

LOUISIANA PHYSICAL THERAPY BOARD

IN THE MATTER OF

Confidential Complaint Nos. 2019-I-003,

PHILIPPE VEETERS

2019-I-010, 2019-I-021, 2019-I-022,

(LOUISIANA P. T. LICENSE NO. 01437F)

2019-I-023, 2019-I-024, and 2019-I-027

INTERIM CONSENT AGREEMENT AND BOARD ORDER

NOW COME, PHILIPPE VEETERS (Louisiana Physical Therapist License No. 01437F) and the LOUISIANA PHYSICAL THERAPY BOARD (hereinafter "Board"), appearing through its Chairman, JULIE HARRIS, who agree as follows:

1.

PHILIPPE VEETERS was licensed by the Board as a physical therapist in the State of Louisiana, pursuant to the Louisiana Physical Therapy Act, La. R.S. 37:2401-2424 et seq., as evidenced by Louisiana Physical Therapist License No. 01437F.

2.

PHILIPPE VEETERS has been arrested in the Parish of East Baton Rouge on arrest warrant numbers, W02-19-0061; W02-19-0062; W03-19-0133; W03-19-0189; W03-19-0190; W03-19-190; W03-19-0196; W03-19-0197; W04-19-022; and W04-19-0023, each arrest involving sexual battery and, in one case, simple battery, of physical therapy patients.

3.

The Louisiana Physical Therapy Board received complaints from sexual abuse victims or other victims professional misconduct by PHILIPPE VEETERS upon physical therapy patients in Complaint Nos. 2019-I-003, 2019-I-010, 2019-I-021, 2019-I-022, 2019-I-023, 2019-I-024, and 2019-I-027, and began to investigate whether or not PHILIPPE VEETERS had violated:

a. La. R.S. 37:2420A(1): Practiced physical therapy in violation of the provisions of this Chapter, the rules of the board, or standards of practice.

b. La. R.S. 37:2420A(7): Been found guilty of unprofessional conduct or sexual misconduct, including but not limited to departure from, or failure to conform to, the minimal standards of acceptable and prevailing physical therapy practice, in which proceeding actual injury to a patient need not be established.

c. LAC46:LIV.341(A): A written record of physical therapy treatment shall be maintained for each patient. A complete record shall include written documentation of prescription or referral (if such exists), initial evaluation, treatment(s) provided, PT/PTA conferences, progress notes, reevaluations or reassessments, and patient status at discharge all as defined in §123, particularly §341(2), (3), (4), (5) and (7).

d. LAC46:LIV.345B(1)(a): failure to use sound professional judgment;

e. LAC46:LIV.345B(1)(e): providing treatment interventions that are not warranted by the patient's condition or continuing treatment beyond the point of reasonable benefit to the patient;

f. LAC46:LIV.345B(3): failing to create or maintain medical record—a licensee shall create and maintain adequate and legible patient records. In addition, a licensee shall:

g. LAC46:LIV.345B(4)(b): exercise influence over a patient in such a manner as to abuse or exploit the physical therapy provider/patient or client relationship for the purpose of securing personal compensation, gratification, gain or benefit of any kind or type, unrelated to the provision of physical therapy services;

h. LAC46:LIV.345B(5): sexual misconduct—inappropriate sexual or intimate conduct, includes, but is not limited to sexual intimacy, contact, exposure, gratification, abuse, exploitation or other sexual behavior with or in the presence of a patient or any other individual in connection to the licensee's practice of physical therapy regardless of consent by the patient. Such conduct may be verbal, physical, visual, written or electronic, or it may consist of expressions of thoughts, feelings or gestures that are sexual or reasonably may be construed by a patient or other individual as sexual or which may reasonably be interpreted as intended for the sexual arousal or gratification of the practitioner, the patient, or another individual. Sexual misconduct between a licensee and a former patient after termination of the therapist-patient relationship may also constitute unprofessional conduct if the sexual misconduct is a result of the exploitation of trust, knowledge, influence or emotions derived from the professional relationship;

i. LAC46:LIV.345B(6): disruptive behavior—aberrant behavior, including but not limited to harassment, sexual or otherwise, manifested through personal interaction with employees, co-workers, hospital personnel, health care professionals, patients, family members or others, which interferes with patient care or could reasonably be expected to interfere with the process of delivering quality care or jeopardizing patient safety;

j. LAC46:LIV.345B(8): engaging in conduct which results in an arrest and the initiation of criminal prosecution, even if criminal charges are eventually lessened or dropped, when the conduct leading to the arrest can be verified and constitutes behavior which could put the person or property of patients at risk of harm from a treating licensee;

k. Code of Ethics Principle #1 (made applicable through La. R.S. 37:2405B(14)): Physical therapists shall respect the inherent dignity and rights of all individuals, particularly

1A: Physical therapists shall act in a respectful manner toward each person regardless of age, gender, race, nationality, religion, ethnicity, social or economic status, sexual orientation, health condition, or disability; and

l. Code of Ethics Principle #2 (made applicable through La. R.S. 2405B(14)): Physical therapists shall be trustworthy and compassionate in addressing the rights and needs of patients/clients, particularly 2A, 2C and 2D:

2A. Physical therapists shall adhere to the core values of the profession and shall act in the best interests of patients/clients over the interests of the physical therapist.

2C. Physical therapists shall provide the information necessary to allow patients or their surrogates to make informed decisions about physical therapy care or participation in clinical research.

2D. Physical therapists shall collaborate with patients/clients to empower them in decisions about their health care.

in relation to sexual misconduct and professional misconduct against seven physical therapy patients.

4.

This is not the first disciplinary action against PHILIPPE VEETERS for related professional misconduct and sexual misconduct of a physical therapy patient. See Consent Order for Complaint No. 2018-I-014.

5.

The pending complaints are corroborated not only by the number and similarity of these pending complaints, and the criminal arrests involving the same conduct, but also by a letter of concern on January 18, 2014 regarding a 2012 complaint and a consent agreement in December of 2018, both involving similar unprofessional behavior and sexual misconduct with patients.

6.

As provided in the Consent Order in Complaint No. 2018 -I-014:

“...an earlier Complaint (#2012-I-020) related to the manner in which Mr. Veeters performed this [pelvic] test on patient J. K. The Investigative Committee on the earlier complaint did not recommend disciplinary action, but on January 18, 2014, placed Mr. Veeters on-notice that the information reviewed by the Committee indicated that some of the components of his interactions with J. K. were ill-advised, showed poor clinical judgment and were perceived by the patient as possibly inappropriate. The notice provided Mr. Veeters the opportunity to meet with that Committee for the Committee to provide instruction and recommendations, including, but not limited to, obtaining consent prior to performing such tests, educating patients on tests involving the pubic region, taking safety and privacy measures such as using gloves, providing covering for the patients and having another individual in the room when performing such tests, especially with female patients.”

7.

The Consent Order in Complaint No. 2018-I-014 describes the facts found by the Board of that complaint as follows:

“The Board received a complaint against Mr. Veeters on June 7, 2018 from L. J., a female patient, whose initial visit with Mr. Veeters had occurred earlier that same date.

L. J., with a family history of scoliosis, had made an appointment with Mr. Veeters for a physical therapy assessment of a curvature of her spine in the mid back region. The complaint asserted that, during the examination, Mr. Veeters had L. J. lay on her back on the table and pulled up her dress to press on side areas outside of L. J.'s underwear. The complaint also asserted that suddenly, without notice, explanation, obtaining a consent or having anyone in the room, Mr. Veeters pulled down L. J.'s underwear and, with an un-gloved hand, pushed on the left side of the patient's labia in contact with pubic hair."

8.

As noted on page 1 of the Consent Order, PHILIPPE VEETERS acknowledged to the Investigative Committee "that he had not obtained L. J.'s confirmed verbal assent prior to palpating the pubic region." The Board Committee "concluded that L. J.'s presenting complaints did not provide Mr. Veeters with a clinical basis to assess or palpate L. J.'s pubic region and, accordingly concluded that the procedure was clinically unnecessary and needlessly invasive of the patient's privacy."

9.

The further opinion of the Board and Committee was that:

- a. A pelvic symphysis test should not have been performed for a sacroiliac joint dysfunction and that the patient had no documented leg length discrepancy.
- b. If there had been a clinical basis for making an assessment of the pubic symphysis, the patient should have been told in advance the nature of the condition being assessed, given a description of the proposed procedure, obtained a consent, and the patient should have been advised as to the findings of the procedure.
- c. The patient should have been draped appropriately and the assessment made over the patient's undergarments and in the presence of another individual.
- d. PHILIPPE VEETERS documentation of the patient's visit failed to record information of specific tests and measures which PHILIPPE VEETERS claimed to have performed.
- e. PHILIPPE VEETERS, in his evaluation of patient L. J., failed to adhere to appropriate standards of physical therapy practice.

10.

Rather than facing a hearing on those charges, PHILIPPE VEETERS agreed that he had violated La. R.S. 37:2420A(7); LAC46:LIV.345B, 373A, 345B(1)(a), 345B(4)(b), 345B(5), 345B(6), 373A(6), 373A(8), 341A(2); and Code of Ethics Principle Nos. 2, 2C, and 1.

11.

The pending complaints serve as evidence of PHILIPPE VEETERS' disregard of the earlier instructions and the standards of the practice of physical therapy.

12.

A nine month license suspension was imposed which suspension has the possibility of ending as early as September of this year provided all conditions of the Consent Order are satisfied.

13.

The Consent Order notes that PHILIPPE VEETERS' return to practice has the potential for violating the public health, safety and welfare so as to possibly call for emergency action.

14.

By letters dated July 31, 2019 and August 2, 2019, PHILIPPE VEETERS was offered the opportunity to participate in Informal Hearing Conferences in each of the pending complaints currently under investigation, the informal hearing conferences scheduled for August 12, 2019.

15.

PHILIPPE VEETERS, in writing, waived his right to informal hearing conferences in Complaint Nos. 2019-I-003, 2019-I-010, 2019-I-021, 2019-I-022, 2019-I-023, and 2019-I-024, and did not appear on August 12, 2019, for informal hearing conference in Complaint No. 2019-I-027.

16.

The parties agree that PHILIPPE VEETERS has waived his right to informal hearing conferences, as required by La. R.S. 49:961C and LAC 46:LIV.381A(2), in each of the seven complaints enumerated above.

17.

The parties believe that there may be a possibility of more criminal activity and criminal charges being filed against PHILIPPE VEETERS, as well as more complaints lodged with the Board against PHILIPPE VEETERS, all alleging similar violations of criminal law and/or Board law and rules.

18.

In order to avoid an emergency suspension hearing and more than one hearing on disciplinary proceedings against PHILIPPE VEETERS on the pending matters under investigation by the Board, and to avoid a disciplinary hearing until all criminal matters have been resolved, the parties agree to the following, to be made Order of the Board:

a. The Louisiana Physical Therapist License No. 01437F of PHILIPPE VEETERS, currently under suspension in the Consent Order in Complaint No. 2018-I-014, is continued and

converted to an indefinite suspension of the Louisiana Physical Therapist License No. 01437F of PHILIPPE VEETERS.

b. Before PHILIPPE VEETERS may apply for reinstatement of his Louisiana Physical Therapist License No. 01437F, the following conditions must be met:

(1) All criminal cases against PHILIPPE VEETERS in the Nineteenth Judicial District Court resulting from the arrests noted above and any other similar arrests or criminal charges related to physical therapy patients must be concluded, including but not limited to those involving Arrest Nos. W02-19-0061; W02-19-0062; W03-19-0133; W03-19-0189; W03-19-0190; W03-19-190; W03-19-0196; W03-19-0197; W04-19-022; and W04-19-0023,

(2) PHILIPPE VEETERS must have no criminal charges or civil proceedings pending against him in any jurisdiction related to sexual misconduct or other misconduct in his treatment of physical therapy patients;

(3) PHILIPPE VEETERS must have served all sentences arising from any criminal cases relating to patient care, including probation, parole and/or supervised release;

(4) The matters before the Board under investigation in Complaint Nos. 2019-I-003, 2019-I-010, 2019-I-021, 2019-I-022, 2019-I-023, 2019-I-024, and 2019-I-027 and/or any other complaint filed with the Board against PHILIPPE VEETERS must be concluded;

(5) All the conditions for license reinstatement set forth in Consent Order in No. 2018-I-014 must be met;

(6) PHILIPPE VEETERS must undergo an inpatient psychosexual evaluation and an addictive disease evaluation at a facility approved by the Board;

(7) PHILIPPE VEETERS must authorize and cause a written report of said evaluations to be submitted to the Board, to include the entire evaluation reports including diagnosis, course of treatment, prescribed or recommended treatment, prognosis, and professional opinion as to PHILIPPE VEETERS' capability of practicing as a physical therapist with reasonable skill and safety to patients;

(8) PHILIPPE VEETERS must have submitted all pages of this Interim Consent Agreement and Order to the evaluators prior to the start of the evaluations in order for the evaluations to be deemed valid;

(9) Upon receipt of an evaluation report, PHILIPPE VEETERS must immediately submit to all recommendations thereafter of the evaluators and cause to have submitted to the Board evidence of continued compliance with all recommendations by the evaluators; and

(10) If the evaluations give any treatment recommendations or findings to warrant concern for patient safety, PHILIPPE VEETERS must meet with Board Member on the Investigative Committee and demonstrate to the satisfaction of the Board Compliant Investigator that PHILIPPE VEETERS poses no danger to the practice as a Physical Therapist or to the public and that PHILIPPE VEETERS can safely and competently perform the duties of a physical therapist, including without unprofessional conduct or sexual misconduct toward any patient.

c. The parties further agree that should PHILIPPE VEETERS be found guilty of, enter a guilty plea, or a plea of *nolo contendere*, or any other plea under La. C.Cr.P. art. 893 or 894 to any criminal offense relating to patient care in any matter in the Nineteenth Judicial District Court or in any other jurisdiction or in any case involving sexual battery or sexual misconduct and/or other harm to or misconduct with a physical therapy patient, Louisiana Physical Therapy License No. 01437F belonging to PHILIPPE VEETERS will be automatically revoked, PHILIPPE VEETERS hereby waiving his right to informal conference, to notice of hearing, to a final administrative hearing, and to judicial review of the revocation.

19.

By signing this Interim Consent Agreement, PHILIPPE VEETERS agrees that the Board has jurisdiction in this matter, waives his right to informal conferences, to Notice of Hearing, to a formal Administrative Hearing, and to judicial review of this Interim Consent Agreement.

20.

By signing this Interim Consent Agreement, PHILIPPE VEETERS agrees that any failure to comply with the terms of this Agreement is a basis for discipline by the Board.

21.

PHILIPPE VEETERS further understands that this Interim Consent Agreement shall constitute a Public Record pursuant to La. R.S. 44:1 et seq. and is considered disciplinary action by the Board.

22.

The parties agreed that this Interim Consent Order does not serve as a resolution of the captioned complaints and is merely being entered into on an interim basis until all pending or later filed disciplinary complaints and all criminal charges and civil proceedings related to patient care are resolved.

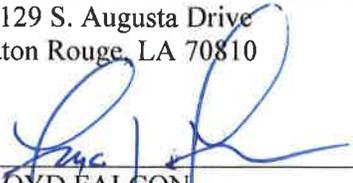
23.

Both PHILIPPE VEETERS and the Board stipulate that this Interim Consent Agreement shall not become effective and shall not become binding on the Board unless and until approved by the Board at formal meeting.

I, PHILIPPE VEETERS, understand that this Agreement is effective upon affirmative vote by the Board at formal hearing. It is also understood that should the Board not approve the Interim Consent Agreement, my agreement thereon does not preclude the Board from requiring a formal hearing of my cases. I further understand that should this Interim Consent Agreement not be accepted by the Board, the presentation to and consideration by the Board of this 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.

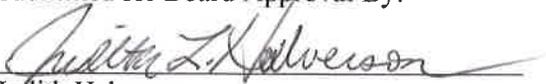
SIGNED, AGREED TO AND ENTERED on this 13 day of September, 2019.

  
\_\_\_\_\_  
PHILIPPE VEETERS  
(La. Physical Therapist License No. 01437F)  
19129 S. Augusta Drive  
Baton Rouge, LA 70810

  
\_\_\_\_\_  
FLOYD FALCON  
429 Government St  
Baton Rouge LA, 70802-6114  
Phone: (225) 387-4462

*Attorney for PHILIPPE VEETERS*

Submitted for Board Approval By:

  
\_\_\_\_\_  
Judith Halverson  
Complaint Investigator

BOARD ORDER  
and  
ACCEPTANCE OF THE INTERIM CONSENT AGREEMENT  
BY THE LOUISIANA PHYSICAL THERAPY BOARD:

By a majority vote of the Board members voting in favor of the foregoing Interim Consent Agreement at the Board meeting on September 26, 2019, the Board hereby adopts said Agreement, and makes it an Order of this Board.

FOR THE BOARD:

  
\_\_\_\_\_  
JULIE HARRIS, CHAIR