APR 1 3 2006

BEFORE THE
PHYSICAL THERAPIST LICENSING BOARD
OF THE STATE OF OREGON

In the Matter of the Physical Therapist License of	)	Case No.: PT 183d-1/05 License #1097
JONI FISCHER-JONES, PT	)	
Licensee.	)	STIPULATED AGREEMENT AND FINAL ORDER

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. Joni Fischer-Jones, PT (Licensee) is licensed by the Board to practice as a physical therapist in Oregon. The Board issued a Notice of Proposed Disciplinary Action (Civil Penalty) on August 18, 2005. In lieu of proceeding to hearing, the Board and Licensee agree to resolve this case as follows:

1. Licensee stipulates that while owning and practicing physical therapy at Laurelhurst Physical Therapy Clinic (Laurelhurst), she allowed physical therapist aides to initiate or administer procedures or modalities the first time those procedures or modalities were administered to a patient, which is in violation of OAR 848-020-0060(9) (2005).

2. Licensee stipulates that while owning and practicing physical therapy at Laurelhurst, she acted contrary to Medicare regulations by allowing physical therapist aides (aides) to provide physical therapy treatments and subsequently mistakenly allowed Medicare to be billed for those services provided by the aides. Licensee, as an owner of Laurelhurst, initially received compensation for the services provided by the aides, but refunded the money to Medicare when the Board investigated this case and the Licensee realized the billing was in error. Licensee's actions constitute a violation of ORS 688.140(2) (2003), which is grounds for discipline.

3. Licensee stipulates that while owning and practicing physical therapy at Laurelhurst, she acted contrary to Medicare regulations by allowing student physical therapists (students) to provide physical therapy treatments and subsequently mistakenly allowed Medicare to be billed for those services provided by the students. Licensee, as an owner of Laurelhurst, received

compensation for the services provided by the students, but refunded the money to Medicare when the Board investigated this case and the Licensee realized the billing was in error. Licensee's actions constitute a violation of ORS 688.140(2) (2003), which is grounds for discipline.

4. Licensee stipulates to the following sanction:

a. The Board imposes a $5,000.00 civil penalty, which is payable within 30 days of the date this Stipulated Agreement and Final Order is signed by the Board; and

b. Licensee will be on probation for two years with the following conditions:

1. Complete, within 6 months of the date this agreement is signed by the Board, a Board approved course on federal regulations governing compliance for the provision of physical therapy services under Medicare.

2. Agree to Board on-site audits of medical and billing records during the probationary period.

IT IS SO ORDERED this 13th day of April, 2006.

OREGON PHYSICAL THERAPIST LICENSING BOARD

SIGNATURE ON FILE

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CONSENT

I HEREBY CERTIFY that I have read and understand the provisions of this Stipulation 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 Stipulation and Final Order shall be grounds for additional discipline.

SIGNATURE ON FILE

By:

Joni Fischer-Jones, PT