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**FILED**  
**BOARD OF PHYSICAL THERAPY**  
DEC 18 2008

By: Carmen A. Rodriguez  
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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF PHYSICAL THERAPY EXAMINERS

_____	:	
IN THE MATTER OF	:	<u>Administrative Action</u>
	:	
	:	
<b>ELENA KALIKA, P.T.</b>	:	CONSENT ORDER
License NO:40QA00856600	:	
	:	
LICENSED TO PRACTICE	:	
PHYSICAL THERAPY IN	:	
THE STATE OF NEW JERSEY	:	
_____	:	

This matter came before the New Jersey State Board of Physical Therapy Examiners (hereinafter referred to as the "Board") upon the Board's random audit of licensed physical therapists and physical therapist assistants pursuant to N.J.A.C. 13:39A-9.4(d) who submitted license renewal applications to engage in the practice of physical therapy for the 2008-2010 biennial renewal period.

The renewal applications submitted by licensed physical therapists and physical therapy assistants included an acknowledgment regarding whether or not the licensees had completed thirty (30) continuing education credits during the period from February 1, 2006 through January 31, 2008 as required for the 2008-2010 biennial license renewal period pursuant to N.J.S.A. 45:9-37.18(a)10 and N.J.A.C. 13:39A-9.1 et. seq.

In response to the Board's audit, Elena Kalika, P.T. (hereinafter referred to as the "Respondent") provided documentation that she completed a course sponsored by Care Resources Inc. entitled "Balance and Fall Risk in the Elderly" from March 31-April 1, 2008, granting her fourteen (14) continuing education credits. She also provided documentation of the completion of a course entitled "Geriatric Neurorehabilitation in the Medically Complex Client" taken on May 11-12, 2008, granting her thirteen (13) continuing education credits. Upon review of the submissions, the Board found that the course entitled "Balance and Fall Risk in the Elderly" was approved for thirteen (13) continuing education credits and not fourteen (14) as stated in the course certification. The Board also found that the course entitled "Geriatric Neurorehabilitation in the Medically Complex Client" is only approved for twelve and a half (12.5) continuing education credits. It was also taken after the biennial renewal period in

question. The thirty (30) continuing education credits for the licensure renewal for the 2008-2010 renewal period were to be obtained in the two years preceding January 31, 2008. To qualify the continuing education courses had to be taken from February 1, 2006 - January 31, 2008.

Based upon all the available information reviewed, the Board has found that the respondent has completed thirteen (13) continuing education credits taken during the period from February 1, 2006 - January 31, 2008. The Board will accept the twelve and a half (12.5) credits completed by the respondent after the biennial period in question. The respondent has therefore completed a total of twenty five and a half (25.5) continuing education credits.

The Respondent's conduct in failing to obtain thirty (30) continuing education credits in the period from February 1, 2006 through January 31, 2008 establishes a basis for disciplinary action as the Respondent did not meet the requirements for renewal of her license to practice physical therapy as she failed to obtain the requisite thirty (30) continuing education credits within the two years preceding the renewal period as required by N.J.S.A. 45:9-37.34(d) and N.J.A.C. 13:39A-9.1 et. seq.

It appearing that the respondent desires to resolve this matter without further proceedings and waiving any right to a hearing, and the respondent acknowledging and not contesting the

findings of fact and conclusion of law made by the Board; and the Board having been satisfied that the within resolution adequately protects the public health, safety and welfare; and for good cause shown:

ACCORDINGLY, IT IS ON THIS 18<sup>th</sup> DAY OF, December 2008

ORDERED that:

1. The Respondent's license to practice physical therapy, renewed on February 1, 2008 and in active status, will remain active on the condition that the Respondent submits documentation that she has satisfactorily completed an additional four and a half (4.5) continuing education credits as required by N.J.S.A. 45:9-37.34(d) and N.J.A.C. 13:39A-9.1 et. seq. within thirty days (30) of the filing date of this order. Respondent may submit satisfactory proof of completion of continuing education courses relating to physical therapy which were not pre-approved by the Board for credit if the continuing education courses met the requirements of N.J.A.C. 13:39A-9.3(a) and the provider meets the requirements of N.J.A.C. 13:39A-9.6. Failure to comply with this condition within the stated time period will result in the automatic and immediate suspension of the Respondent's license to practice physical therapy in New Jersey without further order until such time as respondent submits

satisfactory proof of completion of all required credits.

2. The four and a half (4.5) continuing education credits taken as part of this action and the twenty two (22) credits accepted by the Board that were taken after the biennial period in question shall not qualify to fulfill the mandatory continuing education requirements for the 2010-2012 renewal period pursuant to N.J.A.C. 13:39A-9.2(d).

3. Respondent is cautioned in the future to obtain the requisite continuing education courses within the preceding renewal period as required by N.J.S.A. 45:9-37.34(d) and N.J.A.C. 13:39A-9.1 et. seq. and to carefully and truthfully complete all renewal applications

4. Respondent is hereby assessed a civil penalty in the amount of ~~\$500.00~~ <sup>250.00 as per Lisa Petrowski 12/2/08</sup> for her failure to obtain the thirty (30) continuing education credits within the preceding biennial licensure renewal period.

5. Payment shall be made by certified check or money order immediately upon accepting and signing of this Consent Order and sent to the attention of Lisa Petrowski, to the Board of Physical Therapy Examiners, P.O. Box 42014, Newark, New Jersey 07101.

6. Failure on the part of the respondent to pay the civil penalty timely or to comply with any of the terms of this Consent Order constitutes a violation of the Order, proof of

which would constitute grounds for further disciplinary action by the Board.

NEW JERSEY STATE BOARD  
OF PHYSICAL THERAPY EXAMINERS

By: Karen Wilk PT, DPT 40QA005760100  
~~Nancy Kirsch, P.T., Ph.D., D.P.T.~~  
Chair Karen Wilk, P.T. (P)

I have read and understand the within  
Consent Order and agree to be bound  
by its terms. Consent is hereby given  
to the Board to enter this Order.

Elena Kalika, PT  
Elena Kalika, P.T.

DATED: 12/2/2008