

**RECREATIONAL THERAPY GOVERNING BOARD  
OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION  
ALLIED HEALTH PROFESSIONALS  
Philbrook Building, 121 South Fruit Street  
Concord, New Hampshire 03301**

**In The Matter Of:**

**Docket #05-2015**

**Samantha M. Yalenezian, RT  
(Adjudicatory/Disciplinary Proceeding)**

**DECISION AND ORDER**

By the Board: Rebecca Taylor, RT, Chair, Bronwyn Dronsfield, RT, and Stephany Lavallee, Public Member

Also present: Tina M. Kelley, Administrator to the Board,

Appearances: Attorney Maureen Soraghan

On October 21, 2015 the New Hampshire Recreational Therapy Governing Board (“Board”) held a hearing in the matter of Samantha M. Yalenezian, RT (“Ms. Yalenezian”) pursuant to the Board’s “Notice of Hearing”. The hearing was held in accordance with RSA 328-F:23, RSA 328-F:24, RSA 541-A, Ahp 200, and Rec 200.

**Background Informaton**

Ms. Yalenezian was issued a license to practice as a Recreational Therapist in the State of New Hampshire under the “Fast Track” program on July 14, 2015.

On July 21, 2015 the Board held its monthly meeting. During the meeting the Board reviewed all licenses issued between May 19, 2015 and July 21, 2015. During this review the Board noted the following:

1. Ms. Yalenezian’s reported on her application for licensure received June 4, 2015 that she was employed at Genesis Health Care, Mineral Springs, 1251 White Mountain Highway, North Conway NH.
2. The resume received June 4, 2015 stated that Ms. Yalenezian was a Recreation Director at Genesis HealthCare: Mineral Springs from July 2014 until present. This resume was not acceptable because Ms. Yalenezian did not provide the physical address for each experience.

3. The resume received June 22, 2015 stated that Ms. Yalenezian was the Recreation Assistant from June 2010 until September 2014. The full dates of employment were listed as “May 2014 –” leaving off Recreation Director. This resume was not acceptable because Ms. Yalenezian still did not provide the physical address for each experience.
4. The third resume Ms. Yalenezian provided changed her employment title from Recreation Director at “Genesis HealthCare: Mineral Springs” for the period July 21, 2014 until present to “Recreation Assistant” from May of 2013 through present.

At the Board’s meeting held July 21, 2015 the Board instructed their Administrator to send Ms. Yalenezian a letter requesting Ms. Yalenezian provide the following directly from Genesis HealthCare Human Resources:

1. An official copy of any and all job descriptions from the date Ms. Yalenezian began employment at Genesis HealthCare; and
2. The date Ms. Yalenezian was hired at Genesis HealthCare indicating the job title at the date of hire and a list of all subsequent job titles and the effective dates of each of those job titles.

On July 30, 2015 the Board received a letter from Linda M. Gauthier, Manager, Human Resources at Genesis HealthCare: Mineral Springs. The letter stated that Ms. Yalenezian began her employment on May 5, 2014 as an Activities Assistant and was promoted to Activities Director effective June 29, 2014. The following was included with the letter in support of each position Ms. Yalenezian held at Genesis HealthCare: Mineral Springs:

1. “Genesis HealthCare Job Description” for “Recreational Assistant”;
2. “Genesis HealthCare Job Description” for “Director of Recreation Services”;

An adjudicatory hearing commenced on October 21, 2015, the specific issues to be determined included:

- A. Whether or not and to what extent Ms. Yalenezian engaged in professional misconduct by submitting an incomplete resume on June 22, 2015 and a completed resume on July 8, 2015 that did not accurately reflect Ms. Yalenezian’s employment history by removing the job title “Recreation Director” in violation of RSA 328-F:23 II (a), (c), and (j); Rec 404.01(a), (d), and (j); *American Therapeutic Recreation Association Standards of Ethical Practice, Principle #8*.

2. Whether or not Ms. Yalenezian engaged in professional misconduct by practicing as a Recreational Therapist without holding a valid New Hampshire license between June 29, 2014 and July 14, 2015 in violation of RSA 328-F:23 II (i) and (j); RSA 326-J:3 I; Rec 404.01 (d) and (j); and *American Therapeutic Recreation Association Standards of Ethical Practice, Principle #8*.

At the hearing the Board reviewed numerous exhibits submitted with the Notice of Hearing. The following exhibits were entered into evidence:

**Board Exhibits:**

- Exhibit #1 – Application for Initial Licensure or Certification
- Exhibit #2 – Samantha M. Yalenezian Resume received June 4, 2015
- Exhibit #3 – Samantha M. Yalenezian Resume received June 22, 2015
- Exhibit #4 – Samantha M. Yalenezian Resume received July 8, 2015
- Exhibit #5 – A letter from the Board to Ms. Yalenezian dated July 21, 2015
- Exhibit #6 – A Letter from Linda M. Gauthier dated July 28, 2015
- Exhibit #7 – Genesis Healthcare Recreation Assistant Job Description
- Exhibit #8 – Genesis Healthcare Director of Recreation Services Job Description

**Yalenezian Exhibits:**

- Exhibit A – Sealed
- Exhibit B – Samantha M. Yalenezian Resume received June 4, 2015
- Exhibit C – Samantha M. Yalenezian Resume received June 22, 2015
- Exhibit D – Samantha M. Yalenezian Resume received July 8, 2015
- Exhibit E – Genesis Healthcare Director of Recreation Services Job Description
- Exhibit F – Genesis Healthcare Recreation Assistant Job Description
- Exhibit G – Genesis Healthcare Recreational Therapist Job Description
- Exhibit H – Samantha Yalenezian’s business card
- Exhibit I – Samantha Yalenezian’s work badge
- Exhibit J – Samantha Yalenezian’s CTRC card
- Exhibit K – Genesis HealthCare Mineral Springs Monthly Newsletter

**Yalenezian Witnesses:**

Gail Yalenezian

**Relevant Law:**

Misconduct sufficient to support disciplinary proceedings shall include:

RSA 328-F:23, II (a):

Knowingly or negligently providing inaccurate material information to the board or failing to provide complete and truthful material information upon inquiry by the board, including during the process of applying for a license, license renewal, and license reinstatement.

RSA 328-F:23, II (j):

Violation of any provision of this chapter, of any governing board's practice act or rule adopted pursuant to RSA 541-A, or of any state or federal law reasonably related to the licensee's authority to practice or ability to practice safely.

Spe 404.01:

- (i) Violation of:
  - (1) Any provision of RSA 328-F;
  - (2) Any provision of RSA 326-F;
  - (3) Any rule adopted by the board;

**Findings of Fact and Rulings of Law:**

- The Board finds that Ms. Yalenezian engaged in professional misconduct by submitting an incomplete resumes on June 4, 2015, June 22, 2015, and July 8, 2015 that did not accurately reflect Ms. Yalenezian's employment history and location of employment. The Board finds that Ms. Yalenezian did not intentionally submit fraudulent documentation, she was negligent in the submission of her documentation for licensure in violation of RSA 328-F:23 II (a) and (j); Rec 404.01(i).
- The Board finds that Ms. Yalenezian did not engage in professional misconduct by practicing as a Recreational Therapist without holding a valid New Hampshire license between June 29, 2014 and July 14, 2015.

THEREFORE, IT IS HEREBY ORDERED that although Ms. Yalenezian was negligent during the application for licensure process, her license issued under the "Fast Track" program is hereby ratified by the Board.

THEREFORE, THE BOARD STRONGLY RECOMMENDS that Ms. Yalenezian use the strategies she communicated to the Board during the hearing to insure proper communication and attention to detail.

IT IS FURTHER ORDERED that Ms. Yalenezian shall bear all costs of complying with the terms of this Decision and Order, but she shall be permitted to share such costs with third parties.

IT IS FURTHER ORDERED that the Board may consider Ms. Yalenezian's compliance with the terms and conditions herein in any subsequent proceeding before the Board.

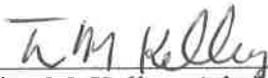
IT IS FURTHER ORDERED that Ms. Yalenezian's breach of any terms and conditions of this Decision and Order shall constitute unprofessional conduct pursuant to RSA 328-F:23, II.

IT IS FURTHER ORDERED that this Decision and Order shall become a permanent part of Ms. Yalenezian's file, which is maintained by the Board as a public document.

IT IS FURTHER ORDERED that this Decision and Order shall take effect as a final Order of the Board on the date it is signed by an authorized representative of the Board.

BY ORDER OF THE BOARD

Date: November 18, 2015

  
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Tina M. Kelley, Administrator  
Authorized Representative of the New Hampshire  
Recreational Therapy Governing Board

Recused: Jennifer Frye, RT and John J. Preve, Public Member