



*Debbie Fontenot*

*Physical Therapy & Wellness*

*134 Jomela Street • P.O. Box 52424  
Lafayette, Louisiana 70503*

JMJ

March 7, 2007

Mr. Glenn R. Ducote  
2148 Government St.  
Baton Rouge, LA 70806

Re: Consent Order/Case Number 20061

Dear Mr. Ducote:

The complete records on the Mrs. Carner Falgout are enclosed. I am also sending you a copy of the cost which I sent to Cheryl Gaudin. I do not have an address for Mark Brown. Ms. Gaudin and I are searching for the documentation course.

I want to be completely compliant in this matter. Thank you for your help.

Respectfully,

  
Debra G. Fontenot, PT

cc: Mark Brown  
Cheryl Gaudin

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In the Matter of  
DEBBIE FONTENOT, P.T.  
License No. 0192  
Respondent

\* LOUISIANA STATE BOARD OF  
\* PHYSICAL THERAPY EXAMINERS  
\*  
\* Case Number 2006144

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## CONSENT ORDER

A complaint was initiated with the Louisiana State Board of Physical Therapy Examiners (Board) in June, 2006, by a patient who had received treatment by Debbie Fontenot, P.T., (Respondent) at the out-patient clinic which Respondent owns and operates in Lafayette. The patient reported that she was billed for treatments not received and that when she called to inquire about the error she was rudely treated. Patient also questioned the appropriateness and efficacy of the treatment provided by Respondent.

Ms. Fontenot was notified of the complaint and an informal conference was held at the Board office on October 25, 2006 with investigating Board member Mark Brown, Executive Director Cheryl Gaudin and Board attorney Glenn Ducote participating with Ms. Fontenot. In response to Board requests, Respondent provided billing records for services charged to the patient as her patient treatment record. She indicated that no other documentation existed or was necessary.

### FINDINGS OF FACT

1. Respondent Debbie Fontenot treated complainant for TMJ on March 2, 3 and 6, 2006.
2. Respondent's treatment records for complainant consisted of a narrative evaluation report and an itemized billing record, containing only the date, code, identification of modality and amount charged for each modality.
3. Respondent and complainant are in conflict with regard to whether whirlpool treatment was received by patient. Respondent has removed charges for those services from patient's billing.

### CONCLUSIONS OF LAW

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:

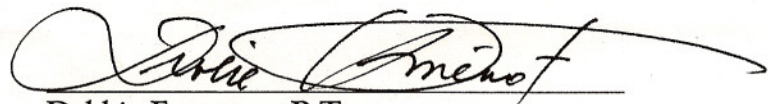
1. The Board has the authority to suspend or revoke a license which it has issued or place probationary conditions upon such license upon proof that the licensee has been guilty of unprofessional conduct. La. R. S. 37:2413A(7) and Board Rule 325.
2. Respondent's documentation of her patient's treatment did not conform with the requirements of Board Rules 323A and A(5).

DECISION

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

- A. Respondent agrees to welcome Board representatives making unannounced random monitoring visits to her clinic and to provide ready and convenient access to patient treatment records for examination to determine compliance with Board documentation requirements. Respondent shall reimburse the Board in the amount \$100 for each monitoring visit to her practice. Such monitoring visits will end one year after the effective date of this Consent Order unless the Board finds that documentation standards are still not being met, in which case the monitoring period may be extended until a record of compliance has been established.
- B. Respondent shall complete a continuing education course in treatment documentation, which course shall be approved in advance by the Executive Director. This CE course shall be completed within one year from the effective date of this Consent Order and shall be in addition to the continuing education requirements already established for license renewal.
- C. Respondent declares that, before signing this Consent Order, she has carefully read this document and freely consents to it as valid and binding upon her. She is aware of her right to a notice of hearing, to a formal administrative hearing and to judicial review of an administrative finding, and she freely waives those rights. She is aware of her right to be represented by counsel in these proceedings and she freely waives that right also.
- D. Respondent acknowledges that her failure to comply with any term of this Consent Order is a basis for further disciplinary action by the Board and that the presentation to and consideration of this Consent Agreement by the Board, 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 other resolution of these proceedings.
- E. Respondent acknowledges that this Consent Order becomes effective only upon signature by the Board Chair.

SWORN TO AND SUBSCRIBED on this 7 day of March, 2007.



Debbie Fontenot, P.T.

AGREED AND ACCEPTED by official action of the Board, the 26<sup>th</sup> day of October, 2006, at Lafayette, Louisiana.

LOUISIANA STATE BOARD OF  
PHYSICAL THERAPY EXAMINERS

  
Mark Brown, P.T., Chair



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JMJ

March 2, 2006

Patient: Carmer Falgout

Chart Number: 10137

Diagnosis: TMJ Dysfunction; Right

Onset: February 6, 2006

**History:** This 66 year old lady recalled the onset of her condition having been February 6 at which time symptoms began without provocation. She though she was experiencing severe tooth pain. After consulting with her dentist, Dr. Darah Fugetta physical therapy was recommended. She had a fall January 18 injuring her tailbone and fracturing her right wrist. She arrived here today with her referral stating that she is without medications.

**Evaluation:** Mrs. Falgout arrived here today in subacute distress explaining the nature of her chief complaints. She is experiencing 5/10 pain over the right side of her face. Initially she thought she was experiencing root decay of one of her upper teeth. This was ruled out. She stated that part of a tooth was very slightly "filed down" on the left. Symptoms persist.

Upon palpation increased tenderness are felt within the right Temporomandibular joint, orally over the right internal pterygoid within the anterior tonsillar pillars and the right mastoid process behind her ear, base of her skull. There is palpable asymmetry of movement in the jaw joints as she opens and closes her mouth without crepitation. Jaw movements are not limited though movement is slightly deviated to her right. The patient is left handed, slightly rotates her head towards the right focusing with her left eye. These symptoms do not cause her to experience headaches. At this time she is without cervical spine symptoms. Active rotation and lateral flexion were well performed without limitations of motion. Terminal hyper extension caused some right sided discomfort. Full head flexion was performed with a list to her right side. Spurling's sign is negative for cervical nerve root impingement. Distraction is negative for facet tightness. Strength in arms is good, equal and symmetrical.

**Recommendation:**

1. That this patient is given a conservative physical therapy protocol for reduction of TMJ symptomology.
2. That this patient's center of gravitational pull in the head/neck/back/pelvis is adjusted slightly to its near anatomical placements as indicated.
3. That this patient is taught jaw stretching exercises for home protocol.

Thank you Dr. Fugetta for allowing me to see and treat your patient.

Debbie Fontenot, PT

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JMJ

Patient: Carmer Falgout

Chart Number: 10137

Date: March 2, 2006

The patient received hydrotherapy, TENS to TMJ joint followed by light ultra sound, light spray/stretchers, soft tissue mobilization and active exercises to the jaw/sublingual muscles. After one and a half hour of PT she left in relaxed with less discomfort.

Debbie Fontenot, PT

Date: March 3, 2006

The patient received hydrotherapy, TENS to TMJ joint followed by light ultra sound, light spray/stretchers, soft tissue mobilization and active exercises to the jaw/sublingual muscles. After one and a half hour of PT she left in relaxed with less discomfort.

Debbie Fontenot, PT

Date: March 6, 2006

The patient received hydrotherapy, TENS to TMJ joint followed by light ultra sound, light spray/stretchers, soft tissue mobilization and active exercises to the jaw/sublingual muscles. After one and a half hour of PT she left in relaxed with less discomfort.

Debbie Fontenot, PT



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JMJ

March 17, 2006

Dr. Darah Fugetta  
229 Bender Road  
Lafayette, La 70503

Re: Carmer Falgout

Dear Dr. Fugetta:

Ms. Falgout received physical therapy on three separate occasions. Adjustments were made, home exercises were instructed and she tolerated the physical therapy protocol satisfactorily. At this time she will be discharged from my care. She was encouraged to telephone my office if she had any further questions.

I would like to thank you Dr. Fugetta for allowing me to see and treat your patient.

Respectfully,

Debbie Fontenot, PT



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JMJ

May 31, 2006

Ms. Carmer Falgout  
110 Charles Read Ave.  
Lafayette, La. 70503

Dear Ms. Falgout:

As per our telephone conversation the adjustments will be made. I do remember you getting into the whirlpool but you do not. In reference to my billing clerk billing Medicare, the first day you arrived at my office you gave us billing information with a Medicare card and supplemental insurance with USAA Life. It's understandable that you wished we billed these. I do accept assignment but if you would like to pay us in full that would be fine here.

With all due respect you were initially treated here March 2 and it's almost three months later. According to my records your referring dentist does not have a UPIN number and this might present a problem. I will discuss this with Ms. Heather, billing clerk.

Enclosed you will find a copy of my evaluation dated March 2, 2006. It is standard office procedure to evaluate all patients prior to beginning physical therapy. If your treatments here would have continued, a re evaluation of your condition would have been performed prior to a discharge note.

If you have any further questions please speak to me directly. I am the only physical therapist at this facility. I do regret my expressed displeasure on the telephone today, the accusations you made against me and my clinic's billing department are intolerable. Medicare pays a very small portion of the bills sent out electronically, preferably if I did not accept assignment you would be responsible for the costs, then you would had to have filed with your insurance companies on your own.

I do sincerely hope this satisfies your questions.

Respectfully,

Debbie Fontenot, PT