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

Governor  
*Ted Strickland*  
Executive Director  
*Jeffrey M. Rosa*

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

John P. Goss  
1114 Clark St.  
Bowling Green, Ohio 43402

**IN RE:**

The eligibility of John P. Goss, to have his  
license to practice as a Physical Therapist  
Assistant reinstated in the State of Ohio

Issue Date: April 28, 2008

**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 an affirmative vote of not less than five members, may limit, suspend or revoke the license of a physical therapist or physical therapist assistant or reprimand, fine or place a license holder on probation, on any of the following grounds:

- (9) Denial, revocation, suspension, or restriction of authority to practice a health care occupation, including physical therapy, for any reason other than a failure to renew, in Ohio or another state or jurisdiction;

Section 4755.47(C) authorizes the Board to accept or refuse an application for reinstatement when a license is revoked under this section, application for reinstatement may not be made sooner than one year after the date of revocation. The physical therapy section may accept or refuse an application for reinstatement and may require that the applicant pass an examination as a condition for reinstatement.

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") proposes to deny your physical therapist assistant reinstatement application for the following reasons:

### Count 1

On March 25, 2008, the Physical Therapy Section of the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board voted to deny your application to reinstate your license to practice as a physical therapist assistant in the State of Ohio. The Physical Therapy Section determined that you failed to provide satisfactory proof of rehabilitation for the prior disciplinary action that resulted in the revocation of your physical therapist assistant license on August 9, 2006. Said conduct constitutes a violation of Ohio Revised Code section 4755.47(A) (9).

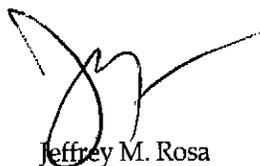
### *Hearing Procedures*

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, 16<sup>th</sup> 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.

Please be advised that under section 4755.031 of the Ohio Revised Code, a person sanctioned under section 4755.11, 4755.47, 4755.482, or 4755.64 of the Revised Code shall pay a fee in the amount of the actual cost of the administrative hearing including the cost of the court reporter, the hearing officer, transcripts, and any witness fees for lodging and travel, as determined by the appropriate section of the board. The fee shall be collected by the appropriate section.

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



Jeffrey M. Rosa  
Executive Director

cc: Yvonne Tertel, Principal Assistant Attorney General  
Certified Mail: 7004 2510 0006 9805 7462  
**Return Receipt Requested**

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

**Physical Therapy Section**

John P. Goss  
1114 Clark St.  
Bowling Green, Ohio 43402

**In Re:**

The eligibility of John P. Goss, to have his license to practice as a Physical Therapist Assistant reinstated in the State of Ohio

**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 26<sup>th</sup> day of June 2008.

The State was represented by Principal Assistant Attorney General Yvonne Tertel.

John P. Goss (hereinafter "Goss") was not present and was not represented by counsel.

The State presented the following exhibits and affidavit from Andrew Snouffer, Enforcement Division Investigator of the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board:

**State's Exhibit 1:** A copy of Goss' disciplinary proceedings from August 3, 2006, in which his license to practice as a physical therapist assistant was revoked.

**State's Exhibit 2:** A copy of Goss' application to reinstate his license to practice as a physical therapist assistant in the State of Ohio, received by the Board on November 13, 2007.

**State's Exhibit 2a:** A copy of a letter submitted by Goss to the Board with regards to his license revocation in August 2006.

**State's Exhibit 3:** A copy of a letter sent to Goss by the Board on November 16, 2007, which indicated that the Board was unable to process his application until it received the following items: a notarized statement explaining why he did not renew on time; verification of licensure from Indiana; copies of continuing education certificates of completion with Ohio approval numbers for 12 CEU's; and passage of the Ohio Laws and Rules Exam.

John P. Goss  
Adjudication Order

- State's Exhibit 4:** Copies of the requested information received by the Board from Goss on March 11, 2008: a letter from Goss requesting the reinstatement of his physical therapist assistant license, a certificate of completion for 12 CEU's with an Ohio approval number, and a Physical Therapy Jurisprudence Examination Scheduling Form.
- State's Exhibit 5:** A copy of licensure verification from the State of Indiana, which included copies of the disciplinary action taken against Goss' license to practice as a physical therapist assistant in the state of Indiana, received by the Board on March 14, 2008.
- State's Exhibit 6:** A copy of the Notice of Opportunity for Hearing sent by the Board to Goss via certified mail on April 28, 2008
- State's Exhibit 6a:** A copy of the certified mail receipt for the Notice of Opportunity for Hearing, signed for by "Mossey," an agent for Goss, on May 2, 2008.
- State's Exhibit 7:** A copy of Goss' request for a hearing, received by the Board on May 29, 2008. In accordance with Ohio Revised Code 119.07, Goss was required to request a hearing within thirty (30) days of the issuance of the notice. Goss' request for a hearing was not within the thirty (30) day time period.

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

1. On March 14, 2008, Mr. Goss' application for licensure reinstatement as a physical therapist assistant in the State of Ohio was complete and ready for Board consideration.
2. On March 25, 2008, the Physical Therapy Section of the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board voted to deny Goss' application to reinstate his license to practice as a physical therapist assistant in the State of Ohio. The Physical Therapy Section determined that Goss failed to provide satisfactory proof of rehabilitation for the prior disciplinary action that resulted in the revocation of his physical therapist assistant license on August 9, 2006. Said conduct constitutes a violation of Ohio Revised Code section 4755.47(A)(9).
3. Goss received a Notice of Opportunity for Hearing (hereinafter "Notice") on May 2, 2008, via certified mail. The Notice informed Goss of the Board's intent to deny his physical therapist assistant reinstatement application for the following reason:
  - a. Violation of Ohio Revised Code Section 4755.47(A)(9) which states:

Ohio Revised Code authorizes the Physical Therapy Section of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board (hereinafter "Board") to suspend, revoke, or refuse to issue or renew a physical therapist license, or reprimand, fine, or place a licensee on probation for any of the following grounds:

(9) Denial, revocation, suspension, or restriction of authority to practice a health care occupation, including physical therapy, for any reason other than a failure to renew, in Ohio or another state or jurisdiction;

4. Goss failed to request a hearing on the aforementioned charges within the thirty (30) day time frame.

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

1. Goss failed to demonstrate adequate remediation regarding the violations for which his physical therapist assistant license was revoked on August 9, 2006. Said conduct constitutes a violation of Ohio Revised Code section 4755.47(A)(9).

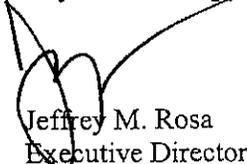
Wherefore, based on the evidence and the above findings, it is the conclusion of the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board, Physical Therapy Section that John P. Goss is in violation of Ohio Revised Code section 4755.47(A)(9).

At the June 26, 2008 meeting, 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, the reinstatement application of John P. Goss to be licensed as a physical therapist assistant in the state of Ohio is hereby DENIED.**

Pursuant to section 119.12 of the Ohio Revised Code, you may have the right to appeal this Order. Such Notice of 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, Athletic Trainers Section. A copy of the Notice of Appeal must also be filed with the Court of Common Pleas in the county in which your place of business or residence is located. If you are not an Ohio resident and do not have a place of business in Ohio, you may appeal to the Court of Common Pleas in Franklin County, Ohio. Both 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

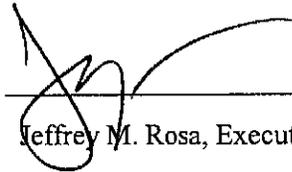
Date: 7-23-08

John P. Goss  
Adjudication Order

**CERTIFICATION**

The State of Ohio,  
County of Franklin, SS

I, the undersigned Executive Director for the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board, hereby certify that the foregoing is a true and exact reproduction of the original Order of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board, Physical Therapy Section entered on its journal, on the 26 day of June, 2008.

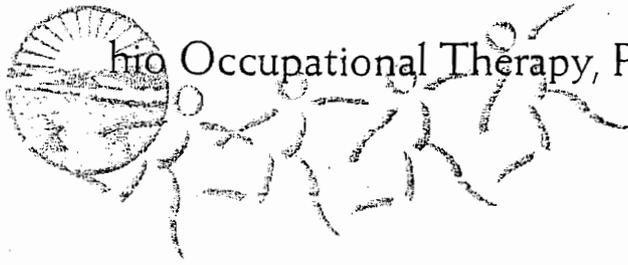
  
\_\_\_\_\_  
Jeffrey M. Rosa, Executive Director

7-23-08  
\_\_\_\_\_  
Date

(EXHIBIT 5700)

Certified Mail Number: 7004 2510 0001 7345 4663  
**Return Receipt Requested**

cc: Yvonne Tertel, Principal 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

John P. Goss  
2877 Bellwood Avenue  
Columbus, OH 43209

#### IN RE:

The eligibility of John P. Goss PTA5450  
to retain his license as a Physical  
Therapist Assistant in the State of Ohio

Case No: 06-014 PT

Issue Date: May 31, 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;

(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 reasons:

### Count 1

On or about January 23, 24, 25 and 26 2006, while working as a physical therapist assistant at Yorkland Care Center, 1425 Yorkland Road, Columbus, Ohio 43243, Goss falsified a physical therapy documentation for Patient 1 by creating notation(s) for treatments which never occurred. Goss then completed billing grids for the aforementioned treatments. Said conduct constitutes a violation of Ohio Administrative Code rule 4755-21-03(B)(2)&(3), and the APTA Standards of Ethical Conduct for the Physical Therapist Assistant, Standard 1.1(B) and 2.3(A), as incorporated into Ohio law by R.C. 4755.47 (A)(5).

### Count 2

On or about January 23 and 26 2006, while working as a physical therapist assistant at Yorkland Care Center, 1425 Yorkland Road, Columbus, Ohio 43243, Goss falsified a physical therapy documentation for Patient 2 by creating notation(s) for treatments which never occurred. Goss then completed billing grids for the aforementioned treatments. Said conduct constitutes a violation of Ohio Administrative Code rule 4755-21-03(B)(2)&(3), and the APTA Standards of Ethical Conduct for the Physical Therapist Assistant, Standard 1.1(B) and 2.3(A), as incorporated into Ohio law by R.C. 4755.47 (A)(5).

Ohio Administrative Code rule 4755-21-03 states in pertinent part:

(B) The physical therapy section may deny, suspend, or revoke the license of any person or impose a sanction of probation or reprimand for violation of any provision of sections 4755.40 to 4755.56 of the Revised Code or any lawful order or rule of the section, and for unprofessional conduct, including but not limited to:

- (2) Misconduct or negligence in the pursuit of the profession.
- (3) Violation of the current version of the American physical therapy association code of ethics or the standards of ethical conduct for physical therapist assistants as referred to in division (A)(5) of section 4755.47 of the Revised Code. Copies of the current versions are available at [http://apta.org/PT\\_Practice/ethics\\_pt](http://apta.org/PT_Practice/ethics_pt) (a link to the APTA website is also available from the board's website <http://www.otptat.ohio.gov>).

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

#### 1.1 Attitude of a physical therapist assistant

- B. A physical therapist assistant shall be guided at all times by concern for the physical and psychological welfare of patients/clients.

2.3 Truthfulness

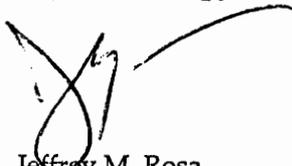
- A. A physical therapist assistant shall not make statements that he/she knows or should know are false, deceptive, fraudulent, or unfair.

**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, 16<sup>th</sup> 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

Certified Mail: 7003 0500 0002 4335 7771  
Return Receipt Requested

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

**Physical Therapy Section**

In Re:

The eligibility of John P. Goss, PTA-5450 to retain his license as a Physical Therapist Assistant in the state of Ohio.

Case Number: 06-014 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 3<sup>rd</sup> day of August 2006.

The State was represented by Assistant Attorney General Steven McGann.

John P. Goss (hereinafter "Goss") was not present.

The State presented an affidavit from Lisa Foor and the following exhibits:

- Exhibit 1:** Verification of Goss's licensure status from the Board's website dated July 7, 2006.
- Exhibit 2:** A copy of the complaint filed with the Board office on March 9, 2006.
- Exhibit 3:** A copy of the physical therapy records for Patient 1.
- Exhibit 4:** A copy of the physical therapy records for Patient 2.
- Exhibit 5a:** A copy of a signed statement from Heather Dotson, OTA/Rehab Director and patient L.C.
- Exhibit 5b:** A copy of a signed statement from Chandra Williams, Corporate Director of Rehab for Olympia Therapy.
- Exhibit 5c:** A copy of a physical and occupational therapy supervision log notation for 1/30/06 indicating the PT had the PTA correct billing grids, weekly summaries and daily notes for two patients, and that the PTA was terminated for false documentation.
- Exhibit 5d:** A copy of a signed discharge form, dated January 30, 2006, in which Goss admitted to falsification of documents.
- Exhibit 6:** A copy of Mr. Goss's written response to the complaint. This response was

received by the Board office on April 28, 2006.

**Exhibit 7:** A copy of the Notice of Opportunity for Hearing sent to Goss on May 31, 2006.

**Exhibit 7a:** A copy of the certified mail receipt signed for on June 1, 2006.

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

1. Goss received a Notice of Opportunity for Hearing (hereinafter "Notice") on June 1, 2006, via certified mail. The Notice informed Goss 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 Ohio Administrative Code Rule 4755-21-03(B)(2)&(3) which states:
    - (B) The physical therapy section may deny, suspend, or revoke the license of any person or impose a sanction of probation or reprimand for violation of any provision of sections 4755.40 to 4755.56 of the Revised Code or any lawful order or rule of the section, and for unprofessional conduct, including but not limited to:
      - (2) Misconduct or negligence in the pursuit of the profession.
      - (3) Violation of the current version of the American physical therapy association code of ethics or the standards of ethical conduct for physical therapist assistants as referred to in division (A)(5) of section 4755.47 of the Revised Code. Copies of the current versions are available at [http://apta.org/PT\\_Practice/ethics\\_pt](http://apta.org/PT_Practice/ethics_pt) (a link to the APTA website is also available from the board's website <http://www.otptat.ohio.gov>).
  - b. Violation of Standard 1.1 B of the American Physical Therapy Association (APTA) Standards of Ethical Conduct for the Physical Therapist Assistant which states, "A physical therapist assistant shall be guided at all times by concern for the physical and psychological welfare of patients/clients."
  - c. Violation of Standard 2.3 A of the American Physical Therapy Association (APTA) Standards of Ethical Conduct for the Physical Therapist Assistant which states, "A physical therapist assistant shall not make statements that he/she knows or should know are false, deceptive, fraudulent, or unfair.."
2. Goss 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. Goss violated Ohio Administrative Code Rule 4755-21-03(B)(2)&(3), and Standard 1.1 B & 2.3 A 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 John P. Goss violated Ohio Administrative Code Rule 4755-21-03(B)(2)&(3), and Standard 1.1 B & 2.3 A of the American Physical Therapy Association (APTA) Standards of Ethical Conduct for the Physical Therapist Assistant.

At the August 3, 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 John P. Goss 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 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.

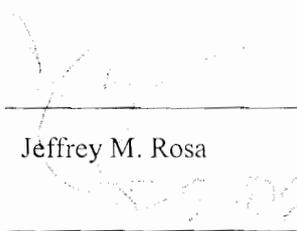
Such an appeal must set forth the Adjudication Order appealed from and the grounds of the appeal. It must be commenced by filing a Notice of Appeal with the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board, Physical Therapy Section. A copy of the Notice of Appeal must also be 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 sent to John P. Goss by certified mail on the 9<sup>th</sup> day of August, 2006.



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Jeffrey M. Rosa

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Date

Certified Mail Number: 7004 251000017349 6267

**Return Receipt Requested**