

IN THE MATTER OF \* BEFORE THE  
 SHARON M. CAMPBELL, P.T. \* MARYLAND STATE  
 License No. 16453 \* BOARD OF PHYSICAL THERAPY  
 Respondent \* EXAMINERS

\* \* \* \* \*

**CONSENT ORDER**

**PROCEDURAL BACKGROUND**

On or about February 21, 2006, the Maryland Board of Physical Therapy Examiners (the "Board") charged SHARON M. CAMPBELL, P.T. (the "Respondent"), License No. 16453 with violating certain provisions of the Maryland Physical Therapy Act ("the Act"), codified at Md. Health Occ. ("H.O.") Code Ann. §§ 13-101 *et seq.* (2005 Repl. Vol.).

Specifically, the Board charged the Respondent with violating the following provisions of § 13-316 of the Act:

Subject to the hearing provisions of § 13-317 of this subtitle, the Board may deny a license, temporary license, or restricted license to any applicant, reprimand any licensee or holder of a temporary license or restricted license, place any licensee or holder of a temporary license or restricted license on probation, or suspend or revoke a license, temporary license, or restricted license if the applicant, licensee, or holder:

- (15) Violates any provision of this title or rule or regulation adopted by the Board; [and]
- (25) Fails to meet accepted standards in delivering physical therapy or limited physical therapy.

The Board charged the Respondent with violating the following regulations: Code Md Regs. ("COMAR") tit. 10 § 38.03.02-1, "Requirements for Documentation."

A. The physical therapist shall document legibly the patient's chart each time the patient is seen for:

(2) Subsequent visits, by including the following information (progress notes):

(c) Subjective response to previous treatment; [and]

(e) Objective functional status[;].

### **BACKGROUND**

On Thursday, May 4, 2006, the Respondent appeared before the Case Resolution Conference Committee (the "CRC") of the Board. As a result of the negotiations that occurred at the CRC, the Respondent agreed to enter into this Consent Order, consisting of Procedural Background, Findings of Fact, Conclusions of Law and Order, with the terms and conditions set forth below.

### **FINDINGS OF FACT**

The Board finds the following:

1. At all times relevant to the charges herein, the Respondent was licensed to practice physical therapy in the State of Maryland being issued License Number 16453. The Respondent's current license expires on May 31, 2007.
2. At all times relevant to the charges herein, the Respondent was practicing physical therapy at Physical Therapy Practice A<sup>1</sup>, located at 9400 Livingston Road, #210, Fort Washington, Maryland 20744.

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<sup>1</sup> The names of the physical therapy practice and individuals identified herein are confidential.

3. On or about February 22, 2005, the Board received a complaint from Patient A concerning treatment received at Physical Therapy Practice A, the physical therapy practice at which the Respondent is employed.
4. On or about December 8, 2004, Patient A first visited Physical Therapy Practice A for treatment. The Respondent performed an initial evaluation of Patient A, which indicated that Patient A was involved in a motor vehicle accident and was diagnosed with cervical and lumbar spine strains. The Respondent also documented in the treatment record on this date that she provided Patient A with electrical stimulation with Dynatron to her right and left upper trapezi and L1-L5 paraspinals with hot pack to neck and back.
5. On or about December 10, 2004, Patient A returned to Physical Therapy Practice A. Patient A's treatment records completed by the Respondent indicate that Patient A received electrical stimulation with Dynatron for twenty minutes to upper trapezi and paraspinals with hot packs to neck and back. The treatment records further document that Patient A received therapeutic exercises including the Upper Body Ergometer ("UBE") for four minutes.
6. On or about December 13, 2004, Patient A next visited Physical Therapy Practice A. On this particular date, the Respondent documented that Patient A received two units of therapeutic exercise, which consisted of the UBE for four minutes followed by shoulder exercises and stretches for the cervical spine, upper back, levator scapula, lower cervical, and upper thoracic.

7. On or about December 15, 2004, Patient A visited Physical Therapy Practice A for the final time. The treatment records completed by the Respondent indicate that on her final visit, Patient A received therapeutic exercise, electrical stimulation with the Dynatron to paraspinals and upper trapezi along with hot packs. The Respondent performed a discharge summary on the date of the last visit.
8. Patient A received an invoice from Physical Therapy Practice A dated January 4, 2005. The invoice listed charges for electrical stimulation unattended to two different areas on December 8, 2004, and electrodes on the same date. It further charged Patient A for electrical stimulation unattended to two different areas on December 10, 2004, and electrical stimulation unattended to two different areas on December 15, 2004.
9. The billing codes used for electrical stimulation do not allow a physical therapist to bill electrical stimulation to multiple regions on the same day. Furthermore, the billing codes used by the Respondent include the price of electrodes.
10. Patient A's physical therapy treatment records were referred to a Board approved expert witness for an opinion regarding the Respondent's compliance with the appropriate standard of care. The expert witness reviewed the records and opined that the Respondent engaged in inappropriate billing of electrical stimulation because the billing code only allows electrical stimulation to be billed once regardless of the number of body areas or application times. In addition, the expert witness indicated that electrodes are included within the price of the electrical stimulation billing code used by the Respondent.

11. The expert witness also concluded that the daily progress notes completed by the Respondent lacked documentation of a response to previous treatment, had no objective measurement of the functional status of the patient, and no documentation of response to current treatment. The expert witness finally concluded that the billing was excessive.

**CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Respondent violated Md. Health Occ. Code Ann. § 13-316(15), § 13-316 (25), and COMAR 10.38.03.02-1A(2)(c) and (e).

**ORDER**

Based upon the foregoing Findings of Fact and Conclusions of Law, it is this 20<sup>th</sup> day of June 2006, by a majority of the Board considering this case:

**ORDERED** that the Respondent's license to practice physical therapy shall be **REPRIMANDED**; and be it further

**ORDERED** that the Respondent shall be placed on **PROBATION** for a **PERIOD OF TWO (2) YEARS**, to commence from the date of this Consent Order, subject to the following terms and conditions:

1. The Respondent shall enroll in and successfully complete the Maryland Physical Therapy Law Course on the first scheduled date after execution of this Consent Order. *Completed 6/15/06*
2. The Respondent shall be required to have the Board review her treatment records as follows:
  - a. The Respondent shall have the Board directly review the treatment records of at least ten (10) patients, five (5) of which shall be within

the first sixty (60) days of the probationary period and an additional five (5) patients within the first year of the probationary period.

- b. The Board shall review all aspects of the Respondent's documentation including but not limited to the use of billing codes related to physical therapy treatment.
  - c. The Respondent shall provide to the Board the complete record for each patient whose treatment records are to be reviewed.
  - d. The Respondent shall comply with all written recommendations made by the Board. Failure to comply with the Board's written recommendations shall be deemed a violation of this Consent Order.
3. The Respondent shall enroll in and successfully complete a Board approved billing course within the first year of the probationary period.

**ORDERED** the above courses shall be in addition to any Continuing Education requirements mandated for continuing licensure, and the Continuing Education shall not count toward fulfilling other continuing education requirements that the Respondent must fulfill in order to renew her license to practice physical therapy; and be it further

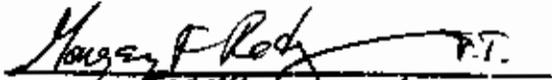
**ORDERED** after the conclusion of the entire **TWO (2) YEAR** period of **PROBATION**, the Respondent may file a written petition for termination of her probationary status without further conditions or restrictions, but only if the Respondent has satisfactorily complied with all conditions of this Consent Order, including all terms and conditions of probation, and including the expiration of the two year period of probation, and if there are no pending complaints regarding the Respondent before the Board; and be it further

**ORDERED** that should the Respondent violate any of the terms or conditions of this Consent Order, the Board, after notice, opportunity for a hearing and determination of violation, may impose any other disciplinary sanctions it deems appropriate, including;

suspension or revocation, said violation being proven by a preponderance of the evidence; and be it further

**ORDERED** that the Respondent shall be responsible for all costs incurred in fulfilling the terms and conditions of this Consent Order; and be it further

**ORDERED** that this Consent Order is considered a **PUBLIC DOCUMENT** pursuant to Md. State Gov't Code Ann. §§ 10-611 et seq. (2004 Repl. Vol.).

  
 Margery Rogers, P.T., Chair  
 State Board of Physical Therapy Examiners

**CONSENT OF SHARON CAMPBELL, P.T.**

I, Sharon Campbell, P.T., License Number 16453, by affixing my signature hereto, acknowledge that:

1. I have had the opportunity to consult with counsel before signing this Consent Order.
2. I am aware that I am entitled to a formal evidentiary hearing before the Board, pursuant to Md. Health Occ. Code Ann. § 13-317 (2005 Repl. Vol.) and Md. State Gov't Code Ann. §§ 10-201 *et seq.* (2004 Repl. Vol.).
3. I acknowledge the validity and enforceability of this Consent Order as if entered into after a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other substantive and procedural protections to which I am entitled by law. I am

waiving those procedural and substantive protections.

4. I voluntarily enter into the foregoing Findings of Fact, Conclusions of Law and Order and agree to abide by the terms and conditions set forth herein as a resolution of the Charges against me. I waive any right to contest the Findings of Fact and Conclusions of Law, and I waive my right to a full evidentiary hearing, as set forth above, and any right to appeal this Consent Order or any adverse ruling of the Board that might have followed any such hearing.

5. I acknowledge that by failing to abide by the conditions set forth in this Consent Order, I may be subject to disciplinary actions, which may include revocation of my license to practice physical therapy.

6. I sign this Consent Order voluntarily, without reservation and I fully understand and comprehend the language, meaning and terms of this Consent Order.

5/10/06  
Date

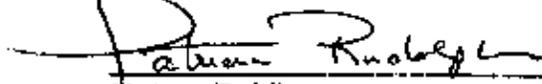
Sharon Campbell PT  
Sharon Campbell, P.T.

STATE OF MARYLAND

CITY/COUNTY OF PC:

I HEREBY CERTIFY that on this 10<sup>th</sup> day of May, \_\_\_\_\_, before me, Peterson D. Rudolph, a Notary Public of the foregoing State and (City/County),  
(Print Name)  
personally appeared Sharon Campbell, P.T., License Number 18453, and made oath in due form of law that signing the foregoing Consent Order was her voluntary act and deed, and the statements made herein are true and correct.

AS WITNESSETH my hand and notarial seal.



Notary Public

My Commission Expires: 8/1/2008