

BEFORE THE ARKANSAS STATE BOARD OF PHYSICAL THERAPY

**IN THE MATTER OF
TRISTAN TIARKS, PTA 3288**

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

A hearing on the above-referenced matter was held before the Arkansas State Board of Physical Therapy ("the Board") on August 2, 2012, at 9 Shackelford Plaza, Little Rock, Arkansas. Mr. Tristan Tiarks, PT 3288, hereinafter referred to as "Respondent," appeared before the Board. On the basis of the testimony and other evidence presented, the Board made the following findings of fact, conclusions of law, and order.

FINDINGS OF FACT

1. Respondent is a licensed physical therapist in the State of Arkansas.
2. Amber Atkins was treated by respondent at McMaster Physical Therapy in January and February of 2012.
3. On March 13, 2012, a letter of complaint was received from Amber Atkins.
4. On or about February 29, 2012 respondent pulled Ms. Atkins' shorts and underwear down and applied tape to her when she was exposed without appropriate draping.
5. Mr. Tiarks subsequently phoned and texted Ms. Atkins offering to treat her at the clinic on a Sunday when the clinic is closed.

CONCLUSIONS OF LAW

1. Based upon the above findings of fact, the Respondent is guilty of violating Ark. Code Ann. §17-93-308(a)(3).

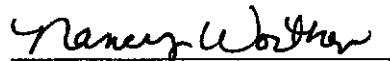
ORDER

1. It is therefore ordered that the Respondent's license be placed on probation for one year.
2. Respondent will complete a board approved structured ethics course within one year.

3. Respondent will not act as a clinical instructor or mentor a physical therapy student during the probation period.

Pursuant to Arkansas Code Annotated § 25-15-212, Respondent may petition for judicial review of this decision by filing a petition in the Circuit Court in the county in which he resides or does business or in the Circuit Court of Pulaski County within thirty days after service of this Order.

ARKANSAS STATE BOARD
OF PHYSICAL THERAPY



Nancy Worthen
Executive Director

8-15-12
Date