

**STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC HEALTH  
BUREAU OF REGULATORY SERVICES**

In re: Jennifer Palmer, P.T.

Petition No. 960925-014-004

**CONSENT ORDER**

WHEREAS, Jennifer Palmer of Bethel (hereinafter "respondent") has been issued license number 004463 to practice physical therapy by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 376 of the Connecticut General Statutes, as amended; and,

WHEREAS, respondent admits that:

1. Respondent provided hands on physical therapy for a child without parental consent and without a referral from an appropriately licensed health care practitioner.
2. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-73a.

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest this matter and agrees that for purposes of this or any future proceedings before the State Board of Examiners for Physical Therapists (hereinafter "the Board"), this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §§19a-10 and 20-73a of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17 and 20-73a of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives her right to a hearing on the merits of this matter.
2. Respondent's license number 004463 to practice as a physical therapist shall be placed on probation for a period of one year under the following terms and conditions:
  - a. Respondent shall obtain at her own expense, the services of a physical therapist (hereinafter "supervisor"), pre-approved by the Department to conduct a monthly random review of twenty percent (20%) or fifteen of respondent's patient records, whichever is the larger number. Said review shall include recent evaluations performed by respondent. In the event respondent has fifteen (15) or fewer patients, the monitor shall review all of respondent's patient records.
    - (1) Respondent's supervisor shall meet with her not less than once every month of her probationary period.
    - (2) The supervisor shall have the right to monitor respondent's practice by any other reasonable means which he or she deems appropriate. Respondent shall fully cooperate with the supervisor in providing such monitoring.
    - (3) Respondent shall be responsible for providing written supervisor reports directly to the Department monthly for the entirety of the probationary period. Such supervisor's reports shall include documentation of dates and durations of meetings with respondent, number and a general description of the patient records and progress notes, patient evaluations and patient referrals, evidence of communication with and supervising of physical therapy assistants, additional monitoring techniques utilized, and statement that respondent is practicing with reasonable skill and safety.

3. All correspondence and reports are to be addressed to:

Bonnie Pinkerton, Nurse Consultant  
Department of Public Health  
Division of Health Systems Regulation  
410 Capitol Avenue, MS #12HSR  
P.O. Box 340308  
Hartford, CT 06134-0308

4. All reports required by the terms of this Consent Order shall be due on the tenth business day of each month.
5. Respondent shall comply with all state and federal statutes and regulations applicable to her licensure.
6. Respondent shall pay all costs necessary to comply with this Consent Order.
7. Any alleged violation of any provision of this Consent Order may result in the following procedures at the discretion of the Department:
- a. The Department shall notify respondent in writing by first-class mail that the term(s) of this Consent Order have been violated, provided that no prior written consent for deviation from said term(s) has been granted.
  - b. Said notification shall include the acts or omission(s) which violate the term(s) of this Consent Order.
  - c. Respondent shall be allowed fifteen (15) days from the date of the mailing of notification required in paragraph 7a above to demonstrate to the satisfaction of the Department that she has complied with the terms of this Consent Order or, in the alternative, that she has cured the violation in question.
  - d. If respondent does not demonstrate compliance or cure the violation by the limited fifteen (15) day date certain contained in the notification of violation to the satisfaction of the

Department, she shall be entitled to a hearing before the Board which shall make a final determination of the disciplinary action to be taken.

- e. Evidence presented to the Board by either the Department or respondent in any such hearing shall be limited to the alleged violation(s) of the term(s) of this Consent Order.
8. In the event respondent violates any term of this Consent Order, respondent agrees immediately to refrain from practicing as a physical therapist upon request by the Department, with notice to the Board, for a period not to exceed 45 days. During that time period, respondent further agrees to cooperate with the Department in its investigation of the violation, and to submit to and complete a medical, psychiatric and/or psychological evaluation, if requested to do so by the Department; and, that the results of the evaluation shall be submitted directly to the Department. Respondent further agrees that failure to cooperate with the Department in its investigation during said 45 day period shall constitute grounds for the Department to seek a summary suspension of respondent's license. In any such summary action, respondent stipulates that her failure to cooperate with the Department's investigation shall constitute an admission that her conduct constitutes a clear and immediate danger as required pursuant to the General Statutes of Connecticut, sections 4-182(c) and 19a-17(c).
9. In the event respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of her license before the Board.
10. In the event respondent is not employed as a physical therapist for periods of thirty (30) consecutive days or longer, or is employed as a physical therapist less than twenty (20) hours per week, or is employed outside of the State of Connecticut, respondent shall notify the Department in writing. Such periods of time shall not be counted in reducing the probationary period covered by this Consent Order.

11. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Licensure and Registration Section of the Division of Health Systems Regulation of the Department.
12. This Consent Order is effective on the first day of the month immediately following the date this Consent Order is accepted and ordered by the Board.
13. Respondent understands this Consent Order may be considered as a public document and evidence of the above admitted violations in any proceeding before the Board in which her compliance with this Consent Order or with §20-73a of the General Statutes of Connecticut, as amended, is at issue.
14. Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude the Department from taking action at a later time. The Department shall not be required to grant future extensions of time or grace periods.
15. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, this Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any rights that she may have under the laws of the State of Connecticut or of the United States.
16. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
17. Respondent permits a representative of the Legal Office of the Bureau of Regulatory Services to present this Consent Order and the factual basis for this Consent Order to the Board. Respondent understands that the Board has complete and final discretion as to whether this executed Consent Order is approved or accepted.

18. Respondent understands and agrees that she is responsible for satisfying all of the terms of this Consent Order during vacations and other periods in which she is away from her residence.
19. Respondent has the right to consult with an attorney prior to signing this document.

I, Jennifer Palmer, have read the above Consent Order, and I stipulate and agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

Jennifer Palmer  
Jennifer Palmer

Subscribed and sworn to before me this 31 day of JANUARY 1998.

Thomas Kavanagh  
Notary Public or person authorized  
by law to administer an oath or affirmation

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 5<sup>th</sup> day of February 1998, it is hereby accepted.

Cynthia Denne  
Cynthia Denne, Director  
Division of Health Systems Regulation

The above Consent Order having been presented to the duly appointed agent of the \_\_\_\_\_ on the \_\_\_\_\_ day of May 13, 1998, it is hereby ordered and accepted.

Charles Hancock  
State Board of Examiners for Physical Therapists



# STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

June 30, 1999

Jennifer Palmer, P.T.  
4 East Brook Court  
Bethel, CT 06801

Re: Consent Order  
Petition No. 960925-014-004  
License No. 004463

**Completion of Probation**

Dear Ms. Palmer:

Please be advised that the probationary terms of the above-referenced Consent Order have been satisfied, effective June 1, 1999.

Notice will be sent to the Department's Licensure and Registration section to remove all restrictions on License No. 004463 related to the above-referenced Consent Order.

Sincerely,

Richard Goldman  
Paralegal Specialist II  
Division of Health Systems Regulation

cc: Debra Tomassone, PHSM  
Bonnie Pinkerton, RNC



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