

Ime Udom, PT, MS, ND, PhD, CWS  
198 SUGARWOOD BLVD  
HOUMA, LA70360

8/31/03

*rec'd  
9-15-03*

Mr Glenn R. Ducote  
LEGAL COUNSEL  
LOUISIANA STATE BOARD OF PHYSICAL THERAPY EXAMINERS  
850 North Blvd, Baton Rouge, LA 70802

RE: PROBATIONARY REQUIREMENT

Dear Legal Counsel,

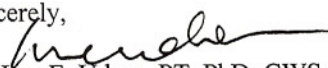
This is a follow up letter to assure that you had received a reply from my attorney- MR MARTIN IMUDIA & ASSOCIATES to your request regarding fulfillment of my probationary status. I hereby attach a copy of his letter of 08/04/03.

In compliance with the order of the Louisiana State Board of Physical Therapy Examiners , I have hired an attorney who looks into all my business ventures on regular basis.

I am assuring the Board that, I will continue to seek competent legal counsel in all my business ventures as directed by the board from my attorney at all times.

Please, if there is any other thing else that I need to do in regards to this issue, kindly instruct me further as I am determine to put this embarrassing and unfortunate circumstances behind me.

Sincerely,

  
Dr. Ime E. Udom, PT, PhD, CWS

CC: MARTIN IMUDIA & ASSOCIATES  
CHERYL GAUDIN  
BECKY LEGE

**Martins I. Imudia & Associates**

[A Professional Law Corporation]

3201 Danny Park, Suite 204-B  
Metairie, LA 70002  
(504) 885-0015  
Fax: (504) 885-0016  
E-Mail: mimudia@aol.com

August 4, 2003

Glenn R. Ducote, Esq.  
Legal Counsel to the Louisiana Board of  
Physical Therapy Examiners  
850 North Boulevard  
Baton Rouge, LA 70802

Re: Ime Udom, PT, Ph.D, CWS  
Probation Requirement

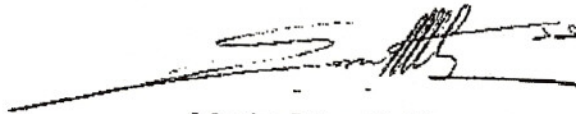
Dear Mr. Ducote:

This is to confirm that my law firm has been retained by Ime Udom, PT, Ph.D, CWS to review his current and future physical therapy business arrangements. To the best of my professional judgment, I will ensure that any agreement brought to my attention, is in compliance with federal and state laws.

Should any clarity needs arise, do not hesitate to contact the undersigned.

Sincerely,

**Martins I. Imudia & Associates, APLC**



Martins I. Imudia, Esq.

cc: Ime Udom (w/bill enclosed)

Mnl/00598/03

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**In the Matter of**  
**IME UDOM**  
License No 02072F  
Respondent

\* **LOUISIANA STATE BOARD OF**  
\* **PHYSICAL THERAPY EXAMINERS**  
\*  
\* Case Number 2002-102

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## **CONSENT ORDER**

Respondent, as owner of Rite Care Physical Therapy, entered into a business arrangement with C. Michael Franklin, who undertook to solicit an agreement with Dr. Todd Cowen in Thibodaux under which Dr. Cowen would be compensated as a "medical consultant" on a sliding scale based upon the number of patients he referred to Rite Care Physical Therapy. Dr. Cowen wrote to the Louisiana State Board of Physical Therapy Examiners (the Board), furnishing a copy of the contract proposed by Rite Care, asking whether such a business arrangement was legal. Respondent indicates that no such contract was entered by Rite Care with Dr. Cowen or any other party and that he has terminated his business relationship with C. Michael Franklin.

### **FINDINGS OF FACT**

Respondent entered into a business arrangement with C. Michael Franklin to develop and expand his Rite Care Physical Therapy business into the Paincourtville area in conjunction with a comprehensive outpatient rehabilitation facility which Mr. Franklin was trying to establish. Respondent gave Mr. Franklin the apparent authority to represent him in identifying and negotiating with medical personnel for participation in this joint venture. With or without Respondent's knowledge, Mr. Franklin offered to Dr. Todd Cowen a contract as "medical consultant" which proposes fees based upon the number of referrals made to Rite Care Physical Therapy each month. Dr. Cowen questioned the propriety of the proposed contract in a letter to the Board and the contract was never consummated.

### **CONCLUSIONS OF LAW**

1. Louisiana law prohibits any health care provider from offering, making, soliciting or receiving payment, directly or indirectly, overtly or covertly, in cash or in-kind, for referring or soliciting patients. La. R. S. 37:1745; 37:2413A(8).
2. Rule 327F of the Board prohibits the exploitation of the physical therapy referral mechanism whereby the referring practitioner receives compensation, payment or anything of value in return for patient referral. LAC Title 46, Section 327F.

### **DECISION**

Pursuant to the foregoing Findings of Fact and Conclusions of Law, Respondent and the

Board, by vote of quorum, agree as follows:

A. Respondent is placed on Probation through October 24, 2003.

B. Respondent shall refrain from business solicitation or marketing practices which violate Louisiana law.

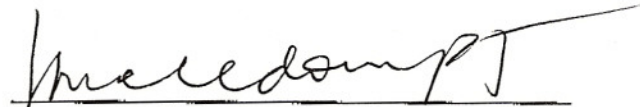
C. Respondent shall seek competent legal counsel with regard to any and all future business arrangements and will obtain counsel's written advice that any proposed new business arrangement or contract is in compliance with Louisiana law.

D. Respondent shall, by December 1, 2002, pay to the Louisiana State Board of Physical Therapy Examiners the sum of \$500 as reimbursement for legal and administrative expenses incurred in this matter.

E. Respondent's failure to comply with any term of this Consent Order shall constitute just cause for the suspension or revocation of Respondent's license as a Physical Therapist under the auspices of this Board, or for any other disciplinary action within the statutory and regulatory authority of the Board.

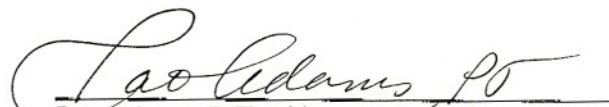
F. Respondent declares that, before signing this Consent Order, he has carefully read this document, understands the contents, and freely consents to it as valid and binding upon him. He is aware of his right to a formal hearing and to representation by counsel and he freely waives those rights.

SWORN TO AND SUBSCRIBED on this 23<sup>rd</sup> day of October, 2002, at Lafayette, Louisiana.

  
\_\_\_\_\_  
Ima Udom, P.T.

AGREED AND ACCEPTED by official action of the Board, the 24<sup>th</sup> day of October, 2002, at Lafayette, Louisiana.

LOUISIANA STATE BOARD OF  
PHYSICAL THERAPY EXAMINERS

  
\_\_\_\_\_  
Pat Adams, P.T., Chair

**Ime Udom**

Terms of Consent Order

- a. Probation from 10/24/2002 to 10/24/2003
- b. Refrain from business solicitation or marketing practices which violate LA law.
- c. Seek competent legal counsel for future business arrangements
- d. By 12/1/2002 pay LSBPTE \$500 for legal/administrative reimbursement
- e. Do follow up letter in 6 months to ask about any new Business arrangements

										Oct 02	Nov 02	Dec 02
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Jan 03	Feb 03	Mar 03	Apr 03	May 03	June 03	July 03	Aug 03	Sept 03	Oct 03		
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