



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

IN THE MATTER OF
SASHA COMEAUX, PT
LICENSE NO. 07048

ADMINISTRATIVE HEARING
NUMBER: 2018-I-009

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter came before the Louisiana Physical Therapy Board ("Board") for adjudication on Thursday, February 28, 2019, in accordance with La. R.S. 37:2420.B., at which time a quorum of the Board was present and consisted of Karl Kleinpeter, PT, DPT; Craig Prejean, PTA; Dr. Meredith A. Warner, M.D.; Judith Halverson, PT, DPT, MHA; Kathryn Brittain, PT, DPT, MBA; and Phillip Page, PhD, PT, ATC, CSCS, FACSM. The adjudication was held at the Board office in Lafayette, Louisiana. Sasha Comeaux, PT (hereinafter "Respondent" or "Ms. Comeaux"), *pro se*, was present. Other appearances included:

Glenn Ducote, Hearing Officer
George M. Papale, Complaint Counsel
Courtney P. Newton, Counsel for the Board
Kim Taylor, Court Reporter

The adjudication convened at approximately 9:00 a.m. At the start of the hearing, Courtney Newton, Counsel for the Board, addressed all procedural matters. Following discussion and inquiry, no objections were made to the composition of the hearing panel. Respondent was advised of her right to request that the hearing be conducted in executive session due the discussion of her character, professional competence, and physical and mental health pursuant to La. R.S. 42:17.A(1). Ms. Comeaux so requested, and the hearing panel voted unanimously to enter into executive session in accordance with La. R.S. 42:16.

BACKGROUND AND MATTERS AT ISSUE

On April 26, 2016 Ms. Comeaux entered into Consent Order, No. 2016-I-002, therein admitting to violations of Board law and rule relating to unprofessional conduct and failure to submit to a drug test at the time and place directed by the executive director. On January 4, 2017 Ms. Comeaux entered into a second Consent Order, No. 2016-I-002. The violations listed in the second Consent Order include, but are not limited to, engaging daily in the unlawful use of drugs while employed as a physical therapist in violation of Board Rule § 373.A(2)(a); habitual intemperance for use of cocaine, illegal drugs, and abusing prescription medication in violation of La. R.S. 37:2420.A.(5); and, failing to comply with the terms and conditions of the April 26, 2016 Consent Order in violation of Board Rule §343.C. The January 4, 2017 Consent Order, in part, suspended Ms. Comeaux's physical therapy license for a minimum of one (1) year, not to exceed (2) years during which time Respondent was to abstain from alcohol, mood altering substances, and controlled dangerous substances unless lawfully prescribed. The January 4, 2017 Consent Order also mandated that Respondent participate in and successfully complete a Board approved evaluation and in-patient drug rehabilitation program within the suspension period.

Following receipt of information and investigation, a Formal Administrative Complaint was filed with the Board on May 16, 2018, alleging, in part, that Ms. Comeaux failed to successfully complete a Board approved evaluation and in-patient drug rehabilitation program within the prescribed time period and continued using and abusing both mood altering substances and controlled dangerous substances not prescribed by a physician. A hearing on the matter was docketed for Thursday, August 16, 2018. On August 13, 2018 the Board office received a request for continuance from Ms. Comeaux dated August 9, 2018. The request for continuance was unopposed and Glen Ducote, hearing officer, issued an order for continuance on August 15, 2018.

On January 29, 2019, after requisite notice, an Amending Administrative Complaint filed with the Board alleging, in part, continued abuse of intravenous heroin and oral and intravenous methamphetamines as well as oral Xanax, not prescribed by a physician; failure to notify the executive director of relapse as required pursuant to the terms of her Consent Order; and, failure to submit to drug testing resulting in presumptive positive results at the Board approved in-patient drug rehabilitation program. The administrative hearing was docketed for Thursday, February 28, 2019 at 9:00 a.m.

FINDINGS OF FACT

Following presentation and consideration of all of the evidence, which evidence included numerous certified medical records, email correspondence, and legal documents, as well as the witness testimony of Charlotte Martin, executive director; Jantrelle Johnson, Clinical Mental Health Coordinator at Woodlake IOP; and, Sasha Comeaux, the Hearing Panel finds as follows:

- A. Exhibit 3 proves beyond a preponderance that the January 11, 2017 Consent Order, Paragraph B, required, in part, that prior to conclusion of the minimum one (1) year suspension period and prior to two (2) years from the date of acceptance of the Consent Order by the Louisiana Physical Therapy Board, Respondent was to be evaluated and participate in a Board approved in-patient drug rehabilitation program. Paragraph B also required Respondent to provide the Board with access to information about her in-patient treatments and sign releases and authorizations to enable the Board to obtain information. Also under the terms of the January 11, 2017 Consent Order, specifically paragraphs “C”, “H”, and “L”, use of alcohol, mood altering substances, and controlled dangerous substances, unless lawfully prescribed, were prohibited and a positive drug test is the basis for immediate summary suspension and further disciplinary action. In addition, paragraph “H” of the Consent Order required Ms. Comeaux to immediately cease practice and contact the executive director within twenty-four (24) hours of consumption of alcohol, mood altering substances, or controlled dangerous substances unless lawfully prescribed. Finally, Paragraph “U” of the Consent Order, as acknowledged by the Respondent, dictates that failure to comply with any term of the Consent Order is a basis for further disciplinary action.
- B. Exhibit 6 and 7, in conjunction with the testimony of Charlotte Martin, prove beyond a preponderance the date, time, and subject matter of the communications that occurred between Ms. Comeaux, Mrs. Martin, and Mrs. Boudreaux. The emails introduced as evidence established that Ms. Comeaux contacted the Board Attorney by email on December 20, 2017 requesting clarification on the terms of her January 11, 2017 Consent Order related to Item B. Shortly thereafter, on December 22, 2017, Mrs. Martin responded to Ms. Comeaux by email providing clarification regarding the terms of her Consent Order as requested. Mrs. Martin also requested clarification from Ms. Comeaux as to which facility Ms. Comeaux was seeking approval by the Board. Five days later, on December 27, 2017, Ms. Comeaux responded to Mrs. Martin’s request by email confirming her request for approval of Woodlake Addiction Recovery Center (“Woodlake”). Finally, on January 3, 2018 Mrs. Martin responded to Ms. Comeaux by email to confirm approval of Woodlake. Ms. Comeaux communicated with Mrs. Martin that she spoke to Woodlake and anticipated entering on January 8, 2018.
- C. Woodlake medical records, introduced into evidence as exhibit 8, establish that Ms. Comeaux was admitted to Woodlake on January 8, 2018 for detoxification and observation. Shortly after admission, on that same date, it was discovered by Woodlake personnel that Respondent had concealed fifteen (15) two (2) mg dosing units of Xanax wrapped in plastic within her body. A dirty insulin syringe containing fluid which tested positive for opiates and methamphetamines were also found among Respondent’s belongings. Medical records from Lane Regional Medical Center (“Lane”), also introduced as exhibit 8, show that subsequent to the discovery of the Xanax, Ms. Comeaux was transferred to Lane under doctor’s orders to be evaluated and observed for foreign objects in her stool.

- D. Woodlake medical records, exhibit 8, also establish that Ms. Comeaux remained at Woodlake for approximately four (4) days and on January 11, 2018 Ms. Comeaux discharged herself against medical advice.
- E. As documented in the Calcasieu Oaks medical records, exhibit 9, immediately following discharge from Woodlake Treatment facility, on January 11, 2018, Ms. Comeaux was hospitalized at Calcasieu Oaks Behavioral Hospital on a Coroner's Emergency Certificate. She remained at the hospital until January 19, 2018 at which point she was discharged to go home. Calcasieu records document Respondent's ongoing opioid dependence, lengthy history of intravenous drug use, and a discharge diagnosis of opioid dependency and opioid induced mood disorder.
- F. On January 21, 2018, as documented by exhibits 6 and 7, Ms. Comeaux emailed Mrs. Martin to notify her that she discharged herself from Woodlake due to her frustration in the treatment being provided, informed her that she wished to seek treatment at River Oaks Hospital in New Orleans, and requested Board approval of the facility. Thereafter, on January 22, 2018, Mrs. Boudreaux emailed Ms. Comeaux informing her that River Oaks Hospital was not a Board approved facility and provided her with another Board approved facility, Pine Grove Behavioral Health & Addiction Services. Ms. Comeaux responded in confirmation of the email and informed the Board office that she had contacted the approved facility and, due to her financial hardships, she would be unable to afford the approved facility.
- G. Review of emails dated March 1, 2018 and March 5, 2018 found within exhibit 7 and the Subpoena introduced as part of exhibit 14 prove beyond a preponderance that on February 8, 2019, following unfulfilled requests by Board staff to execute the necessary releases and authorizations to allow the Board access to in-patient treatment records, the Board was forced to issue a subpoena to Woodlake for necessary records and documentation.
- H. Ms. Comeaux enrolled in a treatment program at the Odyssey House in March 2018 and completed that program on April 21, 2018 as evidenced by the certificate of completion introduced into evidence as exhibit 13. Based on the testimony of Charlotte Martin and lack of documentation evidencing otherwise, Odyssey House was not a Board approved treatment program as required by the governing Consent Order. Following completion of the Odyssey House rehabilitation program, Ms. Comeaux relapsed into substance abuse by the self-administration of intravenous heroin and oral and intravenous methamphetamines as well as oral Xanax, not prescribed by a physician. Her relapse was triggered by the death of her brother in May 2018 and is documented in the Woodlake medical records, exhibit 14.

- I. Exhibits 14 through 17 prove beyond a preponderance that Ms. Comeaux was again admitted to Woodlake Addiction Recovery Center on July 28, 2018 with moderate sedative, hypnotic, or anxiolytic use disorder (Amphetamine-type substance) and severe opioid use disorder. Respondent received inpatient treatment at Woodlake until her discharge on August 24, 2018.
- J. Exhibit 24, Life Center IOP records, exhibit 24, and the testimony of Jantrelle Johnson, Clinical Mental Health Coordinator at Woodlake IOP, prove beyond a preponderance that following discharge from Woodlake, Ms. Comeaux participated in intensive outpatient (IOP) therapy at the Life Center, an affiliate of Woodlake, until November 2, 2018. This evidence also proves beyond a preponderance that Ms. Comeaux was administratively discharged from Life Center IOP “due to a presumptive positive for not submitting to drug screens when asked.” Ms. Johnson further testified as to the process and procedure of drug testing at the Life Center, and that Ms. Comeaux, despite prior notice of required drug screening, left the facility on the designated test day on at least four different occasions without providing a specimen for drug screening. Finally, Ms. Johnson’s testimony also established that Ms. Comeaux had ample opportunity to submit to weekly drug testing and that her pattern of participation and attendance at Life Care was indicative of intentional avoidance of drug tests. Though when testifying Ms. Comeaux explained that the reasons for her failure to submit to drug testing was because she was not informed of drug testing expectations, had conflicting doctor appointments (exhibit 23), and had difficulty with transportation to and from IOP treatment. It is the finding of the Hearing Panel that Ms. Johnson’s explanation of the process, procedure, team treatment approach, and statement of events more reliable and persuasive.

CONCLUSIONS OF LAW

Based upon the authority given in La. R.S. 37:2420.A.(1), Board Rule §343, and the Hearing Panel’s Findings of Facts as stated above, the Hearing Panel finds as follows:

1. By failing to comply with Paragraphs “B”, “C”, and “H” of the January 17, 2017 Consent Order, Ms. Comeaux violated Board Rule §343;
2. By continuous and ongoing use and abuse of controlled dangerous substances without lawful prescription, Respondent violated La. R.S. 37:2420.A.(5) as further defined by Board Rule §343.C.;
3. By failing to provide the releases and authorizations for information requested by Board staff and to complete the evaluation required by the Consent Order within the time designated, Respondent violated Board Rules §383.A.; and
4. By failing to comply with drug screen requirements and being discharged from the Life Center for presumptive positive drug screens and thereby failing to

comply with Paragraph "L" of the January 2017 Consent Order, Respondent violated Board Rule §343.C.

ORDER

In view of the foregoing *Findings of Fact* and *Conclusions of Law*:

IT IS ORDERED THAT:

1. The physical therapy license of Sasha Comeaux is hereby revoked; and
2. Ms. Comeaux is prohibited from applying for a physical therapy license for a period of five (5) years. On April 1, 2024 and thereafter, Ms. Comeaux may apply for a physical therapist license in accordance with the following:
 - a. Prior to and within one year of application for a physical therapy license, Respondent shall sit for and successfully pass the National Physical Therapy Examination (NPTE);
 - b. Prior to or at the time of application, Respondent shall pay the Board the sum of \$11,750 in partial reimbursement for legal and administrative expenses incurred in the matter, in addition to the \$1,500 owed from the matter related to the Second Consent Order (2016-I-014) and \$2,750 owed from the matter related to the original Consent Order (2016-I-002). The total owed prior to or at the time of application is \$16,145.00;
 - c. At the time of application, Respondent shall provide the Board with documentation to its satisfaction that Respondent is in and has maintained active recovery and is fit to practice physical therapy. The burden of proving fitness to practice physical therapy shall be solely on and at the expense of the Respondent; and
3. On April 1, 2029 and thereafter, should the Board find that the Respondent meets all qualifications for licensure prescribed in law and rule, satisfy all requirements herein, and is fit to practice, Respondent's physical therapy license shall be granted with the following restrictions and limitations:
 - a. Respondent shall abstain from alcohol, mood altering substances, and controlled dangerous substances unless lawfully prescribed;
 - b. Respondent shall actively participate in the Recovering Physical Therapy Program for a period of five (5) years;

- c. Respondent shall practice solely under the supervision of another licensed physical therapist for a period of five (5) years;
- d. Respondent shall only practice in the outpatient setting and shall not practice in the home health, hospital, or nursing home/assisted living settings for as long as she possesses a physical therapy license in the state of Louisiana;
- e. Any other limitations and restrictions deemed necessary for public protection as set forth by the Board at the time of application.

Signed this 15th day of March 2019.



Karl Kleinpeter, PT, DPT
Louisiana Physical Therapy Board
Secretary/Treasurer