



CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
New Jersey State Board of Physical Therapy Examiners
124 Halsey Street, 6th Floor, Newark NJ 07102

August 31, 2017



CHRISTOPHER S. PORRINO
Attorney General

STEVE C. LEE
Director

Mailing Address:
P.O. Box 45014
Newark, NJ 07101
(973) 504-6455

By Certified and Regular Mail

Tony Najjar, PTA
879 Graystone Circle
Northampton, PA 18067

Re: Offer of Settlement In Lieu of Filing a Formal Disciplinary Complaint
License NO.40QB00278800

Dear Mr. Najjar:

This letter is to advise you that the New Jersey State Board of Physical Therapy Examiners (the Board) has had an opportunity to review information concerning the biennial renewal of license to practice physical therapy as a physical therapist assistant in the State of New Jersey for the 2016-2018 renewal periods. The Board is in receipt of information dated on or about August 11, 2016 which explained why you did not complete the 30 continuing education credits required for license renewal. Specifically, the information provided informed the Board that you did not attend an ethics course scheduled during the last week of January 2015 because of inclement weather.

In response to the question in the renewal application, as to whether you will have completed the required continuing education courses by January 31, 2016, the Board noted you responded that you completed the total amount of credits required for renewal of your license. The license to practice as a physical therapist assistant was renewed.

Upon review of the explanation provided the Board understands that you submitted proofs to support satisfactory completion of 22 continuing education credits. The Board did not count two credits listed for an ethics and law course offered by the Pennsylvania Physical Therapy Association as it was not an approved course. The Board's review acknowledged that you need to complete 30 continuing education credits as required by N.J.S.A. 45:9-37.34d. Thus, the Board has preliminarily found that probable cause exists to support a finding that you failed to complete the 30 required continuing education credits within the specific time period in violation of N.J.S.A. 45:9-37.34d and N.J.A.C. 13:39A-9.1 et. seq. Additionally, you have 10 outstanding credits and you misrepresented on the renewal application that the total amount of continuing education credits required for renewal were completed violating N.J.S.A. 45:1-21b.

At this juncture, the Board has preliminarily concluded that the above violations are sufficient to warrant the initiation of formal disciplinary proceedings against you. Notwithstanding that decision, however, the Board has determined that it will first offer you an opportunity to settle this matter, and thereby avoid the initiation of disciplinary proceedings, should you consent to:

1. Cease and desist in the future from failing to obtain all 30 continuing education credits within the two years preceding the biennial renewal period as set forth in the Board's statutes and regulations and if you have not completed the required number of continuing education credits required you should so indicate on the renewal question in the response summary.

2. Pay a civil penalty in the total amount of \$1500.00 (to be paid immediately upon your signing of the acknowledgment at the bottom of this letter) This amount consists of \$500.00 for failing to complete the 30 continuing education credits within the required time period and \$1000.00 for misrepresenting that you had obtained the required amount of continuing education credits on the renewal application. Payment shall be sent by certified check, money order or bank cashier check payable to the State of New Jersey or by wire transfer, direct deposit or credit card payment deliver or mailed in care of the Board of Physical Therapy Examiners, attention Lisa Tadeo, Executive Director, P.O. Box 45014, Newark, New Jersey 07101. Should you need additional time to pay the civil penalty you may contact Lisa Tadeo at 973-504-6455 and request an installment payment plan. The Board will permit you to make payments over 12 equal monthly installment payments of \$125. The first payment shall commence on October 1, 2017 and the final payment is due on September 1, 2018. Should you default on any payment the remaining balance will be immediately due and a certificate of debt for the remaining balance shall be filed.

3. The 10 outstanding continuing education credits are to be completed within 6 months from the signing of the acknowledgment below. You are reminded that only 10 of the 30 credits can be obtained through internet courses. All other credits must be obtained from in person courses or live webinars. You are reminded that these credits cannot be applied to current biennial period as they are considered part of disciplinary action pursuant to N.J.A.C. 13:42-10.24.

4. These courses must be completed in addition to your present C.E. requirements. The completion of these courses will not be considered as credit to the current biennial renewal period as they are part of a disciplinary measure, pursuant to N.J.A.C. 13:42-10.24.


5. Your failure to supply satisfactory proofs of the 10 outstanding continuing education credits within six months will result in the immediate suspension of your license to practice physical therapy until the satisfactory proofs are received. Said suspension will require you to cease practicing immediately.

If you are willing to settle this matter on the offered settlement terms, you may do so by signing the acknowledgment at the bottom of this letter, and returning it to the Board office. Upon your signature, this letter will be a matter of public record.

In the event you are unwilling to settle this matter on the offered terms, it will be referred to the Attorney General's office for the initiation of appropriate enforcement action. In such event, you will be afforded an opportunity to defend against the alleged violations. If an evidentiary hearing is deemed warranted the Board will either conduct that hearing at a date and time to be scheduled or refer the matter to the Office of Administrative Law. You are advised, however, that in the event formal charges are filed, the Board may assess civil penalties in an amount greater than that herein offered settlement should any charges against you be sustained. Additionally, the Board may, if the facts are found to so warrant, enter an order, requiring you to reimburse certain monies and/or requiring you to pay costs incurred by the Board. Should you have any questions concerning this letter or the settlement offer herein, I suggest that you contact Deputy Attorney General, Carmen A. Rodriguez who may be reached at (973) 648-3696.

If you elect to settle this matter presently, you should sign the acknowledgment at the bottom of this letter and return it to the Board within fifteen (15) days following your receipt of this letter. In the event that the Board receives no response from you within fifteen (15) days, the Board's settlement offer will be withdrawn, and the matter will be referred to the Attorney General's Office for the initiation of appropriate enforcement proceedings.

NEW JERSEY STATE BOARD OF
PHYSICAL THERAPY EXAMINERS

By: 
Lisa Tadeo
Executive Director

ACKNOWLEDGMENT: I, Tony Najjar, P.T.A., hereby acknowledge that I have read and reviewed the settlement proposal set forth in the above letter. I acknowledge the conduct which has been charged. I am aware that, by signing this acknowledgment, I am waiving any rights I may have to defend myself against any charges of wrongdoing at an administrative hearing. I am also aware that the action taken against me by the Board herein is a matter of public record, and that this letter is a public document. I hereby agree to pay a civil penalty in the amount of \$1500.00 (to be paid upon signing of this acknowledgment) or by the installment plan detailed above. I also agree to submit satisfactory proofs that the 10 outstanding continuing education credits have been satisfied within 6 months of my signing of this acknowledgment. If the proofs of completion of continuing education credits are not sent to the Board within 6 months, I understand that my license will be suspended until the proofs are sent to the Board and I must cease practicing.


Tony Najjar, PTA

Dated: 9-17-17

c: Carmen A. Rodriguez, Deputy Attorney General