

**BEFORE THE MINNESOTA  
BOARD OF PHYSICAL THERAPY**

In the Matter of the  
Physical Therapy License  
of Andrea D. Corbin, P.T.  
Year of Birth: 1953  
License Number: 1655

**STIPULATION AND ORDER**

IT IS HEREBY STIPULATED AND AGREED, by and between Andrea D. Corbin, P.T. ("Licensee"), and the Complaint Review Committee ("Committee") of the Minnesota Board of Physical Therapy ("Minnesota Board") as follows:

1. During all times herein, Licensee has been and now is subject to the jurisdiction of the Minnesota Board from which she holds a license to practice physical therapy in the State of Minnesota.

2. After a thorough review of the file, the Committee feels that this matter can be resolved by mail. Licensee has been advised by Board representatives that she may choose to be represented by legal counsel in this matter. Although aware of this option, Licensee has chosen to represent herself. The Committee was represented by Bryan D. Huffman, Assistant Attorney General, 445 Minnesota Street, Suite 1400, St. Paul, Minnesota 55101-2131, telephone (651) 757-1439.

**FACTS**

3. On June 27, 1977, Licensee was licensed to practice physical therapy in the State of Minnesota.

4. On or about March 1, 2013, the Maryland State Board of Physical Therapy Examiners ("Maryland Board") adopted a Consent Order placing Licensee's license on probation for a minimum of one year and requiring her to take an ethics course ("Maryland Order").

5. In part, the Maryland Order included the following findings of fact. On May 3, 2012, Licensee visited the home of patient A. Licensee attempted to transfer patient A from his bed to his chair; however, the transfer board slipped. Patient A was unable to hold himself on the bed, so he let himself slide to a sitting position on the floor. The patient asked Licensee for a telephone so he could call the fire department for assistance. Licensee handed the patient a telephone and left the residence before he could place the call. Patient A subsequently discovered that the telephone was dead. As a result, he spent approximately one-half hour crawling across the floor to reach another telephone. At no time did Licensee return to patient A's residence to check on him.

6. The Maryland Board concluded that Licensee's abandonment of patient A was egregious and violated the Maryland Physical Therapy Act. The Maryland Board further concluded that Licensee's conduct was grossly negligent and unprofessional.

#### STATUTES

7. Based on the Maryland Order and the facts contained therein, the Committee views Licensee's practices as inappropriate in such a way as to require Board action under Minn. Stat. § 148.75(a)(6), (7), and (19) (2012). Licensee agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify the disciplinary action under these statutes.

## REMEDY

8. Upon this stipulation and all of the files, records, and proceedings herein, and without any further notice or hearing herein, Licensee does hereby consent that until further order of the Board, made after notice and hearing upon application by Licensee or upon the Board's own motion, the Board may make and enter an order **SUSPENDING** Licensee's license to practice physical therapy in the State of Minnesota. The suspension is **STAYED** so long as Licensee complies with all terms of this Stipulation and Order, including the following **CONDITION**: Licensee must fully comply with all conditions and terms of the Maryland Order.

9. Licensee is responsible for all costs incurred as a result of compliance with this Stipulation and Order.

10. Within ten days of the date of this Order, Licensee must provide the Board with a list of all work sites and locations at which Licensee currently has privileges, a list of all states in which Licensee is licensed or has applied for licensure, and the addresses and telephone numbers of Licensee's residences and all work sites. Within seven days of any change, Licensee must provide the Board with the new address and telephone information. The information must be sent to Stephanie Lunning, Minnesota Board of Physical Therapy, University Park Plaza, 2829 University Avenue S.E., Suite 420, Minneapolis, Minnesota 55414-3664.

11. In the event Licensee resides or practices outside the State of Minnesota, Licensee shall promptly notify the Board in writing of the location of her residence and all work sites. Periods of residency or practice outside of Minnesota will not be credited toward any period of Licensee's suspended, limited, or conditioned license in Minnesota unless Licensee demonstrates

that practice in another state conforms completely with Licensee's Minnesota license to practice physical therapy.

12. Upon successful completion of the terms and conditions of this Stipulation and Order, Licensee may petition the Board for an unconditional license and removal of the stayed suspension. Licensee's petition may be granted, if at all, as the evidence dictates and based upon the need to protect the public. The burden of proof falls upon Licensee to demonstrate by a preponderance of the evidence that she is capable of conducting herself in a fit and competent manner in the practice of physical therapy. At the time of Licensee's petition, she may be required to meet with the Committee. Upon hearing the petition, the Board may continue, modify, or remove the conditions set out herein.

#### **CONSEQUENCES FOR NONCOMPLIANCE OR ADDITIONAL VIOLATIONS**

##### **A. Noncompliance With Requirements for Stayed Suspension**

13. If the Committee has probable cause to believe Licensee has failed to comply with or has violated any of the requirements for staying the suspension as outlined above, the Committee may remove the stay of suspension pursuant to the procedures outlined in paragraph 13 below, with the following additions and exceptions:

a. The removal of the stayed suspension will take effect upon service of an Order of Removal of Stayed Suspension ("Order of Removal"). Licensee agrees that the Committee is authorized to issue an Order of Removal, which shall remain in effect and will have the full force and effect of an order of the Board until the Board makes a final determination pursuant to the procedures outlined in paragraph 13 below or until the complaint is dismissed and the order is rescinded by the Committee. The Order of Removal must confirm the Committee has probable cause to believe Licensee has failed to comply with or has violated one

or more of the requirements for staying the suspension of Licensee's license. Licensee further agrees an Order of Removal issued pursuant to this paragraph shall be deemed a public document under the Minnesota Government Data Practices Act. Licensee waives any right to a conference or hearing before removal of the stayed suspension.

b. The Committee must schedule the hearing pursuant to paragraph 13 below to be held within 60 days of service of the Order of Removal.

#### B. Noncompliance With Stipulation and Order

14. If Licensee fails to comply with or violates this Stipulation and Order, the Committee may, in its discretion, seek additional discipline either by initiating a contested case proceeding pursuant to Minnesota Statutes chapter 14 (2012) or by bringing the matter directly to the Board pursuant to the following procedure:

a. The Committee may schedule a hearing before the Board. At least 20 days before the hearing, the Committee must mail Licensee a notice of the violation(s) alleged by the Committee. In addition, the notice must designate the time and place of the hearing. Within ten days after the notice is mailed, Licensee must submit a written response to the allegations. If Licensee does not submit a timely response to the Board, the allegations may be deemed admitted.

b. The Committee, in its discretion, may schedule a conference with Licensee prior to the hearing before the Board to discuss the allegations and to attempt to resolve the allegations through agreement.

c. Prior to the hearing before the Board, the Committee and Licensee may submit affidavits and written argument in support of their positions. At the hearing, the Committee and Licensee may present oral argument. Argument shall not refer to matters outside

the record. The evidentiary record shall be limited to the affidavits submitted prior to the hearing and this Stipulation and Order. Unless stated otherwise in this Stipulation and Order, the Committee shall have the burden of proving by a preponderance of the evidence that a violation has occurred. If Licensee has failed to submit a timely response to the allegations, Licensee may not contest the allegations, but may present argument concerning the appropriateness of additional discipline. Licensee waives a hearing before an administrative law judge, discovery, cross-examination of adverse witnesses, and other procedures governing hearings pursuant to Minnesota Statutes chapter 14.

d. Licensee's correction of a violation prior to the conference, hearing, or meeting of the Board may be taken into account by the Board but shall not limit the Board's authority to impose discipline for the violation. A decision by the Committee not to seek discipline when it first learns of a violation will not waive the Committee's right to later seek discipline for that violation, either alone or in combination with other violations, at any time while Licensee's license is suspended or the suspension is stayed.

e. Following the hearing, the Board will deliberate confidentially. If the allegations are not proved, the Board will dismiss the allegations. If a violation is proved, the Board may impose additional discipline, including additional requirements for the stayed suspension, removal of the stayed suspension, an additional period of suspension, or revocation of Licensee's license.

15. In the event the Board in its discretion does not approve this settlement, this stipulation is withdrawn and will be of no evidentiary value and may not be relied upon nor introduced in any disciplinary action by either party hereto except that Licensee agrees that should the Board reject this stipulation and if this case proceeds to hearing, Licensee will assert

no claim that the Board was prejudiced by its review and discussion of this stipulation or of any records relating hereto.

16. This stipulation does not in any way limit or affect the authority of the Board to temporarily suspend Licensee's license under Minn. Stat. § 148.755 or to initiate contested case proceedings against Licensee on the basis of any act, conduct, or omission of Licensee justifying disciplinary action occurring before or after the date of this Stipulation and Order which is not related to the facts, circumstances, or requirements referenced herein.

17. Licensee waives any further hearings on this matter before the Board to which Licensee may be entitled by Minnesota or United States constitutions, statutes, or rules and agrees that the order to be entered pursuant to the stipulation shall be the final order herein.

18. Licensee hereby acknowledges that she has read and understands this stipulation and has voluntarily entered into the stipulation without threat or promise by the Board or any of its members, employees, or agents. This stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this stipulation.

Dated: 08-26-13

Dated: 09-19-13

SIGNATURE ON FILE  
ANDREA D. CORBIN, P.T.  
Licensee

SIGNATURE ON FILE  
FOR THE COMMITTEE

**ORDER**

Upon consideration of this stipulation and all the files, records, and proceedings herein,

IT IS HEREBY ORDERED that the terms of this stipulation are adopted and implemented by the Board this 19<sup>th</sup> day of September, 2013

MINNESOTA BOARD OF  
PHYSICAL THERAPY

SIGNATURE ON FILE

STEPHANIE LUNNING  
Executive Director