

LOUISIANA PHYSICAL THERAPY BOARD

IN THE MATTER OF:

ANTHONY TIPTON, P.T.A.  
(License No. A8401)

COMPLAINT NO. 961 2016-I-021

CONSENT AGREEMENT AND BOARD ORDER

WHEREAS, ANTHONY TIPTON, licensed as a physical therapist assistant (PTA) in the State of Louisiana (La. PTA License No. A8401), by the LOUISIANA PHYSICAL THERAPY BOARD ("Board"), was arrested on or about May 31, 2016, by the East Baton Rouge Parish Sheriff's office for repeatedly raping an eight year old for six months prior to the arrest;

WHEREAS, on or about January 17, 2017, ANTHONY TIPTON was indicated in East Baton Rouge Parish, Louisiana, in the Nineteenth Judicial District Court in State of Louisiana v. Anthony J. Tipton, and charged with first degree rape upon a victim under the age of 13, in violation of La. R.S. 14:42(A)(14); molestation of a juvenile under the age of 13, in violation of La. R.S. 14:81.2; and sexual battery of a juvenile under the age of 13, in violation of La. R.S. 43.1; all offences occurring between September 1, 2015 and May 28, 2016.

WHEREAS, Anthony Tipton was found guilty on or about October 30, 2021, by jury verdict in the 19<sup>th</sup> Judicial District Court, Parish of East Baton Rouge, State of Louisiana, Case No. 06-16-0468, "State of Louisiana v. Anthony Tipton" of the following felonies:

1. First degree rape in violation of La. R.S. 14:42(A)(4) [A. First degree rape is a rape committed upon a person sixty-five years of age or older or where the anal, oral or vaginal sexual intercourse is deemed to be without lawful consent of the victim because it is committed ... (4) When the victim is under the age of thirteen years. Lack of knowledge of the victim's age shall not be a defense], as charged by Indictment as "Between the approximate dates of September 1, 2015 through May 28, 2016, the defendant committed first degree rape upon A.C., a victim under the age of 13";
2. Molestations of a juvenile in violation of La. R.S. 14:81.2 [Molestation of a juvenile is the commission by anyone over the age of seventeen of any lewd or lascivious act upon the person or in the presence of any child under the age of seventeen, where there is an age difference of greater than two years between the two persons, with the intention of arousing or gratifying the sexual desires of either person, by the use of force, violence, duress, menace,

psychological intimidation, threat of great bodily harm, or by the use of influence by virtue of a position of control or supervision over the juvenile. Lack of knowledge of the juvenile's age shall not be a defense.], as charged in the Indictment as "Between the approximate dates of September 1, 2015 through May 28, 2016, the defendant, born 5/1/1987, committed a lewd or lascivious act upon or in the presence of A.C., a juvenile, under the age of 13, with the intention of arousing or gratifying the sexual desires of the defendant, by the use of influence by virtue of a position of control or supervision over the juvenile,"; and

3. Sexual battery, in violation of La. R.S. 14:43.1 [A. Sexual battery is the intentional touching of the anus or genitals of the victim by the offender using any instrumentality or any part of the body of (the offender, directly or through clothing, or the touching of the anus or genitals of the offender by the victim using any instrumentality or any part of the body of the victim, directly or through clothing, when any of the following occur: (1) The offender acts without the consent of the victim. (2) The victim has not yet attained fifteen years of age and is at least three years younger than the offender.], as charged in the Indictment as "Between the approximate dates of September 1, 2015 through May 28, 2016, the defendant committed sexual battery upon A.C., a juvenile under the age of 13,";

WHEREAS, Anthony Tipton is not scheduled to be sentenced for these three felony convictions until February 3, 2022, the first degree rape conviction alone requires a mandatory life sentence, as provided in La. R.S. 14:42 D (1) ["Whoever commits the crime of first degree rape shall be punished by life imprisonment at hard labor without benefit of parole, probation, or suspension of sentence."];

WHEREAS, LAC 46:LIV §349 defines the term "convicted", as applied to a licensed PT [physical therapist] or PTA [physical therapist assistant] as "a judgment entered against such person by a court of competent jurisdiction on the basis of a finding or verdict of guilty or a plea of guilty or nolo contendere", and further provides that "Such a judgment provides cause for administrative action by the board so long as it has not been reversed by an appellate court of competent jurisdiction, notwithstanding that an appeal or other application for relief from such judgment may be pending";

CONCLUSIONS OF LAW

Anthony Tipton's conduct described above and otherwise reviewed in this action is subject to and/or in violation of the following provisions of law regarding Anthony Tipton's conduct described above and otherwise reviewed in this action is subject to and/or in violation of the following provisions of law and Board Rules regarding his practice as a physical therapist assistant:

1. La. R.S. 37:2420 A (4) [Been convicted of a felony in the courts of any state, district, territory, or country. Conviction, as used in this Paragraph, shall include a plea or verdict of guilty, an admission or finding of guilt, or a plea of nolo contendere.];
2. La. R.S. 37:2420 A (7) ["After due notice and hearing, the board [. . .] may restrict, suspend, or revoke any license upon proof that the person has: ... (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."];
3. LAC 46:LIV §345B(1) [As used in La. R.S. 37:2420 A (7) of the Practice Act and in these Rules, the term unprofessional conduct includes... (1) Departure from, failure to conform to, or failure to perform to, the minimal standards of acceptable and prevailing physical therapy practice as defined in §123; or the commission of any act contrary to honesty, justice, good morals, patient safety or the best interest of the patient, whether committed in the course of the licensee's practice or otherwise, regardless of whether actual injury to a patient results therefore...];
4. LAC 46:LIV §345 B (7) [As used in La. R.S. 37:2420A(7) of the Practice Act and these Rules, the term unprofessional conduct includes ... (7) Conviction of any crime or entry of a plea of guilty or nolo contendere to any criminal charge arising out of or related to the practice of physical therapy or which constitutes behavior which could put the person or property of patients at risk of harm from a treating licensee...];
5. LAC 46:LIV §349 A [As used in R.S. 37:2420A(4), of the Practice Act, a "felony" is a crime defined as such under the laws of the US, or of any state. The term "convicted", as applied to a licensed PT or PTA, or an applicant for

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such license is a judgment entered against such person by a court of competent jurisdiction on the basis of a finding or verdict of guilty or a plea of guilty or nolo contendere. Such a judgment provides cause for administrative action by the board so long as it has not been reversed by an appellate court of competent jurisdiction, notwithstanding that an appeal or other application for relief from such judgment may be pending.]; and

6. LAC 46:LIV §345 B (8) ["As used in La. R.S. 37:2420A(7)) of the Practice Act and in these Rules, the term unprofessional conduct includes ...(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 that leads 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"].

WHEREAS, Anthony Tipton and his then criminal attorney, Steven Moore, were sent written notices dated November 9, 2021 of an informal conference to be held on December 9, 2021 in this captioned complaint; and each failed to appear at the scheduled informal conference, with the letters sent to Anthony Tipton by certified mail, return receipt requested, and by regular mail, at his address of record, 1210 Palm Street, Vidalia, LA 71373, and to the East Baton Rouge Parish Prison, where he is believed to have been remanded by the state court after conviction on October 30, 2021, addressed to "Anthony Tipton (DOB: 5/1/1987), c/o East Baton Rouge Parish Prison, 2867 General Isaac Smith, Scotlandville, LA 70807"; and

WHEREAS, the prison records indicate that Anthony Tipton was incarcerated in the East Baton Rouge Parish Prison on November 9, 2021 (the date the letter was mailed) and remains incarcerated there on December 9, 2021; and U.S. Postage Office records indicate the certified mailing to the prison address was signed for and was received at the prison address on November 12, 2021;

To facilitate the submission of this Consent Agreement and Board Order, ANTHONY TIPTON admits the violations and agrees to the sanctions set forth herein in an effort to resolve the matter.

ANTHONY TIPTON further understands that this Consent Agreement shall constitute a Public Record pursuant to LSA-R.S. 44:1 et seq. and is considered disciplinary action by the Board.

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In order to avoid further administrative and judicial proceedings, ANTHONY TIPTON hereby consents to accept and abide by the following order of the Board:

**BOARD ORDER**

Pursuant to the Factual Basis for Consent Order and Violations Related to Respondent's Conduct, and, in order to avoid further administrative and judicial proceedings, Respondent and the Board, by vote of quorum, agree as follows:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the license of ANTHONY TIPTON to practice as a physical therapist assistant in the State of Louisiana (La. PTA License No. A8401) is hereby permanently revoked without opportunity for reinstatement.

By signing this Consent Agreement and Board Order, Anthony Tipton agrees that the Board has jurisdiction in this matter, waives his right to informal conference, to Notice of Hearing, to a formal Administrative Hearing, and to judicial review of this Consent Agreement and Board Order.

By signing this Consent Agreement and Board Order, Anthony Tipton agrees that any failure to comply with the terms of this Consent Agreement and Board Order is a basis for discipline by the Board.

Both ANTHONY TIPTON and the Board stipulate that this Consent Agreement and Board Order shall not become effective and shall not become binding on the Board unless and until approved by the Board at formal meeting.

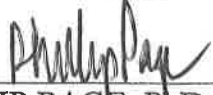
I, ANTHONY TIPTON, understand that this agreement is effective upon affirmative vote by the Board at formal meeting. It is also understood that this agreement does not preclude the Louisiana Physical Therapy Board from requiring a formal hearing of this case. I further understand that should this Consent Agreement and Board Order not be accepted by the Board, the presentation to and consideration by the Board of this Consent Agreement and Board Order, including presented documentary evidence and information, shall not unfairly or illegally prejudice the Board or any of its members from further participation in hearings or resolution of these proceedings.

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SIGNED, AGREED TO AND ENTERED ON THIS 2nd day of Feb,  
2021.

  
\_\_\_\_\_  
ANTHONY TIPTON

Submitted to Board for Approval By:

  
\_\_\_\_\_  
PHILLIP PAGE, PhD, PT, ATC, CSCS, FACSM  
Investigatory Committee Board Member

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

By a majority vote of the Louisiana Physical Therapy Board members voting in favor of the foregoing Consent Agreement and Board Order at the Louisiana Physical Therapy Board meeting on March 16, 2022, the Louisiana Physical Therapy Board hereby adopts said Consent Agreement and Board Order, and makes it an Order of the Louisiana Physical Therapy Board.

FOR THE LOUISIANA PHYSICAL THERAPY BOARD:

  
\_\_\_\_\_  
JUDITH HALVERSON, Chair

**EAST BATON ROUGE PARISH**

**STATE OF LOUISIANA**


**AFFIDAVIT**

**BEFORE ME, THE UNDERSIGNED NOTARY**, personally came and appeared, KATHRYN JAKUBACK BURKE, of suitable age and majority, who did depose and state the following:

I, Kathryn Jakuback (La. Bar Roll #37617), am currently enrolled counsel on Mr. Tipton's criminal matter. On February 2, 2022 at approximately 1:20 PM in the afternoon, I visited Anthony Tipton at East Baton Rouge Parish Prison. I was accompanied by one of my staff members, Rachel Lane. Given the difficulty that we have experienced (due to both the COVID spike and the recent heightened security in carceral facilities around the state) in securing signatures on physical documents, I asked for permission from the facility to bring an electronic tablet into the prison upon which to view evidence and review documents with Mr. Tipton. I read the contents of the Consent Order to Mr. Tipton with respect to his licensing before the Physical Therapy Board, and he agreed that he understood the contents. I watched Mr. Tipton sign the document electronically on my tablet. I saved the document to my tablet and have not altered or deleted any of the contents since Mr. Tipton's signature.

SWORN BEFORE ME THE 15<sup>th</sup> DAY OF February IN EAST BATON ROUGE PARISH, LOUISIANA.

  
KATHRYN JAKUBACK BURKE

 # 39384  
JEANNA WHEAT  
LA BAR ROLL #  
NOTARY PUBLIC