



State of Louisiana
Department of Health and Hospitals
Louisiana Physical Therapy Board
104 Fairlane Drive, Lafayette, Louisiana 70507
337/262-1043 FAX 337/262-1054

IN THE MATTER OF
REBECCA SEYMOUR, PT
LICENSE NO. 07641R

CONSENT ORDER
NUMBER: 2014-I-012

CONSENT ORDER

The Louisiana Physical Therapy Board (“LPTB” or “Board”), after formal adjudication on January 15, 2015, rendered a Board Order on March 3, 2015, finding Rebecca Seymour (“Mrs. Seymour” or “Respondent”) in violation of multiple sections of the Louisiana Physical Therapy Board Rule and Practice Act related to illegal consumption of Oxycodone, providing false information to the Investigative Committee, and failing to cooperate with the Investigative Committee. Mrs. Seymour again came to the attention of the Board on or about June 16, 2015 when the Executive Director of the Louisiana Physical Therapy Board, Mrs. Charlotte Martin, received notice that Mrs. Seymour was receiving in-patient treatment for addiction at Palmetto Addiction Recovery Center. Shortly thereafter, on or about August 11, 2015, Mrs. Martin received notification that Mrs. Seymour had failed a drug test following a weekend where she was permitted to leave the treatment facility as a privilege.

On or about September 26, 2015, an Investigative Committee of the Louisiana Physical Therapy Board properly served Mrs. Seymour with a Draft Administrative Complaint addressing Mrs. Seymour’s non-compliance with the Board Order. The allegations found within the Draft Administrative Complaint include, but are not limited to, failure to abstain from illegal use of a controlled substance, failure to participate in the Recovering Physical Therapy Program, failure to register with Affinity Health for random drug testing, and failure to submit a 750 word essay. Mrs. Seymour immediately contact the Board office expressing her desire to cooperate fully with the

Investigative Committee and providing all requested Information. Following discussion at the Informal Conference held on Wednesday, October 28, 2015, Mrs. Seymour agreed to enter into a Consent Order with the Louisiana Physical Therapy Board.

FACTUAL BASIS FOR CONSENT ORDER

1. At the time of the Formal Adjudication on January 15, 2015, issuance of the Board Order on March 3, 2015, and all times relevant to these events, Respondent was a physical therapist licensed by the Board as evidenced by license number 07641R.
2. On March 3, 2015 after a Formal Adjudication, a Board Order was issued finding Respondent in violation of numerous Practice Act and Board Rule violations related to illegal consumption of Oxycodone, providing false information to the Investigative Committee, and failing to cooperate with the Investigating Committee. The entirety of the Board Order is included herein *in extension*.
3. Paragraph 3, page 5, of the March 3, 2015 of the Board Order mandates that “[r]espondent shall abstain from the use and ingestion by any means of any controlled dangerous substance as defined by Louisiana and federal laws.”
4. In paragraph 4, page 5, of the Board Order requires that Respondent participate in the Recovering Physical Therapy Program (RPTP).
5. In addition, the Board Order requires Respondent to promptly comply with random drug tests arranged by the Board in paragraph 7, page 6, of the Order. The Louisiana Physical Therapy Board utilizes Affinity Health in the process of drug testing and requires all disciplined licensees who are ordered to submit to drug testing or alcohol testing to register with Affinity Health.
6. On April 30, 2015, Respondent allowed her license to expire.
7. On June 16, 2015, Mrs. Charlotte Martin, Executive Director of the Louisiana Physical Therapy Board was notified that Mrs. Seymour was receiving in-house treatment at Palmetto Addiction Recovery Center.
8. Shortly thereafter, Mrs. Charlotte Martin receive verbal notification from Palmetto Addiction Recovery Center that Mrs. Seymour, when allowed to leave the facility as a privilege during her treatment, failed a drug test upon her return.
9. On September 8, 2015, Palmetto Addiction Recovery Center faxed the Louisiana Physical Therapy Board a Laboratory Report from Quest Diagnostic. The report shows that on August 9, 2015 at 6:25 p.m. respondent submitted to a drug test. The drug test results are positive for Oxymorphone and Oxycodone.

10. On September 26, 2015 a draft Administrative Complaint was served on Mrs. Seymour therein listing facts related to non-compliance with the Board Order and the violations of the Louisiana Physical Therapy Practice Act and Board Rules specific to her non-compliance.
11. Mrs. Seymour immediately responded providing the Investigative Committee with necessary information and stating her willingness to cooperate. On October 1, 2015, Mrs. Seymour participated in a telephone conference with members of the Investigative Committee. During this conference Mrs. Seymour again stated her willingness to cooperate, provided requested information, and apologized for past actions.
12. On October 28, 2015, Mrs. Seymour, after proper notice and service, participated in an Informal Conference with the Investigative Committee to discuss the March 3, 2015 Board Order, non-compliance with the Board Order, and recovery. At this meeting Mrs. Seymour was presented with this Consent Order. The document was reviewed in detail in its entirety. Mrs. Seymour consented to the accuracy of all facts herein and clearly stated her understanding and acceptance of all discipline and obligations.

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:

- A. The Board has authority to pursue a complaint through administrative action notwithstanding lapsed license due to the Board's continuing jurisdiction.
- B. The Board has the authority to suspend or revoke a professional license which it has issued, or place probationary conditions upon such license, upon proof that the licensee has practiced physical therapy in violation of the Practice Act, Board Rules, or standards of practice. La. R.S. 37:2420A(1) and Board Rule §343.
- C. The Board has the authority to initiate regular disciplinary proceedings when a licensee ceases to be in compliance with the RPTP Agreement Under Board Rule §361

ORDER

Pursuant to the foregoing Factual Basis for Consent Order and Violations Related to Respondent's Conduct, in addition to the requirements found within the Board Order dated March 3, 2015, and, in order to avoid further administrative and judicial proceedings, Respondent and the Board, by vote of quorum, agree as follows:

- A. Upon satisfaction of all requirements found within Board Rule 187.E., Respondent will be a candidate for Reinstatement on May 25, 2016 and thereafter. This limitation on license reinstatement will constitute a suspension and will fulfill the six (6) month suspension requirements of the Board Order dated March 3, 2015;
- B. Upon satisfactory completion of Respondent's license suspension, including, but not limited to, all requirements found herein, Respondent's license as a physical therapist is placed on probation for a minimum of five (5) years and concluding not before July 28, 2020. Fulfillment of the five (5) year probation period of this Consent Order will constitute fulfillment of the five (5) year probation requirements of the Board Order dated March 3, 2015. Respondent shall submit to the Board Executive Director in writing no less than thirty (30) calendar days prior to completion of probationary period a request for a letter from the Board formally acknowledging the close of the probationary period. Respondent's probationary period concludes upon receipt by Respondent of the Board a letter acknowledging the close of the probationary period;
- C. Respondent will undergo a psychological and substance abuse evaluation and test to be performed by an appropriate professional designated by the Board at her own expense. Respondent shall immediately comply with all recommendations of the appropriate professional designated by the Board. Respondent shall complete the initial evaluation by a Board-approved evaluator within the first thirty (30) days of the probationary period. Respondent further agrees to sign all releases and authorizations required to enable the Board or its designated agent to obtain reports, evaluations, and test results from any drug testing facility, physicians, health care providers, group moderators or other treating professionals;
- D. Following Board approval of this Consent Order and during the probationary period, Respondent shall promptly comply, as directed, with the requests of the Board or its designated agent to obtain and provide to the Board Prescription Monitoring Program ("PMP") reports at her expense. Respondent shall provide the Executive Director of the Board with the PMP report within five (5) calendar days of request by the Board or its designated agent;
- E. Following Board approval of this Consent Order and during the probationary period, Respondent shall abstain from the use and ingestion by any means of alcohol and mood altering substances and/or any controlled dangerous substance as defined by Louisiana and federal laws unless lawfully prescribed by a physician, dentist, or individual legally authorized to prescribe medications. If Respondent is prescribed a medication by a treating physician or other healthcare provider which is a controlled dangerous substance or administered such medication by physician order, she shall within three (3) calendar days of obtaining such a prescription/medication provide documentation of the prescription/medication, quantity, dosage and frequency, the condition for which the medication is given, and the date that the prescription was filled to the Executive Director of the Board. She will provide to the Executive Director of the Board names and contact

information for the prescribing physician or other healthcare provider, as well as the pharmacist and pharmacy where the prescription has been filled. She will provide to the Executive Director of the Board names and contact information for all physicians or other healthcare providers who are treating her during the suspension and probationary period and a listing of all medication she is prescribed for any medical condition. By signing this document Respondent authorizes her treating physicians to provide information on her diagnosis treatment and prescriptions to the Board Executive Director or other board agent;

In the event that Respondent ingests alcohol, mood altering substances, and/or any controlled dangerous substance as defined by Louisiana and federal laws during the suspension and probationary period, Respondent shall immediately cease practice and shall notify the Executive Director of the Board in writing within twenty-four (24) hours of ingestion;

- F. Following Board approval of this Consent Order and during the probationary period, Respondent shall promptly comply, as directed, with the requests of the Board or its designated agent for random drug and/or alcohol tests. Upon submission of her application for license reinstatement, Respondent shall contact the Board Executive Director for instructions on activating an account and shall active an account with the board's designated drug and alcohol screening program. Respondent is responsible for the cost of all testing. If tested by her employer, a recovery treatment program, a mental health professional, a medical provider, or any other entity at any time during the suspension or probationary period, Respondent shall authorize and direct said entity or individual to furnish the Board Executive Director with a copy of the results for all drug and/or alcohol tests within twenty-four (24) hours of receipt of the test results;
- G. The probationary period shall be extended for any period of time in which 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) calendar days* of the last date 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) calendar days* of her return to practice;
- H. Following Board approval of this Consent Order and during the probationary period, Respondent shall avoid all situations and environments where others are utilizing illegal substances. In the event that Respondent finds herself in a situation or environment where others are utilizing illegal substances, Respondent shall notify the Board Executive Director within forty-eight (48) hours of such occurrence;
- I. For as long as Respondent holds a license, if any drug test of Respondent results in a positive finding for any controlled dangerous substance or mood altering substance taken without a valid prescription, or alcohol in accordance with Paragraph "E", Respondent's license shall automatically and summarily be suspended without further action by the Board,

subject to Respondent's right to a full due process hearing before the Board within a reasonable time period;

- J. Respondent shall complete thirty (30) hours of board-approved continuing education courses or activities required in the biennial renewal period under Rule §194 during her probationary periods. In addition, Respondent shall complete an additional four (4) hours of continuing education courses in Ethics and shall attend one live Jurisprudence Seminar prior to her license renewal in 2017. Respondent shall request in writing and receive approval from the Executive Director prior to taking the additional four (4) hours of Ethics. Respondent shall provide documentation in the form of a course completion certificate to the Executive Director within five (5) calendar days of receipt of such documentation. Furthermore, Respondent shall submit documentary evidence of completion of thirty-four (34) hours of continuing education for license renewal in 2016;
- K. Respondent shall not seek or accept work in a home health setting. Furthermore, Respondent shall not seek or accept work in a setting that has not been approved in advance by the Board Executive Director and shall notify the Executive Director in writing of all employment and/or contractual service arrangements which she has to work as a physical therapist and shall update the Executive Director in writing within five (5) days of any and all changes in such arrangements;
- L. Before providing services, Respondent shall provide a copy of this Consent Order to her employer(s), contractor(s), supervisor(s), and any individual who works with Respondent and who has a duty to ensure that quality physical therapy services are provided to patients (hereinafter, "parties"). In addition and before providing services, Respondent shall have the parties notify the Executive Director in writing that she/he has received and reviewed a copy of this Consent Order. Respondent shall fulfill the requirements of paragraph "L" with any new or subsequent parties during the probationary period;
- M. During the entirety of her probationary period Respondent shall fully cooperate with the Board representatives making random unannounced monitoring visits to her work sites and shall provide complete access to any and all locations where Respondent provides Physical Therapy services or services connected to physical therapy services, 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 \$150.00 for each such monitoring visit;
- N. Respondent shall meet with the Board, or with the Board's representative, whenever requested during the suspension and probationary period, and shall fully cooperate in providing information and documents requested in such meetings;
- O. Respondent shall have reliable access to a computer, internet, and telephone. Respondent shall reply to Board emails and telephone calls within 48 (forty-eight) hours of such communication;

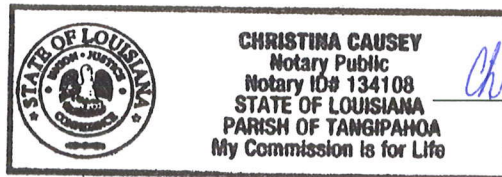
- P. Respondent shall pay the Board the sum of \$10,000.00 in partial reimbursement for legal and administrative expenses incurred in this matter, this amount may be paid in a lump sum, or in installments, if arranged in advance with the Executive Director, but full payment shall be complete no later than July 28, 2020. Fulfillment of the payment of the full amount of this Consent Order will constitute fulfillment of the payment requirement of the Board Order dated March 3, 2015.
- Q. Respondent shall 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 "P" 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. If Respondent relocates to another state, she will, within five (5) days of relocation, enroll in that state's Impaired Professional Program and have reports required under this agreement sent to the Louisiana Physical Therapy Board. If the other state has no program, Participant will notify the licensing Board of that state or jurisdiction that Participant is in recovery that she is in a Consent Order with the Louisiana Physical Therapy Board.
- R. Respondent declares that, before signing this Consent Order, she 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. She has waived her right to be represented by counsel;
- S. Respondent acknowledges that her failure to comply with any term of this Consent Order is a basis for immediate summary suspension of her license and for further disciplinary action by the Board;
- T. Respondent acknowledges that this Consent Order only addresses the specific violations outlined above;
- U. Respondent authorizes the Investigating Board Member, Elizabeth Austin, DPT, 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. 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 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;

- V. 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, from further participation in hearings or resolution to these proceedings; and
- W. Respondent acknowledges that this Consent Order becomes effective only upon signature by the Board Chair.
- X. Respondent acknowledges that all communication 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 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.

Rebecca Seymour, PT, DPT

 Rebecca Seymour, DPT

SWORN TO and subscribed before me, Notary Public 18th day of April, 2016
Hammond, Louisiana.



Christina Causey

 Notary Public

AGREED AND ACCEPTED by official action of the Board, the 26 day of
April, 2016, at Lafayette, Louisiana.

Louisiana Physical Therapy Board

Al Moreau, III, P.T., Chair

 Al Moreau, III, P.T., Chair