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FILED
BOARD OF PHYSICAL THERAPY
JUL 26 2016

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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	:	
	:	<u>Administrative Action</u>
	:	
	:	
KOSTANTINOS NTELEKOS, P.T.	:	
License NO:40QA00963300	:	CONSENT ORDER
	:	
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 receipt of information from the National Practitioner Data Bank against Kostantino Ntelekos, PT for injuries sustained by a male patient, E.L. who suffered a fractured humerus during the course of receiving physical therapy treatment.

Mr. Ntelekos ("the respondent") appeared at an investigative inquiry of the Board represented by Willaim Isele, Esquire. The respondent confirmed that he was employed at Strive Physical Therapy, where he is the clinical director and part owner at the Voorhees, New Jersey office located at 205 White Horse Road, since March 2013.

Respondent testified that he provided physical therapy to E.L. for a "CVA" (stroke) that the patient sustained in March 2006 which left the patient with deficits to his range of motion, strength, gait and upper and lower left extremities. Respondent performed the initial evaluation of this patient on March 20, 2013. E.L. attended 16 visits for physical therapy. On the fifteenth visit during a passive range of motion stretch of the left upper extremity both the patient and respondent heard a loud pop. The patient was referred to emergency for x-rays. The patient reported that the X-rays of the left shoulder were negative and the physician at the hospital diagnosed him with a left shoulder strain. On May 1, 2013 E.L.'s next visit, respondent performed a re-evaluation noting that the patient had an edema over the left elbow. Respondent recommended patient seek an x-ray at the emergency room. Patient reported that the x-ray results confirmed a non-displaced fracture of the left humerus. The record confirms that patient did not return after this visit. A summary discharge note was not prepared for this

patient. The May 1, 2015 patient note indicated that the patient was put on hold awaiting evaluation by orthopedic surgeon. Thus a summary discharge note was never prepared for this patient in violation of N.J.A.C. 13:39A-3.1(c)13.

A review of the patient record demonstrated that the notes were not complete and accurate as required by N.J.A.C. 13:39-3.1. Information that the patient walked with the assistance of a hemi-walker or wore an orthotic or a splint type support on his foot was not recorded in the patient history or the section concerning activities of daily living problems in the record. The patient record did not include measures for the patient's pain, measures were also not recorded in the range of motion screening during the initial evaluation. A notation indicating "abnormal-see details below" is not a proper measure for active or passive range of motion. Finally, this patient had previously received rehabilitative care which was not reflected in his record.

Respondent testified that he gave E.L. a home exercise program. However, this too was not included in the patient record. The flow sheet, initialed by the physical therapist, and made by the physical therapist assistant was also not co-signed by the physical therapist as required by N.J.A.C. 13: 39A-7.2(c). The record also lacked a discharge note for the cessation of physical therapy treatment on M.E.'s knees for the first round of

treatment. The flow sheet indicated that treatment was on hold without a reason and a discharge summary was never prepared as required by N.J.A.C. 13:39A-3.1(c)13.

After reviewing the patient records and testimony of the respondent, it appears to the Board that respondent's patient record did not accurately reflect the patient contact with the physical therapist and contained numerous record keeping violations. The visit notes and the flow sheet were not signed by the physical therapist and did not contain the license number of the physical therapist as required by N.J.A.C. 13:3.1(c)1. Although respondent's testimony explained deficiencies suffered by the patient, the record did not support his explanation for providing treatment. Respondent's failure to take measures at the initial evaluation to determine the patient's range of motion made it impossible to determine whether the patient was progressing.

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 ^{26th} DAY OF ~~JUNE~~^{JULY}, 2016

ORDERED that:

1. Respondent is reprimanded for his failure to comply with the patient record regulations and shall maintain and prepare complete patient records that accurately support the interventions and treatments performed on future patients.

2. The respondent shall complete a defensible documentation course pre-approved by the Board within six months of the filing date of this order. The credits received from this continuing education course shall not be used for the subsequent biennial renewal period pursuant to N.J.A.C. 13:39A-9.2(d).

3. Respondent is hereby assessed a civil penalty in the amount of \$5000.00 for his conduct in continuing to provide physical therapy treatment which was not supported by the patient record and contained numerous record-keeping violations pursuant to N.J.A.C. 13:39A-3.1.

4. Respondent shall pay costs incurred by the Board in the amount of \$697.00.

5. Payment of both the civil penalty and costs in the amount of \$5697.00 shall be made by certified check, bank cashier check or money order contemporaneously with the signing of this Consent Order, payable to the State of New Jersey via a

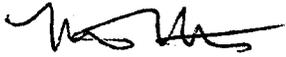
certified check or by wire transfer, direct deposit, or credit card payment delivered or mailed to the attention of Lisa Tadeo, Executive Director, Board of Physical Therapy Examiners, P.O. Box 42014, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Should the respondent require installment payments to satisfy the full amount of the civil penalty and costs imposed in the amount of \$5695.00, he may contact Lisa Tadeo, Executive Director and agree to enter into 18 equal monthly installment payments in the amount of \$316.500 commencing August 15, 2016 and a final payment to be made on January 15, 2018.

6. Failure on the part of the Respondent to pay the civil penalty timely or failure 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: Beth Sarfaty P.T.
Beth Sarfaty, P.T.
Chair

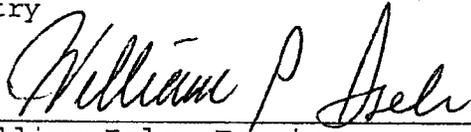
I have read and understand the within
Consent Order and agree to be bound
by its terms. Consent is hereby given
to the Board to enter this Order.



Kostantinos Ntelekos, P.T.

DATED: 7-9-16

This order is agreed to as to form and entry



William Isle, Esquire
Attorney for Kostantino Ntelekos, P.T.

DATED: 7-16-16