



Jeff Landry
Governor

State of Louisiana
Department of Health and Hospitals

Charlotte E. Martin, M.P.A.
Executive Director

Louisiana Physical Therapy Board

IN THE MATTER OF

STEVEN POWELL

LICENSE NO. A8990

COMPLAINT NUMBER

2024-I-032

CONSENT ORDER

Steven Powell ("Mr. Powell" or "Respondent") is a Physical Therapist Assistant ("PTA"), as evidenced by License No. A8990, and is subject to the jurisdiction and the Rules and Regulations of the Louisiana Physical Therapy Practice Act (La. R.S. 37:2401, *et seq.*), and the Rules and Regulations of the Louisiana Physical Therapy Board ("LPTB" or "Board") (LAC 46:LIV §103, *et seq.*), and enters in the following agreement ("Consent Order") relative to Complaint No. 2024-I-032.

FACTUAL BASIS FOR CONSENT ORDER

1. Respondent received his Physical Therapist Assistant license, number A8990, on or about October 17, 2014.
2. On November 27, 2024, the Board received a complaint alleging that Respondent had fraudulently documented the performance of, and signed on behalf of the patient for, a PTA treatment visit which purportedly took place on November 25, 2024, via home health provider. It was alleged that the patient, A.R., was hospitalized beginning November 23, 2024, and was still hospitalized on the day of the documented treatment visit. It was further alleged that, when questioned about the visit, the Respondent admitted to his employer that both the treatment completion and the signature were documented by him without the actual treatment having been performed.
3. Pursuant to LAC 46:LIV §123, an investigative committee of the Board was formed to review and address the complaint against the Respondent.

4. On February 5, 2025, Respondent was sent a notice letter detailing the allegations made in the complaint, and providing the potential laws and rules of the Board that may have been violated by such conduct if the allegations were found to be true. It was requested that Respondent cooperate with the Board's investigation of the complaint and provide, within thirty (30) days, a written response to the allegations.
5. On February 19, 2025, the Board received the written statement of the Respondent, in which he admitted to improperly documenting the performance of the PTA treatment visit on November 25, 2024, as well as the signature on behalf of the patient for the treatment. Respondent did not dispute his completion of the documentation, but represented to the Board that it was an "honest mistake." Respondent denied any fraudulent behavior. He further represented to the Board that he was overstressed and juggling multiple jobs with multiple tablets for multiple home health companies, and that he had previously expressed concerns to his supervisor that he was having difficulty managing his workload.
6. On March 17, 2025, the Board notified the Respondent of his opportunity to show compliance with all lawful requirements for the retention of his physical therapist assistant license at an informal conference to take place on April 10, 2025.
7. On April 10, 2025, the Investigative Committee met with the Respondent and conducted an informal conference.
8. During the informal conference, the Respondent initially represented to the Investigative Committee that he had made a mistake while juggling multiple tablets, that he was overwhelmed and overworked at the time, and that the November 25, 2024 treatment documentation was an honest mistake. When pressed, however, Respondent admitted that he made up vital signs and other entries for the treatment documentation, that he knowingly forged the signature of the patient, and that he knew when he submitted the documentation that the treatment had never happened. The Respondent admitted that he chose to submit the documentation rather than lose a billable treatment. He also admitted that he had similarly billed visits for other patients which did not occur. Respondent admitted that he did this for financial gain and to support a golf business which he was developing. He also admitted that his written statement and his initial statements to the Investigative Committee were conscious misrepresentations.
9. Following the informal conference, the Board's investigator spoke with the Respondent's supervisor at the time of the November 25, 2024 treatment note. Respondent's supervisor denied that Respondent ever communicated to him that he was overwhelmed or overworked. Respondent's supervisor advised that, to the contrary, Respondent wanted more work, not less. Respondent's supervisor also advised that the Respondent was PRN and had the authority to decline any amount or assignment of work.

VIOLATIONS RELATED TO RESPONDENT'S CONDUCT

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. La R.S. 37:2420(A): "After due notice and hearing, the board may refuse to license any applicant, or may refuse to renew the license of any person, or may restrict, suspend, or revoke any license upon proof that the person has: (1) Practiced physical therapy in violation of the provisions of this Chapter, the rules of the board, or standards of practice . . . (7) Been found guilty of unprofessional conduct . . . 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 . . ."
2. LAC 46 LIV §345(A): "The board shall deem a violation any charge of conduct which fails to conform to the Practice Act, and board rules to carry out the provisions of the Act, and shall take appropriate action where violations are found. The rules of this Chapter complement the board's authority to deny, suspend, revoke or take such other action against a licensee, or Compact Privilege holder as it deems appropriate."
3. LAC 46:LIV §345(B)(1)(a) - As used in R.S. 37:2420(A)(7) of the Practice Act and in these rules, the term unprofessional conduct does not require actual injury to a patient, and includes, but is not limited to, the following: (1) departure from, failure to conform to, or failure to perform on a continuing basis 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 therefrom, including, but not limited to; (a) failure to use sound professional judgment;
4. LAC 46:LIV §345(B)(3)(a) - As used in R.S. 37:2420(A)(7) of the Practice Act and in these rules, the term unprofessional conduct does not require actual injury to a patient, and includes, but is not limited to, the following: . . . (3) failing to create or maintain medical record—a licensee shall create and maintain adequate and legible patient records. In addition, a licensee shall: a. Not falsely create or alter a medical record . . . ;
5. LAC 46:LIV §345(B)(10) – As used in R.S. 37:2420(A)(7) of the Practice Act and in these rules, the term unprofessional conduct does not require actual injury to a patient, and includes, but is not limited to, the following: . . . (10) making or participating in any communication, advertisement, or solicitation which is false, fraudulent, deceptive, misleading or unfair in violation of board rules, or which contains a false, fraudulent, deceptive, misleading or unfair statement or claim, including, but not limited to: a. documenting services provided which have not been provided as documented or billing for services which have not been provided;
6. LAC 46:LIV §345(B)(4) - As used in R.S. 37:2420(A)(7) of the Practice Act and in these rules, the term unprofessional conduct does not require actual injury to a patient, and includes, but is not limited to, the following: . . . (4) exercising undue influence—a PT shall

exercise his professional judgment in the best interest of his patients. A licensee shall not:
a. place his or her own financial gain over the interest and welfare of a patient in initiation or continuation of physical therapy services that are contraindicated or cannot reasonably result in a beneficial outcome;

7. LAC 46:LIV §383(A)(2) - Licensees shall cooperate with and assist the board in carrying out its duties. A licensee shall, among other matters: . . . (2) not attempt to influence the board, its members, staff or agents by means of intimidation, falsehoods or other means prohibited by law.
8. LAC 46 LIV §343(A): "The board, after due notice and hearing as set forth herein and in the Louisiana Administrative Procedure Act, R.S. 49:950 and following, may refuse to issue a license or provisional license, or may suspend, revoke, or impose probationary conditions and/or restrictions on a licensee upon finding that the licensee has violated the Practice Act, or any of the Rules promulgated by the board."
9. LAC 46 LIV §343(B): "Board orders in [a] disciplinary proceeding may require the respondent to reimburse the board in accordance with R.S. 37:2405(B)(11)."
10. LAC 46 LIV §343(C): "In placing a respondent on suspension or probation, the board may impose such additional terms, conditions and restrictions as it deems appropriate for the period of suspension or probation. The board shall specify in its order the exact duration of the suspension or probationary period. Upon finding that a respondent placed on probation has failed to comply with the terms and conditions of the board order, the board may take such additional disciplinary action as it deems appropriate, following notice and hearing."

ORDER

Pursuant to the foregoing 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:

1. Respondent's license as a physical therapist assistant (License No. A8990) shall be and is hereby **SUSPENDED** for a period of six (6) months, beginning on the date all parties sign this Consent Order. For the entirety of the suspension period, Respondent shall not participate in any physical therapy patient care services;
2. Within thirty (30) days from the date all parties sign this Consent Order, Respondent shall notify his current and former employers of his suspension and provide each with a complete copy of the Consent Order;
3. Following the suspension period set forth above, Respondent's license shall be on probation for a minimum of three (3) years, beginning with the date of the Board's reinstatement of Respondent's license. Not less than thirty (30) calendar days prior to completion of the probationary period, Respondent shall submit to the Board Executive Director in writing 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 a letter from the Board acknowledging the close of the probationary period and a final exit interview with the Board to be scheduled by the Board Executive Director:

4. During the probationary period, the Board may make random unannounced monitoring visits to Respondent's work site. In the event of a monitoring visit, Respondent shall fully cooperate with the Board representative making the visit and Respondent shall provide complete access to his 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 for expenses related to the monitoring visit as invoiced and must be paid within thirty (30) days of receipt of invoice;
5. Within the first six (6) months of the probationary period, Respondent shall complete the APTA Learning Center- Professionalism and Ethics in Physical Therapy: 4-Part Course Series. Respondent shall provide documentation in the form of a course completion certificate to the Board Executive Director within five (5) calendar days of receipt of such documentation;
6. The three-year probation period shall be extended for any period of time in which Respondent is not employed as a physical therapist assistant within the State of Louisiana and regularly working an aggregate over the month that is at least eighty (80) hours per month. If Respondent ceases to be regularly employed as a physical therapist assistant in Louisiana, he shall notify the Executive Director in writing within ten (10) calendar days of the last date he has practiced physical therapy in Louisiana. Likewise, if Respondent returns to work as a physical therapist assistant within the State of Louisiana, he shall notify the Executive Director in writing within ten (10) calendar days of his return to practice;
7. During the three-year probationary period, Respondent shall provide a copy of this Consent Order to his employer(s), direct supervisor(s), and any physical therapist(s), physical therapist assistant(s), or physical therapy technician(s) who are supervised by, 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/she has received and reviewed a copy of this Consent Order prior to Respondent providing physical therapy services. Respondent shall do this also with any new or subsequent employer(s), direct supervisor(s), physical therapist(s), physical therapist assistant(s), or physical therapy technician(s) during the probationary period;
8. During the three-year probationary period, Respondent shall not apply for nor work in any home health setting;
9. During the three-year probationary period, Respondent shall have on-site supervision by the supervising physical therapist which is to include daily face-to-face communication with the Respondent and on-premise observation of patient care in each of the Respondent's practice locations for a minimum of two (2) hours per day with a minimum of ten (10) hours per week;
10. Respondent shall pay the Board the sum of \$3,692.02 in partial reimbursement for legal and administrative expenses incurred in this matter. Failure to reimburse associated fees

will require the Board to take further action in collection of this debt. Respondent has twenty-four (24) months from the signing of this Order by all parties to reimburse the expenses before the debt will be considered final and transferred to the Louisiana Office of Debt Recovery (ODR). After transfer, the debt is subject to an additional collection fee of up to twenty-five percent (25%) of the total debt liability, as provided for in La. R.S. 47:1676(E);

11. Respondent shall comply with La R.S. 37:2415(B) and notify the Executive Director of the Board in writing and prior to a change of residence to another country, state, or jurisdiction. Upon relocation, all provisions of this Consent Order, except Paragraph 10 pertaining to reimbursement of legal and administrative expenses, are suspended until Respondent again resides within Louisiana, notifies the Executive Director of his Louisiana residence, and receives written confirmation from the Executive Director;
12. Respondent shall meet with the Board, or with the Board's representative, whenever requested during the probationary period, and shall fully cooperate in providing information and documents requested in such meetings;
13. Respondent shall have reliable access to a computer, internet, and telephone. In accordance with Board Rule §385, Respondent shall provide to the Executive Director his preferred telephone number and/or email address in writing for expedited communications regarding compliance with this Consent Order within forty-eight (48) hours of signing the Consent Order. Respondent shall reply to Board emails and telephone calls within four (4) hours of such communication. Respondent shall notify the Executive Director in writing of any change to his preferred telephone number and/or email address immediately upon such change;
14. Respondent declares that, before signing this Consent Order, he is of sound mind, 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 hearing before the Board to afford him an opportunity to present evidence that the cause for license revocation no longer exists, and he freely waives that right. 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. Further, he has had the opportunity to be represented by legal counsel in this matter and in the negotiation of this Consent Order;
15. Respondent acknowledges that his failure to comply with any term of this Consent Order is a basis for the immediate summary suspension of his license and for further disciplinary action by the Board;
16. Respondent acknowledges that this Consent Order only addresses the specific violations outlined above, and that the Board reserves the right to proceed with further disciplinary action should the Board receive new information and/or complaints, or if Respondent should have any criminal action taken against him;
17. Respondent authorizes the Investigating Board Member and legal counsel assisting the Investigating Board Member to present this Consent Order to the full Board for its consideration and to fully disclose and discuss with the Board the nature and results of the

investigation. Respondent waives any objection to such disclosures under La. R.S. 49:977.2 and expressly acknowledges that the disclosure of such information to the Board shall be without prejudice to the Investigative Board Member's authority to file a formal Administrative Complaint against him, or to the Board's capacity, as currently comprised, or any future composition of the Board, to adjudicate such Complaint, should the Board decline to approve this Consent Order. Should the Board decline to approve this Consent Order, Respondent retains all rights to due process including, but not limited to, his right to have notice of any allegations or charges against him, to administrative adjudication of such allegations or charges, and to a subsequent final decision rendered upon written findings of fact and conclusions of law;

18. Respondent acknowledges that presentation to and consideration by the Board of this Consent Order, including presented documentary evidence and information, shall not unfairly or illegally prejudice or preclude the Board, or any of its members, as the Board is currently constituted, or any future appointments to the Board, from further participation in hearings or resolution to these proceedings;
19. Respondent acknowledges that this Consent Order becomes effective only upon signature by the Board Chair; and
20. Respondent acknowledges that all communication(s) regarding compliance with and/or fulfillment of the requirements of this Consent Order shall be in writing between Respondent and the Board Executive Director. No verbal communication(s) shall be considered proof of compliance or commitment. Respondent acknowledges that it is the responsibility of the Respondent to fully comply with the Consent Order and proactively communicate with the Board Executive Director.

I, STEVEN POWELL, have read this Consent Order, understand it, and agree to be bound by its terms and conditions.


STEVEN POWELL

SWORN TO and subscribed before me, Notary Public this 28 day of April,
2025, in Lafayette, Louisiana.

William Bertrand
Notary Public ID#78339
State of Louisiana
My Commission is for Life


Notary Public

William Bertrand
Notary Name printed (# 78339)

AGREED AND ACCEPTED by official action of the Board, this 8th day of
May 2025, at Baton Rouge, Louisiana.

Louisiana Physical Therapy Board

DocuSigned by:

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Board Chair