

## **AGENDA**

### **CONNECTICUT STATE BOARD OF EXAMINERS FOR PHYSICAL THERAPISTS**

Tuesday, September 15, 2020 at 9:00 AM  
Department of Public Health  
410 Capitol Avenue, Hartford CT  
Third Floor Hearing Room

#### **CALL TO ORDER**

##### **I. MINUTES**

Adoption of the minutes from April 7, 2020

##### **II. OFFICE OF LEGAL COMPLIANCE**

Keikhosrow Aboulian, P.T.- Petition No. 2018-1481

*Presentation of Consent Order – Brittany Allen, Staff Attorney, DPH*

#### **ADJOURN**

This meeting will be held by video conference at the link below,

**[Board of Examiners for Physical Therapists via Microsoft Teams](#)**  
**[+1 860-840-2075](#) Conference ID: 194 202 096#**

The Department of Public Health is an equal opportunity provider and employer.

*If you require aid/accommodation to participate fully and fairly,  
please contact the Public Health Hearing Office at 860-509-7566*

*The following minutes are draft minutes which are subject to revision and which have not yet been adopted by the Board.*

The **Connecticut State Board of Examiners for Physical Therapists** held a meeting on April 7 2020 at the Department of Public Health, 410 Capitol Avenue, Hartford, Connecticut in conference room A on the second floor.

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**BOARD MEMBERS PRESENT:** Andrea O'Brien, PT  
Laurie Devaney, PT  
Michael J. Parisi, PT  
James Ware, MD

**BOARD MEMBERS ABSENT:** Mary Lou Sanders, MS, BSN

**ALSO PRESENT** Stacy Schulman, Esq., Hearing Officer, DPH  
Jeffrey Kardys, Board Liaison

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The meeting was called to order by Mr. Parisi at 9:01 a.m.

**I. MINUTES**

The minutes from the January 21, 2020 meeting were reviewed. Ms. Devaney made a motion, seconded by Dr. Ware, to adopt the minutes. The motion passed.

**II. OTHER BUSINESS**

Declaratory Ruling Proceeding - RE: Acupuncture / Dry Needling  
Attorney Schulman reported that a draft decision is in the process of being written and reviewed.

Licensing

Mr. Kardys reported that due the COVID-19 Pandemic restrictions the Department of Public Health is reviewing various issues relating to the licensure examinations, licensure renewals and continuing education. The Department of Public Health will issue guidance when determined.

Federation of State Boards of Physical Therapy

Mr. Parisi will be Connecticut's delegate to the annual meeting.

**III. ADJOURNMENT**

There was no further business and the meeting was adjourned at 9:09 a.m.

Respectfully submitted,  
Michael J. Parisi, PT  
Connecticut State Board of Examiners for Physical Therapists

## CONSENT ORDER COVER SHEET

In Re: Keikhosrow Aboulian, P.T.

Petition No. 2018-1421

1. Keikhosrow Aboulian of Madison, Connecticut (hereinafter "respondent") was issued license number 008663 to practice physical therapy on September 24, 2009.
2. Respondent has no prior disciplinary history with the Department.
3. The Department alleges that during the course of approximately December 2011 through July 2012, while providing physical therapy services at Yale Health, respondent failed to meet the standard of care in one or more of the following ways:
  - a. Respondent engaged in conduct that violated appropriate professional boundaries with one or more patients; and/or
  - b. Respondent provided treatment to one or more patients without obtaining adequate informed consent.
4. The Consent Order provides for a reprimand of respondent's license and a sixty (60) day probation with coursework in Professional Boundaries and Professional Ethics.
5. Pursuant to Connecticut General Statutes, Section 19a-14(a)(12)(C), a copy of the proposed Consent Order was provided to the complainant on July 29, 2020 and the complainant provided a written statement (attached hereto).
6. The Department and Respondent respectfully request that the State Board of Examiners for Physical Therapists approve and accept the attached Consent Order to resolve this petition.

In Re: Keikhosrow Aboulian, P.T.

Petition No. 2018-1421

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**STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC HEALTH  
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Keikhosrow Aboulian, P.T.

Petition No. 2018-1421

**CONSENT ORDER**

WHEREAS, Keikhosrow Aboulian of Madison, CT (hereinafter "respondent") has been issued license number 008663 to practice physical therapy by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 376 of the General Statutes of Connecticut, as amended; and,

WHEREAS, the Department alleges:

1. During the course of approximately December 2011 through July 2012, while providing physical therapy services at Yale Health, respondent failed to meet the standard of care in one or more of the following ways:
  - a. Respondent engaged in conduct that violated appropriate professional boundaries with one or more patients; and/or
  - b. Respondent provided treatment to one or more patients without obtaining adequate informed consent.
2. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-73a including, but not limited to §20-73a(a)(2).

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above allegations of wrongdoing but, while admitting no guilt or wrongdoing, agrees that for

purposes of this or any future proceedings before the Connecticut Board of Examiners for Physical Therapists (hereinafter "the Board"), this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §§19a-10, 19a-14 and 20-73a of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17 and 20-73a of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives his right to a hearing on the merits of this matter.
2. Respondent's license number 008663 to practice as a physical therapist in the State of Connecticut is hereby reprimanded.
3. Respondent's license shall be placed on probation for a period of sixty (60) days under the following terms and conditions:
  - a. Within sixty (60) days, respondent shall attend and successfully complete courses in 1) Professional Boundaries and 2) Professional Ethics, to include coverage of informed consent, pre-approved by the Department. Within fifteen (15) days of the completion of such coursework, respondent shall provide the Department with proof, to the Department's satisfaction, of the successful completion of such courses. Said probation shall terminate upon the Department's satisfaction of the successful completion of the coursework required under this paragraph 3a.
4. All correspondence and reports are to be addressed to:

Olive Tronchin, Health Program Assistant  
Practitioner Compliance and Monitoring Unit  
Department of Public Health  
410 Capitol Avenue, MS #12HSR  
P.O. Box 340308  
Hartford, CT 06134-0308

5. All reports required by the terms of this Consent Order shall be due according to a schedule to be established by the Department.
6. Respondent shall comply with all state and federal statutes and regulations applicable to his licensure.
7. Respondent shall pay all costs necessary to comply with this Consent Order.
8. Any alleged violation of any provision of this Consent Order may result in the following procedures at the discretion of the Department:
  - a. The Department shall notify respondent in writing by first-class mail that the term(s) of this Consent Order have been violated, provided that no prior written consent for deviation from said term(s) has been granted.
  - b. Said notification shall include the acts or omission(s) which violate the term(s) of this Consent Order.
  - c. Respondent shall be allowed fifteen (15) days from the date of the mailing of notification required in paragraph 8a above to demonstrate to the satisfaction of the Department that he has complied with the terms of this Consent Order or, in the alternative, that he has cured the violation in question.
  - d. If respondent does not demonstrate compliance or cure the violation within the fifteen (15) days specified in the notification of violation to the satisfaction of the Department, he shall be entitled to a hearing before the Board which shall make a final determination of the disciplinary action to be taken.
  - e. Evidence presented to the Board by either the Department or respondent in any such hearing shall be limited to the alleged violation(s) of the term(s) of this Consent Order.

9. In the event respondent does not practice as a physical therapist for periods of thirty (30) consecutive days or longer, respondent shall notify the Department in writing. Such periods of times shall not be counted in reducing the probationary period covered by this Consent Order and such terms shall be held in abeyance. During such time period, respondent shall not be responsible for complying with the terms of probation of this Consent Order. In the event respondent resumes the practice of physical therapy, respondent shall provide the Department with thirty (30) days prior written notice. Respondent shall not return to the practice of physical therapy without written pre-approval from the Department. Respondent agrees that the Department, in its complete discretion, may require additional documentation from respondent and/or require respondent to satisfy other conditions or terms as a condition precedent to respondent's return to practice. Respondent agrees that any return to the practice of physical therapy without pre-approval from the Department shall constitute a violation of this Consent Order and may subject the respondent to further disciplinary action.

10. ~~If, during the period of probation, respondent practices physical therapy outside~~

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Connecticut, he shall provide written notice to the Department concerning such practice. During such time period, respondent shall not be responsible for complying with the terms of probation of this Consent Order, and such time period shall not be counted in reducing the probationary period covered by this Consent Order. Respondent may comply with the terms of probation while practicing outside Connecticut if pre-approved by the Department. In the event respondent intends to return to the practice of physical therapy in Connecticut, respondent shall provide the Department with thirty (30) days prior written notice and agrees to comply with all terms and conditions contained in paragraph 3 above.



11. In the event respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of his license before the Board.
12. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Practitioner Licensing and Investigations Section of the Healthcare Quality and Safety Branch of the Department.
13. This Consent Order is effective on the first day of the month immediately following the date this Consent Order is accepted and ordered by the Board.
14. Respondent understands and agrees that this Consent Order shall be deemed a public document, and the Department's allegations as contained in this Consent Order shall be deemed true in any subsequent proceeding before the Board in which his compliance with this Consent Order or with §20-73a of the General Statutes of Connecticut, as amended, is at issue. Further, respondent understands that any discipline imposed by this Consent Order shall be reported to the National Practitioner Data Bank maintained by the United States Department of Health and Human Services.

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15. In the event respondent violates a term of this Consent Order, respondent agrees immediately to refrain from practicing as a physical therapist, upon request by the Department, with notice to the Board, for a period not to exceed 45 days. During that time period, respondent further agrees to cooperate with the Department in its investigation of the violation, and to submit to and complete a medical, psychiatric or psychological evaluation, if requested to do so by the Department; and, that the results of the evaluation shall be submitted directly to the Department. Respondent further agrees that failure to cooperate with the Department in its investigation during said 45 day period shall constitute

grounds for the Department to seek a summary suspension of respondent's license. In any such summary action, respondent stipulates that failure to cooperate with the Department's investigation shall be considered by the Board and shall, as a matter of law, constitute a clear and immediate danger as required pursuant to Connecticut General Statutes, sections 4-182(c) and 19a-17(c). The Department and respondent understand that the Board has complete and final discretion as to whether a summary suspension is ordered.

16. Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude the Department from taking action at a later time. The Department shall not be required to grant future extensions of time or grace periods.
17. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Respondent agrees that this Consent Order shall not be subject to modification as a result of any claim that the terms contained herein may result in action by third parties, including, but not limited to, healthcare facilities and/or credentialing or licensure boards and respondent waives any ~~right to seek reconsideration or modification of this Consent Order pursuant to §4-181a of~~ the General Statutes of Connecticut without the express consent and agreement of the Department. Respondent assumes all responsibility for assessing such actions prior to the execution of this document. Further, this Consent Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any rights that he may have under the laws of the State of Connecticut or of the United States.

18. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
19. Respondent permits a representative of the Department to present this Consent Order and the factual basis for this Consent Order to the Board. Respondent understands that the Board has complete and final discretion as to whether this executed Consent Order is approved or accepted. Respondent hereby waives any claim of error that could be raised that is related to or arises during the course of the Board's discussions regarding whether to approve or reject this Consent Order and/or a Board member's participation during this process, through the Board member's review or comments, including but not limited to bias or reliance on evidence outside the administrative record if this matter proceeds to a hearing on a statement of charges resulting in a proposed decision by the Board and/or a panel of the Board and a final decision by the Board.
20. Respondent understands and agrees that he is responsible for satisfying all of the terms of this Consent Order during vacations and other periods in which he is away from his residence.
21. Respondent has the right to consult with an attorney prior to signing this document.
22. The execution of this document has no bearing on any criminal liability without the written consent of the Director of the Medicaid Fraud Control Unit or the State's Attorney's Office where the allegation occurred or Bureau Chief of the applicable unit in the Chief State's Attorney's Office. The purpose of this Consent Order is to resolve the pending administrative license disciplinary petition only, and is not intended to affect any civil or criminal liability or defense.

23. This Consent Order embodies the entire agreement of the parties with respect to this case. All previous communications or agreements regarding the subject matter of this consent order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

I, Keikhosrow Aboulian, have read the above Consent Order, and I stipulate and agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

Keikhosrow Aboulian  
Keikhosrow Aboulian, P.T.

Subscribed and sworn to before me this 24 day of July 2020.



**MELISSA J. BOCZAR**  
**NOTARY PUBLIC**  
My Commission Expires May 31, 2025

Melissa J. Boczar  
Notary Public or person authorized  
by law to administer an oath or affirmation

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 3<sup>rd</sup> day of September 2020, it is hereby accepted.

Christian D. Andresen  
Christian D. Andresen, MPH, Section Chief,  
Practitioner Licensing and Investigations Section  
Healthcare Quality and Safety Branch

The above Consent Order having been presented to the duly appointed agent of the Connecticut Board of Examiners for Physical Therapists on the \_\_\_\_\_ day of \_\_\_\_\_ 2020, it is hereby ordered and accepted.

\_\_\_\_\_  
Connecticut Board of Examiners for Physical Therapists

August 18, 2020

To Whom It May Concern

My name is [REDACTED] and I am a Yale Law School graduate from 2012 who was treated by Keikhosrow Aboulian at Yale Health while living in Connecticut. I appreciate the opportunity to comment on the consent order reached with Mr. Aboulian.

I support the consent order, and particularly urge the Board of Examiners for Physical Therapists to retain the reprimand and probation in its decision.

I also respectfully request you consider strengthening the consent order in two ways:

- First, I recommend you change the language in the allegations from “violated appropriate professional boundaries” to “made inappropriate physical contact,” as was language previously used in the initial consent order in *In re Gary Beard, PT*, Petition 2012-175 (2014).

I spoke to two Connecticut physical therapists, one of whom is a faculty member at a Connecticut university teaching ethics to physical therapists, and both informed me that the current language would likely indicate to them a consensual relationship of an intimate nature between the PT and patient. The physical contact I experienced was inappropriate and not consensual, and I recommend you use language that would make that clear, as was previously used in *Beard*.

- Second, I recommend that you incorporate into the consent order the same requirements as were present in the initial consent order in *Beard*, including that Mr. Aboulian a) be required to work with a licensed therapist, b) provide his current and future employers with a copy of this notice, and c) provide reports to the Board from his employer during the probation period.

The faculty member I spoke to suggested that, because Mr. Aboulian could provide a paper copy of his license to demonstrate renewal, there is no guarantee that his employer will ever be made aware of this reprimand. For this consent order to have the intended effect, it seems imperative that Mr. Aboulian’s employers be made aware of it, as well as that he not be able to avoid its effects by becoming or serving as a sole proprietor.

Thank you very much for your consideration; I would be happy to provide more information on request.

Sincerely,

[REDACTED]

**STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC HEALTH  
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Gary Beard, P.T.

Petition No. 2012-175

**CONSENT ORDER**

WHEREAS, Gary Beard of Prospect, Connecticut (hereinafter "respondent") has been issued license number 008038 to practice as a physical therapist by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 376 of the General Statutes of Connecticut, as amended; and,

WHEREAS, the Department alleges, and respondent denies, that:

1. During the course of 2011, while employed as a physical therapist at Omni Physical and Aquatic Therapy Center in Wallingford, Connecticut; respondent made inappropriate comments to and/or made inappropriate physical contact with patients S.F., L.C., and/or D.L.
2. The above-described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-73a(a), including, but not limited to §20-73a(a)(2).

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above allegations of wrongdoing but, while admitting no guilt or wrongdoing, agrees that for purposes of this or any future proceedings before the Board of Examiners for Physical Therapists (hereinafter "the Board"), this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §§19a-10, 19a-14 and 20-73a(a) of the General Statutes of Connecticut, and

WHEREAS, respondent has completed coursework in boundary issues, professional ethics, documentation standards, and clinically-appropriate subject matter, and has provided the Department with proof, to the Department's satisfaction, of the successful completion of such courses.

NOW THEREFORE, pursuant to §§19a-14, 19a-17 and 20-73a(a) of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives his right to a hearing on the merits of this matter.
2. Respondent's license number 008038 to practice as a physical therapist in the State of Connecticut is hereby placed on probation for a period of one year under the following terms and conditions:
  - a. Respondent shall provide his employer at each place where respondent practices as a physical therapist throughout the probationary period with a copy of this Consent Order within fifteen (15) days of its effective date, or within fifteen (15) days of commencement of employment at a new facility. Respondent agrees to provide ~~quarterly reports from such employer for the entire probationary period, stating that~~ respondent is practicing with reasonable skill and safety.
  - b. During the period of probation, respondent shall only practice physical therapy in an office and practice setting that physically includes on-site a licensed health care provider, pre-approved by the Department, while respondent is practicing at said office and practice setting.
  - c. Respondent shall obtain written approval from the Department prior to any change in employment.



3. All correspondence and reports are to be addressed to:

Olive Tronchin  
Practitioner Compliance and Monitoring Unit  
Department of Public Health  
410 Capitol Avenue, MS #12HSR  
P.O. Box 340308  
Hartford, CT 06134-0308

4. All reports required by the terms of this Consent Order shall be due according to a schedule to be established by the Department of Public Health.
5. Respondent shall comply with all state and federal statutes and regulations applicable to his licensure.
6. Respondent shall pay all costs necessary to comply with this Consent Order.
7. Any alleged violation of any provision of this Consent Order may result in the following procedures at the discretion of the Department:
- a. The Department shall notify respondent in writing by first-class mail that the term(s) of this Consent Order have been violated, provided that no prior written consent for deviation from said term(s) has been granted.
  - b. Said notification shall include the acts or omission(s) which violate the term(s) of this Consent Order.
  - c. Respondent shall be allowed fifteen (15) days from the date of the mailing of notification required in paragraph 7.a. above to demonstrate to the satisfaction of the Department that he has complied with the terms of this Consent Order or, in the alternative, that he has cured the violation in question.
  - d. If respondent does not demonstrate compliance or cure the violation within the fifteen (15) days specified in the notification of violation to the satisfaction of the

Department, he shall be entitled to a hearing before the Board which shall make a final determination of the disciplinary action to be taken.

e. Evidence presented to the Board by either the Department or respondent in any such hearing shall be limited to the alleged violation(s) of the term(s) of this Consent Order.

8. In the event respondent is not employed as a physical therapist for periods of thirty (30) consecutive days or longer, respondent shall notify the Department in writing. Such periods of times shall not be counted in reducing the probationary period covered by this Consent Order and such terms shall be held in abeyance. During such time period, respondent shall not be responsible for complying with the terms of probation of this Consent Order. In the event respondent resumes the practice of physical therapy, respondent shall provide the Department with thirty (30) days prior written notice. Respondent shall not return to the practice of physical therapy without written pre-approval from the Department. Respondent agrees that the Department, in its complete discretion, may require additional documentation from respondent and/or require ~~respondent to satisfy other conditions or terms as a condition precedent to respondent's~~ return to practice.

If requested to do so by the Department, respondent further agrees to complete the following:

- a. attend and successfully complete coursework, remediation, and/or retraining pre-approved by the Department. Upon completion, respondent shall provide the Department with proof, to the Department's satisfaction, of successful completion.

Respondent understands that any return to the practice of physical therapy without pre-approval from the Department shall constitute a violation of this Consent Order and may subject the respondent to further disciplinary action.

9. If, during the period of probation, respondent practices physical therapy outside Connecticut, he shall provide written notice to the Department concerning such employment. During such time period, respondent shall not be responsible for complying with the terms of probation of this Consent Order, and such time period shall not be counted in reducing the probationary period covered by this Consent Order. Respondent may comply with the terms of probation while practicing outside Connecticut if pre-approved by the Department. In the event respondent intends to return to the practice of physical therapy in Connecticut, respondent shall provide the Department with thirty (30) days prior written notice and agrees to comply with all terms and conditions contained in paragraph 2 above.
10. In the event respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of his license before the Board.
11. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Practitioner Licensing and Investigations Section of the Healthcare Quality and Safety Branch of the Department.
12. This Consent Order is effective on the first day of the month immediately following the date this Consent Order is accepted and ordered by the Board.
13. Respondent agrees that this Consent Order shall be deemed a public document, and the Department's allegations as contained in this Consent Order shall be deemed true in any subsequent proceeding before the Board in which his compliance with this Consent Order or with §20-73a of the General Statutes of Connecticut, as amended, is at issue.

Further, respondent understands that any discipline imposed by this Consent Order shall be reported to the National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank maintained by the United States Department of Health and Human Services.

14. In the event respondent violates a term of this Consent Order, respondent agrees immediately to refrain from practicing as a physical therapist, upon request by the Department, with notice to the Board, for a period not to exceed 45 days. During that time period, respondent further agrees to cooperate with the Department in its investigation of the violation. Respondent further agrees that failure to cooperate with the Department in its investigation during said 45-day period shall constitute grounds for the Department to seek a summary suspension of respondent's license. In any such summary action, respondent stipulates that failure to cooperate with the Department's investigation shall be considered by the Board and shall, as a matter of law, constitute a clear and immediate danger as required pursuant to Connecticut General Statutes, sections 4-182(c) and 19a-17(c). The Department and respondent understand that the Board has complete and final discretion as to whether a summary suspension is ordered.

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15. ~~Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude the Department from taking action at a later time. The Department shall not be required to grant future extensions of time or grace periods.~~
16. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Respondent understands that this Consent Order shall not be subject to modification as a result of any claim that the terms contained herein may result in action by third parties, including, but not limited to, healthcare facilities and/or credentialing or licensure boards. Respondent assumes all responsibility for assessing such actions prior to the execution of this document. Further, this Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of

the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any rights that he may have under the laws of the State of Connecticut or of the United States.

17. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
18. Respondent permits a representative of the Department to present this Consent Order and the factual basis for this Consent Order to the Board. Respondent understands that the Board has complete and final discretion as to whether this executed Consent Order is approved or accepted. Respondent hereby waives any claim of error that could be raised that is related to or arises during the course of the Board's discussions regarding whether to approve or reject this Consent Order and/or a Board member's participation during this process, through the Board member's review or comments, including but not limited to bias or reliance on evidence outside the administrative record if this matter proceeds to a hearing on a statement of charges resulting in a proposed decision by the Board and/or a panel of the Board and a final decision by the Board.
19. Respondent understands and agrees that he is responsible for satisfying all of the terms of this Consent Order during vacations and other periods in which he is away from his residence.
20. Respondent has the right to consult with an attorney prior to signing this document.
21. The execution of this document has no bearing on any criminal liability without the written consent of the Director of the Medicaid Fraud Control Unit or the State's Attorney's Office where the allegation occurred or Bureau Chief of the applicable unit in the Chief State's Attorney's Office. The purpose of this Consent Order is to resolve the

pending administrative license disciplinary petition only, and is not intended to affect any civil or criminal liability or defense.

22. This Consent Order embodies the entire agreement of the parties with respect to this case. All previous communications or agreements regarding the subject matter of this consent order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

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I, Gary Beard, have read the above Consent Order, and I stipulate and agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

Gary Beard, R.T.  
Gary Beard, R.T.

Subscribed and sworn to before me this 15<sup>th</sup> day of September 2014.

Mary Alice Moore Leonard  
Notary Public or person authorized  
by law to administer an oath or affirmation  
*COMMISSIONER OF THE SUPERIOR COURT*

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 15<sup>th</sup> day of October 2014, it is hereby accepted.

Kathleen Boulware, R.N., PHSM  
Kathleen Boulware, R.N., Public Health Services Manager  
Practitioner Licensing and Investigations  
Healthcare Quality and Safety Branch

The above Consent Order having been presented to the duly appointed agent of the Board of Examiners Physical Therapists on the 25<sup>th</sup> day of November 2014, it is hereby ordered and accepted.

Mary Lou Sanders, Chair  
Board of Examiners for Physical Therapists



*Jacqueline A. Maulucci*  
[Maulucci@LitchfieldCavo.com](mailto:Maulucci@LitchfieldCavo.com)

September 4, 2020

Sent via email: [Brittany.Allen@ct.gov](mailto:Brittany.Allen@ct.gov)

Brittany C. Allen  
Staff Attorney  
Department of Public Health  
410 Capitol Avenue, MS #12LEG  
P.O. Box 340308  
Hartford, CT 06134

**Re: Petition No. 2018-1421**

Dear Ms. Allen:

Please accept this correspondence as Mr. Aboulian's response to Petitioner's written statement to the Board dated August 18, 2020.

Mr. Aboulian respectfully disagrees with Petitioner's requests for additional terms to the agreed-to consent order. The Petitioner is entitled to their opinion, but the consent order represents the compromise of a disputed claim and Mr. Aboulian disputes Petitioner's characterization of the treatment they received from Mr. Aboulian. Further, Mr. Aboulian and his undersigned counsel do not know who Mr. Gary Beard is or why he is referenced in Petitioner's statement. As such, we are unaware of the factual background and circumstances which led to Mr. Beard's particular consent order. We submit that it is inappropriate to compare the subject proposed consent order to the consent order of a completely separate physical therapist from six years ago that is in no way connected to Mr. Aboulian or this case in order to determine if Mr. Aboulian's consent order is appropriate. We do not believe that Mr. Beard's consent order is the standard by which other consent orders involving physical therapists should be measured.

Petitioner includes the opinions of anonymous physical therapists in their statement. Respectfully, we submit that how the language of the consent order is potentially understood by unknown people should not be the focus of whether or not the consent order is accepted.

Finally, Petitioner is incorrect in their allegation that Mr. Aboulian may attempt to conceal his reprimand. Mr. Aboulian understands fully that the consent order becomes a public document once accepted by the Board. Much in the same way Petitioner found an unrelated and irrelevant consent order involving Mr. Beard, any member of the public, including potential employers, will have digital access to the subject consent order involving Mr. Aboulian.

September 4, 2020  
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We join the Department in its request that the Board accept the consent order as it is currently written and agreed upon.

Respectfully Submitted,

*/s/ Jacqueline A. Maulucci*

Jacqueline A. Maulucci, Esq.