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**In the Matter of**  
**ALFONSO BETONIO, P.T.**  
**License No. 01110F**  
Respondent

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**LOUISIANA STATE BOARD OF**  
**PHYSICAL THERAPY EXAMINERS**

Case Number 2002116

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**CONSENT ORDER**

A complaint received by the Louisiana State Board of Physical Therapy Examiners (Board) in May of 2003 raised serious issues regarding the professional conduct of Respondent Alfonso Betonio, a physical therapist licensed by the Board, in the course of his providing physical therapy services to clients at LeGlue Physical Medicine Clinic (Clinic) in Alexandria. Allegations in the complaint were that on April 28, 2003 Respondent was absent from the Clinic but that many of Respondent's physical therapy patients were treated that day by non-licensed personnel working without the supervision of a physical therapist, but under the supervision of his employer, Dr. Gerald LeGlue, a physician board certified in physical medicine and rehabilitation, who was on the premises.

After investigation by the investigating Board member, and by the Board's contract investigators, it was learned that even though he was not present to see his patients, nineteen patients to whom Alfonso Betonio had previously rendered physical therapy treatment were treated on that date by the unlicensed personnel who staffed the Clinic under the supervision of Dr. Leglue. Notwithstanding his absence when treatment was provided to these patients, Respondent on the evening of April 28 entered treatment notes for these patients indicating that they had received physical therapy treatment on that date.

Respondent was requested to participate in an Informal Conference to present his response to the allegations. The Informal Conference was held in Lafayette on September 24, 2003 but did not result in an agreement between Respondent and Board representatives. During a deposition of Respondent taken in Alexandria on July 20, 2005, Mr. Betonio acknowledged the conduct described above. This Consent Order is presented as a means of resolving disciplinary action against Respondent without formal proceedings.

**FINDINGS OF FACT**

On April 28, 2003 Respondent did not provide patient care at his place of employment, LeGlue Physical Medicine Clinic in Alexandria, although 24 physical therapy patients were scheduled for treatment on that date and he was aware that no other physical therapist would be present to provide patient care. Nineteen patients were seen on that date and treated by physical therapy aides or technicians without supervision by Respondent or any other physical therapist. Dr. LeGlue was apparently on the premises and maintains he was supervising the physical therapy aides or technicians while those treatments were being provided..

Respondent subsequently went to the clinic and made entries in patient records indicating that physical therapy treatments and modalities were provided to the nineteen patients seen by the

physical therapy aides or technicians during the day. Respondent indicates that on previous occasions when he was not in the clinic a substitute physical therapist has been scheduled by the office.

### CONCLUSIONS OF LAW

The Board concludes that Respondent's conduct described above and otherwise reviewed in this action is subject to and/or in violation of the following provisions of law regarding his practice of physical therapy:

1. Respondent is a licensee of this Board and the Board has the authority to suspend or revoke a license which it has issued or place probationary conditions upon such license upon proof that the licensee has practiced in a manner which violates the letter or spirit of the Practice Act and the Rules of this Board. La. R. S. 37:2413 and Board Rule 325.

2. Board Rules incorporate the Code of Ethics and Guide for Professional Conduct of the American Physical Therapy Association. Rules 305B and 331.

3. A physical therapist is responsible for the appropriate delegation to, and supervision of, physical therapist assistants and other support personnel. Rule 321A and C.

4. Respondent's failure to provide continuous, on-the-premises observation and supervision to physical therapy aides or technicians who are providing patient care to his physical therapy patients under the supervision of a physician is in violation of Board Rules 305A and 321C;

5. Respondent has conducted himself unprofessionally as defined by Board Rule 327 E (1) and (6);

6. Respondent has documented patient treatment records in violation of Board Rule 323;

7. Respondent allowed his physical therapy patients to be treated by untrained and unsupervised support personnel under the supervision of a physician in violation of Board Rule 307;

8. Respondent failed to document the training and skills of physical therapy aides or technicians who provide patient care, under the supervision of a physician in violation of Rule 305A;

9. Respondent identified treatment provided under physician supervision as "physical therapy" in violation of R.S. 37:2421. R.S. 37:2410B. 37:2413A(7) and defined in Board Rule 327E;

10. Respondent violated Principles 2, 4 and 9 of the APTA Code of Ethics and the following APTA Guides for Professional Conduct: 2.1A, 2.2, 4.1A, 4.2B, 4.3A&B, 9.1A,B,C&D, all in violation of Board Rules 305B and 331;

11. Respondent has opted not to contest the conclusions of law set forth above.

## DECISION

Pursuant to the foregoing Findings of Fact and Conclusions of Law, by the Board and in order to avoid further administrative and judicial proceedings, Respondent and the Board, by vote of quorum, agree as follows:

A. Respondent's license as a physical therapist is placed on probation for a period of three years from the date of final execution of this agreement;

B. Respondent shall, within one year of the date of this order, satisfactorily complete continuing education courses in ethics and documentation in addition to the continuing education units required for maintaining his license. The documentation and ethics courses shall be approved in advance by the Executive Director. Respondent shall also attend the jurisprudence course offered by the Board when it is next offered.

C. During the probationary period specified herein, Respondent shall fully cooperate with Board representatives making random requests for complete and legible copies of records documenting all physical therapy services rendered by Respondent for the date or date specified in the Board's requests and for complete and legible copies of records documenting the Respondent's actual working time for the date or dates specified in the Board requests. Respondent will provide the copies of the requested documents on which the patients' identities may be redacted in such a way as to show the patients' identities by first and last initials only. Respondent will provide the Board with the records requested by this section by any matter of delivery (including facsimile transmission to the Board Office) which insures delivery to the Board Office within 48 hours after the Board's request. Respondent declares, and the Board acknowledges, that Respondent has no authority to make agreements or declarations for, on behalf of, or which would be binding upon Dr. Gerald LeGlue, Jr.

E. Respondent shall pay to the Board the sum of \$4,000 in partial reimbursement for legal and administrative expenses incurred in this matter, this amount to be paid in equal monthly installments, arranged in advance with the Executive Director, over the thirty-six months of his probation;

F. Respondent shall meet with the Board, or with the Board's representative, whenever requested during his probationary period and shall fully cooperate in verbally providing information and *by providing* documents requested in such meetings.

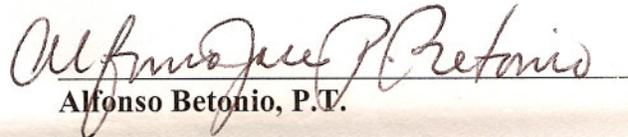
G. Respondent declares that, before signing this Consent Order, he has carefully read this document, understands the contents, and freely consents to it as valid and binding upon him. He is aware of his right to a notice of hearing, to a formal administrative hearing and to judicial review of an administrative finding, and freely waives those rights. He has been represented by competent counsel throughout these proceedings and has consulted with said counsel regarding the terms and provisions of this Consent Order.

H. If after a formal hearing the Board determines that Respondent has failed to comply with any term of this Consent Order reasonably within his control, an immediate suspension of his license may issue at the discretion of the Board. Respondent reserves, and the Board acknowledges, Respondent's right to judicial review of the Board's decision and to request a stay of its decision, which request the Board shall not oppose unless there is a risk of endangering the public. The presentation to and consideration by the Board of this consent 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; and

I. Respondent acknowledges that this Consent Order becomes effective only upon signature by the Board Chair.

SWORN TO AND SUBSCRIBED on this 8 day of May, 2006.

  
Alfonso Betonio, P.T.

AGREED AND ACCEPTED by official action of the Board, the \_\_\_\_\_ day of \_\_\_\_\_, 2006, at Lafayette, Louisiana.

**LOUISIANA STATE BOARD OF  
PHYSICAL THERAPY EXAMINERS**

  
Mark Brown, P.T., Chair