



RICHARD J. CODEY
Acting Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
New Jersey State Board of Physical Therapy Examiners
124 Halsey Street, 6th Floor, Newark, NJ 07102



PETER C. HARVEY
Attorney General

JEFFREY BURSTEIN
Acting Director

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

By Certified and Regular Mail

February 23, 2005

Keri Snyder, P.T.
65 County Road #097
Clifwood, New Jersey 07721

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

Dear Ms. Snyder:

This letter is to advise you that the New Jersey State Board of Physical Therapy Examiners (the "Board") has had an opportunity to review information concerning the physical therapy treatment that you rendered to L.M.B. beginning in March 2001 and terminating on or about October 2001 at Alternative Integrated Medical Services located at 150 Tices Lane, East Brunswick, NJ. Specifically, the patient complaint was based on the facility's failure to timely bill her insurance carrier for the physical therapy services provided to her. Upon further review of the billing and the treatment records of L.M.B. and the testimony that you provided to the Preliminary Investigation Committee (Committee) of the Board at an inquiry that you attended Pro. Se. on December 9, 2003 the Board determined that you were unaware of the fees that the facility billed for the physical therapy treatment that was provided to this patient. For example, you were not aware that the charge for the initial evaluation of this patient was billed at \$600. Furthermore, when asked whether you considered the charge of \$600 for an initial evaluation reasonable, your response was that this fee was excessive (T14:12-16.) Accordingly, you testified that you were not aware of any of the fees charged for physical therapy services at this facility. A review of the patient record in question also demonstrated that a discharge summary was never performed on this patient and that the record failed to contain both your signature or initials and your physical therapy license number.

Upon review of all available information and your testimony at the inquiry, the Board has preliminarily found that probable cause exists to support a finding that you violated N.J.S.A. 45:1-21(e) and N.J.A.C. 13:39A-3.6(a) and (d) in that your failure to be aware of the excessive fees that were charged by this facility constitutes professional misconduct as the licensee is responsible for reviewing and knowing the fees that are charged by a facility. Additionally, your failure to prepare a discharge summary and your failure to include your signature or initials on the patient record is a violation of N.J.A.C. 13:39A-3.1(c) 10 and 13.

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 disciplinary proceedings, should you consent to:

1. Cease and desist in the future from failing to be aware of the fees charged for physical therapy treatment at the facility where you are employed. You shall become aware of the requirements set forth in the Board's patient records regulation at N.J.A.C. 13:39A-3.1 and make sure that the minimum requirements of that regulation are satisfied in all of the patient records that you prepare, specifically, that a discharge summary is included in each patient's record.

2. Pay a penalty in the amount of \$2500.00, \$1500.00 for your professional misconduct which arose from your failure to be aware of excessive fees that were charged this patient in violation of N.J.S.A. 45:1-21(e) and N.J.A.C. 13:39A-3.6, \$1000.00 for violations of N.J.A.C. 13:39A-3.1(c) 10 and 13. The penalty is to be paid immediately upon your signing of the acknowledgment at the bottom of this letter by sending a certified check or money order payable to the Board of Physical Therapy Examiners, P.O. Box 45012, Newark, New Jersey 07101 to attention of Susan Gartland, Executive Director.

3. Pay costs in the amount of \$215.00 as reflected in the certification of Susan Gartland, Executive Director of the Board as attached hereto. Costs are to be paid immediately upon signing the acknowledgment by following the mailing instructions as set forth in paragraph 2 above.

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 that 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 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 presently, 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 OF
PHYSICAL THERAPY EXAMINERS

By: *Susan Gartland*
Susan Gartland
Executive Director

ACKNOWLEDGMENT: I, Keri ^{Snyder} ~~Snyder~~, 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 \$ 2500.00 plus costs in the amount of \$215.00 which totals \$2,715.00 (to be paid upon signing of this acknowledgment).

Keri Snyder, PT
Keri ~~Snyder~~, P.T.
Snyder

Dated: *3/3/05*

cc: Carmen A. Rodriguez, Deputy Attorney General