

BEFORE THE ARKANSAS STATE BOARD OF PHYSICAL THERAPY

**IN THE MATTER OF
JEREMY BERGMAN, PTA 2433**

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 January 14, 2016, at 9 Shackelford Plaza, Little Rock, Arkansas. Mr. Jeremy Bergman, PTA 2433, 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 Facts, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Jeremy Bergman is a licensed physical therapist assistant in the State of Arkansas.
2. On June 2, 2014, a complaint was received regarding an injury to a child patient treated by Jeremy Bergman, PTA.
3. On August 7, 2014, the Board requested a video of the above-referenced treatment and watched the video on October 23, 2014. The Board requested that a pediatric physical therapist watch the video then discuss this with the Board.
4. From the video it appeared that Jeremy Bergman’s treatment of the child patient injured the patient, was unprofessional and did not rise to the standard of care ordinarily used by a reasonably careful PTA.
5. On November 19, 2014, Respondent signed a Consent Order, which was signed by the Board Chair on November 20, 2014.
6. The Consent Order states in part, “It is therefore ordered that the Respondent’s license be removed from suspension and placed on probation for one year from the

effective date of this order. During that one-year period Respondent is required to have direct eyes-on supervision for all clients who, because of age or disability, are unable to communicate distress in language. For all other clients, Respondent must have direct supervision by a physical therapist.”

7. On November 19, 2015, the Board received a call from Sabrina Benton, PT, Bergman’s supervising physical therapist, stating that she was not aware of the Consent Order until November 18, 2015, and that Respondent has not been receiving the required supervision from at least the beginning of her employment with Playtime Therapy, which began in August 2015.

CONCLUSIONS OF LAW

1. Based upon the above Findings of Fact, Jeremy Bergman is in violation of Ark. Code Ann. § 17-93-308(a)(3) and Ark. Code Ann. § 17-93-308(a)(5).

ORDER

Based upon the evidence of record and the foregoing Findings of Facts and the Conclusions of Law, the Board finds the following:

- A. Jeremy Bergman’s license as a physical therapy assistant in the State of Arkansas will be revoked.
- B. The Board will not consider re-licensure until the expiration of five (5) years from the date of this Order, and thereafter not until Respondent petitions the Board in accordance with the provisions under Board Rule and Regulation VIII.E.

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.

IT IS SO ORDERED this, the 27th day of January 2016.

ARKANSAS STATE BOARD
OF PHYSICAL THERAPY

Nancy Worthen
Nancy Worthen
Executive Director

1/27/16
Date