

BEFORE THE IOWA BOARD OF  
PHYSICAL AND OCCUPATIONAL THERAPY

---

IN THE MATTER OF	)	CASE NUMBER: 09-008
	)	
MICHAEL HEGWOOD, PTA	)	<b>SETTLEMENT AGREEMENT</b>
	)	<b>AND FINAL ORDER</b>
	)	
Respondent.	)	

---

COME NOW the Board of Physical and Occupational Therapy of the State of Iowa ("Board") and Michael Hegwood ("Respondent"), and pursuant to Iowa Code sections 17A.10 and 272C.3(4), enter into the following Settlement Agreement and Final Order of the contested case currently on file against the Respondent:

1. The Respondent was originally licensed to practice as a physical therapy assistant in the state of Iowa on September 3, 1993, and holds license number 00201.
2. A Notice of Hearing and Statement of Charges was filed against the Respondent on August 21, 2009. A contested case hearing in this matter was scheduled for March 19, 2010 and has been continued.
3. The Board has jurisdiction over the parties and subject matter of the Notice of Hearing and Statement of Charges.
4. Execution of this Settlement Agreement and Final Order constitutes the resolution of this contested case. Respondent has a right to a hearing on the charges, but waives his 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 contested case hearing.
5. Respondent is freely and voluntarily entering into this Settlement Agreement and Final Order, and he agrees that the State's counsel may present this agreement to the Board.

6. This agreement is subject to approval of the Board. If the Board approves this agreement, it becomes the final disposition of this matter. If the Board fails to approve this agreement, it shall be of no force or effect to either party.

7. This agreement shall be part of the permanent record of Respondent 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.

8. In the event Respondent violates or fails to comply with any of the terms of this 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).

9. This Settlement Agreement and Final Order becomes a public record available for inspection and copying upon execution of this agreement in accordance with the requirements of Iowa Code Chapters 22 and 272C.

10. The Board's approval of this agreement shall constitute a FINAL ORDER of the Board.

**IT IS THEREFORE ORDERED:**

11. Respondent, having completed a chemical dependency evaluation from a board approved provider, shall have his license to practice as a physical therapy assistant in the state of Iowa suspended for a period of seven (7) days effective October 24, 2010, through October 30, 2010. During the period of time Respondent's license is suspended, Respondent shall not hold himself out to be a licensed physical therapy assistant under his Iowa license and shall not perform any activities in Iowa for which a license to practice as a physical therapy assistant is required.

12. Upon fulfillment of the provision stated above, Respondent's license will be placed on probation for a period of three years. During the term of probation, Respondent will be subject to the following terms and conditions:

A. Respondent shall follow all recommendations of his substance abuse treatment providers. Respondent will attend structured recovery support group meetings if participation is recommended by the treatment program. Reports, which verify attendance, must be submitted to the board every quarter.

B. Respondent shall not consume alcohol, deviate from the therapeutic use of prescribed medications, or use illicit drugs.

C. Respondent will immediately report all personal use of prescription medications to the board. Written verification must be provided by the prescribing physician or practitioner within ten (10) days from the date the medication was ordered or administered.

D. Respondent shall submit to the Board's drug screening program and agrees to comply with all requirements of the drug-screening program. Respondent shall provide random blood or urine specimens when required. Respondent shall ensure that all urine samples are appropriately witnessed as required by the drug screening program and agrees that samples that are not visually witnessed will be considered invalid.

E. Respondent agrees to sign all necessary release forms that may be required to obtain information related to case monitoring and/or compliance with the provisions of this consent agreement.

F. Respondent will assume responsibility for all expenses incurred in order to comply with the conditions and requirements imposed by this consent agreement.

G. Respondent shall file sworn quarterly reports with the Board attesting to his compliance with all of the terms and conditions of this Settlement Agreement. The reports shall be filed not later than

1/20, 4/20, 7/20 and 10/20 of each year of the Respondent's probation.

H. Respondent shall make appearances before the Board or a Board committee annually or upon request. Respondent shall be given reasonable notice of the date, time and location for the appearances. Said appearances shall be subject to the waiver provisions of 645 IAC 9.7.

I. Respondent shall obey all federal, state and local laws, and all rules governing the practice of a physical therapy assistant in Iowa.

J. Respondent agrees to submit to random unannounced visits to his place of employment by the Board or its designee to verify compliance with this Settlement Agreement and Final Order. The Respondent shall fully cooperate in visits, reviews or evaluations by the Board or its designee.

K. Periods of practice outside the state of Iowa or periods during which Respondent's license is inactive will not apply to the duration of the probation contained in the Settlement Agreement and Final Order.

13. The period of probation shall terminate following the three year time period provided that Respondent has fully complied with the terms and conditions for probation set forth in this Settlement Agreement and Final Order.

This settlement agreement and final order is approved by the Board September 24, 2010.