplinary proceeding, the Investigative Committee offers the enclosed proposed Agreement. Bear in mind that this is a proposed Consent Agreement and will only become effective upon ratification by a majority of the Board. If the items contained within the proposed Consent Agreement are acceptable to you, then please sign this document and return it to the Board office within thirty (30) days of the mailing of this Consent Agreement.

If you have any questions or if I can offer you any additional assistance, please contact Lisa Foor, Enforcement Division Supervisor, at (800) 871-1921, ext. 68083.

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

Sandra Pomeroy P.T.
Sandra Pomeroy, P.T.
Chair, Physical Therapy Section

Cc: Steven McGann, Assistant Attorney General

Certified Mail: 7001 0360 0002 4132 6096
Return Receipt Requested

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PHYSICAL THERAPY AND ATHLETIC TRAINERS BOARD
PHYSICAL THERAPY SECTION

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Sharmaine Workman, PT #7889
Sharmaine Workman, PTA
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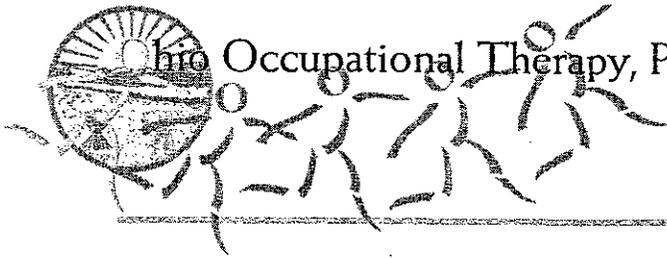
Sandra Pomeroy
Sandra Pomeroy, PT
Chairperson, Ohio Occupational Therapy,
Physical Therapy, and Athletic Trainers Board,
Physical Therapy Section

1-15-04
Date

Steven McGann
Steven McGann
Assistant Attorney General
Physical Therapy Section

1-15-04
Date

BOARD SEAL



Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board

Governor
Bob Taft

Executive Director
Jeffrey M. Rosa

January 21, 2004

Sharmaine Workman, PT
4140 Chico Court
Springfield, Ohio 45502

RE: Consent Agreement

Dear Ms. Workman:

Enclosed please find a copy of the executed consent agreement between you and the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board.

If you have any questions, please contact me at (614) 466-8083.

Thank you for your cooperation.

Sincerely,

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

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

Enclosures