
In the Matter of
ANNE SANDERS, P.T.
License No. 0555
Respondent

* LOUISIANA STATE BOARD OF
* PHYSICAL THERAPY EXAMINERS
* Case Number 2004116

CONSENT ORDER

A complaint received by the Louisiana State Board of Physical Therapy Examiners (Board) raised several issues regarding the professional conduct of Respondent Anne Sanders, a physical therapist licensed by the Board, in the course of her providing professional services to clients at Aquatics Rehab, a business owned and operated by Respondent, with operations in Hammond, Kenner and Covington. Allegations in the complaint were serious and wide-ranging. After investigation by Chuck Reynolds, the investigating Board member, and by the Board's contract investigators, the scope of the complaint was narrowed and Respondent was notified by letter of the matters under review and she was requested to participate in an Informal Conference to present her response to the allegations. The Informal Conference was held in Baton Rouge on November 16, 2004 with Investigating Board Member Chuck Reynolds, Executive Director Cheryl Gaudin and Board Legal Counsel Glenn Ducote participating, along with Respondent. Respondent waived representation by counsel, after being advised of that right. At the conclusion of the informal conference the terms of this Consent Order were agreed to by Board representatives and Respondent.

FINDINGS OF FACT

1. Evaluations performed on some of Respondent's patients were incomplete. Rules 305A and 323A(2).
2. Treatment notes for some of Respondent's patients were unsigned and other treatment entries were written by PT technicians and then signed by Respondent. Rule 323A(3).
3. Respondent failed to provide supervision of support personnel as required by Board Rule 321.

CONCLUSIONS OF LAW

Respondent's conduct described above and otherwise reviewed in this action is subject to and/or in violation of the following provisions of law regarding her practice of physical therapy:

1. The Board has the authority to suspend or revoke a license which it has issued or place probationary conditions upon such license upon proof that the licensee has been negligent or incompetent in the practice of physical therapy. La. R. S. 37:2413 and Board Rule 325.
2. Board Rules incorporate the Code of Ethics and Guide for Professional Conduct of the American Physical Therapy Association. Rules 305B and 331.

3. A physical therapist is responsible for the appropriate delegation to, and supervision of, physical therapist assistants and other support personnel. Rule 321A and C.

4. Board Rules 305A and 323A(2) establish the minimal standards for physical therapy evaluations performed on new patients. Respondent's incomplete evaluations for some of her patients failed to meet these requirements. See also *APTA Guide for Professional Conduct*, 2.1A, 4.1 A and E and 9.1A and B.

DECISION

Pursuant to the foregoing Findings of Fact and Conclusions of Law, and in order to avoid further administrative and judicial proceedings, Respondent and the Board, by vote of quorum, agree as follows:

A. Respondent's license as a physical therapist is placed on probation for a period of three years from the date of final execution of this agreement;

B. Respondent shall, during each of the three years of probation, complete continuing education courses in documentation, practice management and jurisprudence in addition to the eight hours of clinical continuing education units required for maintaining her license. The documentation, practice management and jurisprudence courses shall be approved in advance by the Executive Director,

C. Respondent shall fully cooperate with Board representatives making random, unannounced monitoring visits to her work sites and shall provide complete access to her employment and/or business records, patient treatment records, and all other documentation and shall reimburse the Board in the amount of \$75 for each such monitoring visit;

D. Respondent shall pay to the Board the sum of \$3,000 in partial reimbursement for legal and administrative expenses incurred in this matter, this amount to be paid in equal monthly installments, arranged in advance with the Executive Director, over the thirty-six months of her probation;

E. Respondent shall submit to and fully cooperate in psychological testing and evaluation to be performed by a professional designated by the Board and shall reimburse the Board promptly for the expense of such testing and evaluation. Respondent shall authorize the report made and data gathered as a result of this testing and evaluation to be provided to the Board for their review and consideration.

F. Respondent shall meet with the Board, or with the Board's representative, whenever requested during her probationary period and shall fully cooperate in providing information and documents requested in such meetings.

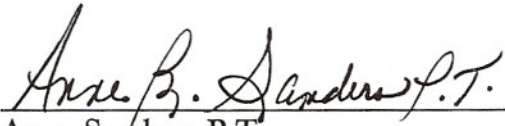
G. Respondent declares that, before signing this Consent Order, she has carefully read this document, understands the contents, and freely consents to it as valid and binding upon her. She is aware of her right to a notice of hearing, to a formal administrative hearing and to judicial review of an administrative finding, and freely waives those rights. She has waived her right to be represented by counsel;

H. Respondent acknowledges that her failure to comply with any term of this Consent Order is a basis for immediate summary suspension of her license and for further disciplinary action by the Board. The presentation to and consideration by the Board of this Consent Agreement, including presented documentary evidence and information, shall not unfairly or illegally prejudice or preclude

the Board, or any of its members, from further participation in hearings or resolution of these proceedings; and

I. Respondent acknowledges that this Consent Order becomes effective only upon signature by the Board Chair.

SWORN TO AND SUBSCRIBED on this _____ day of _____, 2004.


Anne Sanders, P.T.

AGREED AND ACCEPTED by official action of the Board, the 18th day of December, 2004, at Lafayette, Louisiana.

LOUISIANA STATE BOARD OF
PHYSICAL THERAPY EXAMINERS


Pat Adams, P.T., Chair