

FILED

BOARD OF PHYSICAL THERAPY

NOV 25 2014

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

MICHAEL SIMON, P.T.
LICENSE NO. 40QA00987000

TO PRACTICE PHYSICAL THERAPY
IN THE STATE OF NEW JERSEY

Administrative Action

FINAL ORDER
OF DISCIPLINE

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, 2010 through January 31, 2012, as required for the 2012-2014 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 January 3, 2012 the respondent submitted her completed application for renewal of license as a physical therapist in the State of New Jersey.
3. On her application, the respondent responded "no" to the question of "Will you have completed the required continuing education (CE) by January 31st, 2012?"
4. On or about May 10, 2012 respondent provided the Board with evidence of 18 CE

credits taken after January 31, 2012. The Board applied these 18 credits to the 30 credit deficiency notwithstanding the fact that they were obtained after January 31, 2012

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 (“POD”) was entered on February 12, 2013, and served upon the Respondent at the last known address by regular and certified mail.

The POD 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 Findings of Fact and Conclusions of Law by submitting a written report for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting Respondent’s request for consideration and reasons therefor.

On March 7, 2013 a check was received from Respondent in the amount of \$500 in satisfaction of the penalty imposed in the POD. Additionally submitted was proofs of

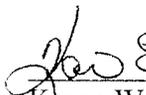
satisfactory completion of a 20 credit continuing education course. The Board will accept 12 of these credits to make up the deficiency.

THEREFORE, IT IS ON THIS 25th DAY OF November 2014

ORDERED that:

1. Respondent paid in full a civil penalty the amount of five hundred dollars (\$500.00) as imposed in the POD.
2. Respondent submitted proof of having completed the requisite thirty (30) hours of continuing education credits, as satisfactory proofs of completion of the 12 outstanding credits were submitted and accepted by the Board. **These continuing education credits are NOT to be used to renew respondent's license for the 2014-2016 renewal period.**
3. Respondent met all of the terms and conditions of the POD and Respondent's license remains active.

NEW JERSEY STATE BOARD
OF PHYSICAL THERAPY EXAMINERS

By:  Karen Wilk P.T., D.P.T. 400A00560100
Chair

Via Certified and Regular Mail
CM: RRR