BEFORE THE PHYSICAL THERAPIST LICENSING BOARD

OF THE STATE OF OREGON

In the Matter of the Physical Therapist License of KRISTIN SHIMEK, PT License # 3277 Licensee.	)))))))	Case No.: PT 202-8/05 STIPULATED AGREEMENT AND FINAL ORDER (Voluntary Surrender of License)

The Oregon Physical Therapist Licensing Board (Board) is the state agency responsible for licensing and disciplining physical therapists and physical therapist assistants pursuant to ORS 688.140 and 688.160. Kristin Shimek, PT (Licensee) is licensed by the Board to practice as a physical therapist in Oregon. On August 5, 2008, the Board issued an Emergency Suspension Order and Notice of Rights and a Notice of Proposed Disciplinary Action. The Board subsequently, on September 28, 2008, issued an Amended Notice of Proposed Disciplinary Action. The Board and Licensee agree to resolve all issues raised through this Stipulated Agreement and Final Order (Stipulation) as follows:

STIPULATION

On August 6, 2007, the Board and Licensee entered into a Stipulated Agreement and Final Order (Stipulated Agreement). Licensee failed to fully comply with all of the conditions contained in that Stipulated Agreement; however, she did partially comply by satisfying some of those conditions.

SANCTION

1. Licensee agrees to surrender her license to practice as a physical therapist effective the date that this document is executed by the Board.

2. Licensee may not reapply for licensure until two years from the date this document is executed by the Board.

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3. If Licensee reapplies for licensure, she must submit all applicable application fees, and must personally appear before the Board and provide evidence demonstrating that she satisfied the following conditions:

a. Licensee must participate in Addictions Recovery Center's (ARC) weekly aftercare program for the entire two years and have attended 75 percent of the meetings unless there is an amendment to the Stipulation pursuant to paragraph 4;

b. Licensee must undergo monthly random urinalysis (UA) at Licensee's expense for two years. The UAs may be performed by ARC or another facility contracted through RSS Testing;

c. Licensee must refrain from performing any activity which must be performed by a licensee of the Board, and shall refrain from providing patient treatment in any capacity;

d. Licensee must undergo a mental health evaluation, at Licensee's expense, by Board approved psychiatrist or psychologist, and comply with any subsequent treatment recommendations. If Licensee is still receiving treatment when she reapplies for licensure, she must provide a report from the provider indicating that she can safely practice physical therapy.

4. If during the two years, an event occurs, such as a move to a different locality, that prevents Licensee from complying with the terms of this Stipulation, Licensee may contact the Board and request an amendment to the above-stated requirements.

IT IS SO ORDERED this 17TH day of MARCH, 2009.

OREGON PHYSICAL THERAPIST
LI[illegible] **SIGNATURE ON FILE**

By
James D. Heider
Executive Director

CONSENT

I HEREBY CERTIFY that I have read and understand the provisions of this Stipulated Agreement and Final Order. I understand that I have a right to a hearing with the assistance of legal counsel. I freely and voluntarily waive all rights to a hearing, further appeal or judicial review in this matter, and I understand that any violation of this Stipulated Agreement and Final Order shall be grounds for additional discipline.

SIGNATURE ON FILE

By

Kristin Shimek, P.T.