



State of Louisiana  
 DEPARTMENT OF HEALTH AND HOSPITALS  
**Board of Physical Therapy Examiners**

2014 WEST PINHOOK ROAD, SUITE 701  
 LAFAYETTE, LA 70508  
 318/262-1043  
 FAX 318/262-1054

**In the Matter of**  
**BERYL DAWN GOVENDER, P.T.**  
**License No. 03007F**  
**Respondent**

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**CONSENT ORDER**  
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**ADMINISTRATIVE CASE NO.**  
**97-003**

A Formal Evidentiary Hearing was scheduled before the Louisiana State Board of Physical Therapy Examiners (the "Board") on April 24, 1997, to address alleged, specific violations of the Louisiana Physical Therapy Practice Act by the Respondent, Beryll Dawn Govender, P.T. ("Govender"), to-wit: "practicing physical therapy in violation of the provisions of this Chapter and any rules and regulations promulgated thereto in accordance with the Administrative Procedure Act," LSA R.S. 37:2413A(1); violating provisions of the Physical Therapy Practice Act, LSA R.S. 37:2402A, 37:2407A, 37:2414(2); and for violating the Rules and Regulations promulgated by the Board, Rules and Regulations, Title 46, Sections 165A, 307A and 325 et seq.

In attendance, at the Pre-hearing Conference were Respondent, Beryll Dawn Govender, P.T.; the Complainant, Sharon A. Toups, P.T.; and Michael A. Tomino, Jr., attorney for Board.

Upon consideration and discussion and evidence presented at the Conference and thereafter to the Board, this Consent Order, effective April 24, 1997, is voluntarily entered into by and between Respondent, Beryll Dawn Govender, P.T. and the Board which was comprised of Gail Pearce, Rebecca B. Lege, Gregory Ward and David Vidrine for the purposes of this proceeding.

**FINDINGS OF FACT**

1. Respondent, Beryll Dawn Govender, P.T., was a physical therapist possessing Louisiana License No. 03007F issued by the Board to practice physical therapy in the State of Louisiana in 1996 pursuant to the Physical Therapy Practice Act of Louisiana, LSA R.S. 37:2401 et seq.

2. Respondent failed to timely renew her license for the calendar year of 1997.

3. Respondent failed to annually renew on or before December, 31, 1996, by failing to submit to the Board an application for renewal together with the renewal fee prescribed by the Board's Rules and Regulations.

4. Respondent practiced physical therapy at Oakdale Community Hospital, beginning on or about January 1, 1997 through January 29, 1997.

5. Respondent practiced physical therapy in the State of Louisiana without a license issued by the Board from January 1, 1997 through January 29, 1997.

6. Respondent failed to timely renew her license to practice physical therapy for the calendar year 1997 in violation of the Physical Therapy Practice Act of Louisiana and the Rules and Regulations promulgated by the Board.

### CONCLUSIONS OF LAW

7. Respondent unlawfully practiced, held herself out, or designated herself, as a physical therapist without a license duly issued by the Board. LSA R.S. 37:2402A, 37:2414(2) and 37:2413A(1); and Rules and Regulations, Title 46, Sections 307A and 325 et seq.

8. Respondent unlawfully practiced physical therapy without timely renewing her 1997 license prior to the deadline established by law for such renewal. LSA R.S. 37:2407A and 37:2413A(1); and Rules and Regulations, Title 46, Sections 165A and 325 et seq.

9. Respondent's violations of the provisions of the Physical Therapy Practice Act of Louisiana and the Rules and Regulations promulgated thereto constitute lawful grounds for the Louisiana State Board of Physical Therapy Examiners, upon due notice of hearing and proof of such violations, to suspend or revoke Respondent's license or other disciplinary action as provided by law. LSA R.S. 37:2402A, 37:2407A, 37:2414(2) and 37:2413A(1); and Rules and Regulations, Title 46, Sections 165A, 307A and 325 et seq.

### DECISION

Based upon the foregoing Findings of Fact, Respondent and the Board, by vote of the quorum, mutually agree to the following:

1. Respondent shall pay \$250.00 lump sum to the Board as an agreed upon fine in this matter.

2. Within five (5) days of the effective date of this Consent Order, Respondent shall submit a signed Affidavit to the Board that she has read the Physical Therapy Practice Act of Louisiana and the Rules and Regulations promulgated thereto.

3. Respondent shall pay the costs associated with this proceeding.

4. Respondent's failure to comply with any of the terms of this Order shall be deemed just cause for the suspension or revocation of Respondent's licensure, or any other disciplinary action, as if such violation were enumerated among the causes provided in LSA R.S. 37:2413 and the Rules and Regulations by the Board.

5. The existence and terms of this Consent Order will not be confidential or privileged information.

6. Respondent hereby releases the Board, its representatives and attorney from any obligations or liability in their endeavors to administer this Consent Order.

7. The effective date of this Consent Order shall be April 24, 1997, if Respondent executes and returns the Consent Order to the Board within five (5) days of her receipt of same.

8. Upon timely receipt by the Board of Respondent's signed Consent Order, payment of the \$250.00 fine, payment of costs associated with this proceedings, and Affidavit that she has read the Physical Therapy Practice Act and the Rules and Regulations, the Board shall thereafter issue a license to practice physical therapy to Respondent for 1997.

9. Upon Respondent timely complying with the requirements set forth in Paragraph 8, her licensure to practice physical therapy for 1997 shall be considered renewed and reinstated effective January 1, 1997.

**THUS DONE AND PASSED**, on the 15 day of April, 1997, at the City of Alexandria, Parish of Rapides, Louisiana., in the presence of the two undersigned competent witnesses, who hereunto sign their names with Appearer and me, Notary, after due reading of the whole.

WITNESSES:

Mary W. Ireland

Jayenden Govender

Berryl Dawn Govender

Berryl Dawn Govender, P.T.

A. Willard Spivey  
Notary Public

AGREED TO AND ACCEPTED this 24<sup>th</sup> day of April, 1997

LOUISIANA STATE BOARD OF  
PHYSICAL THERAPY EXAMINERS

Becky Legé  
Becky Legé, P.T.