

JOHN J. HOFFMAN,  
ACTING ATTORNEY GENERAL OF NEW JERSEY  
Division of Law 5th Floor  
124 Halsey Street  
P.O. Box 45029  
Newark, New Jersey 07101

**FILED**  
**BOARD OF PHYSICAL THERAPY**  
**JUN 24 2014**

By: John D. Hugelmeyer  
Deputy Attorney General  
Tel. (973) 648-4735

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

---

IN THE MATTER OF THE	:	
LICENSE OF:	:	Administrative Action
 	:	
JULIUS H. CEPEDA, P.T.	:	CONSENT ORDER
License No. 40QA01119900	:	
 	:	
TO PRACTICE PHYSICAL THERAPY	:	
IN THE STATE OF NEW JERSEY	:	

---

This matter was opened to the New Jersey State Board of Physical Therapy Examiners (hereinafter "the Board") following the Board's review of a complaint about an incident that occurred in July 2012 regarding the activities of Valerie Harris, a physical therapy aide at AquaHab Physical Therapy ("AquaHab") in Cherry Hill, New Jersey. The complaint was filed by an observer who witnessed Ms. Harris in the pool area interacting with patients who were receiving aquatic physical therapy services. Julius Cepeda, P.T. ("Respondent") was on duty at the time in his capacity as a staff physical therapist. Respondent, represented by Alma Saravia,

Esq., appeared before a committee of the Board on November 12, 2013 to answer questions under oath about this incident and his practice of physical therapy at the AquaHab Cherry Hill facility. The medical records of four patients had previously been provided to the Board. The four patients were treated at the facility from March 21, 2012 until August 16, 2012 (hereinafter "the relevant period"). The parties wishing to resolve this matter without further formal proceedings hereby stipulate to the following findings of facts and conclusion of law:

#### Findings of Fact

1. Respondent, Julius Cepeda, P.T., is a physical therapist in the State of New Jersey and has been a licensee at all times relevant hereto.
2. Valerie Harris, an unlicensed person, was employed as a physical therapy aide at the Cherry Hill facility from 2003 until October 2012.
3. During the relevant period, Ms. Harris was permitted to observe, instruct and record the aquatic physical therapy services performed by Respondent's patients in the pool of the facility, while the physical therapists were in a separate area of the facility.
4. During the relevant period, the services provided to Respondent's patients in the pool of the Cherry Hill facility were recorded and billed as aquatic physical therapy services on Flow Sheets contained in the medical records of the four patients.
5. In addition, during the relevant period, some patients' aquatic physical therapy services rendered in the pool were billed to Medicare as one-to-one aquatic physical therapy services, although those services were rendered to multiple patients being treated simultaneously by Respondent, or attended only by an unlicensed person.

6. Range of motion tests rendered at the facility were billed to Medicare as physical therapy performance tests.

7. During the relevant period, the medical records of the four patients and their billing records at the Cherry Hill facility failed to accurately reflect patient contacts with Respondent, and failed to accurately represent the aquatic physical therapy services he rendered.

8. During the relevant period, the medical records of the four patients of Respondent failed to contain all of the information minimally required by the regulations of the Board; such as, patient responses to intervention; complete signatures of the physical therapist; changes to the plans of care; and appropriate discharge summaries.

9. Respondent acquiesced to Ms. Harris, an unlicensed aide, being permitted to render aquatic physical therapy services to his patients as described in paragraph 3 above during the relevant period. Respondent thereby aided or abetted the unlicensed practice of physical therapy and failed to assure that the bills for services rendered to his patients accurately represented those aquatic physical therapy services.

#### Conclusions of Law

1. The above findings of fact provide grounds for the imposition upon Respondent of disciplinary action pursuant to N.J.A.C. 13:39A-2.4(b), in that he acquiesced in authorizing or permitting an unlicensed person to provide aquatic physical therapy services; to wit, observing, instructing and recording aquatic physical therapy services during the relevant period.

2. The above findings of fact provide grounds for the imposition upon Respondent of disciplinary action pursuant to N.J.A.C. 13:39A-3.8(a)7, and N.J.S.A. 45:1-21(e), in that he aided or abetted the unlicensed practice of aquatic physical therapy during the relevant period.

3. The above findings of fact provide grounds for the imposition upon Respondent of disciplinary action pursuant to N.J.A.C. 13:39A-3.8(a)<sup>10</sup>, and N.J.S.A. 45:1-21(e), in that he failed to assure that bills for services rendered to his patients accurately represented the aquatic physical therapy services rendered during the relevant period.

4. The above findings of fact provide grounds for the imposition upon Respondent of disciplinary action pursuant to N.J.A.C. 13:39A-3.1, and N.J.S.A. 45:1-21(e), in that he failed to ensure that his patient records and the billing records at the Cherry Hill facility accurately reflected patient contact with the physical therapist and contained all of the information minimally required by the regulations of the Board.

ACCORDINGLY, IT IS on this 24 day of June, 2014

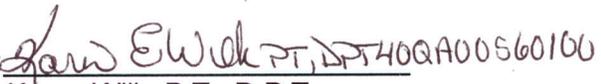
ORDERED AND AGREED that:

1. Respondent shall cease and desist aiding or abetting the unlicensed practice of physical therapy by acquiescing in permitting an unlicensed person to observe, instruct, or record aquatic physical therapy services to his patients; and shall cease and desist from failing to ensure that his patient records and billing accurately reflect his contacts with the patient, and contain all required information.

2. Respondent is hereby assessed a civil penalty, pursuant to N.J.S.A. 45:1-22, in the total amount of \$5,000.00 for violations of N.J.A.C. 13:39A-2.4, N.J.A.C. 13:39A-3.8(a), N.J.A.C. 13:39A-3.1, and N.J.S.A. 45:1-21(e), as set forth above. Payment shall be by certified check or money order made payable to the State of New Jersey, and shall be sent to: Lisa Tadeo, Executive Director, Board of Physical Therapy Examiners at 124 Halsey Street, Sixth Floor, P.O. Box 45014, Newark, New Jersey 07101, no later than thirty (30) days from the date of this Consent Order.

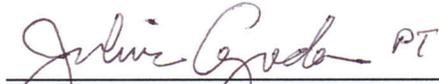
3. Failure to comply with any provisions of this Order or remit any and all payments required by this Order will result in the filing of a certificate of debt and may result in subsequent disciplinary proceedings for failure to comply with an Order of the Board.

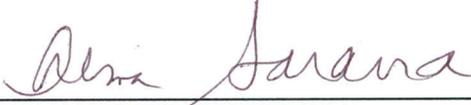
NEW JERSEY STATE BOARD OF  
PHYSICAL THERAPY EXAMINERS

By:  PT, DPT40QA00560160  
Karen Wilk, P.T., D.P.T.  
Board President

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.

Consent is hereby given to the  
form and entry of this Order.

 PT  
Julius Cepeda, P.T.

  
Alma Saravia, Esq.  
Attorney for Respondent