



Effective April 26, 2016

Minnesota  
Department  
of Health

PROTECTING, MAINTAINING AND IMPROVING THE HEALTH OF ALL MINNESOTANS

April 8, 2016

Ms. Sandra Mary Severin

RE: MDH File Number: OTA11009

Dear Ms. Severin:

Based on the facts and law in this matter as described in the enclosed Determination, the Minnesota Department of Health (MDH) has determined that you violated Minnesota Statutes, section 148.6448, subdivision 1(1) by providing false or misleading information to MDH regarding your license status in another licensing jurisdiction; section 148.6448, subdivision 1(5) for failure to notify MDH within 30 days of a change of address; and section 148.6448, subdivision 1(9) for failure to disclose disciplinary action being taken by another licensing jurisdiction for conduct which is prohibited under sections 148.6401 to 148.6450. Therefore, MDH is assessing you a civil penalty in the amount of \$604 and requiring you to take two continuing education course hours in ethics. The civil penalty is authorized by Minnesota Statutes, section 214.131, subdivision 2; section 148.6403, subdivision 6 and section 148.6448, subdivision 3.

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:

Anne Kukowski, MS, JD  
Director, 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 Ms. Kukowski at (651)201-3839. If you have any questions about this matter, please contact Catherine Lloyd at (651)201-3706.

Sincerely,



Stella French, Assistant Division Director  
Health Regulation Division

Enclosure: Determination in the Matter of Sandra Mary Severin

**Health Occupations Program  
Minnesota Department of Health**

**A Determination in the Matter of  
Sandra Mary Severin  
Occupational Therapy Assistant, License Number 200933**

**AUTHORITY**

1. Pursuant to Minnesota Statutes, section 148.6428, licensed occupational therapy practitioners must notify the Minnesota Department of Health (MDH) within 30 days of a change in name, address, employment, or business address and telephone number.
2. Pursuant to Minnesota Statutes, section 148.6448, subdivision 1(1), MDH may take disciplinary action against an occupational therapy assistant for intentionally submitting false or misleading information to the commissioner or the advisory council.
3. Pursuant to Minnesota Statutes, section 148.6448, subdivision 1(5), MDH may take disciplinary action against an occupational therapy assistant for violating sections 148.6401 to 148.6450.
4. Pursuant to Minnesota Statutes, section 148.6448, subdivision 1(9), MDH may take disciplinary action against an occupational therapy assistant for being disciplined by another licensing jurisdiction if any of the grounds for discipline are the same or substantially equivalent to those in sections 148.6401 to 148.6450.
5. MDH has authority to discipline occupational therapy assistants under Minnesota Statutes, section 214.131, subdivision 2 and section 148.6448, subdivision 3. The types of discipline MDH may impose include a civil penalty that deprives the licensee of any economic advantage gained by the violation, or that reimburses MDH for the costs of the investigation; and any reasonable lesser action, including reprimand. Pursuant to Minnesota Statutes, section 13.41, disciplinary actions are public data.

**FINDINGS OF FACT**

1. On April 21, 1999, Sandra Mary Severin (hereinafter "Practitioner") was licensed as an occupational therapy assistant (OTA), under Minnesota license number 200933. Practitioner renewed her license on December 1 of 2000, 2006, 2008, 2010, 2012 and 2014.

On November 4, 2008, Practitioner submitted an application to renew her Minnesota occupational therapy assistant license. Practitioner answered "yes" to question number 7, which states, "Do you hold or have you been issued a credential as an occupational therapy assistant in another state since the date of last application for Minnesota license?" Practitioner further noted she held an active license in the State of Washington, effective

April 21, 2008. Practitioner signed the application for Minnesota licensure on October 30, 2008 under the statement, "The information I have provided in this application is true and accurate to the best of my knowledge."

2. By letter to MDH dated December 23, 2009, the California Board of Occupational Therapy provided a copy of a Stipulated Settlement and Disciplinary Order (hereinafter "CA Order"), effective December 22, 2009, against Practitioner. Staff review of the CA Order revealed that Practitioner failed to disclose \_\_\_\_\_ on her application for an occupational therapy license in the state of California. The CA Order allowed Practitioner to receive a conditional license provided she comply with all terms of the Order.
3. In November 4, 2010, Practitioner submitted an application to renew her license in Minnesota.
  - a. Practitioner answered "yes" to question number 7 indicating she held a license in another jurisdiction, and noted she held an "active" license in the states of California and Washington.
  - b. Practitioner answered "yes" to question 8, which states, "Since the date of your last application for a Minnesota credential, have you been disciplined by another state credentialing authority . . . through revocation, suspension, restrictions, limitations, conditions, reprimand or any other means?"
  - c. Practitioner answered "no" to application question 11, part H, which states, "Since the date of your last application for a Minnesota credential, have you ever engaged in or aided or abetted another in engaging in any of the following acts or conduct whether or not you have been formally disciplined? If the answer to any of the following is "yes" provide a written, signed and dated statement of explanation. H. Been disciplined for conduct in the practice of an occupation by the state of Minnesota, another jurisdiction, or a national professional organization, if any of the grounds for discipline are the same or substantially equivalent to those in Minnesota Statutes §§148.6401 to 148.6450." In a space directly below her checkmark indicating "no" to this question, Practitioner noted, "Except CA Stip. Order."
  - d. Practitioner attached a letter to the application and explained she held a probationary license in California. Practitioner explained she was disciplined by the California Board of Occupational Therapy because she failed to disclose a 1996 misdemeanor conviction related to \_\_\_\_\_
5. By letter to MDH dated March 20, 2012, the California Board for Occupational Therapy provided MDH with a copy of a Petition to Revoke Probation and Stipulated Surrender of License issued to Practitioner. According to the Order, made effective March 15, 2012, Practitioner surrendered her occupational therapy assistant license for failure to adhere to the terms of the December 22, 2009 California Stipulation and Order.
6. On July 27, 2012, Practitioner signed a Stipulation and Order with the Occupational Therapy Practice Board in the State of Washington, Department of Health. Practitioner's license to practice occupational therapy in Washington was placed on probation for unprofessional

conduct related to the suspension of her California license and violations of the State of Washington occupational regulations for occupational therapy practitioners.

7. On July 31, 2014, Practitioner called MDH staff regarding her 2012 license renewal in MN. Practitioner disclosed her Washington license was suspended on July 12, 2012 and she was scheduled for a telephone conference with the Washington State Board in August 2012. MDH staff told Practitioner her Minnesota license was due to expire in November 2012 and that she should be truthful in answering the application questions related to disciplinary action in the states of California and Washington. MDH staff told Practitioner to make sure she provides MDH with a current address.
8. On October 23, 2012, Practitioner submitted an online application to renew her Minnesota occupational therapy assistant license.
  - a. Practitioner reported holding an active license in the state of Washington.
  - b. Practitioner responded "yes" to the question, "Since the date of your last application for a Minnesota credential have you been disciplined by another state credentialing authority . . . through revocation, suspension, restriction, limitations, conditions, reprimand or any other means?"
  - c. Practitioner answered "yes" to question 4, part H, which states, "Since the date of your last application for a Minnesota credentialing, have you ever engaged in or aided or abetted another in engaging in any of the following acts or conduct whether or not you have been formally disciplined? H. Been disciplined for conduct in the practice of an occupation by the state of Minnesota, another jurisdiction, or national professional organization, if any of the grounds for discipline are the same or substantially equivalent to those in Minnesota Statutes, §§148.6450 to 148.6450?"
  - d. Practitioner signed the renewal application on October 23, 2014 and certified the information was true and correct. Practitioner provided no other information related to the disciplinary action she disclosed in her renewal application, including the type of disciplinary action or the regulatory jurisdictions.
9. By letter dated January 21, 2014, MDH sent a letter to Practitioner's last known address located in Kennewick, Washington. MDH asked Practitioner to explain the events leading up to the surrender of her California license and what she was doing to prevent similar licensing actions. MDH asked Practitioner to verify her employment status in the state of Minnesota and Washington.
10. On January 30, 2014, MDH received Practitioner's response. Practitioner stated she was employed in Kennewick, Washington. Practitioner disclosed her occupational therapy assistant license in the State of Washington was on probation until August 2014. Practitioner explained she complied with and completed the WHPS (Washington Health Professionals Services) program, along with the required continuing education requirement and payment of a fine. Practitioner stated she continued to report to her probationary supervisor and planned to complete the program and her probationary status in August 2014. Practitioner provided copies of records related to correspondence she sent to the Washington Board of Health from 2011 related to the issues that led to the California

disciplinary action. She also sent copies of documents verifying she complied with the WHPS program.

11. On September 25, 2014, MDH sent a letter to Practitioner and asked if she completed the terms of her probation in the State of Washington. MDH sent the letter to Practitioner's last known address on file with MDH, which was addressed to an address in Kennewick, Washington. MDH's letter was returned by the U.S. Post Master as "not deliverable as addressed, unable to forward."
12. On June 4, 2015, MDH received a notice of address change from Practitioner. Practitioner provided a Minnesota address.
13. On July 13, 2015, MDH sent Practitioner a second notice and attached MDH's September 25, 2014 letter. MDH asked Practitioner to respond to questions related to the status of her license in the State of Washington. MDH asked Practitioner if she completed the terms of her probationary license and if yes, to provide a copy of any written documentation to support her response.
14. August 5, 2015, MDH received a letter from Practitioner. Practitioner stated, "As you know, I have faxed you legal copies of documentation regarding probationary status in WA." Practitioner further stated she completed the terms of her Washington probation in August 2014. Practitioner did not provide written documentation from the State of Washington, as requested by MDH, to verify her licensing status in Washington. Staff review of the records Practitioner claimed to have sent to MDH regarding the completion of her probation revealed that in January 2014, MDH received a copy of Practitioner's November 22, 2011 letter to the State of Washington. Practitioner did not provide any information indicating she did or did not complete her probationary status in Washington. At the time, she was still on probation in Washington.
15. On August 11, 2015, MDH conducted an online search of Practitioner's licensing status in other licensing jurisdictions to verify she completed the terms of her probationary status. The search revealed the following:
  - a. State of Washington. On August 15, 2014, the State of Washington issued an Order terminating oversight and monitoring of Practitioner's license in Washington as she substantially complied with the terms of the August 14, 2012 Order.
  - b. State of Maryland. On July 29, 2010, Practitioner permanently surrendered her occupational therapy license in the State of Maryland in response to an investigation by the Maryland State Board of Occupational Therapy.
16. On August 13, 2015, MDH sent a letter to Practitioner to advise her that MDH searched the State of Washington website and located a public document indicating she had completed the terms of her probation with the State of Washington, Department of Health, Occupational Therapy Practice Board. In its letter, MDH asked Practitioner why she did not disclose she held a license in the State of Maryland when she submitted her 2010

Minnesota renewal application, or that she had surrendered her Maryland license in July 2010.

17. On September 11, 2015, MDH received Practitioner's response. Practitioner explained that in 2007, she was working in Virginia as an occupational therapy assistant and was offered an assignment in the state of Maryland. She applied for a Maryland license, completed her assignment in Maryland, and then moved to the state of Washington. After working in Washington, she moved to California and applied for a license. Practitioner stated, "This was when my licensing issues began" for "inadvertently failing to include a prior on my application." Practitioner explained "rather than comply with the probationary conditions in California where I did not wish to stay long-term, I returned to Washington and subsequently complied with the probationary conditions imposed there [in Washington] as a result of my issues in California. In addition, I surrendered my California license." Practitioner stated Maryland became aware of the disciplinary action taken by the state of California and began disciplinary proceedings against her Maryland license. Practitioner stated she had no intention of returning to Maryland and surrendered her license. In response to questions about failure to disclose licensing actions on her Minnesota renewal applications, Practitioner explained:
- a. It was a mistake that she failed to include the state of Maryland license on her 2008 application. It was not on her mind because she was in Maryland for a brief period of time. Practitioner stated it was not intentional.
  - b. She could not say with certainty why she failed to disclose the fact she surrendered in Maryland license when she submitted her 2010 renewal application. She stated it was because she no longer held a Maryland license or she did not understand or have it on her mind. Practitioner stated it was not intentional.
  - c. Practitioner stated there are no other states in which she holds or has held an occupational therapy assistant license.
18. MDH was not able to confirm Practitioner's licensing status in the State of Virginia. A search on the Virginia Department of Health Professions did not reveal the existence of an occupational therapy assistant license issued to Practitioner.

### **CONCLUSION**

Practitioner violated Minnesota Statutes, section 148.6448, subdivision 1(1) and 1(9) for providing false or misleading information to MDH when she failed to disclose her license status in Maryland and for failure to disclose disciplinary action being taken by another licensing jurisdiction for conduct that is prohibited under sections 148.6401 to 148.6450. Practitioner violated Minnesota Statutes, section 148.6448, subdivision 1(5) for failure to notify MDH, in writing, within 30 days of a change in address.

## DETERMINATION

1. Practitioner is reprimanded.
2. Within six months of the effective date of this Determination, Practitioner shall successfully complete a continuing education class in ethics, as approved by MDH. This class shall be in addition to the continuing education requirements of Minnesota Statutes, section 148.6443 and must be approved by the American Occupational Therapy Association. Practitioner must send her request for approval of the course description, including the course sponsor to: Investigation and Enforcement Unit, Health Occupations Program, 85 East Seventh Place, Saint Paul, MN 55164-0882, or by email to: Catherine.lloyd@state.mn.us.
3. Within 30 days of the effective date of this Determination, Practitioner shall pay a civil penalty of \$604.00, to reimburse MDH for costs of the investigations and proceedings to date.
4. Practitioner may pay the \$604.00 civil penalty in monthly installments of up to four months after the effective date of this action. If Practitioner chooses to make installments, she must notify MDH in writing about her intentions. Practitioner must send this information within 30 days of the effective date to: Investigation and Enforcement Unit, Health Occupations Program, MDH, PO Box 64882, Saint Paul, MN 55164-0882.
5. Each payment will be made by check payable to "State of Minnesota, Treasurer," and mailed to Investigation and Enforcement Unit, Health Occupations Program, MDH, PO Box 64882, Saint Paul, MN 55164-0882; or any other address as specified by MDH. Each payment is due by the last day of each month; however, Practitioner may prepay at any time.
6. The civil penalty may be referred to the Minnesota Collection Enterprise (MCE) of the Minnesota Department of Revenue, or other collection sources, if Practitioner misses a monthly payment by 14 calendar days after the established deadline. When this Determination for a penalty becomes public and MDH refers the matter to MCE, MCE is authorized by Minnesota Statutes, section 16D.17 to obtain a judgment against Practitioner without further notice or proceedings.