

IN THE MATTER OF * BEFORE THE MARYLAND
DENNIS F. EDGAR, PTA * BOARD OF PHYSICAL
APPLICANT FOR LICENSURE * THERAPY EXAMINERS

* * * * *

PRE-CHARGE CONSENT ORDER

Background

On November 11, 2010, the Maryland Board of Physical Therapy Examiners (the "Board") received a reinstatement application from Dennis F. Edgar, P.T.A. On the application, Mr. Edgar indicated that he had been convicted of an assault charge in May 2000. As a result, the Board conducted an investigation into the matter in order to determine the circumstances surrounding the conviction.

In lieu of instituting formal proceedings against Mr. Edgar's application, in accordance with the Maryland Physical Therapy Act, Md. Code Ann., Health Occ. § 13-101 *et seq.*, the Board held a Pre-Charge Case Resolution Conference with Mr. Edgar on February 22, 2011. As a result, the Board and Mr. Edgar have agreed to resolve this matter as set forth in this Consent Order.

FINDINGS OF FACT

1. On November 11, 2010, the Board received a reinstatement application for licensure from Mr. Edgar.
2. Mr. Edgar was previously licensed in Maryland under License Number A1980, however he allowed his license to lapse in 2000.
3. Mr. Edgar is actively licensed in Delaware as a physical therapist assistant.
4. In the application, Mr. Edgar disclosed that he was convicted of a second degree assault

charge on July 31, 2000.

5. Mr. Edgar was convicted of assaulting an 18-year old mentally impaired student at Benedictine School in Ridgely, Maryland.
6. Mr. Edgar was not functioning as a physical therapist assistant at the school. He was employed as a child care worker.
7. Subsequent to the conviction, Mr. Edgar obtained employment as a physical therapist assistant in Delaware. Mr. Edgar currently works at an outpatient clinic in Delaware.
8. Mr. Edgar fully complied with all terms of his criminal probation, and has not been involved in any other criminal incidents since 2000.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that Mr. Edgar was criminally convicted of a crime which subjects him to disciplinary action in accordance with Md. Code Ann., Health Occ. §§ 13-302(b) and 13-316(6).

ORDER

Based on an affirmative vote of the Board, it is this 4th day of April, 2011, hereby:

ORDERED that Mr. Edgar be approved to sit for the State's Maryland jurisprudence examination; and be it further, *Jurisprudence exam passed 3/9/2011*

ORDERED that upon successful completion of the jurisprudence examination, Mr. Edgar shall be issued a physical therapist assistant license; and be it further,

ORDERED that Mr. Edgar's license shall be placed on immediate PROBATION for at least TWO (2) YEARS; and be it further,

ORDERED that during the probationary period, Mr. Edgar shall:

(1) Limit his practice to outpatient clinic or hospital settings, and shall not practice in home health, long-term care or nursing home settings; and

(2) Insure that his employer submit quarterly reports to the Board regarding his performance and patient satisfaction; and be it further,

ORDERED that after two (2) years of probation, Mr. Edgar may petition to terminate the probation provided that he has fully complied with the terms of probation and does not have any pending complaints filed against him; and be it further,

ORDERED that Mr. Edgar shall at all times cooperate with the Board in the monitoring, supervision, and investigation of Mr. Edgar's compliance with the terms and conditions of this Consent Order; and be it further,

ORDERED that Mr. Edgar's failure to fully cooperate with the Board shall be deemed a violation of the probationary terms and a violation of this Consent Order and he may be subject to additional charges and, after notice and opportunity for a hearing, discipline by the Board; and be it further,

ORDERED that Mr. Edgar 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 Maryland Annotated Code, State Government Article, Section 10-617(h).

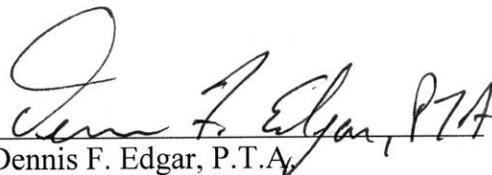
April 4, 2011
Date

Shirley Leeper, PTA
Shirley Leeper, P.T.A.
Chair, Board of Physical Therapy Examiners

CONSENT

1. By signing this Consent, I submit to the foregoing Consent Order as a resolution of this matter in lieu of formal charges, which process would have afforded me the right to a full evidentiary hearing. I consent and submit to the foregoing Findings of Fact, Conclusions of Law, and Order as if made after a full evidentiary hearing in which I would have the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf and to all other substantive and procedural protections provided by law.
2. By signing this Consent, I waive any rights I may have had to contest the findings and determinations contained in this Consent Order.
3. I acknowledge the legal authority and the jurisdiction of the Board to enter and enforce this Consent Order.
4. I sign this Consent Order freely and voluntarily, after having had the opportunity to consult with counsel. I fully understand the language, meaning, and effect of this Consent Order.

3/27/11
Date


Dennis F. Edgar, P.T.A.

Delaware
STATE OF ~~MARYLAND~~
COUNTY/CITY OF _____:

I hereby certify that on this 27th day of March, 2011, before me, a Notary Public of the State of Maryland and County/City aforesaid, personally appeared DENNIS F. EDGAR and made an oath in due form that the foregoing Consent was his voluntary act and deed.



Debra K. Hersh
Notary Public
My commission expires: 3/09/2012