

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

Physical Therapy Section

IN RE:

The eligibility of Cindy Bodamer to retain her license as a Physical Therapist Assistant, PTA-1398, in the State of Ohio

Case No: 05-006 PT

Issue Date: December 6, 2005

Notice of Opportunity for a Hearing

Introduction and Jurisdiction

Section 4755.47(A) of the Ohio Revised Code authorizes the Board to refuse to grant a license to an applicant for an initial or renewed license as a physical therapist or physical therapist assistant or, by vote of at least five members, may suspend or revoke the license of a physical therapist or physical therapist assistant or reprimand or place a license holder on probation, on any of the following grounds:

- (2) Conviction of a felony or a crime involving moral turpitude, regardless of the state or country in which the conviction occurred;

In accordance with Chapter 119 and section 4755.47 of the Ohio Revised Code, you are hereby notified that the Physical 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 physical therapist assistant license, or reprimand or place you on probation for one or more of the following reason(s):

Count 1

On or about June 3, 2005, you were convicted of four counts of Deception to Obtain a Dangerous Drug, felonies of the fifth degree. Said conduct constitutes a violation of Ohio Revised Code section 4755.47(A)(2).

Count 2

On or about June 3, 2005, you were convicted of one count of Deception to Obtain a Dangerous Drug, a felony of the fourth degree. Said conduct constitutes a violation of Ohio Revised Code section 4755.47(A)(2).

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.

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



Jeffrey M. Rosa
Executive Director

cc: Steven McGann, Assistant Attorney General

Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board

*Governor
Bob Taft
Executive Director
Jeffrey M. Rosa*

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

Physical Therapy Section

In Re:

The eligibility of Cindy Bodamer, PTA-1398 to retain her license as a Physical Therapist Assistant in the state of Ohio.

Case Number: 05-006 PT

Adjudication Order

This matter came for hearing before the Physical Therapy Section of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board (hereinafter "Board") on the 16th day of February 2006.

The State was represented by Assistant Attorney General Steven McGann.

Cindy Bodamer (hereinafter "Bodamer") was not present.

The State presented an affidavit from Jason Schutte and the following exhibits:

- Exhibit 1:** Verification of Bodamer's license status from the Board's website dated February 13, 2006.
- Exhibit 2:** A certified copy of Bodamer's criminal conviction on or about July 11, 2005 in the Cuyahoga County Court of Common Pleas, Cleveland Ohio.
- Exhibit 3:** A copy of the first Notice of Opportunity for Hearing (hereinafter "Notice #1") sent to Bodamer on July 12, 2005.
- Exhibit 3a:** A copy of Notice #1 returned to the Board office marked unclaimed.
- Exhibit 4:** A copy of the Consent Agreement (hereinafter "Agreement") sent to Bodamer's attorney, Mathew Hudson, on July 27, 2005.
- Exhibit 4a:** A copy of the certified mail receipt, dated July 29, 2005, for the Agreement
- Exhibit 5:** A copy of notification from Mathew Hudson that he is no longer representing Bodamer.

- Exhibit 6:** A copy of a letter from Bodamer indicating her desire to surrender her license, original wall certificate, and current pocket identification card.
- Exhibit 7:** A copy of the second Notice of Opportunity for Hearing (hereinafter "Notice #2") sent to Bodamer on October 5, 2005.
- Exhibit 7a:** A copy of Notice #2 returned to the Board office marked unclaimed.
- Exhibit 8:** A copy of the Notice of Opportunity for Hearing (hereinafter "Notice #3") hand delivered by Jason Schutte to Bodamer on December 6, 2005 in Cleveland Ohio.

After review of the evidence and testimony, the Board makes the following findings of fact:

1. On or about July 11, 2005 Bodamer was sentenced by the Cuyahoga County Court of Common Pleas, Cleveland, Ohio, after she pled guilty to counts of:
 - a. Deception to obtain a dangerous drug / 2925.22 F5 as charged in counts 1, 2, 3, and 4.
 - b. Deception to obtain a dangerous drug / 2925.22 F4 as charged in count 8. See Exhibit 2.
2. Bodamer received the Notice of Opportunity for Hearing on December 6, 2005, by hand delivery, informing her of the Board's intent to take disciplinary action against her license as a physical therapist assistant in the state of Ohio for being convicted of multiple felony counts.
3. Bodamer failed to request a hearing on the aforementioned charge.

After review of the evidence and testimony, the Board makes the following conclusion of law:

1. Bodamer violated section 4755.47(A)(2) of the Ohio Revised Code by being convicted of multiple felony counts.

Wherefore, based on the evidence and the above findings, it is the conclusion of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board, Physical Therapy Section, that Cindy Bodamer violated section 4755.47(A)(2) of the Ohio Revised Code.

At the February 16, 2006 hearing, a vote was taken which resulted in the adoption of the following order:

Therefore, it is the order of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board, Physical Therapy Section, that the license of Cindy Bodamer as a Physical Therapist Assistant in the state of Ohio is REVOKED.

Pursuant to section 119.12 of the Ohio Revised Code, you have the right to appeal this Order. Such appeal may be taken to the Court of Common Pleas of the County in which your place of business or residence is located, or if you are not an Ohio resident, to the Court of Common Pleas in Franklin County, Ohio.

Such an appeal must set forth the Adjudication Order appealed from and the grounds of the appeal. It must be commenced by filing a Notice of Appeal with the Ohio Occupational Therapy, Physical Therapy,

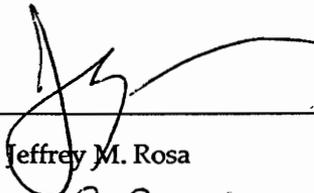
and Athletic Trainers Board, Physical Therapy Section. A copy of the Notice of Appeal must also be filed with the appropriate Court of Common Pleas. The filings must be received within fifteen (15) days of the mailing of this Adjudication Order, and in accordance with the requirements of section 119.12 of the Ohio Revised Code.

By order of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board, Physical Therapy Section.



Jeffrey M. Rosa
Executive Director

I hereby certify that the above Adjudication Order was sent to Cindy Bodamer by Certified mail on the 9th day of March, 2006.



Jeffrey M. Rosa

3-9-06

Date

Certified Mail Number: 7003 0500 0002 4335 8129
Return Receipt Requested