

BEFORE THE  
 PHYSICAL THERAPIST LICENSING BOARD  
 OF THE STATE OF OREGON

In the Matter of the	)	Case No. PT-139-6/03
Physical Therapist License of:	)	License Number 3893
	)	
MICHAEL T. ZINGG, P.T.,	)	STIPULATED AGREEMENT
	)	AND FINAL ORDER
Licensee	)	

The Oregon Physical Therapist Licensing Board ("Board") is the state agency responsible for licensing, disciplining and regulating the practice of physical therapy in the State of Oregon. Michael T. Zingg, PT (Licensee) is licensed by the Board to practice as a physical therapist ("PT") in Oregon. The Board issued a Notice of Proposed Disciplinary Action on December 26, 2003.

**STIPULATION**

1. The Licensee stipulates that he violated OAR 848-010-0050(1)(o) because he failed to comply with the rules and regulations of the Board as follows:

a. The treatment records of patients H.J., A.B. and S.L. were not properly authenticated because Licensee's signature stamp was mistakenly placed on the records by someone other than Licensee. This constitutes a violation of OAR 848-040-0000(2)(d).

b. The records of the reassessments of patients H.J. and A.B. and the record of the initial evaluation of patient S.L. were inaccurate because they had Licensee's stamped signature on them when the services were performed by another licensed physical therapist in Licensee's office. Inaccurate recording on a patient record constitutes a violation of OAR 848-010-0050(1)(j).

c. Licensee failed to maintain a readily accessible form of the written initial evaluation report in patient C.S.'s chart during a six week period in 2003. This constitutes a violation of OAR 848-040-0000(1).

d. Licensee's documentation of two reassessments of patient E.W. contained inaccurate dates and therefore the information on the later reassessment appeared to contradict information on the earlier reassessment. Maintaining inaccurate treatment records constitutes a violation of OAR 848-010-0050 (1)(j) and OAR 848-010-0050(3)(b).

2. The Licensee stipulates he is responsible for his own acts and under OAR 848-020-0030(5) he is also professionally responsible for all acts and omissions of his staff that occurred with respect to patients H.J., A.B. and S.L.

3. Based on these violations the Licensee stipulates to the following sanctions:

a. He will pay a civil penalty of \$3,000, payable at \$250 on the 15<sup>th</sup> of each month until paid;

b. He will be on probation for three years, with the probationary period to begin May 6, 2004;

c. He will provide the Board with a copy of his policy and procedure manual with regard to clinic operations, particularly with respect to procedures to insure accurate documentation and record keeping; and

d. He will appear before the Board at the Board's request and will cooperate with a random audit of his patient records conducted by Board staff during the period of probation.

IT IS SO ORDERED this 23<sup>rd</sup> day of February, 2004.

**SIGNATURE ON FILE**

RD

~~James 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**

2/17/04  
Date

Michael T. Zingg, PT  
Licensee