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**FILED**  
**BOARD OF PHYSICAL THERAPY**  
  
**JUL 22 2014**

By: John D. Hugelmeyer  
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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 THE	:	
LICENSE OF:	:	Administrative Action
TERRY ROBERTS, P.T.	:	CONSENT ORDER
License No. 40QA01352200	:	
TO PRACTICE PHYSICAL THERAPY	:	
IN THE STATE OF NEW JERSEY	:	
_____	:	

This matter having been opened to the New Jersey State Board of Physical Therapy Examiners (hereinafter "the Board") upon receipt of information, including the testimony of Terry Roberts, P.T., (hereinafter "Respondent") at an investigative inquiry, it appears to the Board that:

1. Respondent 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 Aquahab Physical Therapy, in Cherry Hill, N.J., from 2003 until October 2012.

3. During the period of her employment, Ms. Harris was permitted to observe, instruct and record the therapeutic exercises of Respondent's patients in the pool area of the facility, while all licensed personnel were in a separate area of the facility.

4. The unattended therapeutic activities of Respondent's patients in the pool area of the Cherry Hill, N.J. facility were recorded and billed as physical therapy services.

5. In addition, therapies in the pool area that were billed to Medicare as one-to-one physical therapy services were rendered to multiple patients simultaneously, while attended only by Respondent or an unlicensed person.

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

7. Patient records and billing at the facility failed to accurately reflect patient contacts with Respondent, and failed to accurately represent the services he rendered.

8. The patient records 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 permitted Ms. Harris, an unlicensed aide, to render physical therapy services to his patients as described in paragraph 3 above, thereby aiding or abetting the unlicensed practice of physical therapy and failing to assure that bills for services rendered under his supervision accurately represented the services rendered.

These findings by the Board establish a basis for disciplinary action pursuant to N.J.S.A. 45:1-21(e); N.J.A.C. 13:39A-2.4(b); N.J.A.C. 13:39A-3.8(a)7; N.J.A.C. 13:39A-3.8(a)10; and N.J.A.C. 13:39A-3.1.

The parties wishing to resolve this matter without further formal proceedings; and Respondent neither admitting nor denying the findings of the Board, and for good cause shown:

IT IS on this *22<sup>nd</sup>* day of *July*, 2014

ORDERED AND AGREED that:

1. Respondent shall cease and desist aiding or abetting the unlicensed practice of physical therapy by authorizing or permitting instruction in therapeutic exercises by unlicensed persons; and shall cease and desist from failing to ensure that patient records and billing accurately reflect patient contact with the therapist, 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 \$2,500.00 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). 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: Karen E Wilk PT DPT 40QA00560100  
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.

Terry Roberts P.T.  
Terry Roberts, P.T.

Richard A. West  
Richard A. West, Esq.  
Attorney for Respondent