

**STATE OF VERMONT
SECRETARY OF STATE
OFFICE OF PROFESSIONAL REGULATION
PHYSICAL THERAPISTS**

IN RE:

PETER P. MAYOCK

License No: 040-0003099

Docket No: 2009-577

STIPULATION AND CONSENT ORDER

NOW COMES the State of Vermont and Respondent, Peter P. Mayock who hereby stipulate and agree as follows:

AUTHORITY

1. The Administrative Law Officer (ALO) has jurisdiction to hear matters involving allegations of unprofessional conduct by Physical Therapists pursuant to 3 V.S.A. §§122, 129 and 129a; Title 26, Chapter 38 of the Vermont Statutes Annotated; the Administrative Rules for Physical Therapists (ARPT); and the Office of Professional Regulation's Rules.

STIPULATED FACTS

2. The Respondent, Peter P. Mayock, is licensed in the State of Vermont as a Physical Therapist under license number 040-0003099, first issued on March 20, 1997 and is currently set to expire on September 30, 2012.
3. At all times relevant, the Respondent practiced out of his offices located in Woodstock, Vermont.
4. P.C. was a client who received physical therapy services from the Respondent from November 20 - 30, 2009.
5. The Respondent failed to conform to the essential standards of acceptable and prevailing practice by taking a billing code for cold packs/hot packs (code 97010) and converting it into either manual therapy (code 97140) or neuromuscular reeducation (code 97112).

VIOLATIONS

6. The acts, omissions and/or circumstances described above constitute grounds for discipline because Respondent violated:

- i. 3 V.S.A. §129a(b)(2) (Failing to practice competently by reason of any cause on a single occasion or on multiple occasions, which includes failure to conform to the essential standards of acceptable and prevailing practice).

STATE OF VERMONT



Prosecuting Attorney
Office of
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Second Floor North
Montpelier, VT
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Understandings

1. The parties understand that the terms of this Stipulation and Consent Order are contingent upon review and acceptance by the ALO and that if the ALO rejects any portion the entire Stipulation and Consent Order shall be null and void.
2. Respondent has read and reviewed this document fully and agrees that it contains the entire agreement between the parties.
3. This Stipulation and Consent Order is entered into voluntarily by Respondent after the opportunity to consult with legal counsel. Respondent has not been coerced by anyone into signing this Stipulation and Consent Order.
4. Respondent is voluntarily waiving the right to a contested hearing before the ALO and waives any right to appeal from this Stipulation and Consent Order.
5. Respondent agrees that the State has sufficient evidence for the ALO to find that Respondent has failed to conform to the essential standards of acceptable and prevailing practice and that the Order set forth below may be entered by the Board.
6. This Stipulation is neither an admission of liability by the Respondent, nor a concession by the State of Vermont that its charges are not well founded. To avoid delay, uncertainty, inconvenience, and expense of protracted litigation of the charges above the Parties reach a full and final agreement pursuant to this Stipulation and that the Board may impose the Consent Order set forth below. The Respondent does not admit to any of the alleged facts as outlined above, but does not contest that the State could prove some or all of them by a preponderance of the evidence if this matter went to a merits hearing.

WHEREFORE, the parties agree that the following constitutes a reasonable resolution given the above violations:

CONSENT ORDER

Based upon the above stipulation, it is **ORDERED AND ADJUDGED** as follows:

- A. Respondent's license is **WARNED**.
- B. Respondent must pay a **\$1,000.00 (one thousand dollar) administrative penalty** within 6 (six) months of the date this **CONSENT ORDER** is approved by the Board.
- C. This Stipulation and Consent Order is a matter of public record and may be reported to other licensing authorities as provided in 3 V.S.A. §129(a).

STATE OF VERMONT



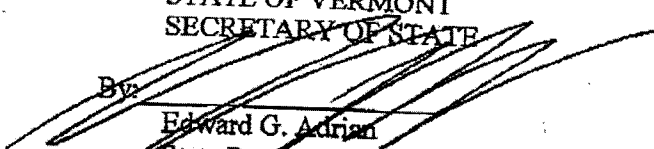
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05620-3642

- D. This Stipulation and Consent Order will remain part of Respondent's licensing file and may be used for purposes of determining sanctions in any future disciplinary matter.

AGREED TO:

Dated: 3/20/12

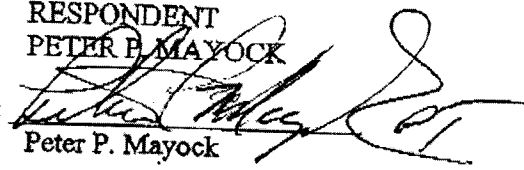
STATE OF VERMONT
SECRETARY OF STATE

By: 

Edward G. Adrian
State Prosecuting Attorney

Dated: 3/20/12

RESPONDENT
PETER P. MAYOCK

By: 

Peter P. Mayock

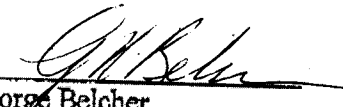
APPROVED AS TO FORM:

By: 

Wayne Young, Esq.
Attorney for Respondent

APPROVED AND SO ORDERED

Dated: March 21, 2012

By: 

George Belcher

Date of Entry: 3/22/12

Mayock.stip3

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