

State of Louisiana

Department of Health and Hospital

Louisiana Physical Therapy Board

104 Fairlane Drive, Lafayette, Louisiana 70507

337/262-1043 FAX 337/262-1054

In The Matter Of

Ashley Wilkinson, PTA
(License No. A7142)

Complaint No. 2014-I-006

This **STIPULATION AND AGREEMENT FOR SURRENDER OF PHYSICAL THERAPIST ASSISTANT LICENSE** is made and executed by Ashley Wilkinson, PTA (“Ms. Wilkinson”) who, at all times pertinent, has been a Louisiana Physical Therapist Assistant licensed to practice as a physical therapist assistant in the state of Louisiana, with and in favor of the Louisiana Physical Therapy Board (“LPTB” or “Board”).

1. **Acknowledgment and Stipulations.** Ms. Wilkinson hereby acknowledges, stipulates and agrees that:

- (a) **Adjudications and Board Orders.** In May of 2014 Ms. Wilkinson entered into a Consent Order for her admitted taking of pain medications from a home health patient and her admitted usage of pain medications for which she did not have a prescription. The Consent Order is incorporated herein *in extenso*. On January 6, 2015, the Respondent entered into a Participation Agreement with the Board’s Recovering Physical Therapy Program as required by paragraph “D” of the Consent Order. This Participation Agreement is incorporated herein *in extenso*. On May 27, 2015, by order of the Louisiana Physical Therapy Board, Respondent’s Physical Therapist Assistant license was summarily suspended following notice that Respondent tested positive for EtG/EtS LC/MS/MS, Ethyl Glucuronide, Ethyl Clucuronide LC/MS/MS, Ethyl Sulfate, and Ethyl Sulfate in a random urine test on May 15, 2015. The Order For Summary Suspension of License to Practice Physical Therapy is incorporated herein *in extenso*. On June 12, 2015 an Administrative Complaint was filed. The Administrative Complaint

was signed by the complaint counsel for the Board, George Papale, and alleged violations of the May 2014 Consent Order and January, 2015 Participation Agreement. On July 22, 2015, Respondent participated in an administrative hearing in Lafayette, Louisiana before a hearing panel comprised of members of the Louisiana Physical Therapy Board to determine whether Mrs. Wilkinson was in direct violation of the terms of the May, 2014 Consent Order and January, 2015 Participation Agreement. Following the conclusion of the hearing, Findings of Fact and Conclusions of law (“Board Order”) were rendered on August 31, 2015. Therein the hearing panel found that Respondent was in violation of a Consent Order entered into on May 21, 2014 and January, 2015 Participation Agreement. Specifically, it was found that Respondent ingested controlled dangerous substance, Taramadol – an opioid analgesic, without a prescription and failed to fully participate in the Affinity drug screening program. As discipline, the Board Order required, in part, that Ms. Wilkinson abstain from controlled dangerous substances and alcohol and comply with Board requests for random drug tests. The entirety of the August 31, 2015 Findings of Fact and Conclusions of Law are incorporated into this allegation by reference and pleaded herein *in extenso*.

- (b) **Ms. Wilkinson’s Non-Compliance.** Ms. Wilkinson failed to check-in on the Affinity e-health drug and alcohol monitoring site on 10/17/2015, 10/11/2015, 10/9/2015, 10/4/2015, 10/3/2015, 9/30/2015, 9/29/2015, 9/23/2015, 8/30/2015, and 8/19/2015 in direct violation of ordered random drug tests upon Board requests.
2. **Rights to Due Process.** Mrs. Wilkinson acknowledges that she has had the opportunity to thoroughly review the content of this Stipulation and Agreement for Voluntary Surrender of Physical Therapy License and that she has been fully informed of her rights to due process in connection with administrative charges and that prior to final disciplinary action against her physical therapy license she would be entitled to have notice of a hearing on the allegations and charges asserted against her and to have an administrative adjudication of such charges, at which time Mrs. Wilkinson would be entitled to be represented by legal counsel, to call witnesses and to present evidence on her own behalf in defense or in mitigation of the charges made, and to a decision thereon by the Board based upon written findings of fact and conclusions of law pursuant to La. Rev. Stat. §§ 49:955-965.
3. **Voluntary Surrender of License.** Notwithstanding her right to administrative hearing and a decision thereon as provided by La. Rev. Stat. §§ 49:955-965, in recognition of the stipulations set forth herein above and for the final disposition of administrative action, Ms. Wilkinson, nonetheless, hereby waives her right to formal adjudication and hereby voluntarily surrenders to the Board her license to practice as a physical therapist assistant in the state of Louisiana as evidenced by license number A7142. Mrs. Wilkinson acknowledges that she may submit an application for a Physical Therapy License not before January 28, 2019, and will be granted such license only upon a satisfaction of all requirements for licensure found within La. R.S. 37:2411 and the corresponding Board Rules and Regulations including, but not limited to, a satisfactory mental health and

substance abuse evaluation, a finding of good moral character, and fitness to practice as a physical therapist. By her subscription hereto, Mrs. Wilkinson also hereby authorizes a member of the Investigative Committee to present this Stipulation and Agreement for Voluntary Surrender of Physical Therapy License to the Board for its consideration and to fully disclose to and discuss with the Board the nature and results of the investigation, and she waives any objection to such disclosures under La. Rev. Stat. §§ 49:960.

4. **Effect of Voluntary Surrender of License.** Ms. Wilkinson acknowledges, stipulates and agrees that the voluntary surrender of her physical therapy assistant license effected here by in lieu of an administrative action shall have, and shall be deemed by the Board to have, the same effect as if the Board had entered an order of revocation upon the conclusion of formal administrative proceedings. Ms. Wilkinson further acknowledges, stipulates and agrees that as a result of the voluntary surrender of her physical therapy assistant license effected hereby she shall not have any right or entitlement to reinstatement or renewal of her license to practice as a physical therapy license in the state of Louisiana.
5. **Termination of Proceedings.** By the voluntary surrender of her physical therapy assistant license in lieu of disciplinary action, Ms. Wilkinson, moreover, acknowledges, stipulates and agrees that she hereby waives any right to which she may be entitled pursuant to the Louisiana Administrative Procedure Act or to which otherwise may be afforded to her by law, to contest her agreement to, or the force and effect of, this document in any court relating to the matters referred to herein.
6. **Reimbursement of Costs.** Ms. Wilkinson hereby agrees to partially reimburse the Louisiana Physical Therapy Board the cost of the investigation, initiation of disciplinary proceedings, legal fees, and administrative costs incurred in this matter in the amount of \$6,500.00 thereby satisfying the requirement found within the August 31, 2015 Board Order and all previous orders. Ms. Wilkinson acknowledges that this amount may be paid in a lump sum, or equal monthly installments for a period of not more than five (5) years or prior to reinstatement, whichever occurs first, if arranged in advance with the Executive Director.
7. **Advice of Counsel.** Ms. Wilkinson acknowledges that she has had the opportunity to seek the advice and guidance of legal counsel with respect to this Stipulation.
8. **Public Record.** Ms. Wilkinson acknowledges, stipulates and agrees that this Stipulation and Agreement for Voluntary Surrender of Physical Therapy License shall be and shall be deemed to be a public record.

STIPULATION, ACKNOWLEDGMENT AND AGREEMENT

I, **Ashley Wilkinson, PTA** hereby acknowledge, approve, accept, stipulate, agree and consent to entry of the above in forgoing this 26 day of Jan, 2016.

Ashley Wilkinson
Ashley Wilkinson, PTA

WITNESSES:

Pamela Jackson
Signature

Pamela Jackson
Printed Name

130 E Judge Perez Dr.
Address Chalmette, LA 70043

Holly Vinet
Signature

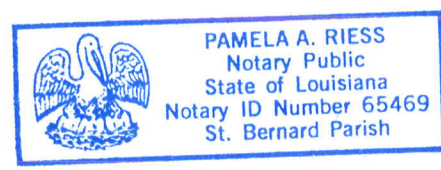
Holly Vinet
Printed Name

230 E. Judge Perez Dr.
Address Chalmette, LA 70043

Sworn to and subscribed before me at 230 E. Judge Perez, Louisiana, this 26 day
Of Jan, 2016, in the presence of the two stated witnesses.

Pamela A Riess
Notary Public (signature)

Pamela A Riess
Printed Name/Notary # 65469



ACCEPTANCE

CONSIDERING THE ABOVE AND FORGOING, the Stipulation in Agreement for Voluntary Surrender of Physical Therapy License is hereby **APPROVED AND ACCEPTED** by the Louisiana Physical Therapy Board and effective, this 28 day of January, 2016.

Louisiana Physical Therapy Board

BY: Al Moreau, III, P.T.
President