

**BEFORE THE MINNESOTA
BOARD OF PHYSICAL THERAPY**

In the Matter of the
Physical Therapist Assistant License
of Patricia S. Broadbent, P.T.A.
Year of Birth: 1959
License Number: A152

STIPULATION AND ORDER

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

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

2. Following a thorough review of the file, the Committee determined that this matter could be resolved by mail. Licensee was advised by the Board's representatives that she may choose to be represented by legal counsel in this matter. Licensee knowingly waived legal representation. The Committee was represented by Bryan D. Huffman, Assistant Attorney General, 445 Minnesota Street, Suite 1400, St. Paul, Minnesota 55101-2131, telephone (651) 296-7575.

FACTS

3. On March 11, 2008, Licensee was licensed as a physical therapist assistant in Minnesota. In March 2011, Licensee completed chemical dependency treatment.

4. On or about March 7, 2011, Licensee self-reported to the Health Professionals Services Program ("HPSP"). During her intake interview, Licensee disclosed the following:

a. In 2009 and again the week prior to intake, Licensee was hospitalized due to mental health issues.

b. Licensee arrived at work with alcohol on her breath and was not taking her mental health medications as prescribed.

5. On or about July 21, 2012, Licensee self-reported a relapse to the HPSP.

6. On or about November 11, 2012, Licensee self-reported a relapse the preceding week to the HPSP. Licensee stated that her relapse stemmed from self-adjustment to her mental health medications.

7. Between December 4 and 6, 2012, Licensee relapsed with alcohol for three days.

8. On December 10, 2012, Licensee underwent a chemical use assessment. The following information was disclosed during the assessment:

a. Licensee has mental health diagnoses. She stated that she is an alcoholic and uses alcohol to cope with her mental health diagnoses.

b. Licensee stated that she does not always take her mental health medications as prescribed.

9. Licensee's chemical use assessment yielded a diagnosis of alcohol dependence-continuous. Licensee was noted to be at severe risk for continued alcohol use unless she entered an inpatient chemical dependency treatment program. She completed inpatient treatment in January 2013 and outpatient treatment in February 2013.

STATUTES

10. The Committee views Licensee's practices as inappropriate in such a way as to require Board action under Minn. Stat. § 148.75(a)(2) (2012) and Minn. R. 5601.3200, subp. 2E

(2011). Licensee agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify the disciplinary action under these statutes.

REMEDY

11. Upon this stipulation and all of the files, records, and proceedings herein, and without any further notice or hearing herein, Licensee hereby consents 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 as a physical therapist assistant in Minnesota. The suspension is **STAYED** so long as Licensee complies with the following **CONDITIONS**:

- a. Licensee must remain enrolled in HPSP and fully comply with her HPSP Participation Agreement and Monitoring Plan.
- b. Licensee must completely abstain from alcohol and all mood-altering drugs, unless prescribed by a physician or dentist who has first been informed of Licensee's history of chemical dependency.
- c. This stipulation will remain in effect for a minimum of 36 months from the date that the Board adopts the Order.
- d. Licensee may petition the Board for an unconditional license upon successful completion of HPSP and satisfactory compliance with the terms of this Stipulation and Order. Licensee's petition for an unconditional license 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 a physical therapist assistant and has been

sober and free from all mood-altering chemicals during the 36 months immediately preceding her petition for an unconditional license.

e. At the time of Licensee's petition, Licensee may be required to meet with a Complaint Review Committee. If requested by the Committee, Licensee must undergo a chemical dependency evaluation performed by a chemical dependency treatment professional. Licensee must submit, or cause to be submitted, the credentials of the chemical dependency evaluator for review and preapproval by Board staff for purposes of this evaluation. The results of the evaluation must be sent directly to the Board and must include a statement verifying the evaluator has reviewed this Stipulation and Order. Upon hearing the petition, the Board may continue, modify, or remove the conditions set out herein.

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

13. Within ten days of the date of this Order, Licensee shall 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 shall provide the Board with the new address and telephone information. The information shall be sent to Stephanie Lunning, Minnesota Board of Physical Therapy, University Park Plaza, 2829 University Avenue S.E., Suite 420, Minneapolis, Minnesota 55414-3664.

14. 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 as a physical therapist assistant.

15. If Licensee shall fail, neglect, or refuse to fully comply with each of the terms, provisions, and conditions herein, the Committee shall schedule a hearing before the Board. The Committee shall mail Licensee a notice of the violation alleged by the Committee and of the time and place of the hearing. Licensee shall submit a response to the allegations at least three days prior to the hearing. If Licensee does not submit a timely response to the Board, the allegations may be deemed admitted.

16. At the hearing before the Board, the Committee and Licensee may submit affidavits made on personal knowledge and argument based on the record in support of their positions. The evidentiary record before the Board shall be limited to such affidavits and this Stipulation and Order. Licensee waives a hearing before an administrative law judge and waives discovery, cross-examination of adverse witnesses, and other procedures governing administrative hearings or civil trials.

At the hearing, the Board will determine whether to impose additional disciplinary action, including additional conditions or limitations on Licensee's practice or suspension or revocation of Licensee's license.

17. In the event the Board in its discretion does not approve this settlement, this stipulation is withdrawn and shall be of no evidentiary value and shall 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.

