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FILED
BOARD OF PHYSICAL THERAPY
OCT 13 2009

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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 :
: Administrative Action
:
:
:
GABRIELLE GRAZIANO, P.T. :
License NO:40QA01138700 :
:
:
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.

The information supplied by Gabrielle Graziano, P.T. (hereinafter referred to as the "Respondent") in correspondence dated September 18, 2008 in response to the Board's audit is that she had not completed the thirty continuing education credits required upon renewal of the license to practice physical therapy. Respondent also stated that she has never practiced in New Jersey and is not currently practicing in New Jersey and wishes to place her license to practice as a physical therapist placed on inactive status and to waive or reduce the previously assessed \$1,000 civil penalty.

Based upon all the available information reviewed, the Board has found that 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 as a physical therapist 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 13th DAY OF OCTOBER, 2009

ORDERED that:

1. The Respondent's license to practice as a physical therapist, renewed on February 1, 2008 and in active status, will be placed on inactive status. Pursuant to N.J.A.C. 13:39A-5A.2(b), in order for Respondent to reactivate her license in the future, she must complete thirty (30) credits of continuing education per biennial review period her license remains on inactive status up to a maximum of sixty (60) credits. Thirty (30) credits must be taken within two (2) years immediately preceding reactivation and the remainder must be taken within four (4) years immediately preceding reactivation. In order to reinstate the license to active status in the future, Respondent

must submit documentation to the Board of the satisfactory completion of the above described credits. 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.

2. The above described continuing education credits taken as part of this action 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 complete all applications

4. Respondent is hereby assessed a civil penalty in the amount of **\$1,000.00** for her failure to obtain the thirty (30) continuing education credits within the preceding biennial licensure renewal period. This penalty shall be stayed until such time that Respondent seeks to reinstate her license to active status at which time the full amount is due and owing.

5. In the event Respondent seeks to reinstate her license to active status, payment shall be made by certified

check or money order and sent to the attention of Lisa Affinito, Executive Director, Board of Physical Therapy Examiners, P.O. Box 42014, Newark, New Jersey 07101. The Board will accept installment payments to satisfy the civil penalty. Respondent shall contact the Executive Director to set up the installment payment plan.

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 4084005260100
Karen Wilk, P.T., D.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.

Gabrielle Graziano MS, PT
Gabrielle Graziano, P.T.

DATED: 10/5/09