

Effective 04/04/12



Protecting, maintaining and improving the health of all Minnesotans

February 17, 2012

Ms. Kelli Leann Cossette



RE: MDH File Number: OTC10006

Dear Ms. Cossette:

Based on the facts and law in this matter as described in the enclosed Staff Determination, the Minnesota Department of Health (MDH) has determined that you were discharged from the Health Professionals Services Program (HPSP) for non-cooperation and use of [REDACTED] without informing HPSP staff pursuant to your monitoring plan, which is just cause for disciplinary action, pursuant to Minnesota Statutes, section 148.6448, subdivision 1(23). Therefore, MDH is suspending your occupational therapy license until you agree to cooperate with HPSP staff, at which time you may request a conditional license. This action is authorized under Minnesota Statutes, section 148.6448, subdivision 3(4).

This decision will be made final and effective 30 days from the date it is received by you. During that 30-day period, you have the right to challenge this decision in a contested-case hearing, as provided under Minnesota Statutes, Chapter 14. Requests for a hearing should be made in writing and include specific grounds for challenging the Department's decision. If you wish to request a hearing, please send a written hearing request, within 30 days of your receipt of this letter, to:

Tom Hiendlmayr, Director of the Health Occupations Program
Minnesota Department of Health
PO Box 64882
Saint Paul, MN 55164-0882

You may also deliver your request to 85 East Seventh Place, Suite 220, Saint Paul, MN; or fax it to Mr. Hiendlmayr at (651)201-3839. If you have any questions about this matter, please contact Kyle Renell at (651)201-3727.

Sincerely,

A handwritten signature in black ink, which appears to read "Darcy Miner", is written over the typed name.

Darcy Miner, Director
Compliance Monitoring Division

Enclosure

cc: Tom Hiendlmayr, Director of the Health Occupations Program

**HEALTH OCCUPATIONS PROGRAM
MINNESOTA DEPARTMENT OF HEALTH**

**A Determination In the Matter of
Kelli Leann Cossette
Occupational Therapy Practitioner**

AUTHORITY

1. The Minnesota Department of Health (MDH) has the authority to discipline Occupational Therapists for violations of Minnesota Statutes, section 148.6448. Pursuant to Minnesota Statutes, section 148.6448, subdivision 3, the types of discipline MDH may impose includes suspension of licensure.
2. Pursuant to Minnesota Statutes, section 148.6448, subdivision 1(23), the commissioner may take action against an occupational therapist for just cause related to the practice of occupational therapy.

FINDINGS OF FACT

1. Kelli Leann Cossette [hereinafter "Practitioner"] has been licensed as an occupational therapist since June 29, 2004. Her license is currently due to expire on June 30, 2012.
2. By memorandum dated February 24, 2010, Health Professionals Services Program (HPSP) notified MDH that Practitioner had relapsed for a second time after self-reporting to HPSP on March 26, 2009. By letter dated March 1, 2010, MDH staff referred Practitioner back to HPSP and notified Practitioner that failure to successfully complete the HPSP program may result in public disciplinary action.
3. By memorandum dated January 13, 2012, HPSP staff notified MDH that Practitioner's [REDACTED] had not been stable over the past year. HPSP reported that Practitioner's [REDACTED] suggested that Practitioner remain in the HPSP program because she had started a new avenue of treatment. By letter dated January 24, 2012, MDH staff notified Practitioner that action on her licensure status would be delayed as long as she continued to participate in and successfully complete the HPSP program.
4. By Memorandum dated January 31, 2012, HPSP staff notified MDH that the new avenue of treatment appeared to be working. However, it had been determined that Practitioner had been taking [REDACTED] since fall 2011 without informing HPSP staff pursuant to her monitoring plan. By memorandum dated February 9, 2012, HPSP staff notified MDH that Practitioner had been discharged from HPSP for "non-compliance due to her [REDACTED] without informing HPSP."

CONCLUSION

1. Practitioner was discharged from the HPSP program for "non-compliance due to her [REDACTED] without informing HPSP" which is just cause related to the practice of occupational therapy, pursuant to Minnesota Statutes, section 148.6448, subdivision 1(22).

DETERMINATION

1. Practitioner's license is hereby suspended.
2. Practitioner may request reinstatement of a conditional license at any time. To have her license reinstated as a conditional license, Practitioner must:
 - A. Make a written request for reinstatement of her license as conditional, addressed to the Director of the Health Occupations Program, Minnesota Department of Health, PO Box 64882, Saint Paul, MN 55164-0882; and
 - B. Have her treating [REDACTED] submit a statement, attesting to Practitioner's safety to practice. The statement must be on the [REDACTED] letterhead and be sent by the [REDACTED] directly to: Director of the Health Occupations Program, Minnesota Department of Health, PO Box 64882, Saint Paul, MN 55164-0882.
3. Upon notification of the reinstatement of her conditional license, Practitioner will:
 - A. Contact HPSP within 15 days of receipt of notification of her conditional licensure;
 - B. Re-enroll in HPSP and cooperate with all requirements and instructions of HPSP staff; and
 - C. Not pursue any occupational therapy employment until she is cleared to do so by HPSP staff.
4. Practitioner may apply for removal of the condition upon completion of the HPSP program. Said request must be written and include documentation from HPSP of Practitioner's successful completion of the program.

Document was redacted to remove private data