

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

IN RE:

Proposal to Suspend, Revoke or Take : Case Number: 02-022 PT  
Other Disciplinary Action with Regard to 02-026 PT  
Dennis Cooke's Ability to Practice Physical  
Therapy in the State of Ohio : Issue Date: January 17, 2003

**NOTICE OF OPPORTUNITY FOR A HEARING**

**INTRODUCTION AND JURISDICTION**

Dennis Cooke ("Cooke") currently holds a license to practice physical therapy in the State of Ohio.

The Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board ("Board") has conducted an investigation of the physical therapy activities of Cooke and, as a result of such investigation, alleges that Cooke has committed violations of the Physical Therapy Practice Act, Ohio Revised Code Chapter 4755, that render him not suitable to be licensed as a physical therapist.

In accordance with Chapter 119 and Chapter 4755 of the Ohio Revised Code ("R.C.") Cooke is hereby notified that the Board intends to take disciplinary action against his license to practice physical therapy in the State of Ohio. The grounds for such action are described below.

**COUNT 1**

On or about July 3, 2002 while employed as a physical therapist at Oak Grove Manor, 1670 Crider Road, Mansfield, Ohio, 44903, Cooke falsified treatment for Patient A by documenting a physical therapy evaluation that never occurred. Said conduct constitutes a violation of the American Physical Therapy Association Code of Ethics Principals 2.2, 3.1, 4.1(E), 8.2(D), and 9.1(B) as incorporated into Ohio law by R.C. 4755.47 (A)(5).

**COUNT 2**

On or about July 3, 2002, while employed as a physical therapist at Oak Grove Manor, 1670 Crider Road, Mansfield, Ohio, 44309, Cooke falsified a physical therapy treatment record for Patient B, by documenting a treatment which never occurred. Said conduct constitutes a violation of the American Physical Therapy Association Code of Ethics Principals 2.2, 3.1, 4.1(E), 8.2(D), and 9.1(B) as incorporated into Ohio law by R.C. 4755.47 (A)(5).

**COUNT 3**

In your treatment of Patient C, commencing on or about January 23, 2002, through on or about June 21, 2002, while employed as a physical therapist at Peak Rehab, 812 Park Avenue East, Mansfield, Ohio, 44905, you failed to countersign reports written by the physical therapist assistant for inclusion in the patient's record. Said conduct constitutes a violation of Ohio Administrative Code 4755-27-02, and the American Physical Therapy Association Code of Ethics Principal 4.1(E) as incorporated into Ohio law by R.C. 4755.47 (A)(5).

**COUNT 4**

In your treatment of Patient D, commencing on or about November 8, 2001, through on or about June 21, 2002, while employed as a physical therapist at Peak Rehab, 812 Park Avenue East, Mansfield, Ohio, 44905, you failed to countersign reports written by the physical therapist assistant for inclusion in the patient's record. Said conduct constitutes a violation of Ohio Administrative Code 4755-27-02, and the American Physical Therapy Association Code of Ethics Principal 4.1(E) as incorporated into Ohio law by R.C. 4755.47 (A)(5).

**COUNT 5**

In your treatment of Patient E, commencing on or about April 25, 2002, through on or about June 21, 2002, while employed as a physical therapist at Peak Rehab, 812 Park Avenue East, Mansfield, Ohio, 44905, you failed to countersign reports written by the physical therapist assistant for inclusion in the patient's record. Said conduct constitutes a violation of Ohio Administrative Code 4755-27-02, and the American Physical Therapy Association Code of Ethics Principal 4.1(E) as incorporated into Ohio law by R.C. 4755.47 (A)(5).

**COUNT 6**

In your treatment of Patient F, commencing on or about April 1, 2002, through on or about June 21, 2002, while employed as a physical therapist at Peak Rehab, 812 Park Avenue East, Mansfield, Ohio, 44905, you failed to countersign reports written by the physical therapist assistant for inclusion in the patient's record. Said conduct constitutes a violation of Ohio Administrative Code 4755-27-02 and the American Physical Therapy Association Code of Ethics Principal 4.1(E) as incorporated into Ohio law by R.C. 4755.47 (A)(5).

**COUNT 7**

In your treatment of Patient G, commencing on or about April 29, 2002, through on or about June 21, 2002, while employed as a physical therapist at Peak Rehab, 812 Park Avenue East, Mansfield, Ohio, 44905, you failed to countersign reports written by the physical therapist assistant for inclusion in the patient's record. Said conduct constitutes a violation of Ohio Administrative Code 4755-27-02, and the American Physical Therapy Association Code of Ethics Principal 4.1(E) as incorporated into Ohio law by R.C. 4755.47 (A)(5).

A copy of Ohio Revised Code Chapter 4755 including the American Physical Therapy Association Code of Ethics is included and incorporated by reference as if completely rewritten herein.

**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 within thirty (30) days of the mailing of this Notice. 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.

Further, you are advised that you are entitled to appear at such hearing in person, or by an attorney, or you may present your positions, arguments or contentions in writing. At the hearing, if so requested, you may present evidence and examine witnesses appearing for or against you.

**BY ORDER OF THE OCCUPATIONAL THERAPY, PHYSICAL THERAPY,  
AND ATHLETIC TRAINERS BOARD -  
PHYSICAL THERAPY SECTION**

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

RF

cc: Scott Myers, Assistant Attorney General

Enclosure

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

**IN RE:  
THE ELIGIBILITY OF DENNIS COOKE,  
PT-9278, TO RETAIN HIS LICENSE  
AS A PHYSICAL THERAPIST  
IN THE STATE OF OHIO**

**ADJUDICATION ORDER**

This matter came on for consideration before the Physical Therapy Section of the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board ("The Board") at its regularly scheduled meeting of April 3, 2003.

A hearing was convened before the full Board presided over by Chairperson Sandra Pomeroy. Scott Myers, Assistant Attorney General, appeared on behalf of the Board.

After the close of evidence the Board deliberated on the matter and hereby makes the following findings:

Pursuant to Revised Code Chapters 4755 and 119 and Ohio Administrative Code Chapter 4755-21-03, the Board has jurisdiction over this matter.

On January 17, 2003, Respondent was informed by letter of the Board's intent to take disciplinary action against his license to practice physical on the basis that he violated Ohio Administrative Code 4755-27-02 and the American Physical Therapy Association Code of Ethics Principles 2.2, 3.1, 4.1 (E), 8.2 (D), and Principle 9.1 (B) as incorporated into Ohio law by Ohio Revised Code 4755.47 (A)(5). Specifically, the notice alleged that Respondent falsified treatment by documenting a physical therapy evaluation and treatment which never occurred while employed as a physical therapist at Oak Grove Manor, 1670 Crider Road, Mansfield, Ohio, 44903. In addition, the notice alleged that Respondent failed to countersign reports written by a physical therapist assistant for inclusion in the patient's record while employed as a physical therapist at Peak Rehab, 812 Park Avenue East, Mansfield, Ohio, 44905.

Pursuant to Ohio Revised Code 119.07, Respondent did not timely request a hearing.

On January 19, 2003 a correspondence was received from Respondent addressing the allegations in the notice and admitting his late reply to the notice.

A hearing was held before the Board on April 3, 2003 in which Respondent was not present.

After thorough review of the evidence and due deliberation, a majority of the Board further finds:

That a preponderance of the evidence supports the conclusion that Respondent falsified treatments by documenting an evaluation and treatment for two patients receiving treatment at Oak Grove Manor which never occurred, and Respondent repeatedly failed to countersign reports written by the physical therapist assistant for inclusion in the patient's record while employed at Peak Rehab, thereby evidencing a lack of supervision as required by Ohio law.

WHEREFORE; based upon the above findings it is the conclusion of the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board, Physical Therapy Section, that Respondent has violated Ohio Administrative Code 4755-27-02, and the American Physical Therapy Association Code of Ethics Principles 2.2, 3.1, 4.1 (E), 8.2 (D), and 9.1 (B), as incorporated into Ohio law by Ohio Revised Code 4755.47 (A)(5).

That at the April 3, 2003 meeting, a roll call vote was taken which resulted in the adoption of the conclusions set forth above.

**Therefore, it is the order of the Physical Therapy Section of the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board that the physical therapist license of Dennis Cooke is hereby REVOKED.**

Section 119.12, Ohio Revised Code, may authorize an appeal from this Order. Such appeal may be taken to the court of common pleas of the county in which your place of business is located, or the county in which you are a legal resident. If you are not a legal resident and have no place of business in this state, you may appeal to the Franklin County Court of Common Pleas. Such appeal must be commenced by filing with the board of an original notice of appeal within fifteen (15) days of the mailing of this order, and by filing a copy of such notice of appeal within fifteen (15) days in the appropriate court of common pleas. The notice of appeal must set forth the order appealed from and the grounds for such appeal, and must be in accordance with the provisions of Section 119.12.



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

4-15-03

Date