

APPROVED
VIRGINIA BOARD OF PHYSICAL THERAPY
SPECIAL CONFERENCE COMMITTEE

The Special Conference Committee of the Virginia Board of Physical Therapy convened on March 23, 2010, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Conference Room #3, Henrico, Virginia.

MEMBERS PRESENT: Damien W. Howell, PT, Chair
Peggy H. Belmont, PT, Board Member

STAFF PRESENT: Lisa R. Hahn, Executive Director
Annie B. Artis, Licensure Operations Manager
Rashaun K. Minor, Discipline Operations Manager
Mykl Egan, Adjudication Specialist

PUBLIC PRESENT: Oscar R. Brinson, III, Respondent's Attorney
Carmen A. Simmes

CONFERENCE SCHEDULED: **Andrew Michael Simmes, PTA** **License Number: 2506 601715**
Case Number: 129287

CALL TO ORDER: Mr. Howell called the meeting to order at 9:05

DISCUSSION: Mr. Simmes appeared before the Committee in person in accordance with the rescheduling notice dated March 11, 2010; original notice of informal conference was dated December 4, 2009; Mr. Simmes' first continuance was granted by notice dated December 17, 2009. Mr. Simmes was represented by Oscar R. Brinson, III, Esquire. Prior to beginning the informal conference on case number 129287, Mr. Brinson presented the signed Consent Order that was offered to Mr. Simmes by letter dated August 29, 2009 related to case number 123366

CLOSED SESSION: Ms. Belmont moved that the Special Conference Committee of the Board of Physical Therapy convene a closed meeting pursuant to Section §2.2-3711(A)(28) of the *Code of Virginia* for the purpose of deliberation to reach a decision in the matter of Andrew M. Simmes. Additionally, Ms. Belmont moved that Ms. Hahn, Ms. Minor, and Mr. Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations. The motion was seconded and carried unanimously.

The Committee convened in closed session at 9:10 a.m.

OPEN SESSION: The Committee reconvened in open session at 9:27 a.m.

Ms. Belmont moved that the Special Conference Committee of the Board of Physical Therapy certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

ACTION: The Committee accepted the VOLUNTARY SURRENDER of Mr. Simmes physical therapist assistant license by Consent Order entered March 23, 2010. This action is related only to case number 123366. Said Consent Order stipulates that Mr. Simmes' physical therapist assistant is INDEFINITELY SUSPENDED until he is able to practice as a physical therapist assistant with reasonable skill and safety to the public. Case Number 129287 was not heard and was closed as undetermined.

ADJOURNMENT: The Committee adjourned at 9:28 a.m.

Damien W. Howell, PT, Chair

Lisa R. Hahn, Executive Director

Date

Date