

**BEFORE THE ARKANSAS STATE BOARD OF PHYSICAL THERAPY  
In the Matter of Tristan Tiarks, License # PT 3288**

**FINAL ORDER**

The Arkansas State Board of Physical Therapy (“the Board”) held a hearing at 9 Shackelford Plaza, Suite 3, Little Rock, Arkansas, at 9:00 a.m. on February 27, 2020, to determine whether Tristan Tiarks (“Respondent”) has violated the Arkansas Physical Therapy Act and whether he should be subject to the penalties allowed by law. Respondent did not appear. The Board was represented by its attorneys, Attorney General Leslie Rutledge and Assistant Attorney General Sara Farris. Based on the evidence presented, the Board finds as follows:

**FINDINGS OF FACT**

1. Respondent was a licensed physical therapist in Arkansas until the Board issued an Emergency Suspension Order against him on January 14, 2019.
2. The Board held a hearing regarding Respondent’s license on March 7, 2019. The Board voted to continue Respondent’s license suspension pending future action to be held upon the disposition of the criminal proceedings against him.
3. On January 30, 2020, a jury found Respondent guilty of Rape (a Class Y felony), Second-Degree Domestic Battery (a Class C felony), and Aggravated Assault (a Class D felony). The victim was a three-year old child. He received concurrent prison sentences of 30 years for rape, 10 years for battery, and six years for aggravated assault.

**CONCLUSIONS OF LAW**

4. For the actions described in Finding of Fact #3, Respondent is in violation of:
  - a. Arkansas Code Ann. § 17-3-102 (Act 990 of 2019), which reads as follows:
    - (a) An individual is not eligible to receive or hold a license issued by a licensing entity if that individual has pleaded guilty or nolo contendere to or been found guilty of any of the following offenses by any court in the State of Arkansas ...

(11) Aggravated assault as prohibited in § 5-13-204;

...

(15) Rape as prohibited in § 5-14-103;

...

(20) Offenses against the family as prohibited in §§ 5-26-303 -- 5-26-306 [5-26-304, Domestic Battery, 2<sup>nd</sup> Degree];

and

b. Arkansas Code Ann. § 17-93-308(a)(12)(A):

After due notice and hearing, the board may suspend, revoke, or refuse to renew the license of any person licensed under this chapter, or take other appropriate action against any person licensed under this chapter, who:

...

(12)(A) Has been convicted of or pleaded guilty or nolo contendere to a felony in the courts of this state or any other state, territory, or country;

**ORDER**

Tristan Tiarks' physical therapy license is hereby REVOKED without possibility of reissuance.

Pursuant to Ark. Code Ann. § 25-15-212, Respondent may petition for judicial review of this decision by filing a petition in the Circuit Court of Pulaski County within thirty (30) days after the service of this Order.

IT IS SO ORDERED this 27<sup>th</sup> day of February, 2020.

ARKANSAS STATE BOARD OF  
PHYSICAL THERAPY

By: Nancy Worthen  
Nancy Worthen, Executive Director