



**STATE OF NEVADA
BOARD OF OCCUPATIONAL THERAPY**

NOTICE OF PUBLIC MEETING

April 13, 2024 – 10:00 am

Board of Occupational Therapy
Administrative Office
6170 Mae Anne Ave., Suite 1
Reno, NV 89523
Zoom Access:

<https://us06web.zoom.us/j/84163717480?pwd=OvscgpmL9lMkz4jaQKHbEAliKugY3P.1>

Meeting ID: 841 6371 7480

Passcode: 559134

Telephone Audio Only: **(253) 215-8782**

AGENDA

Public comment is welcomed by the Board in writing or in person. Persons wishing to provide public comments remotely may access the meeting by telephone at (253) 215-8782 or through the electronic link posted on the agenda. Public comment will be limited to five minutes per person and comments based on viewpoint will not be restricted. Public comment will be available at the beginning of the meeting and as the last item on the agenda. At the discretion of the Chairperson, additional public comment may be heard when that item is reached. The Chairperson may allow additional time to be given a speaker as time allows at his/her sole discretion. (NRS 241.020, NRS 241.030)

The State of Nevada Board of Occupational Therapy may: (a) address agenda items out of sequence, (b) combine agenda items, and (c) pull or remove items from the agenda at any time. The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person. (NRS 241.020, NRS 241.030) **Action** by the Board on an item may be to approve, deny, amend, or table.

1. Call to Order, Confirmation of Quorum
2. Public Comment

No vote may be taken upon a matter raised during a period devoted to public comment until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

3. Approval of the Minutes (for possible action)
 - March 2, 2024
 - April 5, 2024

4. Consideration of Application for License pursuant to NRS 640A.020 (for possible action)

- Nathan Edwards, OT

Possible closed session for the Board to consider the character, alleged misconduct, professional competence or physical or mental health of a person (NRS 241.030)

5. Hearing for Determination of Violation of Consent Decree (for possible action)

- Nicole Kohnert, OTA License OTA-2242 Case No. 24-01

Possible closed session for the Board to consider the character, alleged misconduct, professional competence or physical or mental health of a person (NRS 241.030)

6. Executive Director Report (informational)

7. Report from Deputy Attorney General (informational)

8. Board Activities & Reports from Members (for possible action)

- 2024 Meeting and Activities Schedule

9. Public Comment

No vote may be taken upon a matter raised during a period devoted to public comment until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

10. Adjournment (for possible action)

Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual the board may refuse to consider public comment. (NRS 233B.126)

Notice: Persons with disabilities who require special accommodations or assistance at the meeting should contact the Board office at (775) 746-4101; or fax (775) 746-4105 no later than 48 hours prior to the meeting. Requests for special accommodations made after this time frame cannot be guaranteed.

This meeting has been posted at the Board of Occupational Therapy Administrative Office, 6170 Mae Anne Ave., Reno, NV 89523, on the Board of Occupational Therapy website www.nvot.org; and may also be accessed at the following websites: <https://notice.nv.gov/> - State of Nevada Public Notices

This agenda has been sent to all members of the State of Nevada Board of Occupational Therapy and other interested persons who have requested an agenda from the Board. Persons who wish to continue to receive an agenda and notice must request so in writing on an annual basis.

Supporting materials relating to this public meeting of the Board of Occupational Therapy are available on the Board website www.nvot.org or by contacting the Board office at (775) 746-4101 or email board@nvot.org

State of Nevada
Board of Occupational Therapy

6170 Mae Anne Ave., Suite 1, Reno, Nevada 89523
Phone (775) 746-4101 / Fax (775) 746-4105 / Website www.nvot.org

AGENDA ITEM 3: Approval of Minutes

The minutes of the meetings of the State Board of Occupational Therapy are presented for approval.

March 2, 2024 & April 5, 2024

Minutes have not yet been approved and are subject to revision at the next meeting.



STATE OF NEVADA BOARD OF OCCUPATIONAL THERAPY

SUMMARY MINUTES PUBLIC BOARD MEETING March 2, 2024

Members Present: Jose Pablo Castillo, Christopher Liebl, Melanie Minarik,
Jocelyn Pereira, Phil Seitz

Members Absent: None

Staff Present: Heather Hartley, Executive Director
Stacey Whittaker, Director of Licensing & Operations
Henna Rasul, Sr. Deputy Attorney General

Public Present: Lea Case, Kristen Neville, Matt Olivier, Susan Lingelbach, Casey Walker,
Ashley Koepke, Rachel Martin, Jonathan Legarte

Call to Order, Confirmation of Quorum

Chair Seitz called the Board meeting to order at 10:04 am. A roll call confirmed a quorum was present.

Public Comments

Chair Seitz called for public comments, there were none.

Appointment of Chair and Board Officers

Phil Seitz made the motion, seconded by Mel Minarik to elect Jose Pablo Castillo as Board Chair.
The motion passed.

Phil Seitz made the motion, seconded by Jose Pablo Castillo to elect Chris Liebl as Vice Chair of the Board.
The motion passed.

Phil Seitz made the motion, seconded by Jose Pablo Castillo to elect Phil Seitz as the Board Financial Reviewer. The motion passed.

Approval of Minutes

Phil Seitz made the motion, seconded by Chair Castillo to approve the minutes of the meeting of November 4, 2023. The motion passed.

Mel Minarik made the motion, seconded by Phil Seitz to approve the minutes of the meeting of December 21, 2023. The motion passed.

Minutes have not yet been approved and are subject to revision at the next meeting.

Legislative Status Report – Belz & Case Government Affairs

Lea Case of Belz and Case Government Affairs provided a legislative update to the Board to include Legislative interim activity, Sunset Subcommittee of the Legislative Commission, Department of Business and Industry and upcoming elections.

Citations for Unauthorized Practice; Administrative Fine pursuant to NRS 640A.230 2(c)

Jonathan Legarte, OT License No. OT-2368

On January 2, 2024, Mr. Legarte was issued a Citation for Unlicensed Practice during the period of September 8, 2023 to January 2, 2024 and provided notice to appear before the Board for a determination of whether to assess an administrative fine for practicing without a valid license pursuant to NRS 640A.230 and NAC 640A.170. Mr. Legarte's complete license reinstatement application and explanation of unauthorized practice was received and his license, OT-2368 was reinstated as of January 2, 2024. The Board discussed that the licensee has been teaching at UNLV and did not practice in a clinical setting.

Melanie Minarik made the motion, seconded by Phil Seitz, to issue Mr. Legarte a \$25.00 fine for unlicensed practice. Chair Castillo abstained. The motion passed.

Ashley Koepke, OT License No. OT-2874

On January 23, 2024, Ms. Koepke was issued a Citation for Unlicensed Practice during the period of November 1, 2023 to January 23, 2024 and provided notice to appear before the Board for a determination of whether to assess an administrative fine for practicing without a valid license pursuant to NRS 640A.230 and NAC 640A.170. Ms. Koepke's complete license reinstatement application and explanation of unauthorized practice was received and her license, OT-2874 was reinstated as of January 23, 2024.

Chair Castillo made the motion, seconded by Melanie Minarik, to issue Ms. Koepke a \$100 fine for unlicensed practice. Phil Seitz abstained. The motion passed.

Disciplinary Matters – Dismissal of Complaints

Case No. C24-04A alleged unprofessional conduct and misleading or deceptive billing practices. Case No. C24-04B alleged unprofessional conduct and misleading or deceptive billing practices. Case No. C24-04C alleged unprofessional conduct and misleading or deceptive billing practices. Case No. C24-05 alleged falsifying time worked, treatment records, and billable treatment hours.

It has been determined by Board staff and legal counsel that there is insufficient evidence to file formal complaints for hearing before the Board and the facts set forth in the accusations are insufficient to establish a violation of Chapter 640A of the Nevada Revised Statutes or the Nevada Administrative Code.

Chair Castillo made the motion, seconded by Vice Chair Liebl to dismiss Complaint Cases C24-04A, C24-04B and C24-04C. The motion passed.

Chair Castillo made the motion, seconded by Vice Chair Liebl to dismiss Complaint Case C24-05. The motion passed.

Public Hearing R113-23

Executive Director Hartley stated that the purpose of the hearing is to receive comments from all interested parties regarding the adoption of regulations that pertain to LCB File No. R113-23, Chapter 640A of the Nevada Administrative Code. The regulation incorporates regulatory revisions previously discussed by the Board, recommendations for regulatory revisions and deletions submitted to the Governor's Office in the Executive Order 23-003 report and revisions/additions required as a result of passage of AB343 at the 2023 Legislative Session. The regulation clarifies other sections and addresses Board fees.

Minutes have not yet been approved and are subject to revision at the next meeting.

Executive Director Hartley opened the Hearing for public comments. Stacey Whittaker read AOTA's written comment into the record. Kristen Neville, AOTA reiterated that they have had concerns from the beginning with the language pertaining to the definition of Occupational Therapy Specialty or Advanced Practice Area. This could lead to confusion among licensees as to whether they need to obtain a specialty certification before providing necessary interventions to clients.

Susan Lingelbach, NOTA echoed the sentiments of AOTA in needing clarification regarding specialty practice. Susan also recommended that the Board use binary pronouns throughout NRS and NAC, using a more neutral term such as practitioners instead of he and she. There were no further comments and Executive Director Hartley closed the public comments.

LCB File No. R113-23 Consideration of Public Comments

Chair Castillo recommended tabling the section of concern for additional research and/or rewording. Henna Rasul explained to the Board that if the changes are deemed material or substantive, they will have to be sent back to LCB and the Board will have to have another public hearing.

Phil Seitz made the motion, seconded by Chair Castillo, to review section 3 of Proposed Regulation R113-23 for further clarification regarding specialty or advanced practice areas. The motion passed.

Consideration of Adoption of Regulations – LCB File No. R113-23

This agenda item was tabled pending review of Section 3 of the proposed regulation.

Executive Director's Report & Performance Evaluation

Heather Hartley provided a report on Board Office administrative activities to include licensure statistics, 2nd Quarter FY24 Financial Statements, Board member vacancies, open complaints, office co-location updates and other matters relating thereto. Phil Seitz noted the higher payroll costs due to having both Executive Directors on payroll during the transition period.

Vice Chair Liebl made the motion, seconded by Chair Castillo to approve the Executive Director Report and Financial Statements as presented. The motion passed.

The Board discussed the six-month probation Performance Evaluation for Executive Director Hartley and reviewed the Summary of Achievements as presented.

Phil Seitz made the motion, seconded by Melanie Minarik to approve regular employment status for Ms. Hartley, Executive Director with an increase in salary effective March 5, 2024 as stated in the approved employment agreement. The motion passed.

Report from Deputy Attorney General

Henna Rasul, Senior Deputy Attorney General had no report. She commended Heather Hartley on a job well done.

Board Activities & Reports from Members

Executive Director Hartley presented the 2024 meeting and activities schedule to include additional work on regulations, NBCOT presentation, and a possible disciplinary hearing. Heather will send out proposed meeting dates to members in order to secure the next meeting date. There were no further comments.

Public Comment

Chair Castillo opened the floor for public comments. Susan Lingelbach, NOTA thanked the Board for the meeting and extended the invitation to members to attend their upcoming conference in May in Las Vegas.

Minutes have not yet been approved and are subject to revision at the next meeting.

Kristen Neville, AOTA also extended the invitation for members to attend their Inspire Conference later in the month. Matt Olivier, NOTA thanked the Board for the open discussion regarding specialty or advanced practice areas such as Dry Needling; Chair Castillo asked Matt to please forward any information he had on the topic to Heather Hartley. There were no further comments.

Adjournment – Chair Castillo adjourned the meeting at 11:48 am



STATE OF NEVADA BOARD OF OCCUPATIONAL THERAPY

SUMMARY MINUTES PUBLIC BOARD MEETING

April 5, 2024

Members Present: Jose Pablo Castillo, Christopher Liebl, Jocelyn Pereira, Philip Seitz
Members Absent: Melanie Minarik
Staff Present: Heather Hartley, Executive Director
Stacey Whittaker, Director of Licensing & Operations
Zi Zheng, Deputy Attorney General
Public Present: Elyse Monroy, Belz & Case Government Affairs

Call to Order, Confirmation of Quorum

Chair Castillo called the Board meeting to order at 12:05 pm. A roll call confirmed a quorum was present.

Public Comments

Chair Castillo called for public comments, there were none.

Consideration of Revised Proposed Regulation

Executive Director Hartley explained that after consideration of public comments at the Hearing for Adoption of Regulation LCB File No. R113-23 held on March 2, 2024, and in consultation with Legislative Counsel Bureau, Section 3 of the original proposed regulation pertaining to specialty or advance practice area has been removed. These topic areas will be considered at a later time to allow for further input, discussions and research. No other changes were made to the regulation.

Presented for Board approval is the revised LCB File No. R113-23. Upon approval, the regulation will be submitted to LCB for placement on the agenda of the next Legislative Commission meeting.

Phil Seitz made the motion, seconded by Vice Chair Liebl to move forward with adoption of the Revised Proposed Regulations R113-23 as presented. The motion passed.

Public Comment

Chair Castillo opened the floor for public comments, there were none.

Adjournment – Chair Castillo adjourned the meeting at 12:10 pm.

State of Nevada
Board of Occupational Therapy

6170 Mae Anne Ave., Suite 1, Reno, Nevada 89523
Phone (775) 746-4101 / Fax (775) 746-4105 / Website www.nvot.org

AGENDA ITEM 4: Consideration of Application for License
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Nathan Edwards, OT

Mr. Edwards submitted his initial application to the Board on March 8, 2024. Mr. Edwards answered affirmative to the question, “has there ever been a complaint filed, investigation or legal action taken against your professional license for any reason?”

Mr. Edwards was alleged to be practicing without a license from on or about December 7, 2020, to on or about July 1, 2021. His Ohio license was issued on July 7, 2021. The Ohio Consent Agreement went into effect on November 11, 2021. Mr. Edwards fulfilled all obligations of the Ohio Consent Agreement as of July 25, 2022.

Mr. Edwards provided an explanation, the Ohio Consent Agreement and license verification. The license verification and documents received from the Ohio Board are consistent with those provided by Mr. Edwards.

The Board may discuss and deliberate on Mr. Edwards initial application and supporting documents. The Board will make a determination for licensure.

Attachments

- Initial Application
- Ohio License Verification
- Ohio Consent Agreement
- Email Correspondence Documentation



STATE OF NEVADA BOARD OF OCCUPATIONAL THERAPY



Initial Application - Personal Information

License Information

I am applying for

- ☒ Occupational Therapist*
- ☐ Occupational Therapy Assistant*

Application Type

- ☒ Standard*
- ☐ Temporary*
- ☐ Provisional*

Applicant Information

Please complete the information below. Your name should be entered how it is to appear on your license.

First Name*	Middle Name	Last Name*	Suffix
<input type="text" value="Nathan"/>	<input type="text"/>	<input type="text" value="Edwards"/>	<input type="text"/>
Other Names you have used	Social Security Number / Taxpayer Identification Number*	Gender*	
<input type="text"/>	<input type="text" value="REDACTED"/>	<input type="text" value="Male"/>	
Date of Birth*	Place of Birth*		
<input type="text" value="REDACTED"/>	<input type="text" value="REDACTED"/>		
US Citizen <input checked="" type="radio"/> Yes <input type="radio"/> No			

Contact Information

Mailing Address*

City*

State*

ZIP Code*

Contact Phone Number*

E-mail Address*



Initial Application - Miscellaneous

Education Information

Educational Institution*	City*	State*
<input type="text" value="The University of Findlay"/>	<input type="text" value="Findlay"/>	<input type="text" value="OH"/>
Date Graduated*	Degree Awarded*	
<input type="text" value="06/12/2020"/>	<input type="text" value="Master Degree"/>	

NBCOT Information

Are you currently certified by NBCOT? ☒ **Yes*** ☐ **No***

Certification Number

Other State License Information

Are you now or have you ever been licensed, certified or registered in any jurisdiction? ☒ **Yes*** ☐ **No***

List each license held in the previous 5 years.

State/Jurisdiction*	License Number*	Issue Date*	Expiration Date*
<input type="text" value="OH"/>	<input type="text" value="OT011622"/>	<input type="text" value="07/01/2021"/>	<input type="text" value="06/30/2025"/>

Please select the add button for additional rows.

Initial Application - Employment Information

Employment Information/Location

Please provide your current/previous employment information. Select the add button to add additional employer information.

Employment Information/Location

Presidential Post Acute

Address

524 James Way

City	State	ZIP Code
Marion	OH	43302

Business Phone	Business Fax	Email Address
740-389-63	999-999-9999	user@domain.com

Start Date	End Date	Current Employer
01/29/2024	mm/dd/yyyy	Yes

Click the add button to add additional current or previous employer information.



Initial Application - Legal Questions

Legal Information

If the answer to any of the questions below is "Yes", you will be required to provide full details.

Has there ever been a complaint filed, investigation or legal action taken against your professional license for any reason?*

☒ **Yes*** ☐ **No***

Are there any pending legal actions, complaints, investigations or hearings in process?*

☐ **Yes*** ☒ **No***

Have you ever had a professional license, certification or registration denied, restricted, suspended or revoked?*

☐ **Yes*** ☒ **No***

Have you ever relinquished responsibilities, resigned a position or been fired while a complaint was pending against you?*

☐ **Yes*** ☒ **No***

Have you ever been convicted of, or pled guilty or nolo contendere to, a violation of ANY federal or state statute, city or county ordinance, or any law of a foreign country? (Exclude minor traffic violations.)*

☐ **Yes*** ☒ **No***

Military Service / Veterans Status

Select one of the following options.

☒ **None***

☐ **Uniformed Military***

☐ **Veteran***

☐ **Military Spouse***

☐ **Veteran Spouse***

Initial Application - Explanation

Explanation

Please provide details and/or upload documentation to explain each question with a "yes" answer. If further information is required, you will be notified.

Has there ever been a complaint filed, investigation or legal action taken against your professional license for any reason?

**** Answer: Due to an oversight by myself and the facility I was first employed at as a new grad, I was unknowingly practicing with an inactive state license for the first 7 months of my employment. Once my employer and I both were made aware, we brought the matter to the state licensing board. After reviewing it in its entirety, the state licensing board decided I was not at fault. I then received my occupational therapy state license and began practicing immediately following.***

Click [here](#) for recommendations on uploading files.

Uploaded File(s)

[Action Form.pdf](#)

Initial Application - Information

Nevada Business License Information

- ☒ I do NOT have a Nevada state business license number.*
- ☐ I have applied for a Nevada business license with the Nevada Secretary of State in compliance with the provision of NRS Chapter 76 and my application is pending.*
- ☐ I have a Nevada Business License number assigned by the Secretary of State in compliance with the provisions of NRS Chapter 76.*

Child Support Information

- ☒ I am not subject to a court order for the support of a child.*
- ☐ I am subject to a court order for the support of one or more children and am in compliance with the order or am in compliance with a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.*
- ☐ I am subject to a court order for the support of one or more children and am NOT in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.*

Initial Application - Declaration

Notice as Mandatory Reporter of Abuse or Neglect

- ☒ I acknowledge I have been informed of my duty as a mandatory reporter of abuse or neglect of a child pursuant to NRS 432B.

Declaration

- ☒ I declare, under penalty of perjury, all the information supplied herein is to the best of my knowledge true, accurate and complete and I have not withheld, misrepresented, or falsely stated any information relevant to my application, education, training, experience or my fitness to practice the profession for which I am applying.

Jurisprudence Exam Certificate of Completion

Please upload certificate of completion.

Click [here](#) for recommendations on uploading files.

Uploaded File(s)

[Certificate-Nathan-Edwards-Jurisprudence Exam.pdf](#)

Click [here](#) for recommendations on uploading files.

Uploaded File(s)

[DL1.pdf](#)

Verification of NBCOT Certification

Please upload current certification status. Acceptable documentation include:

- on-line verification printout from NBCOT; or
- request written verification from NBCOT to be sent directly to the board.

Click [here](#) for recommendations on uploading files.

Uploaded File(s)

[OTR \(1\).pdf](#)

Verification of Licensure in Another State

Please upload Verification of Licensure in Another State.

Verification of your license status and disciplinary history must be provided for all jurisdictions in which you have held a license in the previous 5 years.

Acceptable documentation for verification purposes:

- Written verification received directly from the regulatory entity; or
- On-line verification printout from official regulatory entity website dated within 10 days of date of application; or
- Electronic verification received directly from the regulatory entity.

Click [here](#) for recommendations on uploading files.

Uploaded File(s)

[Notification of Successful License Renewal - nathanthedwards@gmail.com - Gmail.pdf](#)


Initial Application - Receipt

Receipt

Your confirmation number is 32474.

Name: Nathan Edwards

Total: \$400.00

Card: 

Date/Time: 3/8/2024 9:52:50 AM

You have successfully submitted the application. Allow 5-7 business days to process your application.

If you are connected to a printer, you may print this receipt for your records by clicking below. However, a copy of this receipt will be sent to your email address. [Print](#)

When the Download PDF button turns green, click below to download or save a PDF of your application.



Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board

77 South High Street, 16th Floor
Columbus, Ohio 43215-6108

Governor
Mike DeWine
Executive Director
Missy Anthony

3/14/2024

State of Nevada Board of Occupational Therapy
6170 Mae Anne Avenue, Suite 1
Reno, Nevada 89523

Verification of Ohio Licensure

I, **Carlton Jones, Office Professional 2** of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board, do hereby certify that a standard search of the available records of this office indicates the following:

Name:	Nathan Edwards
Profession:	Occupational Therapist (OT)
License Number:	OT011622
Issue Date:	7/7/2021
Expiration Date:	6/30/2025
Status:	Active
Licensed By:	Examination,

The individual's license was disciplined by the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board. All relevant public documents are attached to this verification for reference. Any questions regarding the information provided should be directed to the Enforcement Division at (614) 466-3774.

To expedite the verification process, the above format is the standard format of information available through this Board.

Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board

Carlton Jones, Office Professional 2

Ohio Occupational Therapy, Physical Therapy, & Athletic Trainers Board
77 S. High Street, 16th Floor
Columbus, OH 43215-6108
(Ph.) 614-466-3774 (Fax) 614-995-0816

<http://otptat.ohio.gov>

Carlton.Jones@otptat.ohio.gov



Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board
77 South High Street, 16th Floor
Columbus, Ohio 43215-6108

Governor
Mike DeWine
Executive Director
Missy Anthony

July 25, 2022

Nathan Edwards
2285 Shelby Lane
Hilliard, OH. 43026-7125

RE: Consent Agreement

Dear Mr. Edwards:

This letter is to inform you that the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board has released you from your consent agreement, as you have fulfilled all of the obligations listed in your consent agreement. Please be aware that a record of this disciplinary action will be part of your permanent record.

The Board appreciates your cooperation.

Sincerely,

Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers
Board


Jeffery Duvall
Enforcement Division Supervisor

PLEASE RETAIN THIS LETTER FOR YOUR RECORDS

**Before The Ohio
Occupational Therapy, Physical Therapy and Athletic Trainers Board
Occupational Therapy Section**

IN RE:
The eligibility of Nathan Edwards,
OT011622, to retain his license as an
Occupational Therapist in the State of
Ohio

Case No: OT-21-100

Consent Agreement

This CONSENT AGREEMENT constitutes an Adjudication Order within the meaning of section 119.01(D) of the Ohio Revised Code. This Consent Agreement ("Agreement") is entered into by and between **Nathan Edwards** ("Edwards") and the OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY AND ATHLETIC TRAINERS BOARD, OCCUPATIONAL THERAPY SECTION ("Board").

The Board is a state agency, charged with enforcing relevant provisions of Ohio Revised Code Chapter 4755 and all rules promulgated thereunder. **Edwards** hereby enters into this Agreement being fully informed of his rights, including those under Chapter 4755 and Chapter 119, Ohio Revised Code, including the right to representation by counsel and an adjudication hearing.

In consideration of the forgoing and mutual promises hereinafter set forth, **Edwards** and the Board hereby agree as follows:

Jurisdiction and Predicate Facts

1. The Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board, Occupational Therapy Section, is empowered by section 4755.11(A) of the Ohio Revised Code to suspend, revoke, or refuse to issue or renew an occupational therapist license, occupational therapy assistant license, occupational therapist limited permit, occupational therapy assistant limited permit, or reprimand, fine, place a license or limited permit holder on probation, or require the license or limited permit holder to take corrective action courses, for any of the following:
 - (2) Violation of any provision of sections 4755.04 to 4755.13 of the Revised Code;
 - (3) Violation of any lawful order or rule of the occupational therapy section;
 - (14) Working or representing oneself as an occupational therapist, occupational therapy assistant, occupational therapist limited permit holder, or occupational therapy assistant limited permit holder without a current and valid license or limited permit issued by the occupational therapy section;
2. **Edwards** was initially licensed as an occupational therapist in the State of Ohio on July 7, 2021.

3. From on or about December 7, 2020, to on or about July 1, 2021, Edwards engaged in the practice of occupational therapy, as that term is defined in Ohio Rev. Code 4755.04 (A), as an employee of Ohio Health Rehabilitation Hospital, located at 1087 Dennison Ave, Columbus, Ohio 43201, when he did not hold a valid license to practice as an occupational therapist in the State of Ohio. Said conduct constitutes a violation of the Ohio Rev. Code 4755.11 (A)(2), (3), & (14) and 4755.05, and Ohio Administrative Code 4755-7-08 (A)(4)(b).
4. Edwards holds a license to practice as an occupational therapist in the State of Ohio and is subject to all laws and rules of Ohio regulating the practice of occupational therapy.

Admissions

1. Edwards hereby admits and acknowledges that he has received proper notice of his right to a formal hearing pursuant to Ohio Revised Code Chapter 119.
2. Edwards hereby knowingly waives all rights to a formal hearing in this matter, and agrees that this Agreement shall have the full force and effect of an Order duly entered in accordance with those procedures set forth in Ohio Revised Code Chapter 119 and Chapter 4755 relating to administrative proceedings.
3. Edwards admits that the facts as set forth above are true and accurate and expressly waives all rights to change said facts.
4. Edwards admits that the facts set forth above constitute a violation of Ohio law thereby subjecting him to disciplinary action by the Board, pursuant to section 4755.11 of the Ohio Revised Code.

Terms

WHEREFORE, in consideration of the foregoing, and in lieu of any further disciplinary action, Edwards and the Board, knowingly and voluntarily agree to the following terms:


1. Edwards agrees that this Agreement serves as a written reprimand.
2. Edwards shall pay a fine of \$700.00. This fine shall be paid within thirty (30) days of the effective date of the agreement. Payment may be made via credit card by contacting the Board's Enforcement Division.
3. Edwards shall develop a Personal Plan of Action to ensure future compliance with occupational therapy licensing and renewal procedures. This plan shall address how Edwards intends to keep a current and valid license in accordance with license renewal procedures. Edwards shall submit the plan within forty-five (45) days of the effective date of this consent agreement.
4. Edwards shall provide a copy of the consent agreement to any current and future employers during the term of this agreement. The copy shall be given to Edwards's supervisor(s), or whoever is responsible for evaluating his work performance. Edwards's employer(s) must send written notification on company letterhead to the Enforcement Division indicating that they were provided with a copy of this agreement. Edwards shall ensure that this notification by his employer is received

within (30) days of the effective date of this agreement. If Edwards changes employers during the course of this agreement, he shall ensure that written notification by his new employer(s) is received within thirty (30) days of his start date of his new position. If Edwards is not employed within thirty (30) days of the effective date of this agreement, he shall submit a statement to that effect to the Enforcement Division of the Board.

5. Edwards agrees to abide by all federal, state, and local laws, and all laws and rules governing the practice of occupational therapy in the State of Ohio.
6. Failure to abide by the terms of this Agreement shall constitute an actionable violation in and of itself without further proof and may subject Edwards to any and all disciplinary remedies to the Occupational Therapy Section including, but not limited to, revocation.
7. Edwards hereby releases the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board, its members, employees, agents and officers jointly and severally from any and all liability from the within matter.
8. All parties to this Agreement understand that this Agreement is a public record and may be published on the Board's website and reported to appropriate organizations, data banks, and governmental bodies, including, but not limited to, the United States Department of Health and Human Services' National Practitioner Data Bank (NPDB).
9. By his signature on this Agreement, Edwards agrees that in the event the Board, in its discretion, does not approve this Agreement, this settlement offer is withdrawn and shall be of no evidentiary value and shall not be relied upon or introduced in any disciplinary action or appeal by either party. Edwards agrees that should the Board reject this Agreement and if this case proceeds to hearing, he will assert no claim that the Board was prejudiced by its review and discussion of this Agreement or of any information relating thereto.
10. By adopting and executing this Agreement, the Board hereby acknowledges that this Agreement is a full and final settlement of the within matter and agrees that it will not pursue further action against Edwards resulting from the aforementioned conduct.
11. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
12. Edwards has had the opportunity to review the Agreement and receive the advice of the legal counsel of his choice regarding it and all of its terms, conditions and requirements.

I, **Nathan Edwards**, have carefully read the above agreement and I enter into it freely and voluntarily with full knowledge of its force and effect, and full knowledge of my rights under Ohio law. By executing this agreement, I recognize that if, in the discretion of the Board it appears that I have breached any terms or conditions of this consent agreement, the Board may initiate formal disciplinary proceedings which may be based solely upon a breach of the consent agreement. If the Board finds a breach of this consent agreement, it may impose any disciplinary remedy available under Ohio law.

The terms and conditions of this agreement shall not become effective until approved by the Board and executed pursuant to its approval.



Nathan Edwards

08/19/2021

DATE

Counsel to Nathan Edwards
(If represented)

DATE



Melissa Anthony
Executive Director

11/16/21

DATE



Lindsay Miller
Associate Assistant Attorney General

11/16/21

DATE

From: Nathan Edwards
To: [Nevada Board of Occupational Therapy](#)
Subject: Re: Application for Licensure
Date: Tuesday, March 12, 2024 8:22:31 PM

Hello,

My last response was in regards to my email account indicating that I sent you a response that was only half written. Apologies for the confusion, but I wanted to make sure the correct response was sent. Below is the email I hoped you received in quotation marks. So to clarify I did not hold a previous license and the unlicensed practice occurred from 12/07/2020-07/01/2021. I believe “unlicensed practice” is how I should have described it in the original application to avoid the confusion, and I do apologize. Have a great evening!

“Afternoon,

I did not hold a previous license. I was a new graduate and it happened during my first place of employment due to some confusion during the application process. I believed I had finished all the necessary application requirements upon hire and was given the go ahead from the HR department. I then began working my first job as an OT, unknowingly without a state license. Once my manager and I became aware, we immediately contacted the state licensing board. I paid a fine and they determined I was not negligent in the matter and could finish my state license application to begin practicing. It was immediately approved and I began working as an OT again.”

Best regards,

Nathan Edwards

On Mar 12, 2024, at 9:15 PM, Nevada Board of Occupational Therapy
<board@nvot.org> wrote:

Hello Nathan,

Your response was received. Please clarify your second email. Would you like to retract your response regarding the initial email we sent you?

Heather Hartley, Executive Director
State of Nevada Board of Occupational Therapy
6170 Mae Anne Avenue, Suite 1, Reno, NV 89523
775.746.4101 P | 775.746.4105 F

From: Nathan Edwards
Sent: Tuesday, March 12, 2024 4:27 PM

To: Nevada Board of Occupational Therapy <board@nvot.org>

Subject: Re: Application for Licensure

Apologies for the first email. You can disregard that message. I had accidentally hit the send key. Have a great night!

On Mar 12, 2024, at 4:42 PM, Nevada Board of Occupational Therapy <board@nvot.org> wrote:

Hello Nathan,

We are in receipt of your application for licensure and had a quick question regarding your licensing history in Ohio.

You stated in your application that you practiced with an Inactive License in Ohio but we only see the one license OT011622 issued on 7/7/2021.

Did you hold a previous state license or was their unlicensed practice from 12/7/2020-7/1/2021?

Thank you,

Stacey Whittaker, Director of Licensing & Operations

State of Nevada Board of Occupational Therapy

6170 Mae Anne Avenue, Suite 1, Reno, NV 89523

775.746.4101 P | 775.746.4105 F

State of Nevada
Board of Occupational Therapy

6170 Mae Anne Ave., Suite 1, Reno, Nevada 89523
Phone (775) 746-4101 / Fax (775) 746-4105 / Website www.nvot.org

AGENDA ITEM 5: Hearing for Determination of Violation of Consent Decree
--

Nicole Kohnert, OTA

License OTA-2242

Case No. 24-01

A Notice of Suspension and Hearing was issued on March 11, 2024, pending a Hearing before the Board for a determination of violation of the Consent Decree and whether to impose any penalty authorized by NRS 640A.200, including but not limited to revocation of Ms. Kohnert's license to practice as an Occupational Therapist Assistant in the State of Nevada.

It is alleged that Ms. Kohnert violated the Consent Decree by not providing a copy of the signed Consent Decree to her employers and to the Board and knowingly providing a false employment start date to the Board.

Ms. Kohnert has indicated by email that she has moved from the State of Nevada. Ms. Kohnert has previously complied with a payment plan for assessed fine/legal fees; however, has missed the March payment deadline.

Attachments

- Summary of Consent Decree Compliance
- Statement from Employer
- Notice of Suspension and Hearing
- Consent Decree effective 9/23/23
- Email Correspondence Documentation
- Payment Record



Joe Lombardo
Governor

STATE OF NEVADA
BOARD OF OCCUPATIONAL THERAPY

6170 Mae Anne Ave., Suite 1
Reno, Nevada 89523
Phone: (775) 746-4101 / Fax: (775) 746-4105
Email: board@nvot.org Website: www.nvot.org

Heather Hartley
Executive Director

Summary of Consent Decree Compliance

Nicole Kohnert, OTA-2242
Case No.: C24-01

A Notice of Suspension and Hearing was issued on March 11, 2024, pending a Hearing before the Board for a determination of violation of the Consent Decree and whether to impose any penalty authorized by NRS 640A.200, including but not limited to revocation of Ms. Kohnert's license to practice as an Occupational Therapist Assistant in the State of Nevada.

Summary of Actions:

January 16th -

I, Heather Hartley, emailed Nicole Kohnert requesting her to provide her current employer's information.

January 19th -

Nicole responded that she would be starting home health with Samantha Greggot on February 1st. Nicole sent a second email a couple hours later asking if her email was received and if she should provide the contact information or anything else. I responded by requesting the following items; indicate the end date of employment with Dignity Health, provide the address and phone number of new employer, who is the supervising OT, submit a copy of employer and supervisor signed Consent Decree, page 1 only with signatures. Nicole responded that Samantha will be her supervisor. Nicole stated that she would have Samantha send over the contact information and signed Consent Decree. Nicole once again indicated that she would be starting with Samantha on the first and that she was going to give her notice that day at Dignity Health.

February 15th -

I emailed Nicole as the Board had not received the previously requested information. I requested that she visit the Board's website and log in to update her employer and supervisor information. I requested her to submit a copy of the employer and supervisor signed Consent Decree. I provided the deadline of February 21st. Nicole responded to the email by requesting a copy of the

Consent Decree as her email had been “hacked and cleared.” I sent Nicole the Consent Decree. She responded that she had received it.

February 21st -

At 10:12 pm, Nicole sent an email to the Board stating that she had updated her supervisor information and she had giving Samantha the “sheet to sign.” Nicole said she hadn’t gotten it back yet as Samantha just got married and may be on her honeymoon. Nicole said she would provide the signed Consent Decree when Samantha got back, and any other needed information including Samantha’s license number.

February 22nd -

Board staff reviewed Nicole’s submitted employer and supervisor information update form. The Board’s database system did not show a licensed OT by the last name of Gregg, however further investigation led Board staff to believe that the named OT is Samantha DeVlaeminck, previously Samantha Gregg, who is a current licensed OT.

I emailed Nicole indicating that I did see in the Board’s database system that her employer and supervisor information was updated. I stated that I was unable to find a licensed OT by the name of Samantha Gregg. I asked Nicole to please verify that the name or spelling was correct. I also requested that Nicole would verify the business mailing address as the form stated, “home health.” I asked if Nicole knew when to expect Samantha back from vacation.

Nicole responded back within the hour that, “So unfortunately just like every single job, as soon as I ask them to sign the paper- I then am terminated from said job. So I no longer work there- and am unable to maintain any time of work in Nevada. As of this weekend I will be relocating to a new state.”

February 23rd -

I called the employer phone number provided by Nicole. I left a message for Samantha to please return my call regarding an individual she may have employed. Samantha returned my call within the hour. She asked if this call was regarding Nicole Kohnert. I stated, yes it is. Samantha continued by stating there were things Nicole did that were questionable, and that Samantha had terminated Nicole as of yesterday. I continued by saying I had a couple of questions for her and was looking for dates. I asked Samantha when Nicole had applied for a job. Samantha replied that Nicole had applied sometime in October or November but couldn’t remember specifically. I then asked when Nicole’s start date was. Samantha said that she could look it up according to payroll documents. Samantha made a comment that she was currently in Pahrump and didn’t have the best connection. After a few seconds, Samantha responded that the start date was November 26th, 2023. Samantha received a screenshot of the first page of the Consent Decree in a text message from Nicole on February 20th. Samantha stated that she had never seen something like that which led her to look up Nicole and the Board meeting records to gather more information. Samantha stated that she contacted Nicole’s previous employer. Nicole’s previous supervisor commented that she was never made aware of Nicole’s Consent Decree. Samantha indicated that she has been an OT for 10 years and with the recent discoveries regarding Nicole,

she didn't want to jeopardize her own license and practice. Nicole was terminated by Samantha on February 22.

Findings:

Ms. Kohnert Nicole intentionally falsified her start date of her employment with Samantha DeVlaeminck as February 1, 2024 where in fact her start date was November 26, 2023. Nicole did not submit a signed Consent Decree to the Board while employed at Dignity Health nor did she notify her employer Samantha DeVlaeminck and provide a copy of the Consent Decree for signature as required.

As indicated in the Consent Decree;

2. RESPONDENT shall obey all federal, state and local laws, and orders of the BOARD, which are not inconsistent with this Consent Decree, pertaining to the practice as an occupational therapy assistant in this State. Any and all violations shall be reported by RESPONDENT to the BOARD in writing within seventy-two (72) hours.
3. RESPONDENT shall provide a copy of the Consent Decree to each employer and supervisor until all requirements of the Consent Decree are met. Said copy shall be signed by each employer and supervisor and submitted to the BOARD.

Prepared by: Heather Hartley, Executive Director

To whom it may concern:

My name is Samantha (Gregg) DeVlaeminck, I own a private occupational therapy business in Las Vegas. In November of 2023, I hired Nicole Kohnert (COTA) as a per diem therapist. During the months of November - January she saw approximately 4 children on the weekend. Starting February of 2024, she began to transition to a full-time schedule.

On Wednesday, February 21st, Nicole sent me a screenshot of only the first page of a legal document titled "Consent Decree in the matter of Nicole Kohnert". She informed me via text message "...are you able to sign this and send it back to me? It's for the board I was delayed on updating my license and now I have to get this signed by supervisors - and pay a fine and do like continuing education over the course of like 2 years, I also have to update you as my supervisor on the OT board."

At this point I reached out to her supervisor with Dignity Health, Ashley Scott, and asked her how they handled this matter. It was at this time that Ashley informed me she did not know about the decree or the penalties taken against Nicole's license. Additionally, Ashley informed me that Nicole had been arrested recently but didn't have any specific information on the arrest.

On Thursday, February 22nd, I called Nicole and spoke with her over the phone and informed her that at this point her contract with me was terminated and she was no longer a contractor with my company.

Friday, that week the board reached out to inquire about my knowledge of the decree, and I informed the board representative that Nicole was no longer associated with my company or license.

Please let me know if you have any further questions.

Samantha (Gregg) DeVlaeminck, OTR/L (17-0822)

 Samantha
DeVlaeminck OTR/L



Joe Lombardo

Governor

STATE OF NEVADA
BOARD OF OCCUPATIONAL THERAPY

6170 Mae Anne Ave., Suite 1

Reno, Nevada 89523

Phone: (775) 746-4101 / Fax: (775) 746-4105

Email: board@nvot.org

Website: www.nvot.org

Heather Hartley

Executive Director

March 11, 2024

Nicole Kohnert, OTA
1100 Center St., Apt 925
Henderson, NV 89015

Re: Notice of License Suspension and Notice of Hearing to Determine Violation of Consent Decree

Dear Ms. Kohnert,

The Board of Occupational Therapy, at their meeting of September 23, 2023, considered and approved the Consent Decree regarding Case C24-01, finding you violated the Nevada Occupational Therapy law and regulations. A copy of the fully executed Consent Decree was provided on September 29, 2023, and is attached hereto.

It is alleged that you have not complied with all terms and conditions of the Consent Decree as follows.

2. RESPONDENT shall obey all federal, state and local laws, and orders of the BOARD, which are not inconsistent with this Consent Decree, pertaining to the practice as an occupational therapy assistant in this State. Any and all violations shall be reported by RESPONDENT to the BOARD in writing within seventy-two (72) hours.
3. RESPONDENT shall provide a copy of the consent decree to each employer and supervisor until all requirements of the Consent Decree are met. Said copy shall be signed by each employer and supervisor and submitted to the BOARD.

Violation of Terms of the Consent Decree

In the event that a violation of the terms of the Consent Decree is alleged, RESPONDENT agrees to surrender her license to the Executive Director/Board, if the Executive Director/Board so requests, and refrain from practicing as an Occupational Therapy Assistant until entry of a final order of the BOARD or a court of competent jurisdiction, whichever last occurs, regarding a potential violation.

Your OTA-2242 license is suspended for thirty (30) days, effective immediately.

A disciplinary hearing has been set in accordance with Chapter 233B, Chapter 241, Chapter 622A, Chapter 622 and Chapter 640A of the Nevada Revised Statutes and Chapter 640A of the Nevada Administrative Code.

You are hereby ***noticed to appear before the Board at this disciplinary hearing.*** The Board will consider whether you have violated the terms and conditions of the Consent Decree in this case. The hearing will be held on **April 13, 2024 at 10:00 a.m.** by ZOOM video-conference at:

<https://us06web.zoom.us/j/84163717480?pwd=OvscgpmL9lMkz4jaQKHbEAliKugY3P.1>

Meeting ID: 841 6371 7480

Passcode: 559134

Telephone Audio Only: **(253) 215-8782**

At any time during this process, you are entitled to a lawyer. You may choose to resolve these matters by voluntarily surrendering your OTA-2242 license to practice in Nevada. If you choose to voluntarily surrender your license, please contact Henna Rasul, Board Counsel or Heather Hartley, Executive Director. Ms. Rasul can be reached at hrasul@ag.nv.gov or 100 N. Carson Street, Carson City, NV 89701. If you have any questions regarding the disciplinary process, please contact the Board office.

Sincerely,

Heather Hartley

Heather Hartley, Executive Director

Cc: Henna Rasul, Sr. Deputy Attorney General

**BEFORE THE STATE OF NEVADA
BOARD OF OCCUPATIONAL THERAPY**

IN THE MATTER OF

NICOLE KOHNERT, OTA
License No. OTA-2242

Respondent.

Case No. C24-01

CONSENT DECREE

The State of Nevada Board of Occupational Therapy (BOARD) having jurisdiction over NICOLE KOHNERT ("RESPONDENT"), License No. OTA-2242, pursuant to NRS 640A.010; an accusation against said licensee having been received alleging violations of the Nevada statutes and regulations controlling the practice as an occupational therapy assistant; and the parties being mutually desirous of settling the controversy between them relative to the pending accusation.

IT IS HEREBY STIPULATED AND AGREED between the undersigned parties that this matter shall be settled and resolved upon the following terms:

JURISDICTION

RESPONDENT acknowledges the BOARD has jurisdiction over her and the conduct that has precipitated this Consent Decree. RESPONDENT acknowledges that the BOARD has the legal power and authority to take disciplinary action, including, but not limited to, the revocation of her license to practice as an occupational therapist in Nevada.

RESPONDENT acknowledges that the BOARD will retain jurisdiction over this matter until all terms and conditions set forth in this Consent Decree have been met to the satisfaction of the BOARD.

PUBLICATION OF CONSENT DECREE

RESPONDENT acknowledges that at the time this Consent Decree becomes effective, it also becomes a public document and will be reported to the State of Nevada, Legislative Council Bureau, Disciplinary Action Reporting System; the American Occupational Therapy Association, National Board for Certification in Occupational

1 Therapy and such other national databases as required by law. It is also understood that
2 any meeting during which the BOARD considers and accepts or rejects this Consent Decree
3 is open to the public and that the minutes of the BOARD meeting are a public document,
4 available for inspection by any person so requesting.

5 **VOLUNTARY WAIVER OF RIGHTS**

6 RESPONDENT is aware of, understands, and has been advised of the effect of this
7 Consent Decree, which she has carefully read and fully acknowledges. RESPONDENT has
8 had the opportunity to consult with competent counsel of her choice.

9 RESPONDENT has freely and voluntarily entered into this Consent Decree and she
10 is aware of her rights to contest terms set forth in the Consent Decree. These rights include
11 representation by an attorney at her own expense, the right to file an answer in response
12 to a formal complaint, the right to a public hearing on any allegations formally filed, the
13 right to confront and cross-examine witnesses called to testify against her, the right to
14 present evidence on her own behalf, the right to testify on her own behalf, the right to
15 receive written findings of fact and conclusions of law supporting the decision on the merits
16 of the Complaint and the right to obtain judicial review of the decision. All of these rights
17 are being voluntarily waived by RESPONDENT in exchange for the Board's acceptance of
18 this Consent Decree.

19 If the Consent Decree is not accepted by the BOARD, no member of the BOARD will
20 be disqualified from further hearing of this matter, by reason of his or her consideration of
21 the Consent Decree and RESPONDENT hereby waives any claim of bias or prejudice based
22 upon said consideration by any member of the BOARD in any subsequent disciplinary
23 hearing conducted by the BOARD.

24 **CONTINGENCY**

25 By signing the Consent Decree, RESPONDENT understands and agrees that she
26 may not withdraw her agreement or seek to rescind the Consent Decree.

27 The parties understand and agree that facsimile copies of this Consent Decree,
28 including facsimile signatures thereto, shall have the same force and effect as the originals.

1 This Consent Decree is intended to be an integrated writing representing the
2 complete, final, and exclusive embodiment of their agreement. It supersedes any and all
3 prior or contemporaneous agreements, understandings, discussions, negotiations, and
4 commitments (written or oral).

5 INDEMNIFICATION

6 RESPONDENT, for herself, her heirs, executors, administrators, successors and
7 assigns, hereby indemnifies and holds harmless the State of Nevada, the BOARD, the
8 Nevada Attorney General's office and each of their members, agents and employees in their
9 individual and representative capacities against any and all claims, suits, demands,
10 actions, debts, damages, costs, charges, and expenses, including court costs and attorney's
11 fees against any persons, entities, as well as all liability, losses, and damages of any nature
12 whatsoever that the persons and entities named in this paragraph shall have or may at
13 any time sustain or suffer by reason of this investigation, this disciplinary action, this
14 settlement or its administration.

15 STIPULATED FACTS AND CONCLUSIONS OF LAW

16 RESPONDENT understands the nature of the allegations under consideration by
17 the BOARD. She acknowledges that the conduct described below constitutes violations of
18 the Occupational Therapy Practice Act (NRS and NAC 640A). She acknowledges that if
19 this matter were to be taken to a disciplinary hearing before the BOARD, the following
20 allegations could be proven by a preponderance of the evidence and that by acknowledging
21 the same, she is subject to disciplinary action by the BOARD.

22 1. Nicole Kohnert ("RESPONDENT") was a duly licensed Occupational Therapy
23 Assistant in the State of Nevada at all times relevant to this Complaint.

24 2. RESPONDENT was licensed as a licensed Occupational Therapy Assistant on
25 or about March 27, 2019, through March 26, 2023; which license was reinstated on July 12,
26 2023 to the present day.

27 3. An Administrative Complaint was filed by the BOARD on or about July 11,
28 2023, and the allegations delineated in the Complaint are as follows:

1 a. During the course of a review of RESPONDENT's application for
2 reinstatement, it is alleged that she falsified her application by certifying that she had not
3 practiced occupational therapy during the period after her license expired.

4 b. It is further alleged that RESPONDENT knowingly continued to
5 practice as an Occupational Therapy Assistant without a license.

6 4. This conduct violated NRS 640A.200(4)(a) which states that an act
7 constituting "unprofessional conduct" includes the obtaining of a license by fraud or
8 through the misrepresentation or concealment of a material fact.

9 5. This conduct violated NRS 640A.200(4)(c) which states that an act
10 constituting "unprofessional conduct" includes the violation of any provision of this chapter
11 or regulation of the BOARD adopted pursuant to this chapter.

12 6. This conduct violated NAC 640A.350(15) which states the following acts,
13 among others, constitute "unprofessional conduct": "violating a provision of the
14 Occupational Therapy Code of Ethics or the Standards of Practice for Occupational
15 Therapy, adopted by reference in NAC 640A.205." Making false statements, providing false
16 information or omitting pertinent information in connection with an application for
17 licensure or renewal of a license.

18 7. That the foregoing facts constitute grounds for initiating disciplinary action
19 pursuant to NRS 640A.200.

20 8. Nevada Revised Statute NRS 640A.200(1) provides:

21 The Board may, after notice and a hearing as required by law,
22 suspend, revoke or refuse to issue or renew a license to practice
23 as an occupational therapist or occupational therapy assistant, or
24 may impose conditions upon the use of that license, if the Board
determines that the holder of or applicant for the license is guilty
of unprofessional conduct which has endangered or is likely to
endanger the public health, safety or welfare.

25 9. Nevada Administrative Code (NAC) 640A.361 provides:

26 If the board determines that an occupational therapist or
27 occupational therapy assistant is guilty of unprofessional conduct
28 pursuant to NRS 640A.200 and does not suspend or revoke his
license, the board will impose, as it deems appropriate, one or
more of the following conditions on the use of that license:

- (1) The acceptance of a public reprimand administered by the board;
- (2) Probation for a specified period or until further order of the board;
- (3) Restrictions or limitations on the scope of the licensee's practice;
- (4) The successful completion of a program of remedial education or treatment approved by the board;
- (5) Supervision of the professional work of the licensee by a person approved by the board;
- (6) The repayment to a patient of all money collected by the licensee in connection with the unprofessional conduct;
- (7) The successful completion of a physical or mental examination or an examination testing the competence of the licensee; or
- (8) Such other disciplinary action as the board considers necessary and appropriate.

STIPULATED ADJUDICATION

RESPONDENT stipulates that pursuant to the authority of NRS 640A.010, the BOARD will impose a suspension of RESPONDENT's License No. OTA-2242 for thirty (30) days. The suspension shall be stayed and the RESPONDENT agrees to be placed on probation for a period of two (2) years, pursuant to the following terms and conditions:

1. Within forty-five (45) days of BOARD approval and execution of the Consent Decree, RESPONDENT shall pay the BOARD eight hundred thirty-two and 32/100 dollars (\$832.32) in attorney's fees and costs. RESPONDENT may pay the above-stated fees by way of a payment plan prepared by the Board, on the condition that the payment plan is set up with the Board within forty-five (45) days from the date of the approval and execution of this Consent Decree.

a. No grace period is permitted. If a Board prepared payment plan is not approved, or full payment not actually received by the BOARD on or before the forty-five (45) days as indicated above, shall be construed as an event of default by RESPONDENT.

b. In the event of default, RESPONDENT agrees that her license number OTA-2242 shall be immediately suspended. The suspension of RESPONDENT's license shall continue until the unpaid balance is paid in full and the suspension is subject to being reported to all appropriate agencies.

///

1 c. RESPONDENT acknowledges that the BOARD has the legal power and
2 authority to take action against her, including instituting debt collection actions for unpaid
3 monetary assessments in this case.

4 2. RESPONDENT shall obey all federal, state and local laws, and orders of the
5 BOARD, which are not inconsistent with this Consent Decree, pertaining to the practice as
6 an occupational therapy assistant in this State. Any and all violations shall be reported by
7 RESPONDENT to the BOARD in writing within seventy-two (72) hours.

8 3. RESPONDENT shall provide a copy of the consent decree to each employer
9 and supervisor until all requirements of the Consent Decree are met. Said copy shall be
10 signed by each employer and supervisor and submitted to the BOARD.

11 4. RESPONDENT shall complete eight (8) hours of Board approved continuing
12 education courses: four (4) hours in ethics and four (4) hours in professional conduct during
13 the first year of her probationary period. Upon successful completion of the course work,
14 RESPONDENT must send the certificates of completion to the Board office within 30 days
15 of completion of the course. The eight (8) hours of continuing education courses cannot be
16 used towards continuing education already required for continued licensure as an
17 Occupational Therapy Assistant by the Board.

18 5. RESPONDENT will be financially responsible for all requirements of this
19 Consent Decree, including reasonable financial assessments by the Board for the cost of
20 monitoring her compliance or carrying out the provisions of this Consent Decree.

21 6. RESPONDENT waives her right to petition for early termination and/or
22 modification of probation.

23 7. RESPONDENT shall receive credit toward service of her probation only while
24 employed as a licensed Occupational Therapy Assistant in the State of Nevada.

25 8. Upon completion of two (2) years of probation, RESPONDENT may apply to
26 the BOARD for termination of her probation and full reinstatement of her Occupational
27 Therapy Assistant License No. OTA-2242. RESPONDENT understands that prior to
28 terminating her probation and full reinstatement of her license she must prove to the

1 BOARD's satisfaction that she has complied with all the terms and conditions of its Consent
2 Decree. RESPONDENT shall submit a written request to the BOARD for termination of
3 her probation. Upon receipt of this request, the BOARD may request additional
4 information from RESPONDENT to determine her compliance with the Consent Decree.
5 Upon establishing RESPONDENT has met all of the requirements of the Consent Decree,
6 she may be required to meet with the Chair of the BOARD or his/her designee, the
7 Executive Director and BOARD counsel for evaluation of her compliance with the Consent
8 Decree and for their recommendation of termination of probation, full reinstatement, or
9 additional disciplinary action at a separate hearing before the BOARD.

10 9. The BOARD reserves the right to reinstate legal action against
11 RESPONDENT and the Consent Decree shall automatically terminate, should
12 RESPONDENT violate any term in this Consent Decree or any other disciplinary action
13 imposed by any board she is licensed with, and her OTA license shall be suspended for
14 thirty (30) days, effective immediately.

15 VIOLATION OF TERMS OF CONSENT DECREE

16 RESPONDENT understands that the BOARD may, upon thirty (30) day notice to
17 RESPONDENT, convene a hearing for the limited purpose of establishing that she has, in
18 fact, been in violation of the terms of this Consent Decree. If such a hearing results in a
19 finding of a violation of this Consent Decree, the BOARD may impose any penalty upon
20 RESPONDENT authorized by NRS 640A.200, and including, but not limited to, revocation
21 of her license to practice as an Occupational Therapy Assistant in the State of Nevada.

22 In the event that a violation of the terms of the Consent Decree is alleged,
23 RESPONDENT agrees to surrender her license to the Executive Director/Board, if the
24 Executive Director/Board so requests, and refrain from practicing as an Occupational
25 Therapy Assistant until entry of a final order of the BOARD or a court of competent
26 jurisdiction, whichever last occurs, regarding a potential violation. RESPONDENT agrees
27 to waive her right to appeal the substantive legal basis of the original disciplinary action,
28 which is the basis for this Consent Decree. In the event an alleged violation of the Consent

1 Decree is taken to hearing and the facts which constitute the violation are determined to
2 be not proven, no disciplinary action shall be taken by the BOARD.


3 **ACCEPTANCE BY THE BOARD**

4 This Consent Decree will be presented to the BOARD with a recommendation for
5 approval from the Attorney General's Office at its next meeting.

6 **COMPLETE CONSENT DECREE**

7 This Consent Decree embodies the entire agreement between the BOARD and
8 RESPONDENT. It may not be altered, amended, or modified without the express written
9 consent of the parties.

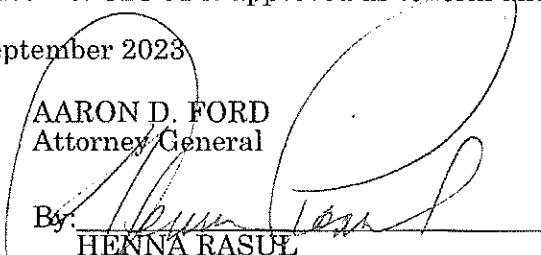
10 DATED this 10 day of September 2023

11
12 By: 
13 Nicole Kohnert OTA, Respondent

14 The foregoing Consent Decree between RESPONDENT and the State of Nevada
15 Board of Occupational Therapy in Case No. C24-01 is approved as to form and content.

16 DATED this 11 day of September 2023

17 AARON D. FORD
18 Attorney General


19 By: 
20 HENNA RASUL
21 Senior Deputy Attorney General
22 100 N. Carson Street
23 Carson City, Nevada 89701
24 (775) 684-1100
25 Counsel to the State of Nevada
26 Board of Occupational Therapy
27
28

1 **ORDER**

2 By a majority vote on the 23 day of September 2023, the State of Nevada Board
3 of Occupational Therapy approved and adopted the terms and conditions set forth in the
4 attached Consent Decree with Nicole Kohnert, OTA.

5 **IT IS HEREBY ORDERED AND MADE EFFECTIVE.**

6 DATED this 23 day of September 2023

7
8 By _____
9 Chair, Board of Occupational Therapy
10
11
12
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Nevada Board of Occupational Therapy

From: Nevada Board of Occupational Therapy
Sent: Tuesday, March 12, 2024 2:22 PM
To: Nicole Kohnert
Subject: RE: Notice of Suspension and Disciplinary Hearing

Hello Nicole,

The signed Consent Decree was attached in the previous email along with the notice letter. Please review paragraphs 2 and 3 on page 6 of the Consent Decree.

As indicated in the notice letter, you may voluntarily surrender your license. If so, your voluntary surrender will be presented to the Board at the Hearing for approval.

Sincerely,

Heather Hartley, Executive Director

State of Nevada Board of Occupational Therapy

6170 Mae Anne Avenue, Suite 1, Reno, NV 89523

775.746.4101 PI 775.746.4105 F

From: Nicole Kohnert [REDACTED]
Sent: Monday, March 11, 2024 4:24 PM
To: Nevada Board of Occupational Therapy <board@nvot.org>
Subject: Re: Notice of Suspension and Disciplinary Hearing

I will not be working as a therapist at all and will not be renewing my license- I switched careers, and I do not live in Nevada, I moved to another state. I do not know why I am getting in trouble as I have done everything asked of me
Nicole Kohnert
Occupational Therapy Assistant
[REDACTED]

****This is a confidential email****

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On Mar 11, 2024, at 6:21 PM, Nevada Board of Occupational Therapy <board@nvot.org> wrote:

Hello Nicole,

Thank you for notifying me that you are not currently working. Will you be in attendance for the hearing on April 13th?

As mentioned, you may also contact Henna Rasul, Board's legal counsel, if you have questions regarding the notice letter.

Sincerely,

Heather Hartley, Executive Director
State of Nevada Board of Occupational Therapy
6170 Mae Anne Avenue, Suite 1, Reno, NV 89523
775.746.4101 P 1775.746.4105 F

From: Nicole Kohnert [REDACTED]
Sent: Monday, March 11, 2024 3:30 PM
To: Nevada Board of Occupational Therapy <board@nvot.org>
Subject: Re: Notice of Suspension and Disciplinary Hearing

Hello-

I am not practicing as an OTA at all- however, I would like to know what I did wrong as I have given you all information that has been asked.

Nicole Kohnert
Occupational Therapy Assistant
[REDACTED]

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On Mar 11, 2024, at 5:20 PM, Nevada Board of Occupational Therapy
<b.QfillJ_@ny_QLQrg> wrote:

Hello Nicole,

Please find attached the Notice of Suspension and Disciplinary Hearing.

Pursuant to the terms of the Consent Decree, your license has been suspended and a Hearing has been scheduled before the Board for a determination of a violation of the Consent Decree, and possible imposition of disciplinary actions. The Hearing is scheduled for **Saturday, April 13th at 10:00 am via Zoom.**

Please read the notice letter closely. If you have any questions regarding the above or the content of the notice letter, please contact me or the Board's legal counsel, Henna Rasul, directly at the email address contained in the notice letter.

Sincerely,

Heather Hartley, Executive Director

State of Nevada Board of Occupational Therapy

6170 Mae Anne Avenue, Suite 1, Reno, NV 89523

775.746.4101 P 1775.746.4105 F

<Notice of Suspension and Hearing - Kohnert.pdf>

<Kohnert Signed Consent Decree 9.23.pdf>

Nevada Board of Occupational Therapy

From: Nicole Kohnert [REDACTED]
Sent: Thursday, February 22, 2024 2:50 PM
To: Nevada Board of Occupational Therapy
Subject: Re: Employer Update

Follow Up Flag: Follow up
Flag Status: Flagged

Hello,
So unfortunately just like every single job, as soon as I ask them to sign the paper- I then am terminated from said job. So I no longer work there- and am unable to maintain any time of work in Nevada. As of this weekend I will be relocating to a new state.

Nicole Kohnert
Occupational Therapy Assistant
[REDACTED]

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On Feb 22, 2024, at 2:13 PM, Nevada Board of Occupational Therapy <board@nvot.org> wrote:

Hello Nicole,

I do see in the Board's database system that your employer and supervisor information was updated. Under review of the changes, I was unable to find a licensed OT by the name of Samantha Greggott. Please indicate if this name/ spelling is correct. Please verify the business mailing address as the form stated, "Home Health."

Do you know when Samantha is expected back from vacation?

Sincerely,

Heather Hartley, Executive Director
State of Nevada Board of Occupational Therapy
6170 Mae Anne Avenue, Suite 1, Reno, NV 89523
775.746.4101 P | 775.746.4105 F

From: Nicole Kohnert [REDACTED]
Sent: Wednesday, February 21, 2024 10:12 PM
To: Nevada Board of Occupational Therapy <board@nvot.org>
Subject: Re: Employer Update

Good evening,

I updated my supervisor information and gave her the sheet to sign, I haven't gotten it back yet- I did provide her contact information on my supervisory update- she just got married and may be on her honey moon, I can send it as soon as I get it back. I can also provide you with any more information you need regarding her, I do not know her license number but can also update you on that when she gets back to me.

On Thursday, February 15, 2024, Nicole Kohnert wrote:

Got it thank you
Nicole Kohnert
Occupational Therapy Assistant
[REDACTED]

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On Feb 15, 2024, at 11:26 AM, Nevada Board of Occupational Therapy
<board@nvot.org> wrote:

Hello Nicole,

Please find attached the signed Consent Decree.

Heather Hartley, Executive Director

State of Nevada Board of Occupational Therapy

6170 Mae Anne Avenue, Suite 1, Reno, NV 89523

775.746.4101 P 1775.746.4105 F

From: Nicole Kohnert [REDACTED]
Sent: Thursday, February 15, 2024 11:05 AM
To: Nevada Board of Occupational Therapy <board@nvot.org>
Subject: Re: Employer Update

Hello,

Can you resend me a copy of the consent decree? My email got hacked and cleared. Thank you

Nicole Kohnert

Occupational Therapy Assistant
[REDACTED]

****This is a confidential email****

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On Feb 15, 2024, at 10:51 AM, Nevada Board of Occupational Therapy <board@nvot.onp> wrote:

Hello Nicole,

The Board has received your payment. As noted in previous emails, the items indicated below need to be submitted in order to be in compliance with the Consent Decree.

1. Please go to the Board's website and log in to update your employer and supervisory information.
2. Submit a copy of employer and supervisor signed Consent Decree, page 1 only with signatures.

Please provide requested information no later than
Wednesday, February 21st.

Let me know if you have any questions,

Heather Hartley, Executive Director

State of Nevada Board of Occupational Therapy

6170 Mae Anne Avenue, Suite 1, Reno, NV 89523

775.746.4101 P 1775.746.4105 F

<Kohnert Signed Consent Decree 9.23.pdf>

Nevada Board of Occupational Therapy

From: Nicole Kohnert [REDACTED]
Sent: Friday, January 19, 2024 10:32 AM
To: Nevada Board of Occupational Therapy
Subject: Re: Employer Information

Perfect! Thanks for reaching out!

On Friday, January 19, 2024, Nevada Board of Occupational Therapy <board@nvot.org> wrote:

Hi Nicole,

Thank you for the update. I will keep a lookout for the contact information and signed Consent Decree. Once received, I will let you know if additional information is needed.

Have a good weekend,

Heather Hartley, Executive Director

State of Nevada Board of Occupational Therapy

6170 Mae Anne Avenue, Suite 1, Reno, NV 89523

775.746.4101 P 1775.746.4105 F

From: Nicole Kohnert [REDACTED]
Sent: Friday, January 19, 2024 10:24 AM
To: Nevada Board of Occupational Therapy <board@nvot.org>
Subject: Re: Employer Information

Okay, my supervisor will be Samantha, she's the owner, I can have her send over like all of her contact information/address etc. and have her sign it, I am transitioning from dignity to home health with Samantha (she is the OTR and Owner) on the 1st. I am actually giving my notice today for dignity, do you need just the paper I received signed? Do you need me to send anything else?

Thank you!

Nicole Kohnert

On Friday, January 19, 2024, Nevada Board of Occupational Therapy <board@nvot.org> wrote:

Hello Nicole,

Thank you for responding. In regards to your question, please see the list of items below.

- Our records show that you started work at Dignity Health in August of 2023. Please indicate your end date with Dignity Health.
- Please provide the address and phone number for your new employer. We will then update your records to reflect the change.
- Do you know who your Supervising OT will be?
 - Submittal of a copy of employer and supervisor signed Consent Decree, page 1 only with signatures.

Please let me know if you have any questions.

Sincerely,

Heather Hartley, Executive Director

State of Nevada Board of Occupational Therapy

6170 Mae Anne Avenue, Suite 1. Reno, NV 89523

775.746.4101 PI 775.746.4105 F

From: Nicole Kohnert [REDACTED]
Sent: Friday, January 19, 2024 9:17 AM
To: Nevada Board of Occupational Therapy <board@nvot.org>
Subject: Re: Employer Information

Good morning, I am in meetings right now, did you receive my email regarding employment? Do you want her contact information or anything else?

Nicole Kohnert

Occupational Therapy Assistant

[REDACTED]

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On Jan 19, 2024, at 6:41 AM, Nicole Kohnert [REDACTED] wrote:

Good morning,

I apologize for the delayed response I had my personal email logged in. I am starting home health with Samantha Greggot starting February 1st.

On Tuesday, January 16, 2024, Nevada Board of Occupational Therapy
<board@nvot.org> wrote:

Hello Nicole,

The Board has received your payment. As a reminder, your payments are due the 15th of every month. Please ensure payments are on time.

Please provide your current employer's information, in order to update our records.

Sincerely,

Heather Hartley, Executive Director

State of Nevada Board of Occupational Therapy

6170 Mae Anne Avenue, Suite 1, Reno, NV 89523

775.746.4101 P 1775.746.4105 F

State of Nevada Board of Occupational Therapy
6170 Mae Anne Avenue, Suite
Reno, NV 89523 US
board@nvot.org

Invoice

BILL TO
Nicole Kohnert

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
25385	09/28/2023	\$732.32	10/28/2023	Net 30	

DATE	SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
09/23/2023	Administrative Fine	Citation for Unlicensed Practice	1	400.00	400.00
09/23/2023	Legal Fees Assessment	Consent Decree	1	832.32	832.32

Board assessment for citation and consent decree. Payment plan approved at \$100.00 per month; due Oct 15, 2023 and on the 15th of each month thereafter until paid in full.

PAYMENT500.00
BALANCE DUE\$732.32

State of Nevada
Board of Occupational Therapy

6170 Mae Anne Ave., Suite 1, Reno, Nevada 89523
Phone (775) 746-4101 / Fax (775) 746-4105 / Website www.nvot.org

AGENDA ITEM 6: Report from Executive Director

Heather Hartley will report on Board Office activities.

AGENDA ITEM 7: Report from Legal Counsel

Henna Rasul, Sr. Deputy Attorney General will report on legal matters.

AGENDA ITEM 8: Board Activities & Reports from Members

Meeting and Activities Schedule

Activity	Calendar Year 2024	Topics/Comments
Board Meeting	June 1	FY 25 Budget New Board Member Orientation
Board Meeting	August 24	NBCOT Presentation
Board Meeting	November 2	Audit Approval

Future Agenda Items

NBCOT Presentation Agenda - Attached

Reports and Comments from Board Members

NBCOT Presentation Agenda

- Brief high-level overview of the organization pertaining to mission, accreditation status, board of directors, and JEDI related initiatives.
- Students – update on the current practice analysis study, new examinations for OTR and COTA implemented in January 2024, national aggregate data pertaining to various exam candidate services, etc. will be discussed as will the interface with OT state regulatory boards.
- Certificates – update on evidence-based resources being made available to OTR and COTA professionals will be provided. The practical and value-added components of these resources will also be discussed. In addition, newly released tools and national aggregate data on usage will be highlighted.
- Regulators – customized state-based certification data which, in this case, will be specific to the state of Nevada, will be highlighted. In addition, aggregate data pertaining to many aspects of the NBCOT's national disciplinary action program including cases by source, cases by type of behavior, number of sanctions issued by cohort, and type of sanction issued by cohort will be discussed as will a review of disciplinary action resources.