



Jeff Landry
Governor

State of Louisiana
Department of Health and Hospitals

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

Louisiana Physical Therapy Board

IN THE MATTER OF

GRETCHEN DUPLANTIS

LICENSE NO. 04772F

And

IN THE MATTER OF

GRETCHEN DUPLANTIS

LICENSE NO. 04772F

NUMBER 2014-I-004

NUMBERS 2019-I-002 AND 2020-I-006

CONSENT ORDER

GRETCHEN DUPLANTIS ("Ms. Duplantis" or "Respondent") is a Physical Therapist ("PT"), as evidenced by License No. 04772F, 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 relative to Complaint Numbers 2014-I-004, 2019-I-002, and 2020-I-006.

FACTUAL BASIS FOR CONSENT ORDER

1. Respondent received her Physical Therapist license, number 04772F, on or about March 28, 2001.
2. On February 19, 2014, the Board received a complaint alleging numerous violations by Ms. Duplantis of the Louisiana Physical Therapy Practice Act ("Practice Act") and Board Rules and Regulations ("Rules") including, but not limited to, drug use, treating patients while under the influence, lack of/inadequate patient records, physical therapy technicians

treating patients without supervision, and fraudulent billing ("Complaint No. 2014-I-004"). At the time the complaint was received, Ms. Duplantis owned and operated her own physical therapy clinic, Spine & Body, LLC.

3. Respondent had not previously been the subject of any Board disciplinary complaints.
4. An investigative committee was formed, comprised of the Board Executive Director, a Board Attorney, and a Board Member, to investigate the allegations within Complaint No. 2014-I-004.
5. During the course of the investigation several witnesses were interviewed, documents were subpoenaed, and, after lawful service and notice, Informal Conferences were held. The information gathered revealed multiple violations of the Practice Act and Board Rules.
6. On or about March 10, 2014, an Informal Conference was held at the Board Office in Lafayette, Louisiana. Respondent and all members of the Investigative Committee were present. Respondent arrived thirty (30) minutes late to the Informal Conference and repeatedly denied all allegations, including, but not limited to, illegal drug use, treating patients under the influence, and failure to supervise technicians. It was determined that the information provided by Respondent at the Informal Conference was false and misleading.
7. Effective March 10, 2014, Respondent voluntarily agreed to sustain from the practice of physical therapy until the Board adjudicated Complaint No. 2014-I-004, and she ceased operating her physical therapy clinic, Spine & Body, LLC.
8. Physical therapy and billing records subpoenaed relative to Complaint No. 2014-I-004 revealed that Respondent repeatedly billed for physical therapy services she did not provide.
9. Respondent billed Medicare for physical therapy services that were not provided to patient M.R.G. on the following dates: 9/3/2013, 9/5/2013, 9/6/2013, 9/9/2013, 9/10/2013, 9/12/2013, 9/16/2013, 9/17/2013, 9/24/2013, 9/26/2013, 10/1/2013, 10/3/2013, 10/29/2013, 10/31/2013, 11/5/2013, 11/7/2013, 11/12/2013, 11/14/2013, 11/19/2013, 11/21/2013, 11/25/2013, 11/27/2013, 12/3/2013, 12/5/2013, 12/10/2013, 12/17/2013, 12/19/2013, 12/23/2013, and 12/30/2013. Ms. Duplantis fraudulently billed Medicare for all "treatment" dates.
10. Respondent also fraudulently billed patient B.R. and/or B.R.'s insurance for physical therapy services that were not provided on the following twenty-two dates: (22) dates: 5/22/2013, 5/23/2013, 5/24/2013, 8/15/2013, 10/9/2013, 10/14/2013, 10/15/2013, 10/16/2013, 10/17/2013, 10/18/2013, 10/21/2013, 11/6/2013, 11/8/2013, 11/15/2013, 11/22/2013, 11/29/2013, 12/13/2013, 12/20/2013, 12/23/2013, 12/27/2013, 12/30/2013, and 12/31/2013. Respondent fraudulently billed on twenty (20) of the (22) dates. On these dates Respondent billed for three (3) units of Manual Therapy, (4) units of Therapeutic Exercise, three (3) units of Therapeutic Activities, three (3) units of Neuromuscular Re-Education, and three (3) units of Gait Training.
11. In addition, Respondent fraudulently billed patient C.R.'s insurance company for physical

therapy services that were not provided on the following forty-eight (48) dates: 10/1/2013, 10/2/2013, 10/3/2013, 10/4/2013, 10/7/2013, 10/8/2013, 10/9/2013, 10/10/2013, 10/11/2013, 10/14/2013, 10/15/2013, 10/16/2013, 10/17/2013, 10/18/2013, 10/21/2013, 10/22/2013, 10/23/2013, 10/24/2013, 10/25/2013, 10/28/2013, 10/29/2013, 10/30/2013, 10/31/2013, 11/1/2013, 11/4/2013, 11/5/2013, 11/6/2013, 11/7/2013, 11/8/2013, 11/11/2013, 11/12/2013, 11/13/2013, 11/14/2013, 11/15/2013, 11/18/2013, 11/19/2013, 11/20/2013, 11/21/2013, 11/22/2013, 11/25/2013, 11/26/2013, 11/27/2013, 11/29/2013, 12/2/2013, 12/3/2013, 12/4/2013, 12/5/2013, and 12/6/2013.

12. Scheduling records subpoenaed from Respondent's office from May 1, 2013 through December 31, 2013 disclose that Respondent provided physical therapy services to numerous patients including, but not limited to, patients P.B., D.K., H.D., G.R., G.P., J.H., E.K., J.S., M.I., L.H., C.L., B.R., R.W., J.L., C.R., T.P., B.P., J.R., B.M., W.M.W., L.S., J.H., S.G., L.H., S.M., D.M., T.D., R.M., A.H., K.M., A.M., P.C., P.C., B.H., R.M.G., and K.H.. The subpoena further required Respondent to produce physical therapy treatment records showing services provided to these patients. Respondent did not produce physical therapy records for the requested patients. Furthermore, Respondent disclosed that she did not possess and could not produce the physical therapy records for the thirty-six (36) patients who received physical therapy services.
13. Physical therapy records produced by Ms. Duplantis were incomplete and below standard. The physical therapy records of S.G., W.M.W, and A.H. failed to contain written prescription or referral, daily treatment notes for all treatment dates, and discharge summaries. In addition, daily treatment notes included in the record did not include changes in objective status and there was no progression in treatment logs. Finally, neither the physical therapy record of W.M.W., nor the record of A.H. contained goal revisions within the re-evaluation.
14. Respondent instructed physical therapy technicians to falsify physical therapy records by utilizing billing records, schedules, or dates provided by Respondent to create patient records weeks after treatment. Respondent instructed technicians to copy the last page in the physical therapy record for each date added to the physical therapy record.
15. On May 2, 2014, Respondent voluntarily entered, participated in, and subsequently completed an intensive inpatient substance abuse program at Palmetto Addiction Recovery Center ("PARC"), which program was specifically tailored to treating professionals battling substance abuse addiction.
16. On or about July 17, 2014, Respondent contacted the Board Executive Director, Charlotte Martin, by telephone from PARC to self-report drug abuse. Following her admission, Respondent participated in an Informal Conference held on July 23, 2014. At the Informal Conference, Ms. Duplantis cooperated with requests of the Investigative Committee to sign an agreement to abstain, produce records previously requested by subpoena, and provide medical releases for multiple treatment facilities.
17. Review of PARC treatment records revealed that Respondent was first treated for drug addiction, specifically opioid dependence, in 2002. Following treatment, she successfully remained sober for nine (9) years. Respondent relapsed on sedatives in 2011. She sought treatment at Sierra Tuscon, located in Tuscon, AZ, and remained sober for one (1) year. In

2012, Respondent began abusing Xanax, Oxycodone, and Adderall. From May 2, 2014 through July 15, 2014, Respondent received intensive inpatient treatment at PARC.

18. In her physical therapy license renewal applications submitted in 2002 and 2003, Respondent answered "no" to the question: "Are you currently engaging, or within the past year have you engaged, in the abuse of alcohol and/or illegal use of drugs or controlled dangerous substance? If yes, please explain." Also within the 2002 and 2003 physical therapy license renewal applications, Respondent answered "no" to the question: "Are you currently participating in a supervised rehabilitation program or professional assistance program with regards to the abuse of alcohol and/or illegal use of drugs or controlled dangerous substances? If yes, please explain. If you have participated in such a program within the past year, please explain."
19. Respondent intentionally provided false and misleading information on her 2002 and 2003 physical therapy license renewal applications.
20. In her 2011 physical therapy license renewal application, submitted on December 31, 2011, and in the 2013 physical therapy license renewal application, submitted on March 25, 2013, Respondent answered "no" to the question: "Are you currently engaging, or within the past year have you engaged, in the abuse of alcohol and/or illegal use of drugs or controlled substances? If yes, please explain below." Also within the 2011 and 2013 physical therapy license renewal applications, Respondent answered "no" to the question: "Are you currently participating in a supervised rehabilitation program or professional assistance program with regards to the abuse of alcohol and/or illegal use of drugs or controlled dangerous substances? If yes, please explain."
21. Respondent intentionally provided false and misleading information on her 2011 and 2013 physical therapy license renewal applications.
22. Ms. Duplantis treated numerous patients while under the influence of mood-altering substances. In addition, during this time, Respondent, the supervising physical therapist of record, failed to manage the care of her patients, failed to train and keep required documentation for the physical therapy technicians under her supervision, and frequently instructed physical therapy technicians to treat patients while she was not on the premises.
23. At all times relevant, Respondent failed to treat patients as is dictated by the physical therapy standard of care and failed to exercise sound professional judgement.
24. After proper notice, an administrative hearing in Complaint No. 2014-I-004 was held on March 17, 2016, where Respondent was present and represented by her attorney, Michael Fiser.
25. Following the presentation of testimony and other evidence, the Board concluded that Respondent violated La. R.S. 37:2420 (A) (7), as defined by Board Rule §345(B)(1) and Board Rule §345(B)(10); Board Rule §373(A)(8) and Board Rule §373(A)(11); Board Rule §341 and Board Rule §345(B)(3); La. R.S. 37:2420(A)(5), as defined by Board Rule §351(A)(2) and Board Rule §345, all as more fully set forth in the Board's Findings of Fact and Conclusions of Law dated April 26, 2016 (the "2016 Board Order").

26. As a result, the Board imposed sanctions, terms, conditions, and restrictions upon Respondent's physical therapy license, including but not limited to a three-year license suspension beginning March 10, 2014, followed by a five-year probationary period, during which Respondent was required to be supervised and participate in the Recovering Physical Therapy Program ("RPTP"), all as more fully set forth in the 2016 Board Order. The 2016 Board Order also required Respondent to reimburse the Board for all costs associated with the administrative hearing and investigation expenses in Complaint No. 2014-I-004.
27. The 2016 Board Order also contained the following language: "The probationary period shall be extended for any period of time in which the Respondent is not employed as a Physical Therapist within the State of Louisiana and regularly working at least twenty (20) hours each week as such. If Respondent ceases to be regularly employed as a Physical Therapist in Louisiana, she shall notify the Executive Director in writing within ten (10) days of the last day she has practiced physical therapy in Louisiana. Likewise, if Respondent returns to work as a Physical Therapist within the State of Louisiana, she shall notify the Executive Director in writing within ten (10) days of her return to practice."
28. On or about January 27, 2015, in Criminal Action No. 15-9-JJB-SCR, in the United States District Court for the Middle District of Louisiana, in the matter of *United States of America v. Gretchen Duplantis*, Respondent was charged with two (2) counts of health care fraud.
29. On or about March 8, 2017, Respondent entered into a Participation Agreement with the RPTP (the "Participation Agreement"), pursuant to the 2016 Board Order and following the three-year suspension of her license.
30. On August 16, 2018, Respondent pled guilty to two (2) felony counts of health care fraud in violation of 18 U.S.C. 1347 in the matter of *U.S. v. Gretchen Duplantis*, Criminal Docket No. 15-00009, United States District Court, Middle District of Louisiana.
31. The guilty plea resulted from a plea agreement signed by Respondent on November 26, 2014 ("Plea Agreement"). According to the Plea Agreement, the guilty plea was based on the following factual basis:

Throughout the relevant period, Spine and Body, LLC ("Spine and Body") was a physical therapy clinic located in Baton Rouge, Louisiana and, as of 2011, was registered as a Louisiana Limited Company. Specifically, Spine and Body purportedly offered one-on-one treatment to individual patients consisting of manual therapy designed to develop strength and endurance, range of motion, flexibility, balance, coordination, kinesthetic sense, and posture and proprioception for sitting and standing activities. GRETCHEN DUPLANTIS, a resident of Prairieville, Louisiana, was the owner, operator, and managing employee of Spine and Body, and was the sole physical therapist in its employ.

Beginning in or around March 2012 and continuing through in or around March 2014, DUPLANTIS, through Spine and Body, submitted fraudulent claims to Medicare and Blue Cross Blue Shield of Louisiana (BCBSLA) for physical therapy treatments she purportedly provided to individuals at the clinic. Specifically, DUPLANTIS (1) billed Medicare and BCBSLA for therapy sessions purportedly performed on current patients where the patients received no such treatment; (2) billed BCBSLA for therapy sessions purportedly performed

on employees of Spine and Body who received no such therapy; and (3) failed to personally provide one-on-one therapy to patients as billed to Medicare and BCBSLA, instead directing unlicensed employees to provide the physical therapy treatments to patients.

For instance, on or about May 23, 2013, DUPLANTIS submitted claim number ending in 9800 to Medicare, totaling approximately \$770, purporting to have provided numerous physical therapy services to patient M.G., when in fact services had not been provided as billed. Similarly, on November 22, 2013, DUPLANTIS submitted claim number ending in 2400 to BCBSLA, totaling approximately \$675, purporting to have provided numerous physical therapy services to patient T.P., when in fact no such services had been provided.

Moreover, in order to support the fraudulent claims submitted to Medicare and BCBSLA, DUPLANTIS instructed Spine and Body employees to create false treatment notes for the alleged therapy sessions by duplicating existing treatment notes in the patients' files. From March 2012 and continuing through March 2014, DUPLANTIS, through Spine and Body, submitted approximately \$1,666,918 in claims to Medicare and BCBSLA and was paid \$471,629.36 based on such claims. During this time period, no less than \$200,000 in claims submitted to Medicare and BCBSLA was fraudulent.

32. As a result of the Plea Agreement, the Department of Justice agreed to bring no additional criminal charges related to the violations contained in the Bill of Information.
33. The sentence imposed by the federal court for the criminal convictions was imprisonment for a total term of nine (9) months on Counts 1 and 2, to run concurrently; with supervised release for two (2) years on Counts 1 and 2, to run concurrently; in addition to assessment in the amount of \$200.00 and restitution in the amount of \$73,301.75.
34. Respondent was incarcerated from January 14, 2019 to October 11, 2019, and placed under supervised release as a result of the federal criminal conviction for two (2) years following October 11, 2019.
35. Due to her incarceration, Respondent ceased employment as a physical therapist in Louisiana on January 11, 2019, and did not resume such employment until December 2, 2019.
36. Respondent's guilty plea was assigned Board Complaint No. 2019-1-002. The facts underlying the guilty pleas and felony conviction for health care fraud in Complaint No. 2019-I-002 were, in a limited fashion, included as part of the factual allegations considered in the hearing before the LPTB which resulted in the 2016 Board Order. However, the 2016 Board Order only concerned fraudulent activity and related violations that occurred in 2013. In the Plea Agreement, which the LPTB did not have at its hearing in 2016, Respondent admitted to fraudulent billing and related crimes over a two-year period from March 2012 to March 2014. The 2016 Board Order also concerned other professional violations and habitual intemperance.
37. By letter dated October 15, 2019, Respondent was offered the opportunity to participate in an informal hearing conference scheduled for November 5, 2019, regarding the allegations addressed in Complaint No. 2019-I-002. By letter dated October 28, 2019, Respondent was offered the opportunity to participate in an informal hearing conference on November 7,

2019. Respondent attended the informal conference on November 7, 2019, with her attorney, Michael Fiser.

38. By letter dated February 28, 2020, from the United States Department of Health and Human Services, Office of Inspector General, Ms. Duplantis was notified that she was to be excluded from participation in any capacity in Medicare, Medicaid, and all Federal Health care programs as defined in Section 1128B(f) of the Social Security Act, effective 20 days from February 28, 2020, as a result of Ms. Duplantis' felony conviction in the United States District Court, Middle District of Louisiana.
39. A Board complaint related to the February 28, 2020 letter was initiated and assigned Complaint No. 2020-1-006.
40. The expulsion from all Federal health care programs addressed in Complaint No. 2020-I-006 is the result of the felony conviction that is the subject of Complaint No. 2019-1-002.
41. After her sentence of incarceration, Respondent returned to employment as a physical therapist on December 2, 2019. That employment ceased in March 2020 as a result of her exclusion from participation in federal healthcare programs under the Social Security Act.
42. Respondent voluntarily underwent a one-day addictive disease evaluation at PARC on February 19, 2020, which included a physical examination, an addiction medicine assessment, psychiatric evaluation, laboratory testing, and psychological testing and evaluation. Such evaluation reported that she is in remission of severe opioid dependence. The report references her six years of documented sobriety and current monitoring by both her federal parole officer and the LPTB, both of which do random urine drug screens, all of which have been negative. The urine drug screen, hair test and routine laboratory test completed during the one-day evaluation at PARC were unremarkable.
43. The PARC multidisciplinary team stated in the report that they believe that Respondent could continue to practice physical therapy with skill and safety at this time without further treatment for substance use disorders provided the following conditions are met:
 - a. Continue the current monitoring program with the Louisiana Physical Therapy Board with any violations of contract or positive drug screens to result in further inpatient evaluation; and
 - b. Continue participation in the program of Alcoholics Anonymous and sponsorship in that program, and attend a minimum of three AA meetings per week with regular contact with her sponsor.
44. By letter dated June 15, 2020, Respondent was given the opportunity to participate in an informal hearing conference scheduled for July 7, 2020, in Complaint No. 2020-I-006. Respondent attended the informal conference on July 7, 2020 with her attorney, Michael Fiser.
45. On August 6, 2020, the Board Office sent Respondent an Administrative Complaint in Complaint Numbers 2019-I-002 and 2020-I-006, and provided a Notice of Hearing in

Complaint Numbers 2019-I-002 and 2020-I-006, to be heard before the Board on September 24, 2020.

46. On or about September 22, 2020, the Notice of Hearing and Administrative Complaint were amended to correct text deletions in the original Administrative Complaint caused by copying errors.
47. After proper notice, an administrative hearing in Complaint Numbers 2019-I-002 and 2020-I-006 was held on September 24, 2020, where Respondent was present and represented by her attorney, Michael Fiser.
48. Following the presentation of evidence at the hearing on Complaint No. 2019-I-002 on September 24, 2020, the Board concluded that Respondent violated La. R.S. 37:2420(A) (4) and Board Rule §345(B)(7), all as more fully set forth in the Board's Findings of Fact, Conclusions of Law and Board Order dated November 20, 2020 (the "2020 Board Order").
49. As a result, the Board imposed sanctions, terms, conditions, and restrictions upon Respondent's physical therapy license, including but not limited to a one-year license suspension, followed by probation for the completion of the probationary period ordered in the 2016 Board Order, with the probation to be continued for an additional six (6) month period and subject to the same terms and conditions as the 2016 Board Order, all as more fully set forth in the 2020 Board Order. The 2020 Board Order also required Respondent to pay all costs for the investigation and proceeding in Complaint No. 2019-I-002 and the costs remaining due as set forth in the 2016 Board Order.
50. The Board ordered no further discipline based on the evidence presented relative to Complaint No. 2020-I-006.
51. At its regularly scheduled meeting on January 27, 2021, and pursuant to written notice, the Board held a hearing via Zoom teleconference relative to a Motion for Reconsideration filed by Respondent on November 30, 2020. Respondent's Motion requested that the 2016 Board Order's requirement of continuous supervision be lifted and that the effective date of her suspension period, as set forth in the 2020 Board Order, be modified. Respondent appeared at the hearing with her attorney, Heather Duplantis.
52. Following the hearing and by signed order dated February 16, 2021, the Board denied Respondent's request that the 2016 Board Order's requirement of continuous supervision be lifted. The Board granted Respondent's request that the effective date of her suspension period, as set forth in the 2020 Board Order, be modified to be effective as of September 24, 2020.
53. At its regularly scheduled meeting on October 13, 2021, the Board determined that Respondent had completed the suspension requirements of the Board's orders. By email dated October 14, 2021, the Board office notified Respondent that her license status had been changed to probation, and reminded her that as part of her order requirements, she needed to resume RPTP compliance, including checking in and testing.
54. On July 9, 2024, the Board Office sent notice to Respondent that she was not in compliance with the 2016 Board Order and her Participation Agreement. Specifically:

- a. On June 17, 2024, she failed to check-in to her Affinity account and missed a scheduled drug screen.
 - b. On June 19, 2024, the RPTP Manager contacted her via Affinity messaging stating that she had missed a drug screen and asked if she had an explanation.
 - c. On June 19, 2024, Respondent replied via Affinity messaging stating, in part: "I forgot to check in Monday Morning. It wasn't my usual morning with work, so I forgot. How can I have missed a drug screen if I didn't even check in?"
 - d. On June 20, 2024, the RPTP Manager replied via Affinity messaging stating: "Dear Ms. Duplantis, There are two ways to miss a drug screen. First, you can have a missed drug screen by failing to check-in to receive notification. The second is to check-in, receive notification, but fail to submit a specimen. Both would result in a 'No Show'. Sincerely, Kathie Pohlman."
55. The July 9, 2024 notice advised Respondent that due to her noncompliance, she would be required to undergo a fitness for duty evaluation by an independent evaluator, recognized by the LPTB-RPTP, prior to her return to the practice of physical therapy.
 56. On July 17, 2024, counsel for Respondent contacted the Board's prosecutor, James Raines, to request the Board's review of the 2016 Board Order and the 2020 Board Order. Respondent sought an end to the terms of her discipline under the Board's orders, asserting that she could not satisfy them due to the restrictions they imposed on her employability. Specifically, Respondent represented that she was unable to secure employment that provided continuous supervision, while under her current restriction from participation in any capacity in Medicare, Medicaid, and all Federal Health care programs, and thereby complete the probationary period imposed by the Board's Orders. By agreement of the parties, the matter was placed on the Board's agenda for its December 11, 2024 meeting.
 57. Respondent was a "No Show" or missed check-ins for RPTP monitoring on 9/19/2024, 9/25/2024, 10/02/2024, 10/03/2024, 10/04/2024, 10/05/2024, 10/06/2024, 10/07/2024, 10/08/2024, 10/09/2024, 10/10/2024, 10/11/2024, 10/12/2024, 10/13/2024, 10/14/2024, 10/15/2024, 10/16/2024, 10/17/2024, 10/18/2024, 10/19/2024, 10/20/2024, 10/21/2024, 10/22/2024, 10/23/2024, 10/24/2024, 10/25/2024, 10/26/2024, 10/27/2024, 10/28/2024, 10/29/2024, 10/30/2024, and 10/31/2024.
 58. On November 25, 2024, counsel for Respondent filed a "Motion to Declare That Gretchen Duplantis Has Satisfied Terms of Board Disciplinary Orders" and requested that the matter be placed on the Board's agenda for its December 11, 2024 meeting.
 59. On December 11, 2024, the Board took up Respondent's Motion for consideration. Following the presentation of testimony and evidence, and after discussing the matter in executive session, the Board voted to offer a Consent Order to Respondent to resolve the outstanding terms of the 2016 Order and the 2020 Order while protecting the public health, safety, and welfare and providing a practical pathway for Respondent to return to practice.

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 her 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 . . . (4) Been convicted of a felony in the courts of any state, district, territory, or country. Conviction, as used in this Paragraph, shall include a plea or verdict of guilty, an admission or finding of guilt, or a plea of nolo contendere . . . (5) Been habitually intemperate or abused controlled dangerous substances as defined by federal or Louisiana law . . . (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 §341: "A. written record of physical therapy treatment shall be maintained for each patient. A complete record shall include written documentation of prescription or referral (if such exists), initial evaluation, treatment(s) provided, PT/PTA conferences, progress notes, reevaluations or reassessments, and patient status at discharge all as defined in §123 . . . B. A licensee shall maintain accurate patient treatment and billing records and shall not falsify, alter, or destroy such records, the result of which would be to impede or evade investigation by the board or other lawful authorities."
3. 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."
4. LAC 46 LIV §345(B): "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 . . . (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 licensees practice or otherwise, regardless of whether actual injury to a patient results therefrom . . . (2) improperly delegating or supervising—a PT retains responsibility to his patient for the training, delivery and results of physical therapy services rendered to his patient. A PT shall not: a. delegate professional, physical therapy, or, if applicable, physical therapist assistant responsibilities to a person the PT or PTA knows, or has reason to know, is not qualified by education, training, experience or licensure to perform the function or responsibility involved; or b. fail to exercise appropriate supervision over a person who is authorized to practice only under PT supervision; (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 . . . (7) conviction of any crime or entry of a plea of guilty

or nolo contendere to any criminal charge arising out of or related; (8) engaging in conduct which results in an arrest and the initiation of criminal prosecution, even if criminal charges are eventually lessened or dropped, when the conduct leading to the arrest can be verified and constitutes behavior which could put the person or property of patients at risk of harm from a treating licensee . . . (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 . . . (12) practicing or enabling practice by an impaired provider as defined in §123, a licensee shall not: a. engage in the practice of physical therapy while under the influence of a mood-altering substance that compromises the professional judgment or practice or has the potential to compromise the medical judgment or practice . . .”

5. LAC 46 LIV §353(A): “. . . The goal of the RPTP is for PTs or PTAs to be treated and to return to practice in a manner which will not endanger public health, safety and welfare.”
6. LAC 46 LIV §353(C): “. . . The RPTP objectives are: (1) to ensure the health, safety and welfare of the public through a program which closely monitors practitioners whose capacity to practice physical therapy with reasonable skill and safety to patients has been, or may potentially be, compromised because of impairment as defined by §123; (2) to encourage voluntary participation of licensees in appropriate rehabilitative medical treatment and ongoing aftercare and monitoring; (3) to promote safe physical therapy care by preventing and/or restricting the practice of impaired licensees; and (4) to provide a structured program for participants seeking recovery from impairment.”
7. LAC 46 LIV §353(E): “. . . When disciplinary proceedings have been initiated or could be initiated against a licensee pursuant to R.S. 37:2401-2424, such proceedings may be deferred or suspended to allow the licensee to participate in the RPTP.”
8. LAC 46 LIV §353(H): “When a licensee ceases to be in compliance with his RPTP Agreement, he shall be referred back to the board for regular disciplinary proceedings or such action as authorized in the RPTP agreement.”
9. LAC 46 LIV §357(B): “Involvement by the participant in the CRPTP will remain confidential and shall not be subject to discovery in a legal proceeding except as required by federal and state confidentiality laws as long as the licensee complies with all stipulations of the RPTP agreement.”
10. LAC 46 LIV §357(C): “When a licensee ceases to be in compliance with his confidential RPTP agreement, he shall be referred back to the board for regular disciplinary proceedings.”
11. LAC 46 LIV §361(A): “When a licensee ceases to be in compliance with his RPTP agreement, he shall be referred back to the board for regular disciplinary proceedings.”
12. LAC 46 LIV §365(A): “As authorized by R.S. 37:2420(A)(5), 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 a person has been habitually intemperate or abused controlled dangerous substances as defined by federal or Louisiana law.”
13. LAC 46 LIV §383(A): “Licensees shall cooperate with and assist the board in carrying out its duties. A licensee shall, among other matters: (1) respond or provide information or items requested, respond to a subpoena, comply to a request for a meeting, or complete an evaluation within the time designated by the board or its staff . . .”
 14. Paragraph 14 of the Participation Agreement provides that “[p]articipant agrees that full compliance with the terms and conditions of this agreement is a prerequisite of Participant's continued physical therapy practice. Participant agrees and acknowledges that failure to comply with the terms and conditions of this agreement can form the basis for disciplinary action under the practice act and board rules including, but not limited to, Rule §361 which could result in the suspension or revocation of Participant’s physical therapy license, denial of application or other appropriate action, pertaining to the PTs/PTAs license as the Board determines to be appropriate.”
 15. Paragraph 15 of the Participation Agreement provides that “[p]articipant acknowledges and agrees that the practice of physical therapy by an impaired physical therapist poses a serious threat to the public health, safety and welfare. Therefore, Participant specifically agrees that non-compliance or complications relative to Participant's impairment during the monitoring period, as herein specified, warrant immediate action to enable the Board to protect the public. Participant’s non-compliance including, but is not limited to: (a) Participant's failure to contact the laboratory approved by the RPTP for performing substance abuse tests or screens on Participant's bodily fluids or samples. (b) Participant’s failure to provide an adequate specimen or sample for the substance-abuse test or screen.”
 16. Paragraph 16 of the Participation Agreement provides that “[u]pon Participant’s notice from the RPTP (as documented by the RPTP) of any non-compliance or complications relative to Participant’s impairment during the monitoring period as specified in paragraph 15 of this agreement, Participant voluntarily agrees to immediately cease practicing any form of physical therapy until Participant has undergone a fitness for duty evaluation by an independent evaluator, approved by the RPTP, and Participant has received written notification from the Board that Participant may resume the practice of physical therapy.”
 17. 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.”
 18. 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).”
 19. 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 shall complete a fitness for duty evaluation with a Board-recognized provider within thirty (30) days from the Board's approval of this Consent Order. Respondent agrees to follow all treatment recommendations resulting from the fitness for duty evaluation. If individual therapy is recommended in the evaluation, the individual therapy provider must meet the LPTB Criteria for Individual Treatment Providers. Respondent shall sign all necessary medical release forms for the full evaluation report and any treatment discharge summaries released directly to the individual therapy provider. Respondent agrees to allow the LPTB to send a copy of the Consent Order to the individual therapy provider. Individual therapy reports shall be sent directly to the LPTB from the individual therapy provider on a quarterly basis, to be received no later than the 15th of January, April, July, and October;
2. Following determination by a Board-recognized provider that Respondent can safely return to practice, and upon her return thereafter to practice, Respondent shall submit to a period of supervised clinical practice for six (6) months. Supervision may be on or off-premises and for the entirety or a portion of the workday, subject to the discretion of the supervising PT. Respondent may only practice under the supervision of a board-recognized PT who has practiced no less than three (3) years with a Louisiana license in good standing. A supervision agreement must be approved by the Executive Director. The supervision agreement shall be in force for the entire six-month supervisory period. Respondent may only practice in those facilities and under the supervision of the PT named in the approved supervision agreement. Any change in practice site or supervisor must be submitted in a revised supervision agreement prior to the change taking place. At the end of the supervisory period, the supervising PT of record shall report to the Board the satisfactory or unsatisfactory completion of the supervision period. If an unsatisfactory supervision period is reported by the supervising PT of record, the Board, in its discretion, may require an additional six-month supervisory period;
3. Upon her return to practice, Respondent shall be required to participate in the RPTP for six (6) months. Respondent shall complete a RPTP Participation Agreement and shall participate in the RPTP and follow all terms and conditions set forth in the RPTP Participation Agreement. Respondent shall not be required to participate in the RPTP prior to her return to practice as a physical therapist;
4. Upon her return to practice, Respondent shall complete the additional continuing education outlined at paragraph 16 of the 2016 Board Order during the first six (6) months of her supervised clinical practice outlined at No. 2, above. These continuing education hours may be taken online. Thereafter, Respondent shall comply with the Board's standard continuing education requirements for renewal;


5. During the period of supervised clinical practice outlined at No. 2 above, 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 her 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 visits as invoiced and within thirty (30) days of receipt of invoice;
6. During the period of supervised clinical practice outlined at No. 2 above, Respondent shall provide a copy of this Consent Order to her 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 supervisory period
7. Respondent shall complete payment to the Board for the outstanding costs remaining due in association with the investigations and proceedings in Complaint No. 2014-I-004 and Complaint No. 2019-I-002. The current balance owed is NINETEEN THOUSAND FOUR HUNDRED AND 00/100 DOLLARS (\$19,400.00). Failure to reimburse associated fees will require the Board to take further action in collection of this debt. Respondent shall pay the Board a minimum of THREE HUNDRED FIFTY AND 00/100 DOLLARS (\$350.00) per month toward this balance and has sixty (60) months to complete payment of the debt before it 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).
8. Respondent shall comply with La R.S. 37:2415(B) and notify the Executive Director of the Louisiana Physical Therapy 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 5 pertaining to reimbursement of legal and administrative expenses, are suspended until Respondent again resides within Louisiana, notifies the Executive Director of her Louisiana residence, and receives written confirmation from the Executive Director.
9. Respondent shall have reliable access to a computer, internet, and telephone. In accordance with Board Rule §385, Respondent shall provide to the Executive Director her preferred telephone number and/or email address in writing for expedited communications regarding compliance with this Board 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 her preferred telephone number and/or email address immediately upon such change.

10. Respondent declares that, before signing this Consent Order, she is of sound mind, has carefully read this document, understands the contents, 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 freely waives those rights. Further, she has had the opportunity to be represented by legal counsel in this matter and in the negotiation of this Agreement.
11. Respondent acknowledges that her failure to comply with any term of this Consent Order is a basis for the immediate summary suspension of her license and for further disciplinary action by the Board.
12. Except where explicitly referenced and incorporated herein, this Consent Order replaces and supersedes all of the Board's prior orders relative to Complaint Numbers 2014-I-004, 2019-I-002 and 2020-I-006
13. 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, and further authorize such matter to be taken up in executive session by the Board, even in my absence. 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 Investigative Board Member's authority to file a formal Administrative Complaint against her, 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, her right to have notice of any allegations or charges against her, to administrative adjudication of such allegations or charges, and to a subsequent final decision rendered upon written findings of fact and conclusions of law.
14. Respondent acknowledges that 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, as the Board is currently constituted, or any future appointments to the Board, from further participation in hearings or resolution to these proceedings.
15. Respondent acknowledges that this Consent Order becomes effective only upon signature by the Board Chair.
16. 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, Gretchen Duplantis, have read this Consent Order, understand it, and agree to be bound by its terms and conditions.


Gretchen Duplantis

SWORN TO and subscribed before me, Notary Public this 5th day of May, 2025,
in East Baton Rouge, Louisiana.


Notary Public
Cecelia Pham-LeDoux
Notary Public, ID # 58704
Notary Name printed (#)

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

Louisiana Physical Therapy Board

DocuSigned by:

CFFBA82330D34F5
Lucien "Danny" Lewy, PT, Chair