

**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 as a physical therapist assistant in the State of Minnesota.
2. Licensee has been advised by Board representatives that she may choose to be represented by legal counsel in this matter. Although aware of her right to representation by counsel, Licensee has knowingly and expressly waived that right. 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 March 11, 2008, Licensee was licensed as a physical therapist assistant in the State of Minnesota.
4. On May 16, 2013, the Board adopted a Stipulation and Order ("May 2013 Order") suspending Licensee's license as a physical therapist assistant in Minnesota. The suspension was stayed so long as Licensee complied with various conditions and limitations. The May 2013

Order was based on Licensee's history of chemical dependency, multiple relapses with alcohol in 2012, and failure to take mental health medications as prescribed.

5. The May 2013 Order required Licensee to abstain from alcohol and all mood-altering substances and fully comply with the Health Professionals Services Program ("HPSP").

6. On June 5, 2013, Licensee self-reported to HPSP that she relapsed with alcohol.

7. On June 7, 2013, Licensee was discharged from HPSP due to continued use of alcohol.

8. Licensee's use of alcohol and discharge from HPSP constituted noncompliance with the May 2013 Order.

STATUTES

9. The Committee views Licensee's practices as inappropriate in such a way as to require Board action under Minn. Stat. § 148.75(a)(1) and (2) (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

10. 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 **INDEFINITELY SUSPENDING** Licensee's physical therapist assistant license in the State of Minnesota.

11. During the period of suspension, Licensee may not engage in any conduct which constitutes practice as a physical therapist assistant as defined by Minn. Stat. § 148.65, subd. 3. Licensee may not imply to any persons by words or conduct that she is authorized to practice as a physical therapist assistant in the State of Minnesota.

12. Licensee shall surrender her license to the Board. Licensee must personally deliver or mail the license to the Minnesota Board of Physical Therapy, c/o Stephanie Lunning, Executive Director, 2829 University Avenue S.E., Suite 420, Minneapolis, Minnesota 55414, within ten days of the date of service of this Order.

13. Licensee may petition for reinstatement of her physical therapist assistant license no sooner than 12 months from the date of this Order. Licensee's license may be reinstated, if at all, as the evidence dictates and based upon the need to protect the public. The burden of proof will be upon Licensee to demonstrate by a preponderance of the evidence that she is capable of conducting herself in a fit and competent manner as a physical therapist assistant and has been sober and free from all mood-altering chemicals during the 12 months immediately preceding the petition for reinstatement.

14. At the time of Licensee's petition, Licensee may be required to meet with the Board's Complaint Review Committee to review her response to the Facts above and provide documentation of 12 months of uninterrupted sobriety. 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 deny Licensee's petition for reinstatement or reinstate Licensee's license with conditions and/or limitations imposed on her license. Licensee may submit the following in an effort to demonstrate 12 months of uninterrupted sobriety:

a. Proof of attendance and participation in a chemical dependency treatment program; mutual support group meetings, such as Alcoholics Anonymous; or meetings with mutual support group sponsors; and

b. Any other documentation Licensee would like to submit in order to meet her burden of proof.

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

16. 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.

17. If Licensee fails, neglects, or refuses to fully comply with each of the terms, provisions, and conditions herein, the Committee may schedule a hearing before the Board. The Committee must mail Licensee a notice of the violation alleged by the Committee and of the time and place of the hearing. Licensee must submit a response to the allegations at least ten days prior to the hearing. If Licensee does not submit a timely response to the Board, the allegations may be deemed admitted.

18. 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 must 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.

19. 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.

20. 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.

21. 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: 7/11/13

SIGNATURE ON FILE

PATRICIA S. BROADBENT, P.T.A.
Licensee

Dated: 8-08-2013

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 8th day of August, 2013.

MINNESOTA BOARD OF
PHYSICAL THERAPY

SIGNATURE ON FILE

STEPHANIE LUNNING
Executive Director

