

BEFORE THE
PHYSICAL THERAPIST LICENSING BOARD
OF THE STATE OF OREGON

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In the Matter of the)	Case No.: PT 209-3/05
Physical Therapist License of:)	
)	
BRENDA TOSCHIK, PT)	
License # 3050)	STIPULATION AND FINAL ORDER
)	
Licensee.)	(Probation and Assessment of Civil Penalty)

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. Brenda Toschik, PT (Licensee) is licensed by the Board to practice as a physical therapist in Oregon. The Board issued a Notice of Proposed Disciplinary Action (Probation and Civil Penalty) on November 8, 2006. In lieu of proceeding to hearing, the Board and Licensee agree to resolve this case as follows:

1. Licensee stipulates that in August and September 2005, Licensee utilized her 16 year old son as a physical therapist aide (aide). During this time, the Licensee's son performed treatment related tasks with at least two patients. Licensee did not train her son as an aide and her son did not meet the minimum eligibility standards for being utilized as an aide, being at least 18 years of age and having received a high school diploma or equivalent. Licensee's conduct constitutes violations of OAR 848-020-0010 (1)(2), OAR 848-020-0040 (1), OAR 848-020-0050 (2)(c) and OAR 848-040-0105 (3).

2. Licensee stipulates that she failed to complete and document the Board required 40 hours of training prior to allowing several aides at her clinic to perform treatment related tasks with patients. In addition, the documentation of any aide training that was performed failed to include the names of instructors and aides, including signatures. Licensee's conduct constitutes violations of OAR 848-020-0040 (1), OAR 848-020-0040 (2)(c)(E) and OAR 848-020-0050 (2)(b)(c).

The above-referenced facts and violations are grounds for discipline pursuant to ORS 688.140(2)(a) and OAR 848-045-0020(2)(h).

