

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

Shawn Bintz
207 Bricker Street
Fostoria, OH 44830

IN RE:

The eligibility of Shawn Bintz to retain
his license as a physical therapist
assistant in the State of Ohio

Case No: 05-015 PT

Issue Date: February 2, 2006

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:

(5) Subject to section 4755.471 of the Revised Code, violation of the code of ethics of the American Physical Therapy Association;

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 the following reason:

Count 1

On or about May 22, 2005, **Bintz** failed to follow the weight bearing status/precautions indicated in his supervising physical therapist's April 20, 2005 evaluation/plan of care in which he engaged in an unapproved intervention by assisting Patient A to a full sitting position, a direct

contraindication of the patient's bed rest status and bed incline restriction of no more than 30 degrees. Said conduct constitutes a violation of Standard 3.1 B and E of the American Physical Therapy Association (APTA) Standards of Ethical Conduct for the Physical Therapist Assistant.

The APTA Standards of Ethical Conduct for the Physical Therapist Assistant state:

3.1 Supervisory Relationship

B. A physical therapist assistant shall provide only those physical therapy interventions that have been selected by the physical therapist.

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 physical therapist assistant license.

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.

By Order of the 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 the matter of Shawn Bintz, PTA-4196

Case No: 05-015 PT

AFFIDAVIT

I, Gina Longstreth, the undersigned, first being duly sworn and cautioned, state the following:

1. I am employed by the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board (Hereinafter "the Board"), 77 South High Street, 16th floor, Columbus, Ohio 43215-6108.
2. My position with the Board is Investigator. As part of my duties as an Investigator, I am familiar with the laws and rules governing physical therapy in Ohio and have access to the Board's business files.
3. I am familiar with and have reviewed the Board's file for the licensee Shawn Bintz.
4. Mr. Bintz is licensed as a physical therapist assistant in the state of Ohio. See Exhibit 1.
5. On or about August 24, 2005, the Board office received a complaint against Mr. Bintz.
6. After conducting its investigation, the Physical Therapy Investigative Committee determined that on or about May 22, 2005, Mr. Bintz failed to follow the weight bearing status/precautions indicated in his supervising physical therapist's April 20, 2005 evaluation/plan of care in which he engaged in an unapproved intervention by assisting Patient A to a full sitting position, a direct contraindication of the patient's bed rest status and bed incline restriction of no more than 30 degrees. See Exhibit 2, physical therapy records for Patient A.
7. The Physical Therapy Investigative Committee determined that Mr. Bintz violated Standard 3.1 B and E of the American Physical Therapy Association (APTA) Standards of Ethical Conduct for the Physical Therapist Assistant. Based upon the Committee's determination and recommendation, the Board issued a "Notice of Opportunity for Hearing" (hereinafter Notice) to Mr. Bintz by certified mail on February 2, 2006. See Exhibit 3. The Notice was received by Mr. Bintz on February 3, 2006. See Exhibit 3a.

8. In accordance with Ohio Revised Code 119.07, Mr. Bintz was required to request a hearing within thirty (30) days of receipt of Exhibit 2. Mr. Bintz failed to request a hearing. As of the date of my signature below, no request for a hearing has been received.
9. The attached exhibits 1, 2, 3 and 3a, were created or received in the ordinary course of business and are true and accurate copies of the originals kept in the ordinary course of business at the Board's office.

Further Affiant Sayeth Naught:

Gina Longstreth
Gina Longstreth

County of: *Tierra*

State of: *Ohio*

Subscribed and sworn to before me this *29* day of *March*, 20*08*



JASON C. SCHUTTE
 NOTARY PUBLIC, STATE OF OHIO
 (Seal) COMMISSION EXPIRES OCTOBER 29, 2009

Jason C. Schutte
Signature of Notary Public

My commission expires: *10/29/09*



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 Shawn Bintz, PTA-4196 to
retain his license as a Physical Therapist
Assistant in the state of Ohio.

Case Number: 05-015 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 30th day of March 2006.

The State was represented by Assistant Attorney General Steven McGann.

Shawn Bintz (hereinafter "Bintz") was not present.

The State presented an affidavit from Gina Longstreth and the following exhibits:

- Exhibit 1:** Verification of Bintz's license status from the Board's website dated March 29, 2006.
- Exhibit 2:** A copy of physical therapy records for Patient A.
- Exhibit 3:** A copy of the Notice of Opportunity for Hearing sent to Bintz on February 2, 2006.
- Exhibit 3a:** A copy of the certified mail receipt signed by N. Bintz on February 3, 2006.

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

1. Bintz received a Notice of Opportunity for Hearing (hereinafter "Notice") on February 3, 2006, via certified mail. The Notice informed Bintz of the Board's intent to take disciplinary action against his license as a physical therapist assistant in the state of Ohio for the following violations:

- a. Violation of Standard 3.1 B of the American Physical Therapy Association (APTA) Standards of Ethical Conduct for the Physical Therapist Assistant which states, "A physical therapist assistant shall provide only those physical therapy interventions that have been selected by the physical therapist."
 - b. Violation of Standard 3.1 E of the American Physical Therapy Association (APTA) Standards of Ethical Conduct for the Physical Therapist Assistant which states, "A physical therapist assistant shall not perform examinations or evaluations, interpret data, determine diagnosis or prognosis, or establish or alter a plan of care."
2. Bintz 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. Bintz violated Standard 3.1 B and E of the American Physical Therapy Association (APTA) Standards of Ethical Conduct for the Physical Therapist Assistant.

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 Shawn Bintz violated Standard 3.1 B and E of the American Physical Therapy Association (APTA) Standards of Ethical Conduct for the Physical Therapist Assistant.

At the March 30, 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 Shawn Bintz as a Physical Therapist Assistant in the state of Ohio is subject to the following disciplinary action:

1. Bintz's license to practice as a physical therapist assistant is suspended for three hundred sixty-five (365) days. Three hundred thirty-five (335) days of said period of suspension is hereby stayed and Bintz shall be placed on probation for a period of three hundred thirty-five (335) days. Should Bintz violate the terms of his probation, Bintz shall be required to serve the three hundred thirty-five (335) day suspension previously stayed
2. Terms of Probation:
Bintz's probationary status shall not commence until he secures employment as a physical therapist assistant. Bintz must be employed for three hundred thirty-five (335) days, consecutive or non-consecutive, in order to fulfill his three hundred thirty-five (335) probationary period.
 - a. Bintz must have onsite supervision, at all times, by a physical therapist licensed in the state of Ohio throughout his probationary period.

- b. Bintz will be subject to at least one (1) unannounced visit by the Board and/or its staff to perform a compliance review throughout his probationary period.
3. Bintz shall write a report outlining his understanding of the Ohio laws and rules that govern the practice of physical therapy with regard to supervision requirements for physical therapist assistants. In the report, Bintz shall also discuss his understanding of the appropriate scope of practice as it pertains to a physical therapist assistant. Said report must be submitted prior to the termination of his suspension period.

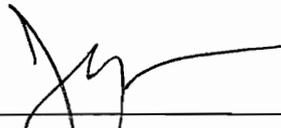
Pursuant to section 119.12 of the Ohio Revised Code, you have the right to appeal this Order. Such appeal may be taken to the Court of Common Pleas of the County in which your place of business or residence is located, or if you are not an Ohio resident, to the Court of Common Pleas in Franklin County, 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 Shawn Bintz by Certified mail on the 12th of May, 2006.

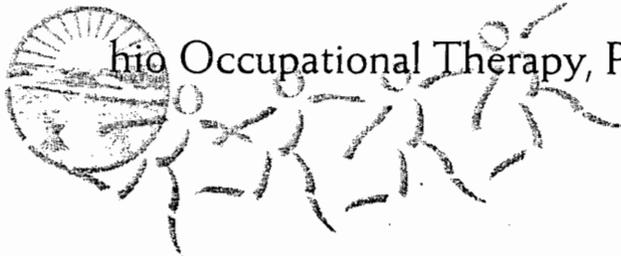


Jeffrey M. Rosa

5-12-06

Date

Certified Mail Number: 7004 2510 0001 7349 6052
Return Receipt Requested



Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board

Governor
Bob Taft

Executive Director
Jeffrey M. Rosa

May 22, 2006

Shawn Bintz
207 Bricker Street
Fostoria, OH 44830

RE: Suspension of PTA license

Dear Mr. Bintz:

Pursuant to the adjudication order of May 12, 2006, your license is suspended from May 17, 2006 through June 15, 2006. Please submit your original wall certificate and current pocket i.d. card to me via certified or express mail. Your license will be reinstated and you will be able to return to practice on June 16, 2006. Prior to your license reactivation, your wall certificate and pocket i.d. card will be returned to you.

Your eleven (11) month period of probation shall commence upon you securing employment as a physical therapist assistant. Please notify me, in writing, of the facility name, address, telephone number and the name(s) of the supervising physical therapists who will provide onsite supervision.

Any documentation you submit to the board office should be sent to my attention. If you have any questions, please contact me at (614) 466-8083. Thank you for your cooperation with this matter.

Sincerely,

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

Cc: Licensure file



Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board

77 South High Street, 16th Floor

Columbus, Ohio 43215-6108

614-466-3774 (phone)

614-995-0816 (fax)

board@otptat.state.oh.us

otptat.ohio.gov

Governor

Bob Taft

Executive Director

Jeffrey M. Rosa

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

Physical Therapy Section

Shawn W. Bintz
207 Bricker Street
Fostoria, OH 44830

IN RE:

The eligibility of Shawn W. Bintz to
retain his license as a physical therapist
assistant in the State of Ohio

Case No: 05-015 PT

Issue Date: July 6, 2006

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:

(6) Violation of section 4755.40 to 4755.56 of the Revised Code, or any order issued or rule adopted under those sections;

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:

Count 1

On or about May 17, 18, 19, 22, 23, 24, and 25, 2006, **Bintz** utilized the credentials "PTA" and engaged in the practice of physical therapy, as that term is defined in section 4755.40(A) of the Ohio Revised Code, as an employee of West Toledo Healthcare and Rehab Center, 4645 Lewis Avenue, Toledo, Ohio, 43612, despite the fact his license was suspended on May 17, 2006 pursuant to an adjudication order served on May 16, 2006. Said conduct constitutes a violation of Ohio Revised Code Sections 4755.48(B) and (C).

Section 4755.48 (B) of the Ohio Revised Code states:

"No person shall practice or in any way claim to the public to be able to practice physical therapy, including practice as a physical therapist assistant, unless the person holds a valid license under sections 4755.40 to 4755.56 of the Revised Code or except as provided in

section 4755.56 of the Revised Code.”

Furthermore, Section 4755.48 (C) of the Ohio Revised Code states:

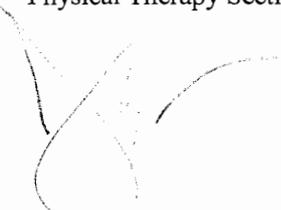
“No person shall use the words or letters, physical therapist, physical therapy, physiotherapist, licensed physical therapist, P.T., Ph.T., P.T.T., R.P.T., L.P.T., M.P.T., D.P.T., M.S.P.T., P.T.A., physical therapy assistant, physical therapist assistant, physical therapy technician, licensed physical therapist assistant, L.P.T.A., R.P.T.A., or any other letters, words, abbreviations, or insignia, indicating or implying that the person is a physical therapist or physical therapist assistant without a valid license under sections 4755.40 to 4755.56 of the Revised Code.”

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 physical therapist assistant license.

By Order of the 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

77 South High Street, 16th Floor

Columbus, Ohio 43215-6108

614-466-3774 (phone)

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Governor

Bob Taft

Executive Director

Jeffrey M. Rosa

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

Physical Therapy Section

In the matter of Shawn Bintz, PTA-4196

Case No: 05-015 PT

AFFIDAVIT

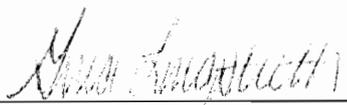
I, Gina Longstreth, the undersigned, first being duly sworn and cautioned, state the following:

1. I am employed by the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board (Hereinafter "the Board"), 77 South High Street, 16th floor, Columbus, Ohio 43215-6108.
2. My position with the Board is Investigator. As part of my duties as an Investigator, I am familiar with the laws and rules governing physical therapy in Ohio and have access to the Board's business files.
3. I am familiar with and have reviewed the Board's file for the licensee Shawn Bintz.
4. Mr. Bintz is licensed as a physical therapist assistant in the state of Ohio. See Exhibit 1.
5. Based upon the Committee's determination and recommendation, the Board issued an "Adjudication Order" (hereinafter Order) to Mr. Bintz by certified mail on May 12, 2006. See Exhibit 2. The Adjudication Order was received by Mr. Bintz on May 16, 2006. See Exhibit 2a. Pursuant to the Adjudication Order, Mr. Bintz's physical therapist assistant license was suspended for a period of three hundred sixty-five (365) days, of which three hundred thirty-five (335) days were stayed.
6. In accordance with Ohio Revised Code 119.12, Mr. Bintz was required to request an appeal within fifteen (15) days of receipt of Exhibit 2. Mr. Bintz failed to request an appeal. As of the date of my signature below, no request for an appeal has been received.
7. On or about May 17 and 18, 2006, documentation supports that Shawn Bintz worked as a physical therapist assistant with a suspended license at West Toledo Healthcare and Rehabilitation Center, 4645 Lewis Avenue, Toledo, Ohio, 43612. See Exhibit 3.
8. There is further reasonable basis to believe that Mr. Bintz also worked on a suspended license as a physical therapist assistant from on or about May 19, 2006 through on or about May 25, 2006.
9. The Physical Therapy Investigative Committee determined that Mr. Bintz violated 4755.48 (B) which states, "No person shall practice or in any way claim to the public to be able to

practice physical therapy, including practice as a physical therapist assistant, unless the person holds a valid license under sections 4755.40 to 4755.56 of the Revised Code or except as provided in section 4755.56 of the Revised Code,” and (C) which states, “No person shall use the words or letters, physical therapist, physical therapy, physiotherapist, licensed physical therapist, P.T., Ph.T., P.T.T., R.P.T., L.P.T., M.P.T., D.P.T., M.S.P.T., P.T.A., physical therapy assistant, physical therapist assistant, physical therapy technician, licensed physical therapist assistant, L.P.T.A., R.P.T.A., or any other letters, words, abbreviations, or insignia, indicating or implying that the person is a physical therapist or physical therapist assistant without a valid license under sections 4755.40 to 4755.56 of the Revised Code.”

- 10. Based upon the Committee’s determination and recommendation, the Board issued a “Notice of Opportunity for Hearing” (hereinafter Notice) to Mr. Bintz by certified mail on July 6, 2006. See Exhibit 4. The Notice was received by Mr. Bintz on July 10, 2006. See Exhibit 4a.
- 11. In accordance with Ohio Revised Code 119.07, Mr. Bintz was required to request a hearing within thirty (30) days of receipt of Exhibit 4. Mr. Bintz failed to request a hearing. As of the date of my signature below, no request for a hearing has been received.
- 12. The attached exhibits 1, 2, 2a, 3, 4, and 4a, were created or received in the ordinary course of business and are true and accurate copies of the originals kept in the ordinary course of business at the Board’s office.

Further Affiant Sayeth Naught:



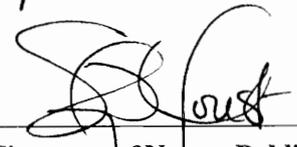
Gina Longstreth

County of: Franklin
State of: Ohio

Subscribed and sworn before me this 20th day of September, 2006



STEPHANIE KATHLEEN YOUST
Notary Public, State of Ohio
My Commission Expires 06-06-07
(Seal)



Signature of Notary Public

My commission expires: 6/6/07



Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board

77 South High Street, 16th Floor
Columbus, Ohio 43215-6108

Governor
Bob Taft
Executive Director
Jeffrey M. Rosa

December 1, 2006

Shawn W. Bintz
207 Bricker Street
Fostoria, OH 44830

Dear Mr. Bintz:

Please find enclosed a copy of the Adjudication Order approved and confirmed by the Physical Therapy Section of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board meeting in regular session on September 21, 2006.

You may request an appeal of this Order. Such an appeal must be in compliance with all requirements set forth in section 119.12 of the Ohio Revised Code.

Sincerely,

Jeffrey M. Rosa
Executive Director

cc: Melinda Snyder Osgood, Assistant Attorney General, Physical Therapy Section



Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board
77 South High Street, 16th Floor
Columbus, Ohio 43215-6108

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 Shawn Bintz, PTA-4196 to
retain his license as a Physical Therapist
Assistant in the state of Ohio.

Case Number: 05-015 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 21st day of September 2006.

The State was represented by Assistant Attorney General Melinda Snyder Osgood.

Shawn Bintz (hereinafter "Bintz") was not present.

The State presented an affidavit from Gina Longstreth and the following exhibits:

- Exhibit 1:** Verification of Bintz's license status from the Board's website dated September 19, 2006.
- Exhibit 2:** A copy of the Adjudication Order sent to Bintz on May 12, 2006.
- Exhibit 2a:** A copy of the certified mail receipt signed by Sharon Keller on May 16, 2006.
- Exhibit 3:** A copy of physical therapy records signed by Bintz.
- Exhibit 4:** A copy of the Notice of Opportunity for Hearing sent to Bintz on July 6, 2006.
- Exhibit 4a:** A copy of the certified mail receipt signed by Sharon Keller on July 10, 2006.

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

1. Bintz received an Adjudication Order on May 12, 2006 via certified mail. The Adjudication Order informed Bintz that his license to practice as a physical therapist assistant was suspended for three hundred sixty-five (365) days with three hundred thirty-five (335) days of said period of suspension stayed. Bintz worked as a physical therapist assistant with an expired license on May 17 and 18, 2006. Consequently, a Notice of Opportunity for Hearing was issued to Bintz on July 6, 2006 via certified mail. The Notice informed Bintz of the Board's intent to take disciplinary action against his license as a physical therapist assistant in the state of Ohio for the following violations:
 - a. Violation of 4755.48 (B) which states, "No person shall practice or in any way claim to the public to be able to practice physical therapy, including practice as a physical therapist assistant, unless the person holds a valid license under sections 4755.40 to 4755.56 of the Revised Code or except as provided in section 4755.56 of the Revised Code."
 - b. Violation of 4755.48 (C) which states, "No person shall use the words or letters, physical therapist, physical therapy, physiotherapist, licensed physical therapist, P.T., Ph.T., P.T.T., R.P.T., L.P.T., M.P.T., D.P.T., M.S.P.T., P.T.A., physical therapy assistant, physical therapist assistant, physical therapy technician, licensed physical therapist assistant, L.P.T.A., R.P.T.A., or any other letters, words, abbreviations, or insignia, indicating or implying that the person is a physical therapist or physical therapist assistant without a valid license under sections 4755.40 to 4755.56 of the Revised Code."
2. Bintz 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. Bintz violated section 4755.48 (B) and (C) of the Revised Code.

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 Shawn Bintz violated section 4755.48 B and C of the Revised Code.

At the September 21, 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 Shawn Bintz as a Physical Therapist Assistant in the state of Ohio is subject to the following disciplinary action:

1. Bintz's license to practice as a physical therapist assistant has been REVOKED.

Upon receipt of this order, you shall immediately surrender to the Board office all evidence of your license, including your wall certificate and current pocket identification card. These documents shall be sent to the attention of the Enforcement Division of the Board within ten days of your receipt of this order.

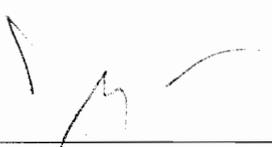
Pursuant to section 119.12 of the Ohio Revised Code, you have the right to appeal this Order. Such appeal may be taken to the Court of Common Pleas of the County in which your place of business or residence is located, or if you are not an Ohio resident, to the Court of Common Pleas in Franklin County, 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 personally delivered to Shawn Bintz on the 1st of December, 2006.



Jeffrey M. Rosa

11-29-06

Date

Personal Delivery by Enforcement Division

The Advertiser-Tribune

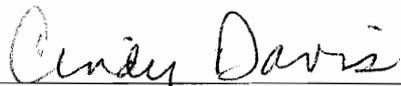
320 Nelson Street, Tiffin, Ohio 44883
(419) 448-3200

State of Ohio)
County of Seneca) ss:

Personally appeared before me,

Cindy Davis, Advertising Director
Ogden Newspapers of Ohio, Inc.,

and made solemn oath that the attached notice was published 3 times (s) on or after the 19th day of December A.D., 2006 in THE ADVERTISER-TRIBUNE a newspaper of general circulation in the county aforesaid.


Cindy Davis, Advertising Director

Sworn to before me and signed in my presence,
10th of January A.D., 2007


Notary Public

Shawn W. Bintz, PTA-4196, in accordance with Chapter 119 & Section 4755.47 of the Ohio Revised Code, you are hereby notified that the Physical Therapy Section of the Ohio Occupational Therapy, Physical Therapy, & Athletic Trainers Board (hereinafter, "Board") adjudicated the matter regarding case number 05-015-PT on the 21st day of September, 2006. The state was represented by Assistant Attorney

General Melinda Snyder Osgood. Shawn W. Bintz (hereinafter "Bintz") was not present. The state presented an affidavit from Gina Longstreth & the following exhibits: Exhibit 1: Verification of Bintz's license status from the board's website dated September 19, 2006, Exhibit 2: A copy of the adjudication order sent to Bintz on May 12, 2006, Exhibit 2a: A copy of the certified mail receipt signed by Sharon Keller on May 16, 2006, Exhibit 3: A copy of physical therapy records signed by Bintz, Exhibit 4: A copy of the notice of opportunity for hearing sent to Bintz on July 6, 2006, & Exhibit 4a: A copy of the certified mail receipt signed by Sharon Keller on July 10, 2006. After review of the evidence & testimony, the Board makes the following findings of fact: 1: Bintz received an adjudication order on May 12, 2006 via certified mail. The adjudication order informed Bintz that his license to practice as a physical therapist assistant was suspended for three hundred sixty-five (365) days with three hundred thirty-five (335) days of said period of suspension stayed. Bintz worked as a physical therapist assistant with an expired license on May 17 & 18, 2006. Consequently, a notice of opportunity for hearing was issued to Bintz on July 6, 2006 via certified mail. The notice informed Bintz of the board's intent to take disciplinary ac-

tion against his license as a physical therapist assistant in the state of Ohio for the following violations: a. Violation of 4755.48 (B) which states, "No person shall practice or in any way claim to the public to be able to practice physical therapy, including practice as a physical therapist assistant, unless the person holds a valid license under Sections 4755.40 to 4755.56 of the Revised Code or except as provided in Section 4755.56 of the Revised Code." b. Violation of 4755.48 (C) which states, "No person shall use the words or letters, physical therapist, physical therapist, physiotherapist, licensed physical therapist, P.T., Ph.T., P.T.T., R.P.T., L.P.T., M.P.T., D.P.T., M.S.P.T., P.T.A., physical therapy assistant, physical therapist assistant, physical therapy technician, licensed physical therapist assistant, L.P.T.A., R.P.T.A., or any other letters, words, abbreviations, or insignia, indicating or implying that the person is a physical therapist or physical therapist assistant without a valid license under Sections 4755.40 to 4755.56 of the Revised Code." 2. Bintz failed to request a hearing on the aforementioned charge. After review of the evidence & testimony, the Board makes the following conclusion of law: Bintz violated Section 4755.48 (B) & (C) of the Revised Code. Wherefore, based on the evidence & the above findings, it is the conclusion of the Ohio Occupational Therapy, Physical Therapy, & Athletic Trainers Board, Physical Therapy Section, that Shawn Bintz violated Section 4755.48 (B) & (C) of the Revised Code. At the September 21

RITA SCHWAB
Notary Public, State of Ohio
My Commission Expires 8/30/09

2006 hearing, a vote was taken which resulted in the adoption of the following order: It is the order of the Ohio Occupational Therapy, Physical Therapy, & Athletic Trainers Board, Physical Therapy Section that the license of Shawn Bintz as a physical therapist assistant in the state of Ohio is REVOKED. Upon receipt of this order, you shall immediately surrender to the Board office all evidence of your license, including your wall certificate & current pocket identification card. These documents shall be sent to the attention of the enforcement division of the board within ten days of your receipt of this order. 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 & the grounds of the appeal. It must be commenced by filing a notice of appeal with the Ohio Occupational Therapy, Physical Therapy, & 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, & in accordance with the requirements of Section 119.12 of the Ohio Revised Code. By order of the Ohio Occupational Therapy, Physical Therapy, & Athletic Trainers Board, Physical Therapy Section.