

**STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS**

**DEPARTMENT OF HEALTH
HEALTH SERVICES REGULATION
BOARD OF PHYSICAL THERAPY**

vs.

DAVID SALIMENO, PTA

CONSENT ORDER

Pursuant to Section 5-40-13 the General Laws of the State of Rhode Island, and the Rules and Regulations promulgated thereunder, the Department of Health (hereinafter "Department"), the Board of Physical Therapy (hereinafter "Board") has investigated a complaint charging David Salimeno (hereinafter "Respondent") with a violation of Section 5-40-13 of the General Laws of the State of Rhode Island.

After consideration by the Department, the following constitutes the Findings of Fact with respect to the professional performance of the Respondent:

1. Respondent is a licensed physical therapy assistant licensed to practice in the State of Rhode Island.
2. That Respondent purchased a prescription narcotic from a resident of a licensed nursing home.
3. Respondent did voluntarily enter weekly outpatient treatment with a licensed chemical dependency professional subsequent to this incident.

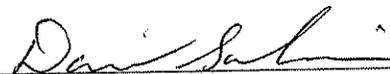
The conduct described in paragraph two (2) herein constitutes unprofessional conduct pursuant to Section 5-40-13 of the Rhode Island General Laws and the Rules and Regulation promulgated thereunder.

The parties agree as follows:

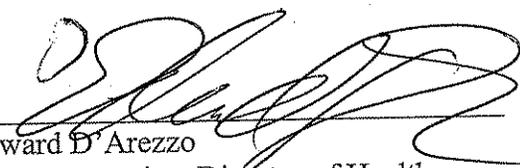
1. Respondent is a physical therapy assistant licensed to practice in the State of Rhode Island.
2. Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Department.
3. Respondent has read this Consent Order and understands that it is a proposal of the Department and is subject to the final approval by the Department. This Consent Order and the contents thereof are not binding on Respondent until final approval by the Department.
4. Respondent hereby acknowledges and waives:
 - a) The right to appear personally or by counsel or both before the Department;
 - b) The right to produce witnesses and evidence in his behalf at a hearing;
 - c) The right to cross-examine witnesses;
 - d) The right to have subpoenas issued by the Department;
 - e) The right to further procedural steps except for those specifically contained herein; and
 - f) Any and all rights of appeal of this Consent Order.
5. This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties.
6. That Respondent neither admits nor denies the allegations that form the basis of this complaint.
7. That Respondent agrees to a two (2) year period of probation.

8. The Respondent agrees that he will continue the current course of therapy which includes scheduled sessions with his current chemical dependency professional, with quarterly update reports provided to the board: also, continued attendance at AA meetings on a regular basis.
9. That this Consent Order shall remain in effect until further action of the Board, subject to paragraph 10.
10. In the event that the terms of paragraph 8 are violated, the Director of the Department of Health shall have the discretion to summarily suspend the Respondent's license. If the Director suspends the license, Respondent shall be given notice and shall have the right to request an administrative hearing within twenty (20) days of the suspension. The Director of the Department of Health shall also have the discretion to request an administrative hearing after notice to Respondent of any violation of this Consent Order, and the Administrative Hearing Officer may suspend Respondent's license for the remainder of Respondent's probationary period if the alleged violation is proven by a preponderance of evidence.

1-12-12
Date


David Salimeno, PTA

1/31/12
Date


Edward D'Arezzo
Interim Associate Director of Health
Division of Environmental and Health Services
Regulation