
In the Matter of

* LOUISIANA PHYSICAL THERAPY BOARD

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JEREME JOHNSON, PT

PT License No. 08028

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Respondent

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Case Number 2011 I 026

CONSENT ORDER

After graduating from St. Augustine School of Physical Therapy, Respondent applied for a temporary permit to practice physical therapy in Louisiana on April 27, 2011 and then went to work at LaSalle General Hospital on May 2, 2011. Neither his supervising physical therapist, Kevin Mayo, nor the facility where he worked took any steps to verify Respondent's licensure before putting him to work treating patients.

Respondent took his examination on May 17, 2011 and reported on May 27, 2011 to be interviewed by a Board member as required of all applicants by Rule 125I. In that interview, Board Member Dan Wood learned that Respondent had not received a temporary permit but had been working for most of the month of May. This problem was then reported by the Board member and a complaint was initiated by the Board regarding Respondent's practicing without a license or permit.

Respondent was requested to attend an Informal Conference on July 21, 2011 at the Board office. Participating in that conference were Board member Dee Cochran, Executive Director Cheryl Gaudin and Board counsel Glenn Ducote. Respondent acknowledged that he had begun treating physical therapy patients on May 2 and had done so on sixteen days prior to being issued a permanent license on May 27, 2011. He further acknowledged that he received no instruction on the Louisiana Board requirements for licensure while attending St. Augustine and that he had never read the Louisiana rules provisions for obtaining a license.

FINDINGS OF FACT

Respondent practiced physical therapy without a license from May 2, 2011 to May 27, 2011 and took the NPTE prior to completing the requirements for applicants as set forth in Rule 125.

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 or has violated the Practice Act of Rules of the Board. La. R. S. 37:2420A and Board Rule 325.

2. La. R.S. 37:2408A provides: "No person shall practice, or in any way hold himself out, or designate himself, as a physical therapist or a physical therapist assistant unless licensed by the board."

3. La. R.S. 37:2420A provides that after due proceedings the Board may refuse to license an applicant or may restrict, suspend or revoke a license when it is proved that a person practiced physical therapy in violation of the Practice Act, the Rules of the Board or the standards of practice.

4. Rule 307A provides: "No person shall engage in the practice of physical therapy in the state of Louisiana unless he has in his possession a current license or temporary permit duly issued by the Board under Chapter 1 of these rules."

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

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's license as a physical therapist is placed on probation for one year, beginning September 15, 2011, during which period his employment records, place of employment, patient treatment and billing records will be subject to random inspection and review for full legal compliance by a designated Board representative. Respondent and his employers are required to cooperate fully with these monitoring visits. During this one year probationary period, Respondent shall remit to the Board \$150 as reimbursement for the expenses of each such monitoring visit to his practice.

B. The one-year probationary 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 twenty hours per week as such. If Respondent ceases to be regularly employed as a physical therapist in Louisiana, he shall notify the Executive Director in writing within ten days of the last date Respondent has practiced physical therapy in Louisiana. Likewise, if Respondent returns to work as a physical therapist within the State of Louisiana, he shall notify the Executive Director in writing within ten days of his return to practice.

C. Respondent shall obtain from LaSalle General Hospital documentation that all fees or charges made for his services as a physical therapist prior to the time a duly-issued license or permit was issued to him by the Board have been refunded or reversed and will provide that documentation to the Board.

D. During his probationary period, Respondent shall complete a continuing education course in professional ethics, which course shall be approved in advance by the Board Executive Director. This course shall be in addition to those CE courses required to maintain licensure.

E. Respondent shall write an essay of no less than 1,000 words comparing and contrasting the regulations of physical therapy practice in Louisiana with those of Florida where he obtained his physical therapy education. This essay shall be submitted to the Board Executive Director no later than November 1, 2011.

F. 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.

G. 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 she/he 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.

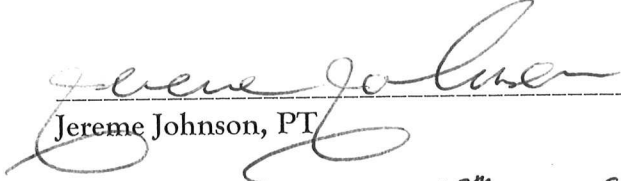
H. Respondent declares that, before signing this Consent Order, he has carefully read this document, that he waives the participation of legal counsel, that he understands the contents, and freely consents to it as valid and binding upon him. Recognizing his right to have notice of allegations or charges asserted against him, to 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, Jereme Johnson nonetheless waives these rights and proceedings and, pursuant to La. R.S. 49:955D and Board Rule 335, agrees to entry of this Consent Order.

I. Respondent authorizes Investigating Board Member Dee Cochran and legal counsel assisting the Investigating 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 disclosures under La. R.S. 49:960 and expressly acknowledges that the disclosure of such information to the Board shall be without prejudice to the Investigating Board Member's authority to file a formal Administrative Complaint against him, or to the Board's capacity 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 asserted 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.

J. Respondent acknowledges that this Consent Order becomes effective only upon signature by the Board Chair and recognizes that his failure to comply with any term of this Consent Order is a basis for further disciplinary action by the Board.

K. **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 or commitment.**

SWORN TO AND SUBSCRIBED on this 24 day of September, 2011.



Jereme Johnson, PT

AGREED AND ACCEPTED by official action of the Board, the 15th day of September, 2011, at Lafayette, Louisiana.

LOUISIANA PHYSICAL THERAPY BOARD



Jerry Jones, PT, Chairman