

UNAPPROVED

**VIRGINIA BOARD OF PHYSICAL THERAPY
INFORMAL CONFERENCE
MINUTES**

The Virginia Board of Physical Therapy Special Conference Committee convened for an informal conference on Friday, August 22, 2008 at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Suite 200, Conference Room 1, Richmond, Virginia.

COMMITTEE MEMBERS PRESENT:

Damien Howell, PT, Chair
Lorraine C. Quinn, PTA

DHP STAFF PRESENT:

Lisa R. Hahn, Executive Director
Mykl D. Egan, Adjudication Specialist
Jeanette Meade, Discipline Administrative Assistant
Missy Currier, Discipline Administrative Assistant

MATTER SCHEDULED

Respondent: Mark Colkitt, Physical Therapist
Case Number: 117886

CALLED TO ORDER

Mr. Howell called the conference to order at 1:30 p.m.

DISCUSSION

Mr. Mark Colkitt, P.T. and Mr. Bevin Alexander, Jr., Esquire his attorney appeared before the Committee in person in accordance with the Notice of the Board dated July 11, 2008.

The Committee fully discussed the allegations that he may have violated portions of the laws and regulations governing the practice of physical therapy as outlined in the Notice. Specifically, he may have violated §54.1-3480(A)(3) as further defined in §54.1-3483(7) and (9) of the Code and 18 VAC 112-20-100(B) of the Board of Physical Therapy Regulations.

CLOSED SESSION

Upon a motion by Ms. Quinn and duly seconded by Mr. Howell, the Committee convened in a closed meeting pursuant to §2.2-3711(A)(7) of the *Code of Virginia*, for the purpose of deliberation to reach a decision in the matter of Mark Colkitt, P.T. Additionally, Ms. Quinn moved that Ms. Hahn, Mr. Egan, and Ms. Meade and Ms. Currier attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations. The vote was unanimous and in favor of the motion.

OPEN SESSION

Ms. Quinn certified that the matters discussed in the preceding closed session met the requirements of §2.2-3711(A)(7) of the *Code of Virginia* and the Committee re-convened in open session.

DECISION

The Committee hereby has dismissed and closed this matter with no violation with regards to the physical therapist Mark Colkitt, P.T. Pursuant to Section 54.1-2400.10 of the Code, this case decision shall remain in the custody of the Department of Health Professions as a public record.

Upon a motion by Ms. Quinn and duly seconded by Mr. Howell, the decision of the Committee was adopted. The vote was unanimous in favor of the motion.

Respondent: Arne Delos-Reyes, Physical Therapist Applicant
Case Number: 120834

CALLED TO ORDER

Mr. Howell called the conference to order at 2:20 p.m.

DISCUSSION

Mr. Arne Delos-Reyes, P.T. Applicant appeared before the Committee in person in accordance with the Notice of the Board dated July 25, 2008.

The Committee met to act upon his application for licensure by examination and to review allegations that he may have violated portions of the laws and regulations governing the practice of physical therapy in Virginia as outlined in the Notice. Mr. Delos-Reyes must demonstrate that he meets the requirements of §54.1-3477 of the Code and 18 VAC 112-20-40 and 18 VAC 112-20-60(A)(1) of the Regulations of the Board of Physical Therapy as they apply to applicants for licensure. Specifically, you may have violated §54.1-3480(3) and §54.1-3483(4), (7) and (10) of the Virginia Code.

CLOSED SESSION

Upon a motion by Ms. Quinn and duly seconded by Mr. Howell, the Committee convened in a closed meeting pursuant to §2.2-3711(A)(7) of the *Code of Virginia*, for the purpose of deliberation to reach a decision in the matter of Arne Delos-Reyes, P.T. Applicant. Additionally, Ms. Quinn moved that Ms. Hahn, Mr. Egan, and Ms. Meade and Ms. Currier attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations. The vote was unanimous and in favor of the motion.

OPEN SESSION

Ms. Quinn certified that the matters discussed in the preceding closed session met the requirements of §2.2-3711(A)(7) of the *Code of Virginia* and the Committee re-convened in open session.

DECISION

Mr. Egan read the Findings of Fact and Conclusions of Law adopted by the Committee. A summary of the Findings of Fact and Conclusions of Law are as follows:

1. On or about February 19, 2008, the Board received Arne Delos-Reyes' Application for Licensure by Examination to Practice Physical Therapy as a Physical Therapist in the Commonwealth of Virginia.
2. Mr. Delos-Reyes violated §§ 54.1-3480(3) and 54.1-3483(4), (7) and (10) of the Code in that during the course of his employment as a trainee/assistant at Loudon Physical Therapy, Leesburg, Virginia, on May 30, 2008, he touched a patient in an inappropriate sexual manner. As a result, he was terminated from his employment.
3. Mr. Delos-Reyes provided evidence to the Committee that he is undergoing individual psychotherapy and is committed to continuing this course of action.
4. Mr. Delos-Reyes provided copies of letters of recognition from the patients and staff of Loudon Physical Therapy.
5. Mr. Delos-Reyes expressed deep remorse for his actions and stated that he is committed to respecting boundary issues.
6. Ms. Delos-Reyes does meet the requirements of § 54.1-3477 of the Code and 18 VAC 112-20-40 and 18 VAC 112-20-60(A)(1) of the Regulations of the Board of Physical Therapy.
7. Must complete required 1,000 traineeship for foreign graduates
8. Must show Board order to all potential employers.
9. Provide letter to the Board office of any changes in counselors for treatment.
10. Continue in treatment until released by counselor and upon release must provide release letter to the Board office.

The Committee hereby ORDERS Arne Delos-Reyes application for licensure to practice as a physical therapist is **Granted license on probation for 3 years with terms and conditions.**

Upon a motion by Ms. Quinn and duly seconded by Mr. Howell, the decision of the Committee was adopted. The vote was unanimous in favor of the motion.

ADJOURNMENT

The Committee adjourned the matter at 3:12 p.m.

George Maihafer, PhD, PT, Chair

Lisa R. Hahn, Executive Director

Date

Date