

STATE BOARD OF MEDICINE
P O BOX 2649
HARRISBURG PA 17105-2649
www.dos.state.pa.us/med

BOARD ACTION REPORT

NAME: CLAIRE ANN FOSSELMAN

LICENSE TYPE: Athletic Trainer

LIC NUMBER: RT006683

ORIG LIC DATE: 04/13/2017

EXP DATE: 12/31/2020

ADDRESS:

300 E EVANS STREET
APT P282
WEST CHESTER PA 19380

DOB: 06/08/1994

SSN:

SCHOOL: WEST CHESTER UNIVERSITY

YR OF GRAD: 2016

Date of Order: 10/29/2020

Effective Date of Action: 10/29/2020

Action Taken: **CONSENT AGREEMENT AND ORDER.** The Respondent shall pay a civil penalty of \$250 and a public reprimand shall be placed on the Respondent's permanent record with the Board.

Reason for Action: The Respondent continued to practice as an athletic trainer while her license or certificate had expired, was not registered, or was suspended or revoked.

PA STATE BOARD OF MEDICINE
ADMINISTRATIVE OFFICER
October 31, 2020

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF MEDICINE**

**Commonwealth of Pennsylvania
Bureau of Professional and
Occupational Affairs**

vs.

**Claire Ann Fosselman, LAT
Respondent**

Case No.: 20-49-003985

CONSENT AGREEMENT AND ORDER

PARTIES

The Commonwealth of Pennsylvania, Department of State, Bureau of Professional and Occupational Affairs ("Commonwealth") and Claire Ann Fosselman, LAT ("Respondent") stipulate as follows in settlement of the above-captioned case.

APPLICABLE LAW

1. This matter is before the State Board of Medicine ("Board") pursuant to the Medical Practice Act, Act of December 20, 1985, P.L. 457, No. 112, ("Act"), *as amended*, 63 P.S. §§ 422.1-422.53; the Medical Care Availability and Reduction of Error ("Mcare") Act, Act of March 20, 2002, P.L. 154, No. 13, *as amended*, 40 P.S. §§ 1303.101-1303.910; and/or the Act of July 2, 1993, P.L. 345, No. 48 ("ACT 48"), *as amended*, 63 P.S. §§ 2201-2207.

LICENSURE STATUS

2. At all relevant and material times, Respondent held the following license to practice as a medical athletic trainer in the Commonwealth of Pennsylvania: license no. RT006683 which was originally issued on April 13, 2017, and which is currently set to expire on December 31, 2020.

STIPULATED FACTS

3. The Respondent admits that the following allegations are true:

| |
|---|
| Prothonotary Filed On: Oct 29 2020 08:27 AM Department of State |
|---|

- a. Respondent holds the following license to practice as a medical athletic trainer in the Commonwealth of Pennsylvania: license no.: RT006683.
- b. Respondent's license may be continually reactivated, renewed, or reinstated upon the filing of the appropriate documentation and payment of the necessary fees.
- c. Respondent's last known office address, as on file with the Board is: 300 E. Evans St., Apt. P282, West Chester, PA 19380.
- d. Respondent's license number RT006683 expired on or about December 31, 2018.
- e. On or about August 22, 2019, Respondent submitted a "Verification of Practice/Non-Practice", in which she indicated she had practiced her profession since her license lapsed.
- f. Respondent began working for Premier Orthopedics in Pennsylvania in March 2019.
- g. Respondent's license was renewed effective November 27, 2019.
- h. From January 1, 2019 until November 27, 2019, Respondent's license number RT006683 was lapsed, expired and not current with the Board.
- i. Respondent indicated on the "Verification of Practice/Non-Practice" and her submitted curriculum vitae that she had practiced as a "Physician Extender/Athletic Trainer" at Premier Orthopedics during a portion of the period of lapsed licensure, beginning March 2019. This practice continued up to the time her license was renewed November 27, 2019.

j. True and correct copies of Respondent's August 22, 2019 "Verification of Practice/Non-Practice" and curriculum vitae are collectively attached and incorporated as **EXHIBIT A**.

AUTHORITY OF THE BOARD

4. The Board is authorized to suspend, revoke, or otherwise restrict Respondent's license under sections 41 and 42 of the Act, 63 P.S. §§ 422.41 & 422.42; and/or impose a civil penalty upon Respondent under sections 39 through 42 of the Act, 63 P.S. §§ 422.39-422.42, and /or section 5(b)(4) of Act 48, 63 P.S. § 2205(b)(4); and/or impose the costs of investigation upon Respondent under section 5(b)(5) of Act 48, 63 P.S. § 2205(b)(5).

SUMMARY OF DISCIPLINE

5. The following encapsulates the discipline as set forth in the Proposed Order:

- Respondent shall pay a civil penalty of two hundred and fifty dollars (\$250)
- A public reprimand shall be placed on Respondent's permanent record with the

Board;

PROPOSED ORDER

6. The parties, intending to be legally bound, consent to the issuance of the following Order in settlement of this matter:

a. **VIOLATIONS:** Respondent violated the Act at:

(1) 63 P.S. §422.41(6) by violating a lawful regulations promulgated by the Board. Specifically,

(i) 49 PA Code § 18.508 related to renewal of athletic trainer licenses.

(ii) 49 Pa. Code § 16.61(a)(9) related to continuing to practice while the Board-regulated

practitioner's license or certificate has expired, is not registered or is suspended or revoked.

PUBLIC REPRIMAND

b. A **PUBLIC REPRIMAND** shall be placed on Respondent's permanent disciplinary record with the Board.

CIVIL PENALTY

c. A **CIVIL PENALTY** of two hundred fifty dollars (\$250.00) is levied upon Respondent. Respondent shall tender the full sum of two hundred fifty dollars (\$250.00) with this executed Consent Agreement and shall be paid by certified check, cashier's check, attorney's check, or money order issued by a usual, customary, and reputable issuer (e.g. U.S. Postal Money Order, Western Union Money Order, etc.). Payment shall be made payable to the "Commonwealth of Pennsylvania," and shall be valid for a period of at least one hundred eighty (180) days. Respondent agrees that payment shall only be made by one of the methods indicated above and shall not be made by uncertified personal or corporate check.

d. This Order constitutes disciplinary action by the Board and shall be reported to other licensing authorities and any applicable national licensing databank as a disciplinary action by the Board.

e. This case shall be deemed settled and discontinued upon the Board issuing an Order adopting this Consent Agreement.

ADMISSIBILITY OF CONSENT AGREEMENT IN FUTURE PROCEEDINGS

7. Respondent agrees that this Consent Agreement and Order shall be admitted into evidence, without objection, in any proceeding before the Department of State.

ACKNOWLEDGMENT OF NOTICE AND WAIVER OF HEARING

8. Respondent acknowledges receipt of an Order to Show Cause in this matter. Respondent knowingly and voluntarily waives the right to an administrative hearing in this matter and the following rights related to that hearing: to be represented by counsel; to present witnesses and testimony in defense or in mitigation of any sanction that may be imposed for a violation; to cross-examine witnesses and to challenge evidence presented by the Commonwealth; to present legal arguments by means of a brief; and to take an appeal from any adverse final decision.

ACKNOWLEDGMENT OF RIGHT TO ATTORNEY

9. Respondent acknowledges the right to consult with and be represented by private legal counsel of Respondent's choosing and at Respondent's expense when reviewing, considering and accepting the terms of this Consent Agreement. To the extent that Respondent is not represented by legal counsel, Respondent has knowingly elected to proceed without the assistance of legal counsel.

WAIVER OF CLAIMS

10. Should the Board vote not to adopt the Order proposed in this Consent Agreement, the presentation and consideration of this Consent Agreement shall not prejudice the Board or any of its members from further participation in the adjudication of this matter. Respondent expressly waives the right to raise any claims or issues, including any and all constitutional claims or issues, which may arise or have arisen during the review, presentation and deliberation of this Consent Agreement. These claims or issues include, but are not limited to, bias, the commingling of prosecutorial and adjudicative functions by the Board or its counsel, and the Board, in its discretion, recommending a different sanction based upon the facts set forth in the Consent Agreement. If a hearing is subsequently held, neither this Consent Agreement nor the proposed terms of settlement may be admitted into evidence and any facts, averments, and allegations

contained in the Consent Agreement must be proven at a hearing unless otherwise separately stipulated.

LIMITS ON MODIFICATION OF ORDER

11. Respondent agrees not to seek modification of the Order adopting and implementing this Consent Agreement without first obtaining the express written permission from the prosecution division. Any modification is at the sole discretion of the Board.

AGREEMENT NOT BINDING UNTIL APPROVED

12. This Consent Agreement is between the Commonwealth and Respondent. The Office of General Counsel has approved this Consent Agreement as to form and legality. The disciplinary provisions of this Consent Agreement do not take effect unless and until the Board issues an order adopting this Consent Agreement.

ENTIRE AGREEMENT

13. This Consent Agreement contains the entire agreement between the parties. There are no other terms, obligations, covenants, representations, statements, or conditions, oral or otherwise, of any kind whatsoever concerning this agreement.

AGREEMENT DOES NOT PREVENT FUTURE DISCIPLINE

14. Nothing in this Order shall preclude the prosecution division of the Department of State from filing charges, or the Board from imposing disciplinary or corrective measures, for violations or facts not contained in this Consent Agreement.

VERIFICATION OF FACTS AND STATEMENTS

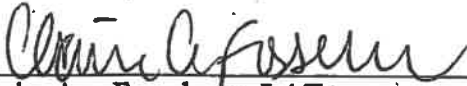
15. Respondent verifies that the facts and statements set forth in this Consent Agreement are true and correct to the best of Respondent's knowledge, information and belief. Respondent

understands that statements in this Consent Agreement are made subject to the criminal penalties of 18 Pa.C.S.A. §4904 relating to unsworn falsification to authorities.

/s/ Adam J. Williams

Adam J. Williams
Prosecuting Attorney

DATED:


Claire Ann Fosselman, LAT
Respondent

DATED: 10/5/2020

(09/2017)

VERIFICATION OF PRACTICE/NON-PRACTICE

VERIFICATION OF PRACTICE / NON-PRACTICE

*** Your reactivation cannot be processed unless this page is completed ***

| | | | |
|-------------|-----------------------|---------------------|---------------------|
| Full Name | Last Fasselman | First Claire | Middle Ann |
| License No. | RT006683 | Telephone No. | 302-528-6310 |

Be sure that you are familiar with the definition of your profession from the licensing law which pertains to the license/certificate you are reactivating. THEN answer the following questions

| | | Yes | No |
|----|--|-------------------------------------|-------------------------------------|
| 1. | Have you engaged in or practiced in your profession in Pennsylvania since your license or certification lapsed or since you placed it on inactive status? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. | Have you been employed by the federal government in the practice of your profession since your Pennsylvania license or certification lapsed or since you placed it on inactive status? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

I verify that this application is in the original format as supplied by the Department of State and has not been altered or otherwise modified in any way. I am aware of the criminal penalties for tampering with public records or information under 18 Pa. C.S. § 491. I verify that the statements in this application are true and correct to the best of my knowledge, information and belief. I understand that false statements are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities) and may result in the suspension, revocation, or denial of my license, certificate, permit or registration.

[Signature]
Signature of Licensee

8/22/19
Date

EXHIBIT
A

Claire Fosselman

300 East Evans St
Apt P282
West Chester, PA 19380

302-528-6310
cfosselman144@gmail.com

EDUCATION

West Chester University, West Chester, PA
Bachelor of Science in Athletic Training
Cum Laude

East Stroudsburg University, East Stroudsburg, PA
Master of Science in Athletic Training

CLINICAL EXPERIENCE

- 1000+ hours shadowing Physicians and Physician Assistants as a medical scribe at Union Hospital in Elkton, MD
- 900+ hours as part of the West Chester University Athletic Training Student Clinical: experience with West Chester University Women's Rugby and Men's Soccer, Archmere Academy (high school) fall sports, Great Valley High School spring sports

PROFESSIONAL EXPERIENCE

Premier Orthopedics, PA

Physician Extender/Athletic trainer, March 2019-Presents

- Great patients and place them into examination rooms
- Liaison between patient, physician or physician office staff
- Obtain patient's medical history, perform initial evaluation
- Present history of present illness to physician and discuss diagnosis/treatment options
- Document patient histories, physical examinations, assessment, and plan
- Prepared for and assist physician with in office procedures
- Assist with bracing and crutch fitting with product education when necessary

DJO Global, West Chester, PA

Field Service Representative, April 2017-February 2019

- Provides customer service to clinics, physicians, therapists, and patients.
- Responds to questions, issues, and problems of moderate to complex scope.
- Serves as a liaison between customer and sales.
- Educates and trains office staff to maintain inventory in accordance with OSHA regulations.
- Responsible for proper fitting and instructions of soft goods, bracing, bone growth stimulation, and all other DJO products dispensed at clinics.
- Performs functional brace measuring and fitting as prescribed by the physician's of the clinic.
- Ensures proper completion of DJO measuring forms and Insurance Billing Information forms for functional brace fitting.
- Completes and delivers appropriate documentation to billing department, following all necessary compliance and regulatory processes.

SCRIBEAMERICA, Elkton, MD

Medical Scribe, May 2015 - present

- Transcribe dictation for a variety of medical reports, such as patient histories, physical examinations, emergency room visits, operations, chart reviews, consultation, and discharge summaries
- Create and maintain medical files and databases including records such as x-ray, lab, and procedure reports, medical histories, diagnostic workups, admission and discharge summaries, and clinical resumes
- Review and edit transcribed reports and dictated material for spelling, grammar, clarity, consistency, and

- proper medical terminology
- Return dictated reports for physician's review and signature, and for inclusion in patients' medical records

WEST CHESTER UNIVERSITY ATHLETIC TRAINING, West Chester, PA
Trainer, (Fall 2014-Spring 2016)

- Practice and game preparation
- Acute and chronic injury/illness prevention and wellness protection
- Clinical evaluation and diagnosis
- Clinical decision making
- First Aid and emergency care
- Treatment, rehabilitation, and reconditioning
- Organization and professional health and well being

CERTIFICATIONS

- Certified Athletic Trainer, Board of Certification
- Licensed Athletic Trainer, Pennsylvania
- CPR/AED/First Aid, American Safety & Health Institute
- Emergency Medical Technician, Pennsylvania Department of Health

SKILLS

- Exceptional listener and communicator who effectively conveys information in a clear and succinct manner
- Flexible leader and team player who thrives in fast-paced environments requiring the ability to effectively prioritize and manage multiple concurrent tasks
- Results-driven achiever with exemplary research and organizational skills, along with a high degree of detail orientation

OTHER WORK EXPERIENCE

COLUMBUS INN, Wilmington, DE
Hostess, Nov. 2014 – present

- Answer telephone calls and respond to inquiries; receive and record patrons' dining reservations, and take and prepare to-go orders
- Operate cash registers to accept payments for food and beverages
- Assign patrons to tables suitable for their needs and according to rotation so that servers receive an appropriate number of seatings
- Maintain contact with kitchen staff, management, serving staff, and customers to ensure that dining details are handled properly and customers' concerns are addressed
- Inspect dining and serving areas to ensure cleanliness and proper setup

OAKLANDS SWIM CLUB, Newark, DE
Lifeguard, June 2011 – Aug. 2013

- Patrolled and monitored swimming areas on foot or from a lifeguard stand
- Rescued distressed persons using rescue techniques and equipment
- Examined injured persons and administered first aid or cardiopulmonary resuscitation, if necessary, using training and medical supplies and equipment
- Contacted emergency medical personnel in case of serious injury
- Completed and maintained records of weather and pool conditions, emergency medical treatments performed, and other relevant incident information

JENNER'S POND RETIREMENT COMMUNITY, Jennersville, PA
Hostess, June 2010 – Dec. 2011

- Greeted guests and seated them at tables or in waiting areas
- Assigned patrons to tables suitable for their needs and according to rotation so that servers received an appropriate number of seatings and provided guests with menus
- Informed patrons of establishment specialties and features
- Supervised and coordinated dining room staff activities to ensure that patrons received prompt and

courteous service

- Inspected restrooms and dining/service areas for cleanliness and availability of supplies, and cleaned areas when necessary

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF MEDICINE

Commonwealth of Pennsylvania
Bureau of Professional and
Occupational Affairs

Case No.: 20-49-003985

vs.

Claire Ann Fosselman, LAT
Respondent

ORDER

AND NOW, this 29th day of October 2020, the STATE BOARD OF MEDICINE ("Board") adopts and approves the foregoing Consent Agreement and incorporates the terms of paragraph 5, which shall constitute the Board's Order and is now issued in resolution of this matter.

This Order shall take effect immediately.

BUREAU OF PROFESSIONAL AND
OCCUPATIONAL AFFAIRS

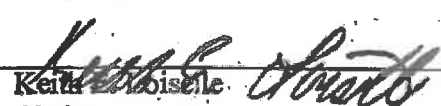

K. Kalonji Johnson
Commissioner

For the Commonwealth:

Respondent:

Date of mailing:

BY ORDER:
STATE BOARD OF MEDICINE


Keith E. Boisselle
Chair

Adam J. Williams, Esquire
2601 North Third Street
P. O. Box 69521
Harrisburg, PA 17106-9521

Claire Ann Fosselman
300 E. Evans St.
Apt. P282
West Chester, PA 19380

10/29/20