

Before the Ohio

Occupational Therapy, Physical Therapy, and Athletic Trainers Board

Athletic Trainers Section

IN RE:

The eligibility of Cearra Keller, AT005802, to retain her license as an Athletic Trainer in the State of Ohio

Case Number: AT-23-030

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 January 2024 at a regular meeting of the Board.

The State was represented by Senior Assistant Attorney General, Justin Radic. Cearra Keller (hereinafter “**Keller**”) was not present nor was she represented by counsel in the hearing.

The State admitted into evidence an Affidavit and Exhibits (1-8) from Board employee, David Day:

- Exhibit 1. A copy of **Keller’s** licensure information, retrieved on January 4, 2024, from the Ohio eLicense portal reflecting **Keller’s** licensure as an athletic trainer.
- Exhibit 2. A copy of the audit notice sent to **Keller** via email from the eLicense system on March 2, 2023.
- Exhibit 3. A copy of the second reminder audit notice sent to **Keller** via email on March 23, 2023.
- Exhibit 4. A copy of the third audit notice letter sent via regular mail on April 4, 2023.
- Exhibit 5. A copy of the fourth audit notice letter sent via certified mail to **Keller** on May 11, 2023.
- 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 **Keller** on June 20, 2023.
- Exhibit 6a. A copy of the USPS Certificate of Mailing certificate.
- Exhibit 7. A copy of the Notice of Opportunity for a Hearing sent via certified mail to **Keller** on November 30, 2023.

Exhibit 7a. A copy of the certified mail return receipt.

Exhibit 8. A copy of the *Goldman Hearing* scheduling letter that was sent via ordinary mail to **Keller** on January 4, 2024.

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. **Keller** is a licensed athletic trainer.
3. **Keller** received the request for the continuing education audit.
4. During the continuing education audit of athletic trainers for the 2020-2022 license renewal period, **Keller** failed to provide evidence of her continuing education completion.
5. **Keller** 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. **Keller** violated Ohio Revised Code sections 4755.64 (A)(2), and Ohio Administrative Code rule 4755-45-01 (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 **Keller** should be disciplined.

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

The athletic trainer license of Cearra Keller 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 service 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

January 25, 2024

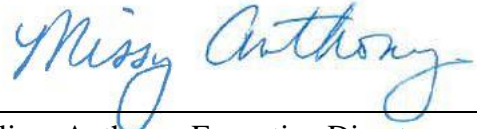
Date of Mailing

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 18th day of January, 2024.



Melissa Anthony, Executive Director



January 25, 2024

Date

**Before The Ohio
Occupational Therapy, Physical Therapy, and Athletic Trainers Board**

Athletic Trainers Section

Cearra Keller
3021 Griest Avenue
Cincinnati, OH 45208-2429

IN RE:
The eligibility of Cearra Keller, AT005802,
to retain her license as an Athletic Trainer
in the State of Ohio

Case No: AT-23-030

November 30, 2023

Notice of Opportunity for a Hearing

Introduction and Jurisdiction

Section 4755.64 (A) of the Ohio Revised Code authorizes the Athletic Trainers Section of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board (hereinafter, "**Board**") to suspend, revoke, or, except as provided in division (B) of Ohio Revised Code Section 4755.64, refuse to issue or renew an athletic trainers license, or reprimand, fine, or place a licensee on probation, for any of the following:

- (2) Violation of sections 4755.61 to 4755.65 of the Revised Code or any order issued or rule adopted thereunder;

In accordance with Chapter 119 and section 4755.64 of the Ohio Revised Code, you are hereby notified that the **Board** intends to determine whether or not to suspend or revoke your athletic trainers license, or reprimand, fine, or place you on probation for the following reasons:

Count 1

On March 2, 2023, **Keller** was randomly selected for a continuing education audit and was sent an audit notice via email. A second audit notice letter was sent via email to **Keller** on March 22, 2023. A third audit notice letter was sent via regular mail to **Keller** on April 4, 2023. A fourth audit notice was sent via certified mail to **Keller** on May 11, 2023. A fifth, and final, audit notice letter was sent to **Keller** via ordinary mail with a certificate of mailing on June 20, 2023. **Keller** failed to respond to the audit notice. Said conduct constitutes a violation of Ohio Revised Code section 4755.64 (A)(2) and Ohio Administrative Code rule 4755-45-01 (F)(3).

Ohio Administrative Code rule 4755-45-01 includes:

- (F) The athletic trainers section shall conduct an audit of the continuing education records of not less than five per cent of the licensees each renewal year.

- (3) Failure to respond to or acknowledge receipt of an audit notice will result in the commencement of disciplinary action.

Hearing Procedures

Pursuant to section 119.07 of the Ohio Revised Code, you have the right to request a hearing on these charges, if your written request for a hearing is received by the Board office, located at 77 South High Street, 16th Floor, Columbus, OH 43215, within thirty (30) days of service of this Notice. Further, you are advised that you are entitled to appear at such hearing in person, or by an attorney, or by such other representative who is permitted to practice before the agency. At the hearing, you may present evidence and examine witnesses appearing for or against you. Also, in lieu of personally appearing, you may present your positions, arguments or contentions in writing.

If you do not timely request such a hearing, the Board, upon consideration of the charges cited, may, in your absence, take such disciplinary action it deems appropriate. This action may include, but is not limited to, suspension or revocation of your license.

Please be advised that under section 4755.031 of the Ohio Revised Code, a person sanctioned under section 4755.11, 4755.47, 4755.482, or 4755.64 of the Revised Code shall pay a fee in the amount of the actual cost of the administrative hearing including the cost of the court reporter, the hearing officer, transcripts, and any witness fees for lodging and travel, as determined by the appropriate Section of the Board. The fee shall be collected by the appropriate Section.

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



Melissa Anthony
Executive Director

Certified mail number: 9589071052700855218831

Return receipt requested

cc: Justin Radic, Senior Assistant Attorney General
V. Alex Miller, Assistant Attorney General