

IN THE MATTER OF	*	BEFORE THE MARYLAND
SHELLEY D. BROWN, P.T.A.	*	STATE BOARD OF
LICENSE No: A3141	*	PHYSICAL THERAPY EXAMINERS
Respondent	*	CASE NUMBER: PT 12-20
* * * * *	*	* * * * *

ORDER FOR SUMMARY SUSPENSION

The Maryland Board of Physical Therapy Examiners (the "Board") hereby **SUMMARILY SUSPENDS** the license of **SHELLEY D. BROWN, P.T.A. (the "Respondent") (D.O.B. 05/29/1964)**, to practice as a physical therapy assistant in the State of Maryland. The Board takes such action pursuant to its authority under Md. State Gov't Code Ann. § 10-226(c)(2009 Repl. Vol. and 2011 Supp.) concluding that the public health, safety or welfare imperatively requires emergency action.

INVESTIGATIVE FINDINGS

Based on information received by, and made known to the Board, and the investigatory information obtained by, received by and made known to and available to the Board, including the instances described below, the Board has reason to believe that the following facts are true:¹

1. The Respondent is licensed to practice as a physical therapy assistant in the State of Maryland under License Number A3141. The Respondent's license is currently active and scheduled to expire on May 31, 2013.

¹ The statements regarding the Respondent's conduct are intended to provide the Respondent with notice of the basis of the suspension. They are not intended as, and do not necessarily represent a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent in connection with this matter.

2. At all times relevant, the Respondent was employed by Company A as a traveling physical therapy assistant for a contract with Facility A in Boonsboro, Maryland.²

3. On or about April 24, 2012, the Board received a complaint from Company A's President (the "complainant") advising that the Respondent tested positive for an illicit substance.

4. Thereafter, the Board initiated an investigation.

5. The Board's investigation revealed that as part of the pre-employment process, the Respondent was required to submit to a drug test.

6. The Respondent failed to submit to the drug test in a timely manner prior to the start of her employment. As a result, a Rapid Results Test was done on March 29, 2012, which showed a negative result.

7. In accordance with the testing site's policy, on April 4, 2012 the specimen was sent to the lab for a more thorough screening, which was positive for an illicit substance.

8. The complainant stated that she believed that the first test may have been contaminated because of the conflicting results. Therefore, she requested that the Respondent submit to another drug test.

9. The Respondent submitted a new urine sample on April 11, 2012. The resulting test on April 12, 2012 was positive for an illicit substance.

10. On April 12, 2012, the Respondent's contract with Company A was terminated.

² In order to maintain confidentiality, individual and facility names will not be used in this document, but will be provided to the Respondent upon request to the administrator prosecutor.

11. After the Respondent was terminated, her supervisor at Facility A noticed that approximately 15 patient notes were missing for the treatment that the Respondent had provided to patients at Facility A.

12. The complainant attempted to contact the Respondent so she could complete the notes. The Respondent failed to respond and has not completed the notes for the services she provided to patients at Facility A.

13. Furthermore, the services that the Respondent provided had already been billed for and paid.

INVESTIGATIVE CONCLUSIONS

Based on the foregoing facts, the Board has reason to determine that there is a substantial likelihood of a risk of serious harm to the public health, safety, or welfare by the Respondent. The Respondent's conduct constitutes actual harm to public health, safety or welfare and undermines the integrity and dignity of the physical therapy profession.

CONCLUSION OF LAW

Based on the foregoing facts, the Board concludes that the public health, safety or welfare imperatively requires emergency action in this case, pursuant to State Gov't § 10-226(c)(2)(i) (2009 Repl. Vol. and 2011 Supp.).

ORDER

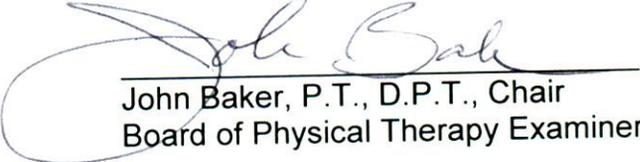
Based on the foregoing, it is this 26th day of April, 2012, by a majority of the Board:

ORDERED that pursuant to the authority vested by State Gov't § 10-226(c)(2), the Respondent's license to practice as a physical therapy assistant be and hereby is **SUMMARILY SUSPENDED**; and it is further

ORDERED that on presentation of this Order, the Respondent **SHALL SURRENDER** to the Board's Investigator her original Maryland license number A3141; and it is further

ORDERED that this is a Final Order of the Board and, as such, is a **PUBLIC DOCUMENT** pursuant to State Gov't §§ 10-611 *et seq.*

05/02/12
Date


John Baker, P.T., D.P.T., Chair
Board of Physical Therapy Examiners