

BEFORE THE IOWA BOARD OF PHYSICAL AND OCCUPATIONAL THERAPY

IN THE MATTER OF) NO. 08-006
)
SHANAH LEIGH SULLIVAN,) **SETTLEMENT AGREEMENT AND**
) **FINAL ORDER**
 Respondent)

COME NOW the Iowa Board of Physical and Occupational Therapy (hereinafter "the Board") and Respondent Shanah Leigh Sullivan and hereby enter into this Settlement Agreement and Final Order pursuant to Iowa Code sections 17A.10(2) (2007), 272C.3(4) and 645 IAC 12.1.

1. Sullivan is licensed to practice occupational therapy in the state of Iowa and holds license number 01811. Her license is current through October 10, 2009.

2. Respondent's address as reported to the Board is 521 North 5th Street, Apartment 2, Burlington, Iowa 52601.

3. The Board has jurisdiction over the parties and subject matter.

4. The Board filed a Statement of Charges on September 5, 2008, charging Sullivan under: (1) Iowa Code sections 147.55(2) and 272C.10(2) and 645 IAC 209.2(2) with professional incompetency; (2) Iowa Code sections 147.55(3) and 272C.10(3) and 645 IAC 209.2(3) with engaging in unethical conduct or practice harmful or detrimental to the public; (3) 645 IAC 209.2(10) with negligence by the licensee in the practice of the profession; and (4) 645 IAC 209.2(12) and 208.2 with failing to maintain sufficient, timely and accurate documentation in patient records. A contested case hearing is scheduled for November 21, 2008.

5. Sullivan does not contest the allegations contained in the Statement of Charges filed in this matter and agrees not to contest the Statement of Charges.

6. Execution of this Settlement Agreement and Final Order constitutes the resolution of this contested case. By entering into this Settlement Agreement and Final Order, Sullivan voluntarily waives any rights to a contested hearing and all attendant rights, including the right to judicial review. Once entered, this Order shall have the force and effect of a disciplinary order entered following a contested case hearing.

7. This Settlement Agreement and Final Order is voluntarily submitted by Sullivan to the Board for consideration.

8. Sullivan acknowledges that she has a right to be represented by counsel in this matter.

9. Sullivan agrees that the State's counsel may present this Settlement Agreement and Final Order to the Board.

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

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

12. This Order shall be part of Sullivan'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.

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

14. The Board's approval of this Settlement Agreement and Final Order shall constitute a **FINAL ORDER** of the Board.

IT IS THEREFORE ORDERED:

15. Sullivan is hereby reprimanded for failing to document care she provided to a patient for 4.5 months.

16. Sullivan's license is hereby suspended for a period of seven days, effective December 1, 2008, to and including December 7, 2008. During the period of time Sullivan's license is suspended, Sullivan shall not hold herself out to be a licensed occupational therapist under her Iowa license and shall not perform any activities in Iowa for which a license to practice as an occupational therapist is required.

17. Sullivan agrees to obey all federal, state, and local laws, rules and regulations governing the practice of occupational therapy.

18. Sullivan shall complete 12 hours of Board-approved continuing education in the areas of recordkeeping and ethics in addition to the requirements found in 645 LAC 207 within six months of the entry of this order.

19. Sullivan shall remit to the Board a civil penalty in the amount of seven hundred and fifty dollars (\$750) within ninety days of the date of the execution of this Settlement Agreement and Final Order.

This settlement agreement and final order is approved by the board on November 21, 2008.