

Before the Ohio

Occupational Therapy, Physical Therapy, and Athletic Trainers Board

Athletics Trainers Section

IN RE:

The eligibility of Adam Milligan, AT002527, to retain his license as an Athletic Trainer in the State of Ohio

Case Number: AT-22-006

Adjudication Order

This matter came for deliberation and decision before the Athletic Trainers Section of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board (hereinafter “Board”) on the 18th of November 2022 at a regular meeting of the Board.

The State was represented by Associate Assistant Attorney General, Lindsay Miller. Adam Milligan (hereinafter “**Milligan**”) was not present nor was he represented by counsel in the hearing.

The State admitted into evidence an Affidavit and Exhibits (1-10) from Board employee, David Day:

- Exhibit 1. A copy of **Milligan’s** licensure information, retrieved on October 31, 2022, from the Ohio eLicense portal reflecting **Milligan’s** licensure as an athletic trainer.
- Exhibit 2. A copy of the audit notice sent to **Milligan** via email from the eLicense system on October 5, 2021.
- Exhibit 3. A copy of the second reminder audit notice sent to **Milligan** via email on October 25, 2021.
- Exhibit 4. A copy of the audit notice letter sent via regular mail on November 15, 2021.
- Exhibit 5. A copy of the final audit notice letter sent via certified mail to **Milligan** on December 20, 2021.
- Exhibit 5a. A copy of the USPS Tracking delivery receipt.
- Exhibit 6. A copy of the final audit notice letter sent via certificate of mailing to **Milligan** on January 25, 2022.
- Exhibit 6a. A copy of the USPS Certificate of Mailing certificate.

- Exhibit 7. A copy of email communication between **Milligan** and the Board.
- Exhibit 8. A copy of the Notice of Opportunity for a Hearing sent via certified mail to **Milligan** on August 2, 2022.
- Exhibit 8a. A copy of the USPS tracking for Notice of Opportunity for a Hearing.
- Exhibit 9. A copy of the second attempt for delivery of a Notice of Opportunity for a Hearing sent via certificate of mailing to **Milligan** on August 29, 2022.
- Exhibit 9a. A copy of the USPS Certificate of Mailing certificate.
- Exhibit 10. A copy of the *Goldman Hearing* scheduling letter that was sent via ordinary mail to **Milligan** on October 17, 2022.

Based on a thorough review of the evidence, the Board found that the following Findings of Fact were proved by a preponderance of the evidence:

1. The Board had jurisdiction to conduct a hearing in this matter pursuant to *Goldman v. State Medical Board of Ohio*, 110 Ohio App. 3d 124; 673 N.E.2d 677 (1996).
2. **Milligan** is a licensed athletic trainer.
3. **Milligan** received the request for the continuing education audit.
4. During the continuing education audit of athletic trainers for the 2018-2020 license renewal period, **Milligan** failed to provide evidence of his continuing education completion.
5. **Milligan** failed to respond to the Notice of Opportunity for a Hearing.

Based on thorough review of the evidence, the Board made the following Conclusions of Law based upon a preponderance of evidence:

1. **Milligan** violated Ohio Revised Code sections 4755.64 (A)(2), and Ohio Administrative Code rules 4755-45-01 (A)(1) & (F)(3).

Based upon a preponderance of the evidence and the Findings of Fact and Conclusions of Law stated above, it is the conclusion of the Board that the athletic trainer license of **Milligan** should be disciplined.

Thereafter, the Board voted to enter upon its Journal the following Order:

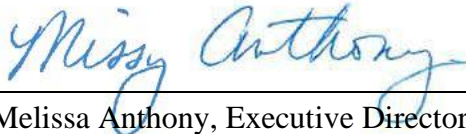
The athletics trainer license of Adam Milligan is hereby REVOKED.

The decision of the Athletic Trainers Section of the Board shall take effect immediately.

TIME AND METHOD TO PERFECT AN APPEAL

Ohio Revised Code Section 119.12 may authorize an appeal from this Order. Such an appeal must be commenced by the filing of a Notice of Appeal with the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board and in the court of common pleas of the county in which the place of business of the licensee is located or the county in which the licensee is a resident. If the party appealing from the order is not a resident of and has no place of business in this state, the party may appeal to the court of common pleas of Franklin County, Ohio. The Notice of Appeal must set forth the order appealed from and state that the agency's order is not supported by reliable, probative, and substantial evidence and is not in accordance with law. The Notice of Appeal may, but need not, set forth the specific grounds of the party's appeal beyond the statement that the agency's order is not supported by reliable, probative, and substantial evidence and is not in accordance with law. Both Notices of Appeal must be filed with the Board and the applicable court within fifteen days after mailing of this notice of the agency's order, and in accordance with the provisions of Ohio Revised Code section 119.12.

By order of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board, Athletic Trainers Section.



Melissa Anthony, Executive Director

1/20/2023

Date of Mailing

CERTIFICATION

The State of Ohio,

County of Franklin, SS

I, the undersigned Executive Director for the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board, hereby certify that the foregoing is a true and exact reproduction of the original Order of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board, Physical Therapy Section entered on its journal, on the XXXXXX.



Melissa Anthony, Executive Director



1/20/2023

Date