

**IN THE MATTER OF**

**EMMA QUITAIN DAPUL, P.T.**

**License No. 19078**

**\* BEFORE THE**

**\* MARYLAND STATE BOARD**

**\* OF PHYSICAL THERAPY**

**\* EXAMINERS**

\* \* \* \* \*

**CONSENT ORDER**

**BACKGROUND**

On December 5, 2009 the Maryland Board of Physical Therapy Examiners (the "Board") received an Adverse Action Report from the National Practitioner Databank ("NPD") and/or the Healthcare Integrity and Protection Databank ("HIPDB") that Emma Quitain Dapul's Florida license to practice physical therapy had been suspended after her failure to comply with certain terms and conditions relating to her failure to properly complete continuing education requirements during the 2003-2005 <sup>biennium (act)</sup> ~~biennium~~. In lieu of instituting formal proceedings against Ms. Dapul's license, in accordance with the Maryland Physical Therapy Act, Md. Code, Health Occ. § 13-316(10), the Board has offered Ms. Dapul the opportunity to resolve this matter by agreeing to the terms set forth in this Consent Order.

**FINDINGS OF FACT**

1. Ms. Dapul was first licensed as a physical therapist in the state of Florida in 1993 under License No. PT9281.
2. Ms. Dapul was licensed as physical therapist in Maryland under License No. 19078 in 1997.

3. The Florida Board of Physical Therapy Practice entered into a settlement agreement with Ms. Dapul on November 27, 2007, Case Number 2007-04605, wherein she agreed to do the following in order to settle a disciplinary action against her Florida license for failure to properly complete and document her completion of continuing education requirements for the 2003-2005 biennium in accordance with Florida law: (1) pay a fine of \$3,000; (2) pay costs of \$2,500; and (3) successfully complete the Florida Laws and Rules Exam.
4. On April 25, 2008, Florida Board of Physical Therapy Practice incorporated the above settlement into a Final Order and lowered the amount due to \$1,069.21.
5. On August 29, 2008, Florida Board of Physical Therapy Practice issued a Final Order case in Case Number 2008-18084 which required Ms. Dapul to pay her outstanding fines and costs of \$1,069.21, a new fine of \$150, and costs in the amount of \$75. This Order stated that the total amount due of \$1,294.21 was due within 30 days from the date of the Order.
6. On November 24, 2009, the Florida Board of Physical Therapy Practice issued a Final Order suspending Ms. Dapul's Florida physical therapy license because of her failure to comply with Final Order 2008-18084. The August 24, 2009 Order, Case Number 2008-27683, requires Ms. Dapul complete the following in order to reinstate her license: (1) comply with Final Order 2008-18084 described above by paying \$1,294.21; (2) pay a \$1,000 fine; (c) pass the Florida Laws and Rules Exam; (d) pay costs of \$261.25; and (d) appear before the Florida Board of Physical Therapy Practice in order to demonstrate her satisfaction of these terms.

7. On December 5, 2009 the Maryland Board received an Adverse Action Report from NPD and/or HIPDB that Emma Quitain Dapul's Florida license to practice physical therapy had been suspended.
8. As of February 16, 2010, Ms. Dapul had not yet complied with the terms of Florida's November 24, 2009 Final Order.

### **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Board concludes that Ms. Dapul is subject to discipline pursuant to Md. Code, Health Occ., § 13-316(10).

### **ORDER**

Based on an affirmative vote of the Board, it is this 16<sup>th</sup> day of March, 2010, hereby:

**ORDERED** that Ms. Dapul's license is hereby placed on PROBATION for at least ONE YEAR; and be it further,

**ORDERED** that during the probationary period, Ms. Dapul shall:

1. pay all outstanding fines and costs assessed by the Florida Board of Physical Therapy, including those specified in Final Orders 2008-27683 and 2008-18084;
2. complete any additional requirements specified in Final Orders 2008-27683 and 2008-18084 necessary to bring her Florida physical therapy license into good standing, including successful completion of the Florida Laws and Rules Exam; and
3. provide the Maryland Board with proof of completion of items 1 and 2 above; and be it further,

**ORDERED** that in the event Ms. Dapul violates probation, the Board may, after notice and an opportunity for a show cause hearing, impose further disciplinary action, including suspension, revocation, or imposition of a monetary penalty in accordance with COMAR 10.38.02.03; and be it further,

**ORDERED** that Ms. Dapul shall be responsible for all costs associated with this Consent Order; and be it further,

**ORDERED** that this is a formal order of the Maryland Board of Physical Therapy Examiners and as such is a public document pursuant to the Md. Code, State Gov't, § 10-617(h).

March 16, 2010  
Date

Ann Tyminski  
Ann Tyminski, Executive Director  
for Margery Rodgers, Board Chair

**CONSENT**

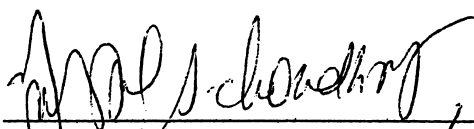
1. By signing this Consent, I hereby affirm the findings of fact contained herein and agree to be bound by the foregoing Consent Order and its conditions.
2. By signing this Consent, I submit to the foregoing Consent Order as a resolution of this matter.
3. By signing this Consent, I waive any rights I may have had to contest the findings and determinations contained in this Consent Order.
4. I acknowledge the legal authority and the jurisdiction of the Board to enter and enforce this Consent Order.
5. I sign this Consent Order freely and voluntarily, aware of my right to consult with counsel.
6. I fully understand the language, meaning, and effect of this Consent Order.

March 11, 2010  
Date

EQ Dapul  
Emma Quitain Dapul

STATE OF MARYLAND  
COUNTY/CITY OF Baltimore

I hereby certify that on this 1<sup>TH</sup> day of March, 2010, before me, a Notary Public of the State of Maryland and County/City aforesaid, personally appeared EMMA QUITAIN DAPUL, and made an oath in due form that the foregoing Consent was her voluntary act and deed.

  
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Notary Public  
My commission expires: 03/26/13