

FILED
BOARD OF PHYSICAL THERAPY
 **APR 15 2009**

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF PHYSICAL THERAPY
EXAMINERS

IN THE MATTER OF THE	:	
SUSPENSION OR REVOCATION OF	:	
THE LICENSE OF	:	
	:	Administrative Action
SHARON LIM, P.T.	:	
LICENSE NO. 40QA01000700	:	FINAL ORDER
	:	OF DISCIPLINE
TO PRACTICE PHYSICAL THERAPY	:	
IN THE STATE OF NEW JERSEY	:	

This matter came before the New Jersey State Board of Physical Therapy Examiners upon information that the respondent has failed to complete a total of thirty (30) credits of continuing education in approved physical therapy courses during the period of February 1, 2006 through January 31, 2008, as required for the 2008-2010 biennial license renewal pursuant to N.J.S.A. 45:9-37.18 (a) 10 and N.J.A.C. 13:39A-9.1 et. seq. Based upon information received and which the Board has reviewed, the following preliminary findings are made:

FINDINGS OF FACT

1. Respondent is a physical therapist in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On December 21, 2007 the respondent submitted her completed application for renewal of license as a physical therapist in the State of New Jersey.

3. The respondent affirmed on the renewal application for the 2008- 2010 renewal period that she will have completed the required continuing education by the period preceding the established renewal date of February 1, 2008.

4. On the 25th day of April, 2008, the Board of Physical Therapy Examiners initiated a random audit of renewal applications for the 2008-2010 period, asking licensees to submit proof with regard to the satisfaction of continuing education requirements for the biennial renewal period, i.e., thirty (30) credit approved hours. The letter was sent using UPS 2nd Day Air Delivery and was delivered on the 28th day of April, 2008.

5. Respondent failed to respond to the letter sent by the Board.

CONCLUSION OF LAW

Respondent has not satisfied the requirements of N.J.S.A. 45:9-37.18 (a) 10 and N.J.A.C. 13:39A-9.1 et. seq. with regard to the completion of the appropriate number of approved continuing education credit hours and is therefore subject to sanctions pursuant to N.J.S.A. 45:1-21(h), failure to comply with the provisions of an act or regulation administered by the Board, which constitutes grounds for suspension or revocation of any certificate, registration or license, and grounds for sanction pursuant to N.J.S.A. 45:1-25.

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline suspending respondent's license to practice Physical Therapy in the State of New Jersey was entered on October 9, 2008 and a copy was served on the respondent. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Finding of Fact and Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

On October 23, 2008, the Board received correspondence from the respondent requesting a dismissal of the Board's decision. The respondent stated that due to extreme work pressures, she was unable to respond to the continuing education audit with the proper documentation in time. The respondent provided documentation indicating the completion of the thirty (30) requisite continuing education credits. The respondent also stated that for the past two (2) years, she has not been practicing as a physical therapist in the State of New Jersey but seeks to maintain her New Jersey license.

Upon review of all the available information, the Board does not find that there are sufficient mitigating circumstances for the respondent's failure to reply to the continuing education audit. However, as the respondent has provided sufficient records to indicate completion of the requisite thirty (30) continuing education credits the Board will reduce the penalty from one thousand (1000.00) to five hundred (500.00) dollars.

THEREFORE, IT IS ON THIS 15th DAY OF April, 2009,

ORDERED:

1. Respondent shall pay a civil penalty of five hundred dollars (\$500.00) pursuant to N.J.S.A. 45:1-25 for violation of N.J.S.A. 45:1-21(h) as evidenced by your failure to respond to the Board's continuing education audit. Payment is to be remitted by means of a certified check or money order, payable to the New Jersey State Board of Physical Therapy Examiners. Such payment is to be sent to the Board of Physical Therapy Examiners, attention Lisa Petrowski at 124 Halsey Street, Sixth Floor, Post Office Box 45014, Newark, New Jersey 07101, no later than ten (10) days from the date that the within Order is finalized.
2. Respondent's license to practice as a physical therapist remains active.

NEW JERSEY STATE BOARD
OF PHYSICAL THERAPY EXAMINERS

By: Karen E. Wilk PT, DPT 40QA005260101
Karen Wilk, P.T., D.P.T.
Chair