BEFORE THE IOWA BOARD OF PHYSICAL AND OCCUPATIONAL THERAPY

IN THE MATTER OF:	)	No. O4-011
	)	
BRIDGET LONG,	)	**COMBINED NOTICE OF HEARING,**
License No. 00056,	)	**SETTLEMENT AGREEMENT, AND**
	)	**FINAL ORDER**
Respondent.	)	

COMES NOW the Board of Physical and Occupational Therapy (hereinafter "the Board") and Respondent Bridget Long and hereby enter into this Combined Notice of Hearing, Settlement Agreement and Final Order pursuant to Iowa Code sections 17A.10(2), 272C.3(4) and 645 IAC 12.1.

NOTICE OF HEARING

1. A hearing on this matter will not be held as the Board and Respondent have entered into the following Combined Notice of Hearing, Settlement Agreement and Final Order.

2. The Board issued Respondent occupational therapy assistant license number 00056 to practice as an occupational therapy assistant.

LEGAL AUTHORITY AND JURISDICTION

3. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 148B and 272C.

SECTIONS OF STATUTES AND RULES INVOLVED

COUNT I

4. Respondent is charged with professional incompetency, in violation of Iowa Code sections 147.55(3), 272C.10(2), and 645 IAC 209.2(2)(a), (b) by engaging in one or more of the following:

A. A substantial lack of knowledge or ability to discharge professional obligations within the scope of practice; and

B. A substantial deviation from the standards of learning or skill ordinarily possessed and applied by other occupational therapy assistants in the state of Iowa acting in the same or similar circumstances.

STATEMENT OF MATTERS ASSERTED

5. The Board received information which raised serious concerns that Respondent failed to provide appropriate assistance to occupational therapists in the care and treatment of several persons receiving treatment at her place and employment.

6. The Board alleges Respondent's performance as an occupational therapy assistant deviated from the prevailing standard of care as follows:

A. Respondent provided therapy to a person when the occupational therapist directed her not to do so;

B. Respondent initiated treatment on a person without waiting for the occupational therapist to arrive when she believed the person would have missed the session had she not initiated treatment;

C. Respondent threw a large ball at an unresponsive person, aiming at the person's chest and forearm, but resulting in the person being hit three times in the face until the therapist intervened;

D. Respondent failed to appropriately apply and document the use of splints and helmets to persons;

E. Respondent failed to document treatment and documented the wrong treatment for persons;

F. Respondent was unable to apply special precautions to persons;

G. Respondent was unaware of MRSA or fall precautions; and

H. Respondent used improper body mechanics, failed to correct an unsafe hand placement and failed to lock a wheelchair and secure the rocking mechanics.

SETTLEMENT AGREEMENT AND FINAL ORDER

7. Respondent hereby agrees to voluntarily surrender her license until further order of the Board.

8. This Combined Notice of Hearing, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.

9. By entering into this Combined Notice of Hearing, Settlement Agreement and Final Order, Respondent voluntarily waives any rights to a contested hearing on the allegations contained in the Statement of Matters Asserted, and waives any objections to the terms of the Settlement Agreement.

10. This Combined Notice of Hearing, Settlement Agreement and Final Order is voluntarily submitted by Respondent to the Board for consideration.

11. Respondent acknowledges that she has a right to be represented by counsel in this matter.

12. Respondent agrees that the State's counsel may present this Combined Notice of Hearing, Settlement Agreement and Final Order to the Board.

13. This Combined Notice of Hearing, Settlement Agreement and Final Order must be approved by the Board. If the Board fails to approve this Combined Notice of Hearing, Settlement Agreement and Final Order it shall be of no force or effect to either party.

14. Respondent understands that this Order is a public record and is therefore, subject to inspection and copying by members of the public.

15. This Order shall be part of the Respondent's permanent record and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of future violations.

16. Any failure by Respondent to comply with the terms and conditions of this Order may subject Respondent to further licensee disciplinary action by the Board.

17. The Board's approval of this Combined Notice of Hearing, Settlement Agreement and Final Order shall constitute a **FINAL ORDER** of the Board.

IT IS THEREFORE ORDERED:

Respondent's occupational therapy assistant license shall be voluntarily surrendered. Respondent shall physically surrender her certificate to the Board Office within 10 days of the date of this Combined Notice of Hearing, Settlement Agreement and Final Order signed by the Board. In the event Respondent seeks reinstatement, it shall be her burden to establish that it is in the public interest to do so and that the basis for the surrender no longer exists, as provided in 645 IAC 11.31

If the Board determines to reinstate Respondent's occupational therapy assistant license pursuant to 645 IAC 11.31, in addition to any other terms or conditions of reinstatement, Respondent shall comply with all then existing laws and rules on the administrative reactivation of her license.

If the Board reinstates Respondent's occupational therapy license, the Board may impose such terms and conditions as will protect the public interest, including, but not limited to a period of probation.

Respondent shall not perform any occupational therapy assistant services for which licensure as an occupational therapy assistant is required under Iowa Code chapter 148B, until such license is reinstated and reactivated as provided in this Combined Notice of Hearing, Settlement Agreement and Final Order.

This combined notice of hearing, settlement agreement, and final order is approved by the board on September 14, 2007.