BEFORE THE
PHYSICAL THERAPIST LICENSING BOARD
OF THE STATE OF OREGON

In the Matter of the Physical Therapy License Renewal of ANDRE TATE, PT License # 5285 RENEWAL APPLICANT	)	Case No.: PT 385-3/11 STIPULATED AGREEMENT & 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 ORS 688.160. On December 31, 2008, the Board and Tate entered into a Stipulation and Final Order (Stipulation) in Case 247-7/07. Tate was required to serve a one month license suspension, his license was placed on probation for two years and he was required to pay a $1,000 civil penalty. Tate violated the terms of the Stipulation by failing to pay the civil penalty. He subsequently allowed his license to lapse on March 31, 2009 before completing the full term of license probation or the one month license suspension.

On March 25, 2011, Tate applied to the Board to reinstate his lapsed license. The Board is prepared to deny the renewal application; however, the Board and Tate agree to resolve this issue through this Stipulated Agreement and Final Order.

STIPULATIONS

1. Tate stipulates that he violated the Stipulation by failing to pay the civil penalty specified in the Stipulation, which is a violation of OAR 848-045-0020 (2)(h) and ORS 688.140(2)(a) (failure to comply with an order of the Board).
2. Tate stipulates that he will satisfy full payment of the outstanding, previously assessed, civil penalty of $1,000 upon his execution of this order and prior to the reinstatement of his lapsed license.
3. Tate stipulates to the assessment of a three year license probationary period commencing

on the date this document is executed by the Board. During the time of probation, a) the Board has the right to review Tate's practice and b) Tate will comply with all statutes and rules governing the practice of physical therapy in the State of Oregon c) Tate will provide a copy of this Stipulated Agreement and all other public records related to this case to all employers, and he further agrees to provide the Board with evidence that he has satisfied this provision.

4. If Tate allows his Oregon license to lapse, at any point during the probationary period, upon reinstatement; he may be required to practice with a probationary license until the entire term of the probationary period has been satisfied.

IT IS SO ORDERED this 27TH day of APRIL, 2011.

OREGON PHYSICAL THERAPIST

LICENSING BOARD

SIGNATURE ON FILE

James D. 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.

By: **SIGNATURE ON FILE**

Andre Tate, PT Date