



State of Louisiana

DEPARTMENT OF HEALTH AND HOSPITALS

**Board of Physical Therapy Examiners**

714 EAST KALISTE SALOOM ROAD, SUITE D-2

LAFAYETTE, LA 70508

337/262-1043

FAX 337/262-1054

**In the Matter of**  
**CATHERINE L. O'DELL, P.T.**  
**License No. 01286R**  
**Respondent**

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**CONSENT ORDER**  
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**ADMINISTRATIVE CASE NO.**  
**2002-02**

A Formal Evidentiary Hearing was scheduled before the Louisiana State Board of Physical Therapy Examiners (the "Board") on April 25, 2002, to address alleged, specific violations of the Louisiana Physical Therapy Practice Act by the Respondent, Catherine L. O'Dell, P.T. ("O'Dell"), 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, Catherine L. O'Dell, P.T.; the Complainant, Pat Adams, 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 25, 2002, is voluntarily entered into by and between Respondent, Catherine L. O'Dell, P.T. and the Board which was comprised of Gail Pearce, Becky Lege', Mark Brown and Dr. Eric Bicknell for the purposes of this proceeding.

**FINDINGS OF FACT**

1. Respondent, Catherine L. O'Dell, P.T., was a physical therapist possessing Louisiana License No. 01286R issued by the Board to practice physical therapy in the State of Louisiana in 2002 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 2002.
3. Respondent failed to annually renew on or before December, 31, 2001. Respondent's application for renewal was received by the Board on or about January 3, 2002.

4. Respondent practiced physical therapy at JI Barron Elementary and Buckeye Elementary on or about January 7, 2002 and at Pediatric Therapy Center on or about January 8 and January 10, 2002.

5. Respondent practiced physical therapy in the State of Louisiana without a license issued by the Board beginning January 7 through January 10, 2002.

6. Respondent failed to timely renew her license to practice physical therapy for the calendar year 2002 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 2002 license prior to the deadline establish 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. On the effective date of this Consent Order, Respondent shall pay \$250.00 lump sum to the Board as an agreed upon fine in this matter.

2. On the effective date of this Consent Order, Respondent shall pay \$750.00 lump sum to the Board for administrative costs in this matter.

3. On 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.

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 25, 2002.

8. Upon timely receipt by the Board of Respondent's signed Consent Order, payment of the \$250.00 fine, \$750.00 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 2001.

9. Upon Respondent timely complying with the requirements set forth in Paragraph 8, her licensure to practice physical therapy for 2002 shall be considered renewed and reinstated effective January 1, 2002.

10. Respondent declares that, before signing this Consent Order, she has carefully read this document, she knows and understands the contents thereof, she signs it as an act of her own free will, she understands its meaning and effect, she has had the opportunity to retain counsel if she so chose, she waives all rights to a formal public hearing and she consents to this Order.

**THUS DONE AND PASSED**, on the 20<sup>th</sup> day of March, 2002, 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:

Catherine Chevalier  
Lisa R. Breal

Catherine L. O'Dell, P.T.  
Catherine L. O'Dell, P.T.

[Signature]  
Notary Public

AGREED TO AND ACCEPTED this 25 day of April, 2002.

LOUISIANA STATE BOARD OF  
PHYSICAL THERAPY EXAMINERS

Becky Lege'  
Becky Lege', P.T.