BEFORE THE INDIANA PHYSICAL THERAPY COMMITTEE
CAUSE NUMBER: 2017 PTC 0010

IN THE MATTER OF THE LICENSE OF:

MITUL J. PAREKH, P.T.

LICENSE NUMBER: 05010012A

FILED
JUL 05 2017
Indiana Professional Licensing Agency

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

The Indiana Physical Therapy Committee ("Committee") held an administrative hearing on May 3, 2017, in Room W064 of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana concerning the petition for review filed by Mitul Parekh ("Parekh") which challenged the Board's determination that he had not completed his continuing education requirements for the time period from July 1, 2014 and June 30, 2016.

Parekh appeared in person and waived his right to be represented by counsel.

The Committee, after taking official notice of its file in this matter, issues the following Findings of Fact, Conclusions of Law and Order by a vote of 4-0-0:

FINDINGS OF FACT

1. Parekh, who has a mailing address of 5164 South Webster Street, Apartment B, Kokomo, Indiana 46902, is a physical therapist with license number 05010012A.

2. On March 9, 2017, the Committee issued a "Notice of Noncompliance" to Parekh. The Committee maintained that Parekh had not done the necessary continuing education for the time period July 1, 2014 and June 30, 2016.

The basis of the Board's determination was that Parekh had not provided it with proof of his continuing education even though he had been requested to do so.

3. At the hearing Parekh explained that he had moved and apparently forgotten to update his address with the Committee while in temporary housing and just had either not seen or not received any emails on the matter form the Committee. When he received the Notice of Non-Compliance on March 9, 2017, he immediately sent in his materials. Some of the continuing education unit certificates he sent in post-dated the period because he could not find proof of all the continuing education activities he did. He also paid the assessed find of $1,000.00.

4. Parekh produced certificates of completion indicating that he had completed eleven hours within the time period of July 1, 2014 and June 30, 2016, as well as certificates of completion indicating that he had completed the additional eleven hours by the end of March 2017.

CONCLUSIONS OF LAW

1. A physical therapist is obliged to complete twenty-two (22) hours of physical therapy continuing competency and with at least two (2) of those hours in ethics and Indiana jurisprudence during every two year licensing period. Ind. Code § 25-1-4; Ind. Code § 25-27-1-5; 844 IAC 6-8-1.

2. In addition, a physical therapist must maintain proof of attendance at continuing education programs for three years from the end of the relevant licensing period. 844 IAC 6-8-2(2). As well, a physical therapist must present verification of completion of continuing education required by the rule at the request of the Indiana Physical Therapy Committee. 844 IAC 6-8-2(3).

3. If a physical therapist does not comply with these statutes and rules, the Committee shall issue a Notice of Non-Compliance. Ind. Code §§ 25-1-4-5, -6

4. Because Parekh was able to show that he had completed eleven hours of the required amount of continuing education within the period, and promptly completed rest of the required hours in the period allowed for remediation, the Committee will reduce the penalty assessed on his license under the authority of Ind. Code § 25-1-4-5.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the Board **MODIFIES** it's "Notice of Non-Compliance" in this matter. Parekh is found to be in partial compliance with his continuing education requirement within the time period of July 1, 2014 and June 30, 2016, and he has now achieved full compliance. Ind. Code § 25-1-4-5. The civil penalty assessed on his license is reduced by $250.00 to $750.00.

SO ORDERED, this 5th day of July, 2017.

INDIANA PHYSICAL THERAPY COMMITTEE

By: Maureen Bennett

for Megan Certo, P.T.
Chairperson
Indiana Physical Therapy Committee

CERTIFICATE OF SERVICE

I certify that a copy of the "Findings Of Fact, Conclusions Of Law And Order" has been duly served upon:

MITUL J. PAREKH, P.T.
5164 S Webster St Apt B
Kokomo, IN 46902
Service by U.S. Mail

7/5/2017
Date

Rae Harman
Rae Harman

Indiana Physical Therapy Committee
Indiana Government Center South
402 West Washington St., Room W072
Indianapolis, IN 46204
Phone: 317-234-8800
Fax: 317-233-4236
Email: pla4@pla.in.gov

Explanation of Service Methods
Personal Service: by delivering a true copy of the aforesaid document(s) personally.
Service by U.S. Mail: by serving a true copy of the aforesaid document(s) by First Class U.S. Mail, postage prepaid.
Service by Email: by sending a true copy of the aforesaid document(s) to the individual's electronic mail address.