

1 **BEFORE THE ARIZONA STATE BOARD OF OCCUPATIONAL**
2 **THERAPY EXAMINERS**

3
4 In the Matter of:
5 **KRISTIE ULMA,**
6 Holder of License No.: OTH-003574
7 As an Occupational Therapist in the State
8 of Arizona.

Board Matter No.: 18-OT-3574
**NON-DISCIPLINARY CONSENT
AGREEMENT AND ORDER FOR
CONTINUING EDUCATION**

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10 **CONSENT AGREEMENT**

11 In the interest of a prompt and judicious settlement of this case, consistent with the
12 public interest, statutory requirements and the responsibilities of the Arizona State Board
13 of Occupational Therapy (“Board”) under A.R.S. § 32-3401, *et. seq.*, Kristie Ulma
14 (“Respondent”), holder of Occupational Therapist License Number 3574 in the State of
15 Arizona, and the Board enter into the following Recitals, Findings of Fact, Conclusions
16 of Law and Order (“Consent Agreement” or “Order”) as a final disposition of this matter.

17 **RECITALS**

- 18 1. Respondent has read and understands this Consent Agreement and has had the
19 opportunity to discuss this Consent Agreement with an attorney, or has waived the
20 opportunity to discuss this Consent Agreement with an attorney.
- 21 2. Respondent understands that she has a right to a public administrative hearing
22 concerning this matter, at which hearing she could present evidence and cross-examine
23 witnesses. By entering into this Consent Agreement, Respondent knowingly and
24 voluntarily relinquishes all right to such an administrative hearing, as well as rights of
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1 rehearing, review, reconsideration, appeal, judicial review or any other administrative
2 and/or judicial action, concerning the matters set forth herein.

3 3. Respondent affirmatively agrees that this Consent Agreement shall be irrevocable.
4 Respondent understands that this Consent Agreement or any part of the agreement may
5 be considered in any future disciplinary action by the Board.

6 4. Respondent understands this Consent Agreement deals with Board case number
7 18-OTH-3574 involving allegations that Respondent engaged in conduct that would
8 subject him to discipline under the Board's statutes and rules. The investigation into
9 these allegations against Respondent shall be concluded upon the execution of this
10 Consent Agreement.

11 5. Respondent understands that this Consent Agreement does not constitute a
12 dismissal or resolution of any other matters currently pending before the Board, if any,
13 and does not constitute any waiver, express or implied, of the Board's statutory authority
14 or jurisdiction regarding any other pending or future investigation, action or proceeding.

15 6. All admissions made by the Respondent in this Consent Agreement are made
16 solely for the final disposition of this matter, and any related administrative proceedings
17 or civil litigation involving the Board and Respondent. Therefore, any admissions made
18 by Respondent in this Consent Agreement are not intended for any other use, such as in
19 the context of another regulatory agency's proceedings, or civil or criminal proceedings,
20 whether in the State of Arizona or in any other state or federal court.

21 7. Respondent acknowledges and agrees that, upon signing this Consent Agreement
22 and returning this document to the Board's Executive Director, she may not revoke her
23 acceptance of the Consent Agreement or make any modifications to the document
24 regardless of whether the Consent Agreement has been signed by the Executive Director.

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1 Any modification to this original document is ineffective and void unless mutually agreed
2 by the parties in writing.

3 8. This Consent Agreement becomes effective when it is signed by the Executive
4 Director on behalf of the Board.

5 9. Respondent shall assert no claim that the Board or its legal representative was
6 prejudiced by its review and discussion of this document or any records relating thereto if
7 this matter proceeds to a formal administrative hearing.

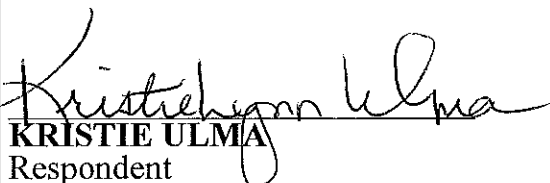
8 10. If a court of competent jurisdiction rules that any part of this Consent Agreement
9 is void or otherwise unenforceable, the remainder of the Consent Agreement shall remain
10 in full force and effect.

11 11. Respondent understands that this Consent Agreement is a public record that may
12 be publicly disseminated as a formal action of the Board and may be reported as required
13 by law to the National Practitioner Data Bank and the Healthcare Integrity and Protection
14 Data Bank.

15 12. Respondent understands that any violation of this Consent Agreement constitutes
16 unprofessional conduct, which may result in disciplinary action.

17 13. Respondent agrees that the Board adopts the following Findings of Fact,
18 Conclusions of Law and Order.

19 **ACCEPTED AND AGREED BY RESPONDENT**
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24 **KRISTIE ULMA**
Respondent

Dated: 12/16/2018

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FINDINGS OF FACT

1. At the Regular Board meeting on November 9, 2018, the Board reviewed Case No. 18-OTH-3574 and discussed the facts and circumstances surrounding the medical documentation.
2. The Respondent was present at the November 9, 2018 Board meeting and provided testimony on her own behalf and responded to Board member questions.
3. At the November 9, 2018 Regular Meeting, the Board deliberated the facts and circumstances surrounding the Respondent’s medical documentation and her testimony.
4. Upon deliberation and review, the Board voted to offer a non-disciplinary consent agreement and order for continuing medical education.

CONCLUSIONS OF LAW

1. The Board is the duly constituted authority for licensing and regulating the practice of Occupational Therapy in the State of Arizona pursuant to A.R.S. § 32-3401, *et seq.*
2. The Board possesses jurisdiction over the subject matter and over Respondent pursuant to A.R.S. § 32-3401 *et seq.*
3. The Board has the statutory authority to issue a non-disciplinary order for continuing education, pursuant to A.R.S. § 32-3442(H)(4), which requires the licensee to complete a “prescribed number of hours of continuing education in an area or areas prescribed by the board to provide the licensee with the necessary understanding of practice standards for licensees including current developments, skills, procedures or treatment interventions.”.

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NON-DISCIPLINARY ORDER

Based upon the above Findings of Fact and Conclusions of Law and under the authority granted to the Board, **IT IS HEREBY ORDERED THAT:**

1. Respondent, License Holder 3574, shall complete six (6) hours of continuing education by September 11, 2019. The required six (6) hours of continuing education must be completed in the areas of billing and ethics and are in addition to the requirements for licensure renewal. Respondent is required to provide proof upon successful completion to Board staff.

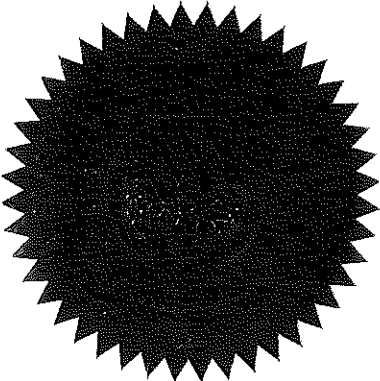
2. This Consent Agreement becomes effective when it is signed by the Executive Director on behalf of the Board.

3. Respondent must pay all costs associated with complying with this Consent Agreement.

DATED this 14th day of January, 2018.

ARIZONA STATE BOARD OF OCCUPATIONAL THERAPY
EXAMINERS

By: Karen Whiteford
KAREN WHITEFORD
Executive Director



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ORIGINAL OF THE FOREGOING FILED
this 14th day of January, 2018, with:

Arizona State Board of Occupational Therapy
1740 West Adams Street, Suite 3407
Phoenix, Arizona 85007

EXECUTED COPY OF THE FOREGOING SENT U.S. CERTIFIED MAIL AND
EMAIL TO:

this 14th day of January, 2018, to:

Kristie Ulma
Address of Record
Respondent

EXECUTED COPY OF THE FOREGOING EMAILED:

this 14th day of January, 2018, to:

Sabrina Khan
Assistant Attorney General
2005 North Central Avenue
Phoenix, Arizona 85004-1592
Attorneys for the State of Arizona

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