



In the Matter of	* LOUISIANA PHYSICAL THERAPY BOARD
	*
EMMANUEL ADEYANJU, PT	*
License No. 03062F	* Case Number 2014-I-026
Respondent	*

CONSENT ORDER

Emmanuel Adeyanju, PT (“Mr. Adeyanju” or “Respondent”), is licensed as a physical therapist, who, at all times pertinent hereto, was practicing physical therapy in and around the Louisiana cities of Jeanerette and New Iberia.

While investigating a complaint against another physical therapist, the Investigative Committee, (“committee”) consisting of Board Chair, Al Moreau, III, PT, Executive Director, Charlotte F. Martin and Board legal counsel, George M. Papale identified Mr. Adeyanju as a material witness in relation to the other investigation in general and, in particular, to physical therapy treatment records bearing Mr. Adeyanju’s signature. Mr. Adeyanju was contacted by the Executive Director and agreed to meet with the committee in Jeanerette, La. on June 18, 2014.

On June 18, 2012 Mr. Adeyanju met with Mr. Moreau and Mrs. Martin, reviewed the records in question, identified his signature and confirmed that the records were the records of physical therapy treatments he had provided to female patient, M. A. F. during the period of January 30, 2012 through May 3, 2012. Respondent also told the committee members that he provided the physical therapy services at the physical therapy clinic identified on the records and that he did not charge for his services because of his close relationship with the patient and her husband.

Following this meeting, the committee obtained additional records and information which raised questions about the validity of the treatment records and whether Mr. Adeyanju had provided truthful responses to the committee. The committee convened a second meeting on August 13, 2014 in New Iberia, La., which meeting Respondent attended. At the meeting Respondent initially confirmed to the committee the information he had provided earlier. The committee confronted Respondent with additional documentation and information obtained in the investigation. At the conclusion of the meeting, the committee advised the Respondent to carefully consider his responses and gave the Respondent an opportunity to contact the Executive Director in the event that he had additional information to provide.

Twenty minutes following the meeting, Mr. Adeyanju telephoned the Executive Director and admitted that he had signed the records as a favor but had not provided any treatments to M. A. F. during January 30, 2012 through May 3, 2012 as he had documented. Respondent expressed great remorse about what he had done, apologized for the extra work and expense he

caused to the Board and expressed his willingness to cooperate. Mr. Adeyanju has cooperated by providing information of the circumstances surrounding his signing the records; which information is relevant to a pending investigation.

Mr. Adeyanju acknowledged that while attending an Association meeting in Houston, Texas in 2014, he was approached by the husband of M. A. F. who told Respondent that he had provided the physical therapy treatments to his wife for injuries she sustained in a motor vehicle accident. He also told Respondent that because there was a pending lawsuit involving the accident, he did not think it would be good to have his name on the treatment records as the physical therapist. Based on those representations, Respondent agreed to sign the treatment records as requested by the other physical therapist. Respondent denied receiving any compensation in connection with his signing the records.

FACTUAL BASIS FOR CONSENT ORDER

Respondent has acknowledged documenting physical therapy services which he did not provide and providing false information to an Investigative Committee of the Board.

Predicated upon the information outlined above, the Committee has determined that reasonable cause exists for recommending that a formal Administrative Complaint be filed against Emmanuel Adeyanju, PT charging him with the following violations the Physical Therapy Practice Act and Board Rules.

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.

Respondent'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 of physical therapy:

1. The Board has authority to suspend or revoke a license which it has issued, or place probationary conditions on such license, upon proof that conduct of the licensee is violative of the Louisiana Physical Therapy Practice Act or Rules of the Board. La. R. S. 37:2420 A and Rule §343.
2. Pursuant to Board Rule §341 B, a physical therapist shall maintain accurate patient treatment and billing records and shall not falsify such records and violation of this Rule subjects the physical therapist to disciplinary action under La. R. S. 37:2420 A 1.
3. Pursuant to Board Rule §345, a physical therapist who engages in unprofessional conduct, as further specified in Rule §345 B 10 and as provided for by the APTA Code of Ethics, by making or participating in any communication which is false or which contains a false or misleading statement or claim is subject to disciplinary action under La. R.S.

37:2420 A 1 & 7.

4. Pursuant to Rule §345 B 1 “unprofessional conduct” as used in the Practice Act includes: departure from, or failure to conform to the standards of acceptable and prevailing physical therapy practice in the State of Louisiana, regardless of whether actual injury to a patient results therefrom.
5. Respondent’s conduct, as specified in the Factual Basis for Consent Order, violates Board Rules §§341 B and 341 B 10 and constitutes unprofessional conduct; and, accordingly, violates La. R. S. 37:2420 A (1) and (7) of the Practice Act.

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 a quorum agree as follows:

- A. Respondent’s license as a Physical Therapist is hereby placed on probation for a period of thirty (30) months beginning with the date this Consent Order is agreed and accepted as an action of the Board;
- B. Respondent shall pay the Board the sum of \$3000.00 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 months of his probation;
- C. Respondent shall fully cooperate with the Board representatives making random unannounced monitoring visits to his work sites and shall provide complete access to his employment and/or business records, patient treatment records, and all other documentation, and shall reimburse the Board \$150.00 for each such monitoring visit;
- D. 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;
- E. Respondent shall notify the Executive Director in writing of all employment and/or contractual service arrangements which he has to work as a physical therapist and shall update the Executive Director in writing within five days of any and all changes in such arrangements;
- F. Respondent shall provide a copy of this Consent Order to his employer(s) before providing services to that employer and shall have the employer(s) notify the Executive Director in writing that he/she has received and reviewed a copy of this Consent Order; Respondent shall do this also with any new or subsequent employer(s) during his probationary period;

- G. The thirty (30) month probationary period shall be extended for any period of time in which the Respondent is not actively practicing physical therapy as a physical therapist within the State of Louisiana and regularly working at least 20 hours per week as such. If Respondent ceases to be actively practicing as a physical therapist in Louisiana, he shall notify the Executive Director in writing within 10 days of the last day on which Respondent has practiced physical therapy in Louisiana. Likewise, if Respondent returns to the practice of physical therapy within the State of Louisiana, he shall notify the Executive Director in writing within 10 days of his return to practice;
- H. Respondent shall, during each of the first two (2) years of probation, complete continuing education courses in Professional Ethics (4 hours), Documentation (4 hours), Documentation course related to Fraud (4 hours), and Jurisprudence (2 hours, Live) in addition to the thirty (30) hours of Board-approved continuing education courses or activities required in the biannual renewal period under Rule §194. The above specified courses shall be approved in advance in writing by the Executive Director. Respondent shall provide documentation of course completion to the Executive Director within five (5) days of receipt of such documentation;
- I. Respondent shall write an essay of no less than 750 words explaining how his conduct violated the Practice Act and Board Rules and what he may have learned as a result of this disciplinary process. This essay shall be submitted to the Board Executive Director no later than January 19, 2015;
- J. Respondent declares that, before signing this Consent Order, he has carefully read the document, that he has had ample opportunity for review of same with legal counsel, that he understands the contents, and freely consents to it as valid and binding upon him. Recognizing his right to have notice of allegations or charges asserted against him in a written administrative complaint, to have administrative adjudication of such allegations or charges pursuant to La. R. S. 49:955-958, and to a subsequent final decision rendered upon written findings of fact and conclusions of law, judicial review and appeal; Emmunuel Adeyanju nonetheless waives all of these rights and proceedings and, pursuant to La. R. S. 49:955 D and Board Rule § 335, agrees to the entry of this Consent Order;
- K. Respondent authorizes the Board Member, Al Moreau, III, PT and legal counsel assisting the Board Member, to present this Consent Order to the full Board for its consideration and to fully disclose to, and discuss with, the Board the nature and results of the investigation. Respondent waives any objection to such disclosure under La. R. S. 49:960 and expressly acknowledges that the disclosure of such information to the Board shall be without prejudice to the Board Member's authority to request the filing of a Formal Administrative Complaint against him, or the Board's capacity to adjudicate such Complaint should the Board decline to approve this Consent Order. Should the Board declined to approve this Consent Order, Respondent retains all rights to due process including, but not limited to, his right to have written notice of any allegations or charges asserted against him, to administrative adjudication of all such allegations or charges, and to a subsequent final decision rendered upon written findings of fact and conclusions of

law and thereafter to judicial review and appeal as in civil cases;

- L. Respondent acknowledges that his failure to comply with any term of this Consent Order is a basis for immediate summary suspension of his license and for further disciplinary action by the Board. The presentation to and consideration by the Board of this Consent Agreement, including presented documentary evidence and information, shall not unfairly or a legally prejudice or preclude the Board, or any of its members, from further participation in hearings or resolution to these proceedings; and
- M. Respondent acknowledges that this Consent Order becomes effective only upon signature by the Board Chair.
- N. All communication 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 shall be considered as proof of compliance with or fulfillment of any term or condition of this Consent Order.

NOTE: The original of this Consent Order, signed by Emmanuel Adeyanju, PT before a Notary Public, was delivered to the Board Office on November 17, 2014. The Consent Order was accepted by the Board on December 4, 2014 and signed by the Board Chair. Thereafter, the Consent Order was misplaced and, after diligent search, could not be located. Therefore, the parties execute this Consent Order, nunc pro tunc, to replace the original Consent Order. By their signatures below, the parties agree to the Consent Order and all of its terms and conditions with an effective date of December 4, 2014.


Emmanuel Adeyanju, PT

SWORN TO AND SUBSCRIBED on this 9th day of July, 2015
before me, Notary Public, at New Iberia, Louisiana


NOTARY PUBLIC

AGREED AND ACCEPTED by official action of the Board, the _____ day of _____, 2015, at Lafayette, Louisiana

LOUISIANA PHYSICAL THERAPY BOARD
