

## **BEFORE THE ARKANSAS STATE BOARD OF PHYSICAL THERAPY**

In the Matter of **Tristan Tiarks**, License # PT 3288

### **EMERGENCY SUSPENSION ORDER**

The Arkansas State Board of Physical Therapy (the "Board") held a special meeting on January 14, 2019, to determine whether the public health, safety or welfare imperatively requires emergency action and the summary license suspension of Tristan Tiarks ("Tiarks") to practice as a physical therapist pending formal proceedings for revocation or other action regarding his license.

### **FINDINGS OF FACT**

1. Tiarks is a licensed physical therapist in Arkansas.
2. On January 11, 2019, Tiarks was arrested and charged with rape of a three-year old child, second-degree battery, and aggravated assault on a family or household member.
3. On August 2, 2012, after a hearing, the Board entered an Order stating the following:
  - a. Tiarks treated a female patient who filed a complaint with the Board against him. Tiarks pulled the patient's shorts and underwear down and applied tape to her while she was exposed without proper draping. He also phoned and texted the female patient and offered to treat her on a Sunday when the clinic was closed.
  - b. The Board found Tiarks guilty of immoral or unprofessional conduct in violation of Ark. Code Ann. § 17-93-308(a)(3).
  - c. Tiarks' physical therapy license was placed on probation for one year, during which year he could not act as a clinical instructor or mentor a physical therapy

student. He was also ordered to complete a Board-approved structured ethics course.

4. On October 27, 2017, Tiarks was terminated from his job. A patient complained that, while treating her, he leaned close to her and made an inappropriate comment with a sexual connotation. Six months prior to his termination, he was verbally counseled after a patient complained that Tiarks was rubbing a co-worker's shoulders.
5. Currently, Tiarks is the owner and operator of his own clinic.

#### CONCLUSIONS OF LAW

6. Pursuant to Ark. Code Ann. § 25-15-211, the public health, safety, and welfare imperatively requires emergency suspension of Tiarks' license pending proceedings for revocation or other action, which proceedings shall be promptly instituted and determined.

#### ORDER

Tristan Tiarks' physical therapy license is hereby suspended pending future proceedings, which will be promptly instituted and determined. This order is effective upon the Board's vote to suspend the license.

**IT IS SO ORDERED this 14th day of January, 2019.**

#### ARKANSAS STATE BOARD OF PHYSICAL THERAPY

By: Nancy Worthen  
Nancy Worthen, Executive Director

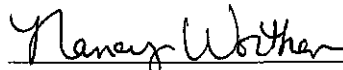
**Certificate of Service**

I, Nancy Worthen, do hereby swear and affirm that a true and correct copy of the above and foregoing was sent via email, regular mail, and certified mail, return receipt requested #

9590 9402 2880 7069 019332 to the following on this the 14th day of January, 2019.

Tristan Tiarks  
219 Winesap Lane  
Bentonville, AR 72712  
tristantiarks@gmail.com

Certified mail # 7018 3090 0000 1387 9688

  
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Nancy Worthen