



State of Louisiana
DEPARTMENT OF HEALTH AND HOSPITALS
Louisiana Physical Therapy Board

IN THE MATTER OF

ANGELA ARCHER, PTA

LICENSE NO. A7442

ADMINISTRATIVE HEARING

COMPLAINT NO. 2018-I-018

ORDER

This matter came before the Louisiana Physical Therapy Board (“Board”) for adjudication on September 13, 2018 in accordance with La. R.S. 37:2420.B., to adjudicate complaint no. 2018-I-018, *In the Matter of Angela Archer* (“Respondent” or “Ms. Archer”), license no. A 7442. The adjudication was held at the Board office in Lafayette, Louisiana in executive session in accordance with La. R.S. 42:17.A.(1) to discuss matters regarding the Applicant’s character and professional competence. A quorum of the Board was present and constituted the Hearing Panel for the adjudication. The Hearing Panel consisted of Patrick Cook, PT; Karl Kleinpeter, PT, DPT; Judith Halverson, PT, and Kathryn Brittain, PT, DPT, MBA. Angela Archer was present and was accompanied by her mother, A.W. Other appearances included:

Glen Ducote, Hearing Officer

George Papale, Prosecuting Attorney

Courtney Newton, Counsel for the Board

Charlotte Martin, Executive Director of the Board

Stephanie Boudreaux, Board Staff

BACKGROUND AND MATTERS AT ISSUE

Ms. Archer is a physical therapist assistant (“PTA”). On or about October 11, 2017 Ms. Archer entered into a Consent Order with the Board for diversion of a patient’s Percocet medication during a physical therapy home health visit. The Consent Order was accepted by the Board on or about October 18, 2017 and is incorporated herein *in extenso*. On or about August 1, 2018 a *Draft Administrative Complaint* was served on Ms. Archer and Attorney Jay Caraway, Ms. Archer’s uncle who assisted Ms. Archer during the investigation and Consent Order negotiations. Ms. Archer, in accordance with La. R.S. 49:961.C., was afforded the opportunity

to show the Complaints Committee, informally, that the allegations within the *Draft Administrative Complaint* were unfounded. Ms. Archer did not exercise her right. Thereafter, on or about August 20, 2018, an *Administrative Complaint* and *Notice of Hearing* was filed with the Board. Notice was sent to both Ms. Archer and Attorney Jay Caraway. The hearing was set for September 13, 2018 at 8:00 a.m.

The *Administrative Complaint*, an exact copy of the *Draft Administrative Complaint* listed eight (8) "*Additional Allegations of Fact*" to prove violations of four (4) provisions contained within the October 11, 2017 Consent Order. First, the *Administrative Complaint* alleged that Ms. Archer violated Paragraphs 15 and 16 which require Ms. Archer, in part, to participate in a Board-approved drug and alcohol monitoring program, a program that requires Respondent to check-in daily for random drug and alcohol testing. In addition, the Consent Order requires Ms. Archer to comply with all requests of the Board, its designated agent, or the board-approved drug and alcohol monitoring program for observed random drug and/or alcohol tests; and, should Ms. Archer fail to check-in, Ms. Archer is required to immediately notify the Executive Director and submit for an observed test at a Board approved facility the day following the missed check-in. Under the terms of the Consent Order failure to check-in, regardless of a self-test constitutes a violation of the order which could result in disciplinary action.

Second, the *Administrative Complaint* alleged that Ms. Archer violated both Paragraph 19 and 22 of the Consent Order. Paragraph 19 mandates that Ms. Archer comply with all recommendations of the Board-approved evaluator following the psychological and substance abuse evaluation mandated in Paragraph 1 of the Consent Order. In addition, the Consent Order requires that Ms. Archer attend meeting of Alcoholics Anonymous, Narcotics Anonymous or other recovery support program approved by the Executive Director for a duration and frequency as recommended by the Board-approved evaluator and to provide documentation of attendance of such meetings. Paragraph 19 also requires that Respondent attend individual substance abuse counseling sessions with a Board-approved counseling professional at a frequency recommended by the Board-approved evaluator. Paragraph 22 requires that Ms. Archer fully cooperate with the Board in providing information and documents requested by the Board or the Board's representative.

The adjudication convened at 8:14 a.m. on September 13, 2018. Ms. Archer was accompanied by her mother, A.W. Ms. Archer was not represented by legal counsel. To ensure a fair hearing, the members of the Board serving as the hearing panel instructed the hearing officer, Glen Ducote, to assist and instruct Ms. Archer as needed during the hearing. At the beginning of the hearing, Courtney Newton, Counsel for the Board, addressed all procedural matters. Following discussion and inquiry, no objections were made to notice, role of Board Counsel, or make-up of the Hearing Panel. The following exhibits were introduced into evidence for consideration by the Hearing Panel:

Exhibit B1: Consent Order No. 2017-I-023;

Exhibit B2: December 6, 2017 Psychological and Substance Abuse Evaluation report completed by Thomas C. Fain, Ph.D.;

Exhibit B3: December 13, 2017 Board notification to Ms. Archer of license status change;

Exhibit B4: February 14, 2018, signed agreement to abstain;

Exhibit B5: March 20, 2018 evaluation report from Palmetto Addiction Recovery Center completed by Michael McCormick, M.D.;

Exhibit B6: March 28, 2018 Board notification Archer;

Exhibit B7: Affinity Non-compliance Report;

Exhibit B8: Draft Administrative Complaint;

Exhibit B9: Notice of Hearing and Administrative Complaint;

Exhibit B10: Return Receipt Cards for Exhibits B-1 through B-9.

Exhibit B11: 9/13/2018 Spectrum Compliance Report

Ms. Archer introduced the following exhibit for consideration:

Exhibit R1: May-June Caraway/Newton emails

Both Mr. Papale and Ms. Archer made opening statements. The first witness to be called was Mrs. Charlotte Martin, Executive Director of the Board, who testified as to the October 18, 2018 Consent Order, the requirements therein, and Ms. Archer's compliance with the requirements of the Consent Order. Mrs. Martin also testified, in part, that Ms. Archer submitted to a psychological and substance abuse evaluation by Dr. Thomas Fain and, based upon Dr. Fain's recommendations, a second evaluation by Palmetto Addiction and Recovery Center performed by Dr. McCormick. In addition, Mrs. Martin addressed the voluntary *Agreement to Abstain* signed by Ms. Archer prior to the evaluation by Dr. McCormick. Finally, Mrs. Martin's testimony outlined Ms. Archer's failure to comply with the terms of the Consent Order specifically addressing Ms. Archer's failure to call-in daily to Spectrum Compliance, formerly Affinity, the Board's drug and alcohol monitoring agent; Ms. Archer's failure to attend both recovery program meetings and one-on-one counseling sessions; and, the communications between Ms. Archer and the Board during the time at issue.

Upon the conclusion of Mrs. Martin's testimony, Ms. Archer testified on her own behalf. Ms. Archer testified that her non-compliance was due to the onerous suspension period within the Consent Order which in addition to other provisions prohibited her from working as a PTA resulting in financial difficulties. Ms. Archer further testified that she is not an addict, that her diversion of Percocet was due solely to severe pain caused by a diagnosed medical condition that was surgically corrected, and that the terms of the Consent Order are overly burdensome. Thereafter, A.W., Ms. Archer's mother, testified. A.W. testified as to Ms. Archer's health struggles, both physically and mentally, and frustrations with the Consent Order requirements

and the Board. After all witnesses testified, both Mr. Papale and Ms. Archer made closing arguments. The hearing concluded at 1:15 p.m.

FINDINGS OF FACT

It is the finding of the Hearing Panel based on the exhibits presented and the testimony of the witnesses as follows:

- A. Ms. Archer voluntarily and willingly, and with the advice of an attorney, entered into the Consent Order with the Board on October 18, 2018. The document is legally binding. Ms. Archer was provided with sufficient information and documents to enable her to successfully comply with the Consent Order.
- B. Ms. Archer's due process rights were not violated. Throughout the entirety of the investigation and proceedings Ms. Archer had the opportunity to consult with Attorney Jay Caraway, her uncle. To ensure knowledge and at his request, Mr. Caraway was copied on all correspondence related to the hearing. In addition, Ms. Archer testified that both she and Mr. Caraway were aware of the hearing. Furthermore, at the hearing, Hearing Officer Glen Ducote was instructed by the Hearing Panel to provide legal assistance and guidance to Ms. Archer, *pro se*, to ensure a fair hearing.
- C. Exhibit B2 and the testimony of Mrs. Martin prove by a preponderance that on December 6, 2017 Ms. Archer underwent a psychological and substance abuse evaluation by Thomas C. Fain, Ph.D. and that Dr. Fain issued a report to the Board on December 11, 2017. Dr. Fain's report clearly states that Respondent required consultation with a highly qualified provider to review her current psychotropic regimen to reduce her dependence on benzodiazepine and neurostimulants.
- D. Exhibit B3 and the testimony of Mrs. Martin and Ms. Archer prove by a preponderance that on December 15, 2017 the Board notified Ms. Archer that the license suspension had been lifted and that her license was on probation for a minimum of two years. The language of B3 also proves beyond a preponderance that the letter advised Ms. Archer that the Board would review the recommendations of the evaluator at its next meeting and inform her of the results and recommendations.
- E. Exhibit B4 and the testimonies of Mrs. Martin and Ms. Archer prove beyond a preponderance that Ms. Archer voluntarily and willingly signed an *Agreement to Abstain* from practice as a PTA until such time as the evaluation to review her current psychotropic regimen as recommended by Dr. Fain was complete, and all recommendations/requirements resulting therefrom were satisfied in accordance with Paragraph 19 of the Consent Order. When testifying Ms. Archer admitted that she could have consulted with Attorney Jay Caraway prior to signing the document. In addition, based on the testimony of both Ms. Archer and A.W., Ms. Archer's willingness to sign

the *Agreement to Abstain* was due in large part to the fact that she was not working at the time she signed the agreement.

- F. The Board did not act in an arbitrary and capricious manner when requiring Ms. Archer to submit to an evaluation by Dr. McCormick to review Ms. Archer's current psychotropic regimen. The requirement was put in place following diversion of a controlled substance from the home of a patient in the course and scope of Ms. Archer's duties as a PTA. The Board's decision to require Ms. Archer to submit to an evaluation by Dr. McCormick was based upon the recommendation of Dr. Fain following evaluation. Reliance on Dr. Fain's evaluation recommendation for an additional evaluation provides firm support for the Board's decision to require such evaluation.
- G. Exhibit B5 proves beyond a preponderance that the Respondent submitted to the consultation/evaluation at Palmetto Addiction Recovery Center and was evaluated by Michael E. McCormick, M.D., ABAM. Exhibit B5 also proves that Dr. McCormick issued a report to the Board on February 28, 2018, which report contained specific recommendations and noted that while the Respondent had been participating in random drug and alcohol screening, the Respondent had not yet attended individual counseling sessions or recovery program meetings.
- H. Exhibit B6 and Mrs. Martin's testimony prove beyond a preponderance that on March 28, 2018, the Board sent Ms. Archer a letter advising her that the Board had determined that the evaluation by Dr. McCormick was an appropriate extension of Dr. Fain's recommendation and voted to require that the recommendations contained in Dr. McCormick's report be followed by Ms. Archer.
- I. Exhibit B7, Exhibit B11, and the testimonies of Mrs. Martin and Ms. Archer prove beyond a preponderance that Ms. Archer failed to check-in with Spectrum Compliance for an extended period of time beginning on May 18, 2018 through the date of the hearing. The evidence also proves Ms. Archer failed to notify the Executive Director, failed to submit for an observed test at a Board-approved facility the day following the missed check-in, and failed to submit to testing requests on May 31, 2018 and June 29, 2018.
- J. Ms. Archer's own admission and the testimony of A.W. prove beyond a preponderance that Ms. Archer failed to attend the meeting of an addiction recovery program.
- K. Ms. Archer's own admission proves that she failed to attend monthly individual counseling session and failed to return to Dr. McCormick at Palmetto for the three-month reevaluation as required by the Board's March 28, 2018 notice.
- L. Ms. Archer's reasons for entering into the Consent Order do not excuse her failure to comply with the terms of the Consent Order. The Hearing Panel acknowledges that Ms.

Archer struggled with both physical and mental health issues prior to entering into the Consent Order. These past issues, however, do not excuse Ms. Archer's failure to comply with the terms of the Consent Order. Ms. Archer demonstrated that she was able to comply with the terms of the Consent Order for the period of time immediately following her the Board's acceptance of the Consent Order. Her failure to continue with compliance was a choice consciously made and unrelated to former health issues.

- M. Ms. Archer's argument that financial hardship due to the suspension of her Physical Therapist Assistant license is without merit. First, Ms. Archer's license suspension did not prevent her from seeking employment in another field or profession. Second, several of the provisions of the Consent Order could have been satisfied with minimal or no expense. Ms. Archer could have sought individual counseling through a church or community center. Second, there are no fees associated with recovery program meetings. With regard to child care, in the event that her children could not accompany her to a meeting or appointment, Ms. Archer has a support system willing to provide assistance as evidenced by both the presence of her mother at the hearing and the testimony of A.W. and Ms. Archer. Finally, while there is a nominal cost for drug and alcohol testing, between \$45.00 and \$65.00 approximately, there is no cost for daily check-ins with Spectrum Compliance. Drug and alcohol testing is required only about thirteen (13) times per year in the present case.
- N. Paragraph "1" of the Consent Order is not unduly burdensome as the goal is to permit Ms. Archer to return to work as a PTA as soon as an expert declares her safe to return to work as a PTA. The purpose of the Board under La. R.S. 37:2402 is to "protect the public health, safety, and welfare, and to provide for state administrative control, supervision, licensing, and regulation of the practice of physical therapy in Louisiana. The Board would be remiss in its duties should it permit Ms. Archer to return to work as a PTA following diversion of a controlled substance without first being evaluated and declared safe to practice by an expert in the field of mental health and addiction.

CONCLUSIONS OF LAW

Pursuant to Paragraph "26" of the Consent Order, failure of Ms. Archer to comply with the requirements of the Consent Order and recommendations of the Board-approved evaluator are a violation of the Consent Order and a basis for further disciplinary action. Based on the preceding findings of fact, the Hearing Panel concludes that the prosecution proved beyond a preponderance that:

1. Ms. Archer violated Paragraphs "15" and "16" of the Consent Order mandating Drug and Alcohol monitoring;

2. Ms. Archer violated Paragraph "19" of the Consent Order which required that she comply with all recommendations of the Board-approved evaluator following the psychological and substance abuse evaluation mandated in Paragraph "1";
3. Ms. Archer violated Paragraph "19" of the Consent Order which requires that she attend meeting of Alcoholics Anonymous, Narcotics Anonymous or other recovery support program approved by the Board Executive Director for a duration and frequency as recommended by the Board-approved evaluator;
4. Ms. Archer violated Paragraph "19" of the Consent order which required that she attend individual substance abuse counseling sessions with a Board-approved counselor at a frequency recommended by the previously alleged Board-approved evaluation; and
5. Ms. Archer violated Paragraph "22" of the Consent Order in failing to fully cooperate in providing information and documents requested by the Board or the Board's representative as proven by Charlotte Martin's testimony and by Ms. Archer's own admission.

ORDER

In view of the foregoing findings:

IT IS ORDERED THAT:

1. The section entitled "Order" found within the *Consent Order* accepted by the Board on October 18, 2017 is hereby concluded and no longer binding on Ms. Archer;
2. Respondent's license is hereby suspended until completion of the following:
 - a. Full participation in the Recovering Physical Therapy Program;
 - b. On or before November 15, 2020, attend and satisfactorily participate in a follow-up consultation and assessment with Dr. McCormick;
 - c. Board receipt of Dr. McCormick's follow-up evaluation report;
 - d. Board receipt of documentation evidencing completion of all recommendations necessary to ensure safe return to practice as so designated by Dr. McCormick in the follow-up evaluation report. Production of documentation evidencing completion of any and all such recommendations shall be within a reasonable time period as set forth by Dr. McCormick;
 - e. Board receipt of written documentation from Dr. McCormick, or other Board-approved healthcare provider should Dr. McCormick recommend additional

counseling or evaluation, stating that Ms. Archer is able to safely return to practice; and

- f. Receipt by Respondent of a letter from the Board acknowledging the close of the suspension period.
3. Upon the conclusion of the suspension period, Respondent's physical therapy license is on probation for a minimum period of two (2) years from the date the suspension period concludes as specified in the formal letter of closure provided to the Respondent in accordance with Paragraph "2". Respondent shall submit to the Board Executive Director in writing not less than thirty (30) calendar days prior to completion of probationary period a request for a letter from the Board formally acknowledging the close of the probationary period. Respondent's probationary period concludes upon receipt by Respondent of the Board a letter acknowledging the close of the probationary period;
4. For the duration of the probationary period, Respondent shall not seek or accept work in a home health setting. Furthermore, Respondent shall submit to the Board Executive Director a request for approval of any work setting prior to accepting work. Once the setting is approved, Respondent shall notify the Executive Director in writing of all employment and/or contractual service arrangements which she has to work as a physical therapist assistant and shall update the Executive Director in writing within five (5) calendar days of any and all changes in such arrangements.
5. For the duration of the probationary period, Respondent shall fully cooperate with the Board representatives making random unannounced monitoring visits to her work sites and shall provide complete access to her place of employment, employment and/or business records, patient treatment and billing records, and all other documentation necessary for a full legal compliance review. Respondent shall reimburse the Board \$150.00 for each such monitoring visit by the deadline provided for payment following each visit;
6. For the duration of the probationary period, Respondent shall provide a copy of the Consent Order and Order to her employer(s), direct supervisor(s), and/or any physical therapist(s) who supervise, are supervised by, work with, work for, or contract with Respondent at any business, including, but not limited to, any business(es) Respondent owns, operates or manages before providing physical therapy services and shall have such person(s) notify the Executive Director in writing that he has received and reviewed a copy of the Consent Order and Order prior to Respondent providing services as a physical therapist assistant. Respondent shall do this also with any new or subsequent employer(s), direct supervisor(s), or physical therapist(s) during the probationary period;
7. The two (2) year probation period shall be extended for any period of time in which Respondent is not employed as a physical therapist within the State of Louisiana and regularly working at least *eighty (80) hours per month* as such. If Respondent ceases to be regularly employed as a physical therapist assistant in Louisiana, Respondent shall

notify the Executive Director in writing within *five (5) calendar days* of the last date she has practiced as a physical therapist assistant in Louisiana. Likewise, if Respondent returns to work as a physical therapist assistant within the State of Louisiana, she shall notify the Executive Director in writing within *five (5) calendar days* of her return to practice;

8. In addition, the thirty (30) hours of board-approved continuing education courses or activities required in the biennial renewal period under Rule §194, during the minimum two (2) years of probation, Respondent shall complete an additional two (2) hours of continuing education courses in Ethics per renewal period. The Ethics courses shall be submitted in writing to the Board Executive Director for approval prior to taking the course. Respondent shall also attend one (1) live Jurisprudence Seminar per renewal period. Respondent shall provide documentation in the form of a course completion certificate to the Executive Director at her the time of her license renewal, or if not renewing, at the time she would be required to submit her license renewal with the Board;
9. Partial costs and expenses incurred by the Board include \$870.00 for legal and administrative expenses incurred in the investigation and adjudication of complaint no. 2017-I-023, and \$6,500.00 for legal and administrative expenses incurred in the investigation and adjudication of complaint no. 2018-I-018. Ms. Archer shall reimburse the Board in the amount of \$110.00 per month for five (5) years and may defer reimbursement payments for up to one (1) year from the date this Order is accepted. Failure to provide monthly payments by the dates provided in writing by the Board may result in further disciplinary action by the Board. Alternatively, should Ms. Archer wish to reimburse the Board in a lump sum payment prior to one (1) year from the date this Order is accepted, Ms. Archer may reimburse the Board \$5,000.00.
10. During the entirety of the suspension and probation periods, Respondent participate in the Recovering Physical Therapy Program and shall abstain from the use and ingestion by any means of alcohol, including, but not limited to, foodstuffs, beverages, or toiletries containing alcohol; mood altering substances; any controlled substance as defined by Louisiana and federal laws; or any drugs requiring a prescription unless lawfully prescribed by an individual legally authorized to prescribe medications and knowledgeable of Respondent's substance abuse history. Respondent shall also abstain from foodstuffs containing poppy seeds, hemp products, herbal or health preparations containing derivatives of controlled substances, and all over-the-counter medications, unless authorized in writing by a physician knowledgeable of Respondent's substance abuse history, except plain aspirin, plain acetaminophen, or ibuprofen. If Respondent is prescribed or authorized in writing a mood-altering substance, controlled substance, drug, or over-the-counter medication, or administered such by physician order, Respondent shall within five (5) calendar days of obtaining a new prescription, obtaining a medication refill, or being administered medication provide the following in writing to the Executive Director:
 - i. Documentation of the prescription or written authorization;

- ii. Written explanation of the condition for which the medication is prescribed;
 - iii. Contact information for the prescribing or authorizing physician;
 - iv. Date prescription was filled or medication administered;
 - v. Quantity of medication received;
 - vi. Medication instructions;
 - vii. Names and contact information for the following:
 - 1. Prescribing/authorizing healthcare provider;
 - 2. The pharmacy where the prescription has been filled, if applicable;
 - 3. The pharmacist filling the prescription, if applicable.
11. Respondent shall abstain from any and all opiate replacement therapies, including, but not limited to, Methadone and Buprenorphine;
12. Within five (5) calendar days of Board acceptance of this Order and during the entirety of the suspension and probation period, Respondent shall provide the Executive Director the name, telephone number, and address for all physicians or other healthcare providers who are providing treatment during her suspension and probationary period, and a listing of all medication prescribed for any medical condition. Respondent shall inform any and all physicians or other healthcare providers who are treating her during her suspension and probationary period of the Consent Order and Board Order, participation in the Recovering Physical Therapy Program, and ordered abstinence. In addition, Respondent shall request in writing that this information be included in her medical file. Respondent shall provide copies of all written requests to physicians or other healthcare providers within five (5) calendar days of Board approval of this Order.
13. Respondent shall provide the Board with medical releases for all treating health care providers within three (3) days of such request by the Executive Director. Such authorizations shall allow her treating physician(s), mental health or substance abuse professionals, or any other persons providing care related to the course and scope of this Order to provide information on diagnosis, treatment, and prescriptions.
14. In the event that Respondent ingests alcohol, mood altering substances, any controlled dangerous substance as defined by Louisiana and federal laws, and/or any other substance specified in Paragraph "10" during the suspension and probationary period, Respondent shall immediately cease practice, if applicable, and shall notify the Executive Director of the Board in writing within twenty-four (24) hours of ingestion;
15. For the duration of the suspension and probationary periods, Respondent shall participate in a board-approved drug and alcohol monitoring program. Respondent shall check-in with the board-approved drug and alcohol monitoring program seven (7) days per week, Monday through Sunday, between the hours of 5:30 a.m. to 3:30 p.m. CST to receive a testing notification. Respondent shall comply with all requests of the Board, its designated agent, or the board-approved drug and alcohol monitoring program for observed random drug and/or alcohol tests. Respondent is responsible for the cost of all testing. If tested by any other entity at any time during the suspension or probationary

period, Respondent shall authorize and direct said entity or individual to furnish the Board Executive Director with a copy of the results for all drug and/or alcohol tests within twenty-four (24) hours of receipt of the test results.

16. In the event that the Respondent fails to check-in with the board-approved drug and alcohol monitoring program as required in Paragraph "15", Respondent shall immediately notify the Executive Director and submit for an observed drug and alcohol test at a Board approved facility by 3:30 p.m. the day following the missed check-in. Failure to check-in, regardless of self-test, will constitute a violation of this Order and may result in disciplinary action.
17. If any drug or alcohol test of Respondent results in a positive finding for alcohol, mood altering substance, controlled dangerous substance, and/or any substance specified in Paragraph "10" taken without a valid prescription or authorization in accordance with Paragraph "10", or medication utilized in opiate replacement therapy in accordance with Paragraph "11", Respondent may be subject to additional disciplinary action. For the duration probationary period, if any drug or alcohol test of Respondent results in a positive finding for alcohol, mood altering substance, controlled dangerous substance, and/or any substance specified in Paragraph "10" taken without a valid prescription or authorization in accordance with Paragraph "10", or medication utilized in opiate replacement therapy in accordance with Paragraph "11", Respondent's license shall automatically and summarily be suspended without further action by the Board, subject to Respondent's right to a full due process hearing before the Board within a reasonable time period.
18. For the duration of the suspension and probationary periods, Respondent shall avoid all situations and environments where others are utilizing illegal substances. In the event that Respondent finds herself in a situation or environment where others are utilizing illegal substances, Respondent shall notify the Board Executive Director within twenty-four (24) hours of such occurrence;
19. Following the psychological and substance abuse evaluation mandated in Paragraph "2", and during the suspension and probationary periods, Respondent shall comply with all recommendations of board-approved evaluator(s), incorporated herein *in extenso*. Failure to comply with all recommendations of the board-approved evaluator(s) will be deemed a violation of this consent order.
20. For the duration of the suspension and probation periods, Respondent shall promptly comply, as directed, with the requests of the Board or its designated agent to obtain and provide to the Board Prescription Monitoring Program ("PMP") reports at her expense. Respondent shall provide the Executive Director of the Board with the PMP report within five (5) calendar days of request by the Board or its designated agent;
21. Respondent shall comply with Board Rule §363 and notify the Executive Director of the Louisiana Physical Therapy Board in writing and prior to a change of residence to another country, state, or jurisdiction. Upon relocation, all provisions of this Order,

except Paragraph "9" pertaining to reimbursement of legal and administrative expenses, are suspended until Respondent again resides within Louisiana, notifies the Executive Director of her Louisiana residence, and receives written confirmation from the Executive Director;

22. Respondent shall meet with the Board, or with the Board's representative, whenever requested during the suspension and probationary period, and shall fully cooperate in providing information and documents requested by the Board, or the Board's representative;
23. Respondent shall have reliable access to a computer, internet, and telephone and comply with all Board Rules related to updating contact information with the Board and response to Board communications;
24. Regarding this Order, all communications between Respondent and the Board Executive Director shall be in writing. No verbal communication shall be considered proof of compliance or commitment. Respondent acknowledges that it is the responsibility of the Respondent to fully comply with the Order and proactively communicate with the Board Executive Director;
25. Failure by Respondent to comply with any of the mandates found within the Order may result in further disciplinary action following formal notice and a full due process hearing in accordance with the provisions of the Louisiana Administrative Procedure Act. This provision is not intended to alter or modify any provision herein mandating that failure to comply shall result in automatic summary suspension without further action by the Board, subject to Respondent's right to a full due process hearing before the Board within a reasonable time period.
26. Notwithstanding the Findings of Facts, Conclusions of Law, and Order of the hearing panel following the formal adjudication held on September 13, 2018, should Respondent wish to voluntarily surrender her license to practice as a physical therapist assistant in the state of Louisiana as evidenced by license number A 7442 in lieu of fulfilling this Order, Respondent shall sign below before a notary and provide the original document to the Board office, attention Charlotte Martin, at 104 Fairlane Drive, Lafayette, LA 70507. Such voluntary surrender of her physical therapist assistant license by Respondent shall be deemed by the Board to have the same effect as if the Board had entered an order of revocation and Respondent shall not have any right or entitlement to reinstatement or renewal of her license to practice as a physical therapist assistant in the state of Louisiana. Should the Respondent voluntarily surrender her license, Respondent may submit an application for a physical therapist assistant license not before three (3) years following the date this Order is accepted by the Hearing Panel in accordance with Board Rule §183. Respondent's license may be reinstated following a formal hearing before the Board which hearing shall afford the Respondent the opportunity to present evidence that the cause for the revocation no longer exists and to provide an opportunity for the Board to evaluate changed in the Respondent and/or the conditions which caused the revocation. Respondent shall be granted a license only upon sufficient proof that she, at minimum,

has reimbursed all costs as provided in Paragraph "9" and satisfied all requirements for licensure found within La. R.S. 37:2409 and the corresponding Board Rules and Regulations including, but not limited to, a satisfactory mental health and substance abuse evaluation, a finding of good moral character, and fitness to practice as a physical therapist assistant.

Signed this 7 day of November 2018.


Karl Kleinpeter, PT, DPT
Acting Chairman

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By signing below, Respondent voluntarily surrenders her physical therapist assistant license and agrees to waive any right to which she may be entitled pursuant to the Louisiana Administrative Procedure Act or to which otherwise may be afforded to her by law, to contest her agreement to, or the force and effect of, this document in any court relating to the matters referred to herein.

I, **Angela Archer, PTA**, hereby voluntarily surrender my physical therapist assistant license, no. A 7442, this _____ day of _____, 201__.

Angela Archer

WITNESSES:

Signature

Signature

Printed Name

Printed Name

Address

Address

Sworn to and subscribed before me at _____, Louisiana, this ___ day
Of _____, 201__, in the presence of the two stated witnesses.

Notary Public (signature)

Printed Name/Notary #