

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

IN RE: Matthew H. Williams

)

Application Tracking No. 041.0127283

)

Docket No.: 2017-335

)

NOTICE OF FINAL APPLICATION DENIAL

In the matter captioned above, a *Notice of Preliminary Denial* was served by certified mail, consistent with 3 V.S.A. § 129(e).

The 30-day appeal period has run, and there has been no request for review.

The decision to deny the application is now final, and the matter is closed.

DATED: 7/5/2017

By: _____



Colin B. Benjamin
Director of Professional Regulation

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PHYSICAL THERAPISTS

IN RE:)
Matthew H. Williams) Docket No. 2017-335
Application Tracking No. 041.0127283)

NOTICE OF PRELIMINARY DENIAL

An Application for licensure as a Physical Therapist, was submitted by Matthew H. Williams (the "Applicant") and received by the Office of Professional Regulation on January 18, 2017 (the "Application"). The application was complete on May 23, 2017. The Application has been **preliminarily denied** by the State of Vermont for the following reasons:

Board Authority

1. The Vermont Office of Professional Regulation has authority to deny an applicant's license if it finds that the applicant has engaged in unprofessional conduct in any jurisdiction. 3 V.S.A. § 129(a); 26 V.S.A. § 2121; and the Rules of the Office of Professional Regulation.

Basis for Denial

Basis for Denial One: 3 V.S.A. § 129a(b)(2) Failure to practice competently by reason of any cause on a single occasion or on multiple occasions may constitute unprofessional conduct, whether actual injury to a client, patient, or customer has occurred. Failure to practice competently includes . . . (2) failure to conform to the essential standards of acceptable and prevailing practice.

2. On March 4, 2013, the Applicant's Physical Therapy license was disciplined in the State of Florida.
3. Review of the underlying facts of that action show that on two days in February 2012, Applicant overbilled seven patients for physical therapy treatments, billing a total of four hundred and sixty (460) minutes, when the actual total treatment time for the seven patients was two hundreds and ten (210) minutes.
4. Applicant entered a Settlement Agreement with the State of Florida, which required him to pay a \$10,000 fine plus additional penalties over the course of five years.
5. Based upon documentation received from the State of Florida, it appears Applicant's Florida license is currently delinquent and Applicant has failed to comply with the payment terms of the Settlement Agreement.

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Prosecuting Attorney
Office of
Professional Regulation
89 Main Street
3rd Floor
Montpelier, VT
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6. Based on the above, Applicant's conduct failed to conform to the essential standards of acceptable and prevailing practice.

As a result of the foregoing reasons, the Application for licensure is **PRELIMINARILY DENIED**. If you would like this decision to be reviewed please refer to the appeal rights at the bottom of this notice.

DATED at Montpelier, Vermont this 2nd day of June, 2017.

STATE OF VERMONT
SECRETARY OF STATE

By: _____



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To appeal this preliminary denial, you must file a written appeal with the Docket Clerk within 30 days of the date of this notification. In order to expedite the appellate process, your appeal shall include a statement of issues, that is, why the preliminary denial should be reversed and that the license should be granted.

Please send your appeal to the address below:

Liz Amaral, Docket Clerk
Office of Professional Regulation
89 Main Street, 3rd Floor
Montpelier, VT 05602-3402

A hearing will then be scheduled. The State will be represented by the state prosecutor. At the hearing you will have the burden of showing that this preliminary denial should be reversed and that your license should be granted. 3 V.S.A. §129(e). The tribunal may uphold the denial, in whole, or in part, or may issue an unrestricted license, or may issue a license that is sanctioned. 3 V.S.A. §129(a)(3).

If you do not appeal this preliminary denial it will become final in 30 days. As a final disciplinary decision it will be reported to all required national data banks and shall be public pursuant to 3 V.S.A. §131.

Once the decision is final, it may be appealed pursuant to 3 V.S.A. §130a.

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