

OCCUPATIONAL THERAPY LICENSING BOARD

STATE OF OREGON

In the Matter of the Occupational) ORDER FOR DENIAL
Therapy License Renewal of) OF LICENSE RENEWAL
) BY DEFAULT
ROMULUS GALICIA, OT)
License # 208329) CASE NO: OT 2010-08
_____)

The Board of Occupational Therapy is the state agency responsible for the licensing and discipline of occupational therapists and for regulating the practice of occupational therapy in the State of Oregon. The Board is authorized to investigate alleged violation of unprofessional conduct of occupational therapy practice as defined by the standards established by statute and administrative rules of the Board.

ROMULUS GALICIA was licensed by the Board at the time of the complaint to practice occupational therapy in the State of Oregon holding OT license number 208329.

On May 7, 2010 the Board voted to deny a renewal license to Mr. Galicia and to issue a Notice of Proposed Disciplinary Action and Opportunity for Hearing to deny his June 1, 2010 license renewal. The Board served licensee with the Notice by certified mail on May 28, 2010 to Licensee's last known address. The Notice and letter informed licensee of his right to a hearing, and that upon failure to request a hearing within the specified time could result in issuance of a final order by default. In the Notice, the Board outlined the licensee's rights under ORS 183.413 for notice and place of hearing, procedures, and rights of parties, including to be represented by legal counsel. The Notice letter was signed for by Sara Galicia on June 2, 2010 accepting the certified notice at Mr. Galicia's residence.

Licensee failed to request a hearing within the time allowed, and is now in DEFAULT. The Board therefore makes the following findings:

FINDINGS OF FACT

1. On April 28, 2010, Licensee applied to renew his license online. He answered “No” to the Question “Have you been the subject of any disciplinary investigation or action by any licensing agency since your last Oregon OT license renewal?”
2. Licensee is currently under investigation before the California Board of Occupational Therapy Department of Consumer Affairs “In the Matter of the Statement of Issues Case No. AL2008-126”. In this disciplinary order the California Board alleges that he committed acts which would be grounds for suspension or revocation of his license. The California order requests that a hearing be held on the matters alleged and that following the hearing, the California Board issue a decision denying his application for an Occupational Therapy License.
3. The Oregon Occupational Therapy Licensing Board contacted Mr. Galicia by letter with a Notice of Proposed Disciplinary Action and Opportunity for Hearing sent Certified Mail from the Board office on May 28, 2010.
4. The Certified letter with Notice of Proposed order with notice of delivery was signed for on June 2, 2010. The Board has received no response from Mr. Galicia since the Notice was mailed and delivered. Mr. Galicia has had more than six weeks to respond.

CONCLUSIONS OF LAW

1. Licensee is in DEFAULT.

2. Mr. Galicia renewed his Oregon renewal of license online on April 28, 2010 and lied that he is not the subject of current disciplinary investigation by the California Board evidenced by the California Board "In the Matter of the Statement of Issues Case No. AL2008-126".

3. By failing to respond to the Board inquiries regarding the present investigation, Mr. Galicia violated ORS 675.300(1)(a) "Unprofessional conduct as defined by the standards established by the board "; ORS 675.300(1)(b) "attempting to obtain a license by means of fraud, misrepresentation or concealment of materials facts"; and OAR 339-010-0020(3)(d) "Failing to answer truthfully and completely any questions asked by the Board.

5. The disciplinary investigation by the California Board alleges serious facts which would be grounds for suspension or revocation of his license in California and requests that following the hearing, the California Board issue a decision denying his application for an Occupational Therapy License in California.

6. These are grounds for discipline, including denying issuing a license renewal pursuant to ORS 675.300(1).

7. Based on the preceding Findings of Fact and Conclusions of Law, the Board hereby **ORDERS THAT LICENSEE IS HEREBY DENIED THE RENEWAL OF HIS OREGON OCCUPATIONAL THERAPY LICENSE.**

8. Upon any future application to renew or reapply for licensure as an occupational therapist in Oregon, the Board shall review this order and Mr. Galicia will need to answer to the satisfaction of the Board the issues that led to this order by default.

Appeal Rights: You are entitled to judicial review of this order in accordance with ORS 183.482. You may request judicial review by filing a petition for review with the Court of Appeals in Salem, Oregon within 60 days following the date the order is served.

IT IS SO ORDERED this 4th day of August, 2010.

OCCUPATIONAL THERAPY LICENSING BOARD
State of Oregon

Signature on file
Felicia Holgate, Director

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