

## SETTLEMENT AGREEMENT

### **A. PARTIES**

This Settlement Agreement is made by the North Dakota State Board of Occupational Therapy Practice (Board) and Sommer Mosser, OT/L (Mosser).

### **B. RECITALS**

The Board is authorized pursuant to North Dakota Century Code (N.D.C.C.) ch. 43-40 to license and regulate the profession of occupational therapy.

N.D.C.C. § 43-40-16 authorizes the Board to take disciplinary action against a license if the licensee has been found guilty of unprofessional conduct as defined by rules adopted by the Board. North Dakota Administrative Code (N.D.A.C.) § 55.5-02-02-01 formally adopts the American Occupational Therapy Associations 2010 Code of Ethics.

Mosser is licensed to practice occupational therapy in North Dakota by the Board, license number 1014.

The Board found grounds to support allegations Mosser violated N.D.C.C. § 43-40-16(1)(b) and voted to initiate a disciplinary action.

Mosser acknowledges she has been informed and understands she has the right to seek the advice of legal counsel in this matter.

Mosser acknowledges she has been informed and understands she has the right to a hearing and appeal pursuant to N.D.C.C. § 43-40-16 and N.D.C.C. ch. 28-32 prior to any adverse action being taken against her license.

### **C. AGREEMENT**

The Board and Mosser agree to resolve this matter as follows:

1. Mosser waives her right to an administrative hearing and appeal.
2. The Board will issue a Letter of Reprimand, a copy of which is attached to this agreement.
3. Mosser will successfully complete six hours of continuing education on ethics and billing practicing in a health care or human services area of

practice. Mosser will contact the Board office and will receive approval from the Board chair before attending the education seminar(s). The continuing education will take place within six months of execution of this agreement, unless otherwise approved by the Board.

4. If Mosser violates any condition of this agreement, as determined by the Board, the Board may take further disciplinary action against Mosser's license without a hearing or appeal.
5. There are no covenants, promises, undertakings, or understandings outside this Agreement other than as herein specifically set forth.
6. This Agreement shall be governed by the substantive laws of the State of North Dakota without regards to conflicts of law principles.

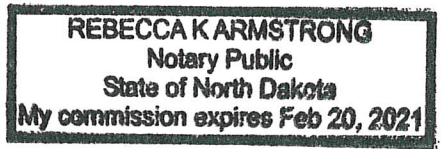
Dated this 28<sup>th</sup> day of September, 2019.

Sommer J. Mosser  
Sommer Mosser  
Sommer J. Mosser

State of N.D.

County of Ward

Subscribed and affirmed to before me  
this 28 day of September, 2019.



Rebecca K Armstrong  
Notary Public

Dated this 11 day of October, 2019.

NORTH DAKOTA BOARD OF  
OCCUPATIONAL THERAPY PRACTICE

Sarah Nielsen  
Sarah Nielsen  
Chair

Ms. Sommer Mosser, OT/L  
600 22nd Ave NW Ste 2  
Minot, ND 58703-0986

RE: Letter of Reprimand

Dear Ms. Mosser:

The North Dakota State Board of Occupational Therapy reprimands you for allowing a Clinical Social Worker to bill under your Occupational Therapy license for psychotherapy services, a practice and supervision outside the scope of an Occupational Therapy license pursuant to N.D.C.C. ch. 43-40, implicated the Occupational Therapy Code of Ethics and Ethics Standards (2010) including, but not limited to: sections G, H, O, and P under Principal 5: Procedural Justice, and sections B and D under Principal 6: Veracity.

A copy of this Letter of Reprimand will be placed in your licensure file. If you commit violations in the future, this Letter of Reprimand may be considered in determining the appropriate disciplinary action.

Dated this 11 day of October, 2019.

NORTH DAKOTA BOARD OF  
OCCUPATIONAL THERAPY PRACTICE



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Sarah Nielsen  
Chair