

**BEFORE THE IOWA BOARD OF PHYSICAL & OCCUPATIONAL THERAPY**

---

Re:	)	CASE NO. 13-001
Occupational Therapist License of	)	
	)	<b>NOTICE OF HEARING AND</b>
<b>LAURA BRATT</b>	)	<b>STATEMENT OF CHARGES</b>
License No.01262	)	
Respondent.	)	

---

**COMES NOW** the Iowa Board of Physical & Occupational Therapy (“Board”) and files this Notice of Hearing and Statement of Charges against Laura Bratt (“Respondent”), 4726 Devlin Drive, Norwalk, Iowa 50211, pursuant to Iowa Code sections 17A.12(2) and 17A.18(3) (2013). Respondent’s occupational therapist license number 01262 is currently active and expires on December 15, 2015.

**A. TIME, PLACE, AND NATURE OF HEARING**

Hearing. A disciplinary contested case hearing shall be held on September 12, 2014, before the Board. The hearing shall begin at 10:30 a.m. and shall be located in the Lucas State Office Building, 5<sup>th</sup> Floor Board Room #526, Des Moines, Iowa.

Answer. Within twenty (20) days of the date you are served this Notice of Hearing and Statement of charges, you are required by 645 Iowa Administrative Code rule 11.12 to file an Answer. The Answer should specifically admit, deny, or otherwise answer all allegations contained in sections C and D of this Notice of Hearing and Statement of Charges. Pleadings shall be filed with the Board at the following address: Iowa Board of Physical & Occupational Therapy, Lucas State Office Building, 5<sup>th</sup> Floor, 321 E. 12<sup>th</sup> St., Des Moines, Iowa 50319.

Presiding Officer. The Board shall serve as presiding officer, but the Board may request an Administrative Law Judge from the Department of Inspections and Appeals make initial rulings on pre-hearing matters, and be present to assist and advise the Board at the hearing.

Hearing Procedures. The procedural rules governing the conduct of the hearing are found at 645 Iowa Administrative Code chapter 11. At the hearing, you may appear personally or be represented by counsel at your own expense. You will be allowed the opportunity to respond to the charges against you, to produce evidence on your behalf on issues of material fact, cross-examine witnesses present at the hearing, and examine and respond to any documents introduced at the hearing. If you need to request an alternative time or date for the hearing, you must comply with the requirements in 645 Iowa Administrative Code rule 11.18. The hearing may be open to the public or closed to the public at your discretion.

Pre-hearing Conference. Any party may request a pre-hearing conference to discuss evidentiary issues related to the hearing. The Board’s rules regarding pre-hearing conferences are found at 645 Iowa Administrative Code rule 11.17.

Prosecution. The Office of Attorney General is responsible for representing the public interest (the State) in this proceeding. Copies of pleadings should be provided to counsel for the State at the following address:

Laura Cathelyn  
Assistant Attorney General  
Iowa Attorney General's Office  
2<sup>nd</sup> Floor, Hoover State Office Building  
Des Moines, Iowa 50319

Ms. Cathelyn can also be reached by phone at (515) 281-6690 or by e-mail at [laura.cathelyn@iowa.gov](mailto:laura.cathelyn@iowa.gov).

Communications. You may contact the Board office at (515) 281-4287 with questions regarding this notice and other matters relating to these disciplinary proceedings. You may not contact individual Board members in any manner, including by phone, letter, or e-mail, regarding this Notice of Hearing and Statement of Charges. Board members may only receive information about the case when all parties have notice and the opportunity to participate, such as at the hearing or in pleadings you file with the Board office and serve upon all parties in the case.

## **B. LEGAL AUTHORITY AND JURISDICTION**

Jurisdiction. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 147, 148B, and 272C.

Legal Authority. If any of the allegations against you are founded, the Board has authority to take disciplinary action against you under Iowa Code chapters 147, 148B, and 272C and under 645 Iowa Administrative Code chapters 13 and 209.

Default. If you fail to appear at the hearing, the Board may enter a default decision or proceed with the hearing and render a decision in your absence, in accordance with Iowa Code section 17A.12(3) and 645 Iowa Administrative Code rule 11.21.

## **C. CHARGES**

### **Count I**

Respondent is charged with conviction of a crime that would affect the licensee's ability to practice within the profession, pursuant to Iowa Code section 147.55(5) and 645 Iowa Administrative Code rule 209.2(11).

### **Count II**

Respondent is charged with addition to the use of drugs, pursuant to Iowa Code section 147.55(4) and 645 Iowa Administrative Code rule 209.2(6).

**D. FACTUAL CIRCUMSTANCES**

- 1. On August 26, 2013, Respondent pled guilty to Delivery of a Schedule I Controlled Substance-Marijuana, a class D felony.
- 2. Respondent received 5 year suspended prison sentence with 3 years of probation and a fine.
- 3. In October, 2013, and in January, 2014, Respondent was found guilty of contempt for violating the terms of her probation.
- 4. Respondent was sentenced to a residential facility after violating her probation for the second time.
- 5. Respondent admitted, in a narrative sent to the Board, being addicted to marijuana prior to her initial arrest in November, 2012.

**E. SETTLEMENT**

This matter may be resolved by settlement agreement. The procedural rules governing the Board’s settlement process are found at 645 Iowa Administrative Code rule 12.1. If you are interested in pursuing settlement in this matter, please contact Assistant Attorney General Laura Cathelyn at (515) 281-6690.

**F. FINDING OF PROBABLE CAUSE**

On this 25th day of April, 2014, the Iowa Board of Physical & Occupational Therapy found probable cause to file this Notice of Hearing and Statement of Charges.



\_\_\_\_\_  
Chairperson  
Iowa Board of Physical & Occupational Therapy

cc: Laura Cathelyn  
Assistant Attorney General  
Hoover Building, 2<sup>nd</sup> Floor  
Des Moines, IA 50319

Sean Spellman  
Spellman Law, P.C.  
4000 Westown Parkway, Suite 120  
West Des Moines, IA 50266