

LOUISIANA PHYSICAL THERAPY BOARD

IN THE MATTER OF

CARLA RUSSELL; APPLICATION FOR  
REINSTATEMENT OF PHYSICAL THERAPIST ASSISTANT LICENSE  
(LICENSE NO. A6364, expired)

**FINDINGS OF FACT, CONCLUSIONS OF LAW  
AND  
BOARD ORDER**

The Louisiana Physical Therapy Board held a hearing on February 20, 2020, In the Matter of Carla Russell, Application For Reinstatement of Physical Therapist Assistant License (License No. A6364, expired).

Board members participating in the hearing were: Karl Kleinpeter, Chair and Hearing Officer; Julie Harris; Judith Halverson; and Phillip Page. Kathryn Brittain, Board member, was recused. Marie Vasquez Morgan participated by appointment of the Governor.

Also present were:

Kelsey A. Clark, Board prosecutor; and

Celia R. Cangelosi, Board advisor.

Carla Russell, Respondent, was not present.

Testimony and other evidence were received by the Board.

The following Findings of Fact, Conclusions of Law and Board Order were adopted by the Board.

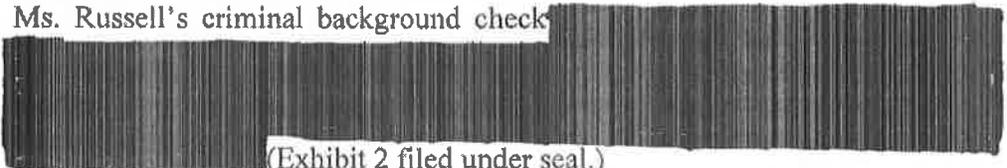
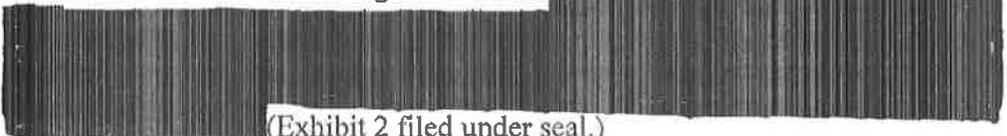
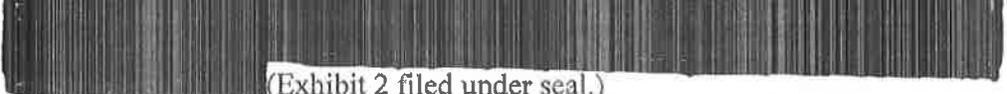
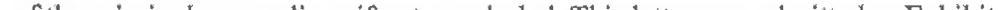
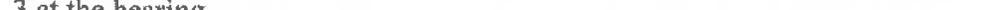
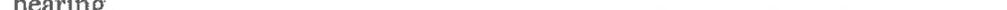
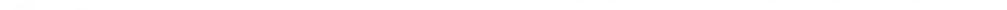
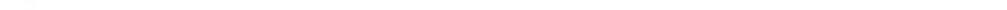
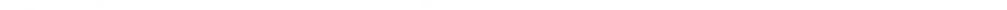
**FINDINGS OF FACT**

1. On March 15, 2018, Carla Russell filed an Application for State Licensure (the "Application") with the LPTB. The Application was submitted as Exhibit 1 at the hearing.

2. Ms. Russell graduated in 2003 from Our Lady of the Lake College (now Franciscan Missionaries of Our Lady University) with a degree from the Physical Therapist Assistant program.
3. Ms. Russell was previously licensed by the LPTB as a physical therapist assistant ("PTA") as license number A6364 on August 20, 2003.
4. Ms. Russell failed to timely renew her original license with the board as a PTA, causing her license to lapse.
5. Because she was previously licensed by the LPTB, Ms. Russell's Application is considered an application for reinstatement.
6. Included in the Application is a section entitled "Applicant's Oath". It provides as follows:

By submitting an application and maintaining a license issued by the LPTB, I am giving my consent to submit to physical, mental, or substance abuse evaluations if, when, and in the manner so directed by the LPTB and to have waived all objections as to the admissibility or disclosure of findings, reports or recommendations pertaining thereto on the grounds of privileges provided by law. I understand that the expense of such evaluations shall be borne by me.

7. Ms. Russell signed the Application on the page entitled "Applicant's Oath" on March 13, 2018, which signature was notarized.
8. The Application also contains a section entitled "Personal History Information". It includes 23 questions to which the applicant must answer "YES" or "NO", including the following:
  11. Have you, within the past ten (10) years, exhibited any conduct or behavior that could call into question your ability to practice physical therapy or care for patients?
  12. Have you ever been cited for, arrested, for charged with, convicted of, or pled guilty or nolo contendere, to any violation of any law in any state or federal court, whether or not sentence has been imposed, suspended, or pardoned other than a case that was resolved in juvenile court? If YES, in addition to the affidavit, attach a certified copy of the court records regarding your conviction or plea, the nature of the offense, and the date of discharge, if applicable, as well as a statement from your probation officer. (Traffic violations reported in question 16).
  13. Are you currently or have you in the past five (5) years been engaged in the consumption, ingestion, self-administration, inhalation, injection, or other use of legally controlled substances or medications, which affect the central nervous system, other than pursuant to and used in accordance with a lawful prescription and/or medical advice?
  14. Are you currently, or in the past five (5) years have you ever engaged in the consumption, ingestion, injection, inhalation, etc. of illegal drugs, including, but not limited to, Cocaine, DMT, GHB, Heroin, Ketamine, LSD, Ecstasy (MDMA), and/or PCP?

9. In response to questions 11-14 of the Personal History Information, Ms. Russell answered "YES".
10. In response to questions 11-14, Ms. Russell provided additional information, stating that she is an addict, but now in recovery. He also stated that she is recovering from opioid addiction and is actively involved with Lafayette's sober living community.
11. In addition to the responses set forth above, Ms. Russell stated in response to question 12 that she was arrested for possession of a controlled substance. She further stated that the charge was amended to misdemeanor possession of paraphernalia. Ms. Russell also provided criminal court minutes.
12. The Criminal Court Minutes dated September 27, 2017 indicate that Ms. Russell's original charge was Possession of Heroin. However, she withdrew her former plea of not guilty and entered a plea of guilty to a plea of guilty to an amended bill of information – Possession of Drug Paraphernalia.
13. Ms. Russell submitted two letters of recommendation along with her Application, including Dennis Romig, MSPT, and Kate Franciol, COO of Complete Home Health, Inc. Both individuals provided positive character references for Ms. Russell. Only one of those letters was from an individual meeting the requirements of Rule 187(E)(6).
14. Ms. Russell also provided a letter with her application explaining that she was arrested and incarcerated in 2015 due to possession of scheduled narcotics. She was admitted to Fairview treatment center in Morgan City on two separate occasions, the second of which was in August, 2016. Upon discharge from Fairview, she was accepted into a halfway house, Claire House in Morgan City. The letter further states that while living at Claire House, she could not afford renewal fees or to complete the required CEUs to maintain her license. In May, 2017, she moved into Oxford House, a sober living home.
15. Ms. Russell submitted to a criminal background check in association with her Application, which was submitted to as Exhibit 2 at the hearing.
16. Ms. Russell's criminal background check   
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
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19. Ms. Russell was incarcerated for a period of six months.
20. Pursuant to an Authorization for Release of Confidential Information Including Protected Health Information signed by Mr. Russell on April 17, 2018, the LPTB obtained records regarding Ms. Russell from the Fairview Treatment Center and Claire House, which included medical records. These records were admitted "in globo" as Exhibit 5 at the hearing.
21. The records contained at Exhibit 5 show that Ms. Russell underwent a Substance Abuse Evaluation while at Fairview. Under "presenting situation", the records indicate that Ms. Russell was in jail for six months, and did 11 or 12 days in ADU. The records further state that she was in Sea Side for 8 days.
22. The records contained at Exhibit 5 contain a Discharge Summary from Claire House, dated May 2, 2017. The Discharge Summary provides that a knife was found in her room as well as many contraband items during room searches. She denied knowledge of the knife, but admitted to the contraband, and felt it was "no big deal". It was noted that she struggled accepting that rules need to be followed.
23. The Discharge Summary from Claire House at Exhibit 5, in a section entitled "condition at time of discharge" recounted an episode in which the treatment team noticed Mr. Russell was acting differently and confronted her on several occasions. Although she denied the allegations, the staff discovered that she was drinking hand sanitizer. The staff asked her while she did not tell them she was feeling so desperate and her response was "about wanting to leave?"
- 24a. The Discharge Summary from Claire House at Exhibit 5 noted that her prognosis was "poor due to usage in facility".
- 24b. Carla Russell thereafter relapsed on meth and has had no treatments since the relapse.
25. Based upon the information provided by Ms. Russell in her Application, the LPTB application review committee determined it necessary to request that Ms. Russell undergo a three (3) day inpatient fitness for duty evaluation by a Board recognized provider.
26. By correspondence dated May 18, 2018, then counsel for the LPTB, Courtney Newton, sent a letter to Ms. Russell requesting that she submit to a three (3) day inpatient fitness for duty evaluation by a Board recognized supervisor. The letter stated that the decision to comply with the request was completely voluntary and that should she refuse to comply with the request, an intent to deny letter would be sent to her offering her the opportunity to appear before the LPTB at a hearing to prove she meets the qualifications for licensure and is safe to practice as a PTA. This letter was admitted as Exhibit 6 at the hearing.
27. By letter dated July 31, 2018, Courtney Newton notified Ms. Russell that the LPTB had not received any information showing that Mr. Russell had completed the three day inpatient evaluation, and notified her of the Board's intent to deny her application for licensure. In addition, she was notified that a hearing was scheduled for August 24, 2018 to allow Ms. Russell the opportunity to present evidence to the LPTB that she met the qualifications for licensure. This letter was admitted as Exhibit 7 at the hearing.

28. On August 22, 2018, Ms. Russell responded to the Intent to Deny letter of Ms. Newton dated July 31, 2018, and said that she needed additional time in order to complete the three day inpatient evaluation. On November 18, 2018, Ms. Russell again requested that she be allowed an extension of time until April 30, 2019, to complete the evaluation. By correspondence dated December 6, 2018, Ms. Martin agreed to the extension request. By letter dated April 2, 2019, Ms. Russell requested another extension of time, which was granted by Ms. Martin in a letter dated April 12, 2019. These letters were admitted "in globo" as Exhibit 8, at the hearing.
- 29a. Ms. Russell submitted to an inpatient evaluation on May 20, 2019, at the Palmetto Addiction Recovery Center. A report signed by Dr. Jay Weiss was presented to the LPTB, which included a Report of Psychological Testing by Dr. J. Brandon Waits. The letter and report were admitted "in globo" as Exhibit 9, at the hearing.
- 29b. The report of Carla Russell's May 2019 evaluation at Palmetto Addiction Recovery Center indicates that Ms. Russell suffers with opioid use disorder, severe; depressive disorder, not otherwise specified; and with substance induced endogenous and situational features, among other medical issues, one of which is endometriosis.
30. According to the Report of Psychological Testing, Ms. Russell initially took opioids to manage pain related to endometriosis and she began using heroin once her prescriptions were discontinued.
31. The report of Dr. Weiss states that Ms. Russell completed treatment at Fairview in 2016 with 27 days of inpatient treatment followed by 9-10 months of halfway house living on the Fairview campus. She subsequently relapsed on methamphetamine, and she has had no treatment since the relapse.
32. The Report of Psychological Testing further provided that Ms. Russell does not attend Narcotics Anonymous meetings and does not have a sponsor. She currently lives with her fiancé and her two children. Her fiancé is in recovery and has been clean for about five years.
33. While inpatient at Palmetto, on May 20, 2019, Ms. Russell underwent a drug test, which came back negative.
34. Based upon their evaluation of Ms. Russell, the treatment team recommended the following regarding Ms. Russell:
  - a. Sign and follow a five year LPTB monitoring contract. Any violations of contract or positive drug screen should result in further inpatient evaluation.
  - b. Complete a LPTB approved inpatient treatment program for chemically dependent professionals. Length of treatment should depend upon progress in the program.
  - c. Carla is not ready to practice Physical Therapy with skill and safety until she has completed treatment, has a continuing care plan in place, has signed a monitoring agreement and has met with her treating addictionologist following treatment to determine her fitness to return to duty.
  - d. She should contact you as soon as possible after this evaluation to receive your instructions.

35. After reviewing the report, Ms. Martin spoke with Kathy Pullman about the recommendations of Dr. Weiss, and she agreed with his recommendations.
36. By correspondence dated September 24, 2019, Ms. Russell was sent an Intent to Deny letter from Ms. Martin, and scheduling a hearing regarding her Application for December 12, 2019.
37. An additional letter was sent to Ms. Russell on November 5, 2019, notifying her of the date and time of the hearing. The proof of notice of the two letters was admitted "in globo" as Exhibit 10 at the hearing.
38. By correspondence dated February 7, 2020, Ms. Russell was notified that the hearing on the Intent to Deny had been rescheduled for Thursday, February 20, 2020 at 2:00 p.m. The "green card" showing delivery of the letter was made on February 11, 2020. The letter and green card were admitted as Exhibit 11 at the hearing.
39. At the hearing on February 20, 2020, Ms. Russell did not make an appearance or contact LPTB staff regarding the hearing.
40. Testimony of Charlotte Martin was admitted to verify the information set forth above. A transcript of Ms. Martin's testimony was admitted as Exhibit 12 at the hearing.

### CONCLUSIONS OF LAW

Carla Russell, License Reinstatement Applicant, is found to be in violation of the following statutes and regulations:

1. La. R.S. 37:2420A(5) - Been habitually intemperate or abused controlled dangerous substances as defined by federal or Louisiana law;
2. LAC 46:LIV §351A(2) and (3) - A. As used in R.S. 37:2420A(5) of the Practice Act, "habitually intemperate" means:
  - \* \* \*
  - (2) the ingestion, self-administration, or other use of legally controlled substances or medications which affect the central nervous system, other than pursuant to and used in accordance with a lawful prescription and/or medical advice; and
  - (3) repeated excessive use or abuse of any mood altering or mind altering substance that may negatively impact the ability of a licensee to safely practice physical therapy.
3. La. R.S. 37:2411:
  - To qualify for a license as a physical therapist assistant, an applicant shall:
    - (2) Be of good moral character.
4. LAC 46:LIV §123 provides that "good moral character", as applied to an applicant or licensee, means the aggregate of qualities evidenced by past

conduct, social relations, or life habits, which actually provide persons acquainted with the applicant or licensee a basis to form a favorable opinion regarding his ethics and responsibility to duty. In addition, to achieve and maintain Good Moral Character, an applicant or licensee shall provide accurate, complete and truthful information to the board and shall not, at any time, commit any act or omission which provides a basis for disciplinary actions or violations under R.S. 37:2420 or R.S. 37:2421.

5. LAC 46:LIV §129(B): To be eligible for a license as a PTA, an applicant shall meet the requirements of R.S. 37:2411...
6. Ms. Russell's Application shows that she does not meet the qualification of being reinstated as a physical therapy assistant because she has been habitually intemperate and abused controlled dangerous substances as defined by Louisiana or federal law, and has not displayed good moral character.

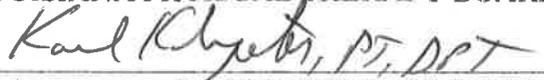
### BOARD ORDER

In an open meeting of the Louisiana Physical Therapy Board held in Lafayette, Louisiana on February 20, 2020, the following order was rendered:

IT IS ORDERED, ADJUDGED AND DECREED that application made by Carla Russell for reinstatement of her Louisiana physical therapist assistant license, License No. A6364, is DENIED pursuant to La. R.S. 37:2420A(5), habitual intemperance or abuse of controlled dangerous substances, as defined in LAC 46:LIV §351(A)(2) and (3); and for failure to display good moral character.

ORDER RENDERED on February 20, 2020; ORDER READ AND SIGNED on March 4, 2020.

LOUISIANA PHYSICAL THERAPY BOARD

  
Karl Kleinpeter, BOARD CHAIR, HEARING OFFICER

**Service Information:**

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