



## State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF PHYSICAL THERAPY  
124 HALSEY STREET, 6TH FLOOR, NEWARK NJ

CHRISTINE TODD WHITMAN  
*Governor*

May 11, 2001

JOHN J. FARMER, JR.  
*Attorney General*

MARK S. HERR  
*Director*

By Certified and Regular Mail

Ms. Verna Lane, P.T.  
23 Orchard Road  
West Long Branch, NJ 07764

*Mailing Address:*

P.O. Box 45014  
Newark, NJ 07101  
(973) 504-6455

Re: Advertising violation  
Offer of Settlement In Lieu of Filing a Formal  
Disciplinary Complaint

Dear Ms. Lane:

This letter is to advise you that the New Jersey State Board of Physical Therapy (the "Board") has had an opportunity to review information concerning an advertisement dated November 1, 2000 which informed the readers that you are now practicing in Freehold, New Jersey and offering a free examination. A copy of the advertisement is attached. Specifically, the information reviewed included:

1. the advertisement listed above;
2. the transcript from the February 13, 2001 Investigative Inquiry of a committee of the Board of Physical Therapy.

Upon review of all available information, the Board has preliminarily found that probable cause exists to support a finding that you failed to include your license number as required by N.J.A.C. 13:39A-8.4(a)1; thus providing a basis for discipline pursuant to N.J.S.A. 45:1-21(h).

Additionally, you testified that you were not aware of the fees that were charged patients in the office which is in violation of N.J.A.C. 13:39A-4.2 (T12:13-16) and that you allowed the secretary in the office who is an unlicensed individual to put patients "on ice or heat or traction." (T21:8-25, T22 ) which constitutes the aiding and abetting of unlicensed practice in violation of N.J.A.C. 13:39A-3.4.

At this juncture, the Board has preliminarily concluded that the above violations are sufficient to warrant the initiation of formal disciplinary proceedings against you. Notwithstanding that decision, however, the Board has determined that it will first offer you an opportunity to settle this matter, and thereby avoid the initiation of formal disciplinary proceedings, should you consent to:

1. cease and desist from aiding and abetting an unlicensed person from performing physical therapy;
2. the issuance of a formal reprimand;
3. pay a penalty in the amount of \$3500. The Board is staying \$3000 of the penalty and requiring payment of \$500. (This amount is due immediately upon your signing of the acknowledgment at the bottom of this letter); This amount consists of a penalty of \$500 for failing to list the license number in an advertisement; \$1500 for the aiding and abetting of unlicensed practice of physical therapy and \$1500 for lacking knowledge of fees. The Board is staying a portion of the penalty in recognition of the fact that you are a new licensee. Additionally, the Board notes that this position was your first employment upon obtaining your license and that you have left the employ of this entity to work in a hospital environment.
4. pay costs incurred by the Board in the amount of \$158.64

If you are willing to settle this matter on the offered settlement terms, you may do so by signing the acknowledgment at the bottom of this letter, and returning it to the Board office. Upon your signature, this letter will be a matter of public record.

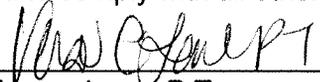
In the event you are unwilling to settle this matter on the offered terms, it will be referred to the Attorney General's office for the initiation of appropriate enforcement action. In such event, you will be afforded an opportunity to defend against the alleged violations. If an evidentiary hearing is deemed warranted, the Board will either conduct that hearing at a date and time to be scheduled or refer the matter to the Office of Administrative Law. You are advised, however, that in the event formal charges are filed, the Board may assess civil penalties in an amount greater than those herein offered in settlement should any charges against you be sustained. Additionally, the Board may, if the facts are found to so warrant, enter an order requiring you to reimburse certain monies and/or requiring you to pay the additional costs incurred by the Board. Should you have any questions concerning this letter or the settlement offer herein, I suggest that you contact Deputy Attorney General Carmen A. Rodriguez, who may be reached at (973) 648-3696.

If you elect to settle this matter now you should sign the acknowledgment at the bottom of this letter and return it to the Board within fifteen (15) days following your receipt of this letter. In the event that the Board receives no response from you within fifteen (15) days, the Board's settlement offer will be withdrawn, and the matter will be referred to the Attorney General's Office for the initiation of appropriate enforcement proceedings.

NEW JERSEY STATE BOARD  
PHYSICAL THERAPY

By:   
Susan H. Gartland  
Executive Director

ACKNOWLEDGMENT: I, Verna Lane, P.T., hereby acknowledge that I have read and reviewed the settlement proposal set forth in the above letter. I acknowledge the conduct which has been charged. I am aware that, by signing this acknowledgment, I am waiving any rights I may have to defend myself against any charges of wrongdoing at an administrative hearing. I am also aware that the action taken against me by the Board herein is a matter of public record, and that this letter is a public document. I hereby agree to pay a penalty in the amount of \$658.64 (to be paid upon signing of this acknowledgment), and to comply with all other requirements set forth in the settlement letter.

  
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Verna Lane, P.T.

Dated:

cc: Susan D. Bonfield, Esquire with enclosures  
Carmen A. Rodriguez, Deputy Attorney General

00:00:00