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FILED
BOARD OF PHYSICAL THERAPY
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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>
	:	
	:	
ELIZABETH FEVOLA, P.T.	:	CONSENT ORDER
License NO:40QA01005100	:	
	:	
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 therapist 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, Elizabeth Fevola, P.T. (hereinafter referred to as the "Respondent") provided documentation that she completed a course sponsored by JFK Medical Center entitled "Autism Spectrum: From Birth Through Adulthood," taken from March 23-24, 2007 for nine and three quarters (9.75) continuing education credits, a course sponsored by Education Resources, Inc. entitled "Designing Effective Sensory Diets for Home, School, and Community," taken on November 04-05, 2005 for twelve and a half (12.5) continuing education credits, and a course sponsored by Stroller Strides entitled "Stroller Strides Instructor Training," taken on August 14, 2006 for three continuing education credits. In addition, the respondent submitted documentation indicating the completion of a course entitled "Replays- A Play-Based Technique to Address Challenging Behaviors in Children with ASD and other Developmental Disabilities," taken on February 02, 2008 for six (6) continuing education credit and a course entitled "Yoga and

Pilates for the Special Needs Child," taken on March 01-02, 2008 for thirteen (13) continuing education credits. Both of these courses were sponsored by Education Resources.

Upon review of the submissions, the Board found that the course entitled "Autism Spectrum: From Birth through Adulthood" was approved for eleven and a half (11.5) continuing education credits and not nine and three quarters (9.75) as stated in the course certification. The Board also found that the course entitled "Designing Effective Sensory Diets for Home, School, and Community" was taken prior to the biennial period in question and therefore does not qualify for continuing education credit. In addition, the other two courses sponsored by Education Resources, Inc. were 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 fourteen and a half (14.5) continuing education credits taken during the period from February 1, 2006 - January 31, 2008. The Board will allow fifteen and a half (15.5) of the credits completed by the respondent after the biennial period in question to count towards the

completion of the continuing education requirements for the biennial in question. The respondent has therefore completed a total of thirty (30) 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 10th DAY OF, February ~~2008~~ 2009

ORDERED that:

1. The fifteen and a half (15.5) 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).

2. 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

3. Respondent is hereby assessed a civil penalty in the amount of **\$500.00** for her failure to obtain the thirty (30) continuing education credits within the preceding biennial licensure renewal period.

4. 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.

5. 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 400A005260100
Karen Wilk, P.T.
Chair

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.

Elizabeth Fevola
Elizabeth Fevola, P.T.

DATED: 1-5-09