BEFORE THE PHYSICAL THERAPY BOARD

OF THE STATE OF OREGON

In the Matter of the License of Terrence Jackson to Practice Physical Therapy in the State of Oregon	))))	STIPULATED ORDER OF PROBATIONARY LICENSE

Terrance Jackson (licensee) came before the board on February 24, 1987, accompanied by his attorney Larry Finegold of Seattle, Washington; licensee and his attorney presented verbal and written information relative to licensee's conduct since 1971 to the present, including information regarding licensees assumption of the name Terrance Jackson after events arising in Seattle, Washington, in 1970, when licensee was known under the name Silas Bissell; the board further considered information in its files regarding licensee's 1981 application for licensure by the board; based upon the foregoing the board finds:

FINDINGS

1. That licensee assumed the name Terrance Jackson in 1971 after having in 1970, failed to appear for trial after posting bail on State of Washington charges of endangering life and property by explosives, more particularly, that licensee, then known as Silas Bissell, was allegedly instrumental in placing an explosive device beneath the steps of an R.O.T.C. building on the University of Washington campus in the early hours of January 18, 1970;

2. That an additional state charge of assault allegedly occurring during an anti-war demonstration in November 1969

was pending against licensee under the name Silas Bissell at the same time as the above charge;

3. That subsequent to licensee's failure to appear on the state endangering property charge, federal charges related to the facts of the state charge were filed against licensee as Silas Bissell;

4. That state and federal warrants were issued for the arrest of licensee as Silas Bissell in connection with the above-mentioned charges and that the licensee, then using the name Terrance Jackson, was apprehended on the federal warrant in January 1987 in Eugene, Oregon;

5. That none of the foregoing charges have been brought to trial but that a trial on the federal charges is scheduled for May 1987, and that further action on the state charges has been deferred pending the outcome of the federal charges;

6. That in the interim between 1971 and 1981, licensee, who had prior to 1971, obtained a Bachelor of Science Degree as well as a Master's Degree in English under the name Silas Bissell, applied for and received a high school equivalency certificate, attended school and obtained a bachelors degree, and a Master's Degree as a Physical Therapist and ultimately applied for and obtained a license from the board, all under the name of Terrance Jackson.

7. That the assumption of the name Terrance Jackson by licensee was not according to statutory procedures, but by

common law, and that the purpose of such assumption and use was to avoid apprehension and prosecution on criminal charges;

8. That in February 1987 licensee applied to the Circuit Court of the State of Oregon for the County of Lane for statutory change of name to Terrance Jackson;

9. That an applicant's good moral character is a condition for licensure by the board and that an applicants true identity is therefore material to such application.

10. That according to information before the board, the licensee has been a competent and devoted practitioner of physical therapy and otherwise has the praise and confidence of numerous friends, neighbors and associates.

11. That the board has no information, actual or alleged, that the licensee has engaged in any unlawful activities other than that related to the foregoing alleged criminal violations and associated flight from arrest and prosecution in 1969 and 1970.

CONCLUSIONS

The board concludes that the question of the guilt or innocence of licensee on the alleged criminal charges is not before it; the board however concludes that the assumption and use of the name Terrance Jackson was for a deceptive purpose and that the use of this name in the application for licensure by the board constituted a material misrepresentation as to the applicant's identity, providing grounds under ORS 688.140(2)(j) for

disciplinary action against licensee; the board further concludes that licensee's reported good conduct as a physical therapist and his good conduct otherwise, as it is presently known to the board, is a mitigating circumstance to be considered by the board in any such disciplinary action; the board therefore concludes that the public would be protected by placing the licensee on a probationary status, however, reserving in the board the power, should further information warrant it, to take additional disciplinary action in the future for any grounds within its authority including, ORS 688.140(2)(e) and 688.140(2)(j).

ORDER

IT IS THEREFORE ORDERED as follows:

1. Commencing with the hearing herein on February 24, 1987, and for one year thereafter, the license of Terrance Jackson to practice physical therapy in the State of Oregon shall be in a probationary status upon the following conditions:

a) Licensee shall be subject to and shall comply with all statutes and rules relative to the practice of physical therapy in Oregon.

b) Licensee shall cause to be filed with the board on a quarterly basis, the first to be filed on or before May 22, 1987, a written report from his employer assessing licensee's performance with patients over the prior three months as well as any information known to the employer and not addressed herein, as to any con-

duct by licensee in violation of ORS 688.010 to 688.230 or rules thereunder, or which would be grounds for disciplinary action against licensee under ORS 688.140. If no such information regarding misconduct or grounds for disciplinary action is known to the employer, the employer shall so state in the report. Such reporting is in addition to reports required of the employer under ORS 688.230.

c) Licensee shall report any change of employer or address in writing to the board.

d) Licensee shall immediately report to the board any additional criminal charges as may be filed against licensee and the date of any trial or the changed date of trial on any of the foregoing or new criminal charges outstanding against licensee as well as the disposition of such charges.

2. In the event of failure of licensee to comply with the foregoing, the licensee's license will, after notice and opportunity to be heard, be subject to any and all forms of disciplinary action under ORS 688.140, including revocation.

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3. Nothing in this order prevents the board, should further information warrant it, from taking additional disciplinary action in the future, after notice and an opportunity to be heard (except as provided in ORS 183.430(2)) in accordance with ORS ch 183, for any grounds within its authority including ORS 688.140(2)(e) and 688.140(2)(j).

DATED this 28th day of July, 1987.

FOR THE PHYSICAL THERAPY BOARD
OF THE STATE OF OREGON

By: _____
Board Chairman

THE UNDERSIGNED having been advised of opportunity of prior written notice of formal charges and opportunity to be heard in a contested case (evidentiary hearing) stipulate to the foregoing order.

Signature On File

LARRY FINEGOLD
Attorney for Licensee

Signature On File

TERRENCE JACKSON