

**IN THE MATTER OF  
BRIAN P. VOITH, P.T.  
LICENSE NO. 16308**

\*  
\*  
\*

**BEFORE THE MARYLAND  
BOARD OF PHYSICAL  
THERAPY EXAMINERS**

\* \* \* \* \*

**CONSENT ORDER OF REINSTATEMENT**

**Background**

On March 28, 2004, Mr. Voith submitted a Petition for Reinstatement to the Board of Physical Therapy Examiners (the "Board") for reinstatement of his license to practice physical therapy. On April 20, 2004, a quorum of the Board considered Mr. Voith's petition and evidence submitted in support of his petition. The Board's review of Mr. Voith's petition focused on Mr. Voith's ability to practice physical therapy in a safe and ethical manner.

On August 20, 2002, Mr. Voith entered into a Consent Order with the Board in which he consented to the revocation of his physical therapist license for a period of at least eighteen (18) months. Mr. Voith's revocation was based on his criminal convictions in the Circuit Courts for Anne Arundel and Caroline Counties for the manufacture and possession with intent to distribute a non-narcotic controlled dangerous substance, *to wit*: marijuana. Mr. Voith was sentenced to eighteen (18) months and twelve months incarceration, respectively, by the Anne Arundel County and Caroline County Circuit Courts.

Mr. Voith's Consent Order set forth certain requirements to be met prior to any reinstatement of his license. Those requirements were that Mr. Voith: (1) submit evidence that he has participated in a substance abuse program for a total of eighteen (18) months; (2) enroll in and successfully complete the Board-approved law and ethics course; (3) obtain continuing education credits that would be required if his license were not revoked; and (4) submit to a substance abuse evaluation by a Board-approved evaluator.

### FINDINGS OF FACT

1. Mr. Voith has submitted to the Board evidence of his participation in a substance abuse program for eighteen (18) months.
2. Mr. Voith has successfully completed the Board approved law and ethics course.
3. Mr. Voith is up to date with his continuing education credits.
4. The Board has received a substance abuse evaluation supporting Mr. Voith's licensure reinstatement with certain conditions, which the Board will adopt below.

### ORDER

Based on an affirmative vote of the Board, it is this 15<sup>th</sup> day of June, 2004,

hereby:

**ORDERED** that Mr. Voith's license to practice physical therapy be REINSTATED; and  
be it further,

**ORDERED** that Mr. Voith's license be placed on INDEFINITE PROBATION, subject  
to the following conditions:

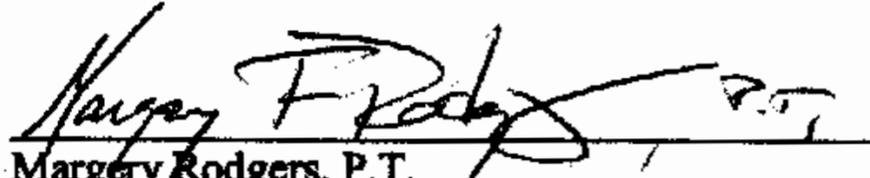
1. Mr. Voith shall submit to random urine screens twice monthly for the first six (6) months of probation;
2. Mr. Voith shall submit to monthly random urine screens for the remainder of the probationary period;
3. Mr. Voith shall enter into therapy with a Board-assigned mental health professional focusing on adjustment anxiety and depression. Mr. Voith shall undergo therapy for at least six months (10-12 sessions), after which the therapy shall continue until the mental health professional reports to the Board that Mr. Voith has been successful in treatment and recommends discharge.
4. Mr. Voith shall be responsible for all costs associated with this Order.

**ORDERED** that in the event the Board finds for any good faith reason that Mr. Voith has relapsed, has violated any of the conditions of probation herein, or in the event that the Board finds for any good faith reason that Mr. Voith has committed a violation of Title 13 of the Health Occupations Article or regulations adopted thereunder, the Board may immediately suspend Mr. Voith's license prior to a hearing; and be it further,

**ORDERED** that Mr. Voith may petition the Board for release from probation after two (2) years provided that he has been in compliance with all of the terms of probation; and be it further,

**ORDERED** that this is a final order of the Maryland Board of Physical Therapy Examiners and as such is a public document pursuant to the Maryland Annotated Code, State Government Article, Section 10-617(h).

June 15, 2004  
Date

  
Margery Rodgers, P.T.  
Chair, Board of Physical Therapy Examiners

**CONSENT**

1. By signing this Consent, I hereby admit to the truth of the findings contained herein and agree to be bound by the foregoing Consent Order and its conditions.
2. By this Consent, I submit to the foregoing Consent Order as a resolution of this matter. By signing this Consent, I waive any rights I may have had to contest the findings and determinations contained in this Consent Order.
3. I acknowledge the legal authority and the jurisdiction of the Board to enter and enforce this Consent Order.
4. I sign this Consent Order freely and voluntarily, after having had the opportunity to consult with counsel. I fully understand the language, meaning, and effect of this Consent Order.

6/9/04  
Date

Brian P. Voith  
Brian P. Voith, P.T.

**STATE OF MARYLAND**  
**COUNTY/CITY OF Anne Arundel**

I hereby certify that on this 9th day of June, 2004, before me, a Notary Public of the State of Maryland and County/City aforesaid, personally appeared BRIAN P. VOITH and made an oath in due form that the foregoing Consent was his voluntary act and deed.

[Signature]  
Notary Public  
My commission expires 11/1/08