

BEFORE THE ARKANSAS STATE BOARD OF PHYSICAL THERAPY

**IN THE MATTER OF
JENNIFER CLARK, PTA 2832**

CONSENT AGREEMENT

Notification that Ms. Jennifer Clark, hereinafter referred to as Respondent, tested positive for opiate use was received by the Arkansas State Board of Physical Therapy, hereinafter referred to as the Board. In lieu of a formal hearing on these issues and in the interest of a prompt and speedy settlement of the above-captioned matter, consistent with the public interest, statutory requirements and the responsibilities of the Board, the undersigned parties enter into this Consent Agreement as a final disposition of this matter. The Respondent admits the following Findings of Fact, and does not contest the entry of the following Conclusions of Law and Order:

FINDINGS OF FACT

1. Respondent is a licensed physical therapist assistant in the State of Arkansas.
2. The Board conducted a hearing on March 3, 2011, at which time Respondent's license was placed on probation with the stipulation that Respondent would submit to random drug testing.
3. Respondent submitted to a drug screen at Ouachita County Medical Center on June 6, 2011 and tested positive for opiates.
4. Respondent is currently attending a treatment program at Ouachita County Medical Center.

CONCLUSIONS OF LAW

1. Pursuant to Arkansas Code Annotated § 17-93-309 and § 17-93-311, the Board has subject matter and personal jurisdiction in this matter.
2. Based upon the above findings of fact, the Respondent is guilty of violating Ark. Code Ann. § 17-93-308(a)(3).

ORDER

1. It is therefore ordered that Respondent's license be suspended immediately.
2. After completion of the opiate treatment program at Ouachita County Medical Center, Respondent may request a formal hearing for the Board to consider the status of Respondent's license. In no event shall the request be submitted before six months from the date Respondent signs the consent agreement.

Respondent consents to the ex parte presentation of the Consent Agreement to the Board. Should this Consent Agreement not be approved by the Board, Respondent agrees that the presentation and consideration of this Consent Agreement by the Board shall not constitute a basis for disqualification of the Board or any of its members from further participation in this matter, including a formal hearing.

Respondent acknowledges her right to consult with counsel and voluntarily agrees to enter into this Consent Agreement on her own volition and without any reliance upon any representations by the Board or any representative thereof, other than expressly set forth herein. Respondent hereby waives any further procedural steps including, without limitation, her right to a hearing and all rights to seek judicial review or to otherwise challenge or contest the validity or enforceability of this Consent Agreement.

Jennifer Clark, Respondent

Date

Todd Burton, Chairman
Arkansas State Board of Physical Therapy

Date