



1           3. On January 18, 2005 Board Clinical Advisor/Investigator Sherri Paru sent a letter to  
2 License requesting a detailed description of the events leading to the revocation of his massage  
3 therapy license and requesting copies of related documentation including “final actions/and  
4 orders.” Licensee wrote a letter to the Board dated January 25, 2005 in which he declined to  
5 provide any documentation regarding the action by the Florida Board of Massage Therapy. He did  
6 not provide a detailed explanation or description of the facts surrounding the revocation.

7           4. On January 6, 2004 Licensee signed his 2004 Physical Therapist Assistant License  
8 Renewal Application and, thereafter, submitted it to the Board. License answered “No” to  
9 question number 1 on the application form that asked whether “[s]ince your last license renewal,  
10 have you been investigated, disciplined or denied licensure by any governmental licensing  
11 agency in any state....”

12           5. On or about January 3, 2003 Licensee signed his 2003 Physical Therapist Assistant  
13 License Renewal Application and, thereafter, submitted it to the Board. License answered “No”  
14 to question number 1 on the application form that asked whether “[s]ince your last license  
15 renewal, have you been investigated, disciplined or denied licensure by any governmental  
16 licensing agency in any state....”

17           6. On or about January 3, 2002 Licensee signed his 2002 Physical Therapist Assistant  
18 License Renewal Notice and, thereafter, submitted it to the Board. License answered “No” to  
19 question number 1 on the application form that asked whether “[s]ince your last license renewal,  
20 have you been investigated, disciplined or denied licensure by any governmental licensing  
21 agency in any state....”

22           7. In fact, Licensee had been the subject of an investigation by the Florida Board of  
23 Massage Therapy. That investigation resulted in a disciplinary proceeding that was begun on  
24 February 5, 2002.

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1 **CONCLUSIONS OF LAW**

2 1. Licensee has been subjected to discipline by another state based on acts similar to acts  
3 described in *former* OAR 848-010-0050(1)(i)(A), (B) and (C), which are rules adopted pursuant to  
4 ORS 688.140(2)(d) and is grounds for discipline pursuant to ORS 688.140 (2)(m).

5 2. Acts of sexual impropriety constitute unprofessional or dishonorable conduct pursuant  
6 to *former* OAR 848-010-0050(1)(i)(A), (B) and (C).

7 3. Licensee’s failure to disclose to the Board that he was currently under investigation  
8 constitutes a failure to cooperate with the Board and a failure to make a timely response to a Board  
9 communication in violation of *former* OAR 848-010-0050(1)(n).

10 4. Licensee’s failure to disclose to the Board that he was currently under investigation is a  
11 fraudulent representation and constitutes an attempt to obtain a physical therapist assistant license  
12 by a fraudulent representation in violation of ORS 688.140 (2)(j).

13 5. Licensee’s failure to provide the information and documentation requested by Board  
14 staff constitutes a failure to cooperate with the Board and a failure to make a timely response to a  
15 Board communication in violation of *former* OAR 848-010-0050(1)(n).

16 6. In making the misrepresentations on his renewal applications Licensee obtained a  
17 physical therapist assistant license by a fraudulent representation in violation of ORS 688.140  
18 (2)(j).

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**ORDER**

IT IS HEREBY ORDERED that the physical therapist assistant license number 7215 issued to Thomas O. Miller is revoked.

DATED this 5th day of April, 2005

PHYSICAL THERAPIST LICENSING BOARD  
State of Oregon

**SIGNATURE ON FILE**

By: James D. Heider  
Executive Director

NOTICE: You are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition for review within 60 days from the service of this Order. Judicial review is pursuant to the provisions of ORS 183.482 to the Oregon Court of Appeals.

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