BEFORE THE IOWA BOARD OF PHYSICAL AND OCCUPATIONAL THERAPY

IN THE MATTER OF	)	NO. 12-013
	)	
Brett Addison Patton, P.T.,	)	**COMBINED STATEMENT OF CHARGES, SETTLEMENT AGREEMENT, AND FINAL ORDER**
	)	
Respondent.	)	
	)	
	)	

COME NOW the Iowa Board of Physical and Occupational Therapy (Board), and Brett Addison patton, P.T. (Respondent), and enter into the following combined Statement of Charges, Settlement Agreement, and Final Order. Respondent was issued Iowa occupational therapy license number 00435 on September 11, 1972. Respondent's license is active, and will expire on October 15, 2013. Respondent's address as reported to the Board is 202 E. Alta Vista, Ottumwa, IA 52501. The Board has jurisdiction over the parties and the subject matter.

STATEMENT OF CHARGES

Count I

Respondent is charged pursuant to Iowa Code sections 147.55(5) and 645 Iowa Administrative Code 209.2(11) with conviction of a crime related to the practice of the profession.

CIRCUMSTANCES

1. Respondent has been convicted three times for operating while intoxicated: In March of 2008, May of 2009, and December of 2011.

SETTLEMENT AGREEMENT and FINAL ORDER

2. Respondent agrees that his license shall be subject to a two year Period of Probation. Such Period of Probation shall begin the date the Board accepts this Combined Statement of Charges, Settlement Agreement, and Final Order (Combined Document).

3. During the Period of Probation, Respondent shall continue to attend at least two (2) Alcohol Anonymous, Narcotics Anonymous, or similar aftercare group meetings weekly. Respondent shall submit quarterly reports to the Board attesting to his attendance, signed or initialed by another person at the meetings. Respondent shall maintain a sponsor in conjunction with this aftercare, and shall have at least weekly

contact with this sponsor. Respondent shall submit quarterly reports to the Board attesting to his compliance with this requirement, signed or initialed by his sponsor.

4. Respondent shall continue to meet with a licensed mental health care professional (Mental Health Care Provider) on a schedule deemed appropriate by the Mental Health Care Provider. Within 30 days of the Effective Date of this Combined Document (see paragraph 8 below), Respondent shall submit to the Board the name of his Mental Health Care Provider for approval. Respondent shall ensure his Mental Health Care Provider submits quarterly written reports to the Board concerning his treatment progress and ability to actively practice in the profession. Respondent shall provide any release necessary for the Mental Health Care Provider to provide this documentation to the Board.

5. All quarterly reports required by this Combined Document shall be due on or by March 1, June 1, September 1, and December 1 of each year of Respondent's probation.

6. Execution of this Combined Statement of Charges, Settlement Agreement and Final Order constitutes the resolution of a contested case. Respondent has a right to a hearing on the charges, but waives Respondent's right to hearing and all attendant rights, including the right to seek judicial review, by freely and voluntarily agreeing to this Settlement Agreement and Final Order. Once entered, this Order shall have the force and effect of a disciplinary order entered following a contested case hearing.

7. Respondent is freely and voluntarily entering into this Combined Statement of Charges, Settlement Agreement and Final Order. Respondent agrees that State's counsel may present this agreement to the Board and may have *ex parte* communications with the Board while presenting it.

8. This Combined Statement of Charges, Settlement Agreement and Final Order is subject to approval by the Board. The Effective Date of this Combined Document is the date of Board approval. If the Board approves this Combined Statement of Charges, Settlement Agreement and Final Order, it becomes the final disposition of this matter. If the Board fails to approve this Combined Statement of Charges, Settlement Agreement and Final Order, it shall be of no force or effect to either party.

9. This Combined Statement of Charges, Settlement Agreement and Final Order shall be part of 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 any future violations.

10. In the event Respondent violates or fails to comply with any of the terms of this Combined Statement of Charges, Settlement Agreement and Final Order, the Board may initiate appropriate action to revoke or suspend Respondent's license or to impose other licensee discipline in accordance with Iowa Code section 272C.3(2)(a).

11. This Combined Statement of Charges, Settlement Agreement and Final Order is a public record available for inspection and copying upon execution, in accordance with the requirements of Iowa Code chapters 22 and 272C.

12. The Board's approval of this Combined Statement of Charges, Settlement Agreement and Final Order shall constitute a FINAL ORDER of the Board.

AGREED AND ACCEPTED:

Brett A Patton	Denise Behrens
BRETT ADDISON PATTON, P.T., RESPONDENT	CHAIRPERSON, IOWA BOARD OF PHYSICAL AND OCCUPATIONAL THERAPY
Dated this 19th day of December, 2012	Dated this 21st day of December, 2012

Copies to:

September Lau
Attorney General's Office
Hoover State Office Building, 2nd Floor
LOCAL

Brett Addison Patton