



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**  
**SACHA COMEAUX, PT**  
**LICENSE NO. 07048**

**CONSENT ORDER**  
**NUMBER: 2016-I-002**

**CONSENT ORDER**

Ms. Sacha Comeaux, PT (“Ms. Comeaux” or “Respondent”) came to the attention of the Louisiana Physical Therapy Board (“LPTB” or “Board”) on February 25, 2016 when a complaint was submitted to the Board office therein alleging that the Respondent refused a drug test following an injury at work. Additionally, the complaint alleged that when attempting to provide a urine sample for the drug test, a bottle of urine fell from the Respondent’s person into the toilet. Respondent was permitted additional attempts to provide a urine sample for the drug test. Respondent left the facility after four attempts to provide urine without success. Following receipt of the complaint, the LPTB formed an Investigative Committee to investigate the complaint. On three different occasions the Executive Director, member of the LPTB Investigative Committee, requested that the Respondent submit to a drug test. Respondent refused.

**FACTUAL BASIS FOR CONSENT ORDER**

1. Respondent is, and at all times pertinent hereto, was a physical therapist licensed by the Board as evidenced by license number 07048.
2. On February 17, 2016, Respondent reported to work at a hospital located in Baton Rouge, LA as a physical therapist.

3. At 8:45 a.m. on February 17, 2016, Respondent injured her right arm when moving a portable metal pole with a hand sanitizer dispenser attached in an attempt to use the object as a door stop as she was trained to do so by her supervisor. The object slipped through her hands and fell on her arm.
4. At approximately 2:15p.m., Respondent notified the director of nursing of her injury. Respondent's arm was disfigured. Respondent requested that she be evaluated by her family physician in Plaquemines, Louisiana. The director of nursing informed the Respondent that the hospital's policy is to submit to a drug screen and evaluation at an occupational medicine clinic. Respondent agreed and the director of nursing completed an incident report at 3:00 p.m. and contacted human resources to make the arrangements.
5. Hospital human resource personnel instructed Respondent to report to Total Occupational Medicine, an occupational medicine clinic, located in Baton Rouge, LA for a drug test.
6. Respondent arrived at Total Occupational Medicine, the treatment and drug testing facility, at 4:50 p.m. on February 17, 2016 to receive treatment for her injured arm and to submit to an observed drug test.
7. Respondent first received treatment for her injured arm. Thereafter, Respondent was escorted to a restroom at Total Occupational Medicine where an observer asked her to pull her pants down to the ground prior to providing sample. While performing the task, a bottle of liquid with a heat pack attached fell from the Respondent's person into the toilet. Respondent was verbally informed that she could complete the drug screen utilizing her own urine.
8. Following four attempts to provide a urine sample for drug testing, Respondent refused further attempts at testing at 7:15 p.m. informing the observer that her driver had arrived and she was required to leave the facility.
9. On February 25, 2106, a complaint was submitted to the Board therein specifying the incidents that occurred on February 17, 2016.
10. Shortly thereafter an investigative committee was formed comprised of the Board Executive Director, a Board Attorney, and a Board Member to investigate the allegations within the complaint.
11. During the course of the investigation several witnesses were interviewed and documents were subpoenaed.
12. On March 8, 2016, after several failed attempts to successfully contact Respondent, Charlotte Martin was able to reach the Respondent by telephone requesting Respondent to submit to a drug test by close of business. Respondent refused the drug test citing a surgery on her right hand on March 2, 2015 and inability to drive. Mrs. Martin offered to transport her to the drug testing facility. Alternatively, Mrs. Martin recommended the use of a taxi. Respondent informed Mrs. Martin that she would contact her mother and

promptly call her back to inform her of the status of her transportation.

13. At 4:02p.m. on March 8, 2016, Respondent called Mrs. Martin's cell phone allowing it to ring one time. No voicemail was left. Mrs. Martin provided Respondent time to call again. At 5:11 p.m. Mrs. Martin called Respondent and left a voicemail asking her to call back.
14. Respondent both failed to submit to a drug test and to communicate with Mrs. Martin regarding the status of her transportation on March 8, 2016.
15. On March 9, 2016 at 10:31a.m. the Board attorney contacted Ms. Comeaux and left a voicemail identifying herself and requesting that Ms. Comeaux contact her within one hour of the telephone call. Ms. Comeaux failed to contact the Board attorney.
16. On March 9, 2016 at approximately 6:00 p.m., Respondent was personally served with a Board letter notifying her of the investigation and requesting that she appear for a drug test on March 10, 2016 at Total Occupational Medicine between 7:00 a.m. and 3:00 p.m. Respondent appeared for the drug test refusing to provide a sample for the hair test, misleading the staff of Total Occupational Medicine to believe that they had not provided a form for the test, which they found crumbled in the trash can and hidden. Respondent submitted to the urine sample. Due to third party error, Respondent was not supervised when providing a urine sample. The urine sample was not tested.
17. Between March 9, 2016 and through March 28, 2016, numerous attempts to communicate with Respondent were made without success.
18. On March 29, 2016, Respondent contacted Board staff. Respondent, Mrs. Charlotte Martin, and the Board attorney participated on a telephone call at which time Respondent discussed the allegations found within the Draft Administrative Complaint and her Answer to the complaint. Respondent denied all allegations of drug use. Board staff requested that Respondent to submit to a hair or fingernail drug test as a means disprove all allegations and close the complaint. Transportation was offered. Respondent refused to submit to the drug test.
19. On April 21, 2016 Respondent contacted the Board attorney by email requesting information regarding her options and scheduled hearing.
20. On April 22, 2016 the Board attorney and Executive Director spoke with the Respondent by telephone explaining the hearing process and option for a consent order. Respondent expressed her desire to enter into a Consent Order.

## **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 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.
- B. In failing to submit to a drug test at the time and place directed by the executive director, Respondent violated Rule §345 B (12).
- C. In failing to submit to a drug test at Total Occupational Medicine following a work injury Respondent violated La. R.S. 37:2420(A)(7), Unprofessional Conduct.
- D. In failing to communicate with the Board's Executive Director, Charlotte Martin, and refusing to provide a sample of hair for a drug test, Respondent violated Board Rule §383 A (1).

## **ORDER**

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

- A. Respondent's physical therapy license is suspended until submission to a supervised drug test at the time, date, and facility specified by the Board Executive Director and submission to a psychological and substance abuse evaluation to be performed by an appropriate professional designated by the Board at her own expense and receipt of evaluation results. Evaluation may be paid by the Board and reimbursed by Respondent, if arrangements are made by Respondent in advance of the test. The evaluation must be scheduled and drug test must be successfully completed no later than May 13, 2016.
- B. Upon receipt of Drug test and psychological and substance abuse evaluation results, Respondent's license shall be on probation for a minimum of three (3) years. 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 and final exit interview with the Board to be scheduled by the Board Executive Director;

- C. Respondent shall immediately comply with all recommendations of the psychological and substance abuse professional designated by the Board which will be incorporated herein *in extenso* and may include the following:
1. Undergo substance abuse treatment for a specified duration and frequency;
  2. Attend ninety (90) meetings in ninety (90) days of Alcoholics Anonymous, Narcotics Anonymous or other recovery support programs approved by the Executive Director and shall document attendance on Board-provided forms;
  3. Abstain from the use and ingestion of Alcohol;
  4. Notify the Board Executive Director documentation of a prescription/medication, the quantity, dosage and frequency, the condition for which the medication is given, and the date that the prescription was filed within three (3) calendar days of obtaining a prescription/medication from the prescribing/ordering physician. Provide the Executive Director of the Board with the 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.
  5. 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 and authorizes treating physicians to provide information on her diagnosis treatment and prescriptions to the Board Executive Director or other board agent;
  6. 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;
  7. Prohibit work in home-health;
- D. Respondent 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. Releases for health care treatment provided at the time of the Consent Order signature must be submitted to the Board no later than May 13, 2016. Any and all medical and mental health and substance abuse treatment provided to Respondent throughout the Suspension and Probation period must be reported within 48 hours of receiving such treatment and

medical releases must be signed by Respondent within 3 business days and submitted to the Board.

- E. 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;
- F. Following Board approval of this Consent Order and during the probationary period, Respondent shall abstain from the use and ingestion by any means 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. 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 mood altering substances and/or any controlled dangerous substance as defined by Louisiana and federal laws not lawfully prescribed by a physician, dentist, or individual legally authorized to prescribe medications 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;

- G. 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. 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;
- H. 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;

- 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 in accordance with Paragraph "F", 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 eight (8) hours of continuing education courses in Ethics/Professionalism and shall attend one live Jurisprudence Seminar prior to her license renewal. Respondent shall request in writing and receive approval from the Executive Director prior to taking the additional eight (8) hours of Ethics/Professionalism. 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-eight (38) hours of continuing education for license renewal;
- K. 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 \$2,750.00 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 May 27, 2019.
- 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.
- R. Respondent shall write an essay of no fewer than 750 words explaining how her conduct violated the Practice Act and Board Rules and what she has learned as a result of the disciplinary process. The essay shall be submitted to Board Executive Director no later than May 18, 2016. Respondent shall present her essay to the Board at the scheduled June, 2016 Board meeting
- S. 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;
- T. 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;
- U. Respondent acknowledges that this Consent Order only addresses the specific violations outlined above;
- V. Respondent authorizes the Investigating Board Member, Kristina Lounsberry, PT, 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;

- W. 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
- X. Respondent acknowledges that this Consent Order becomes effective only upon signature by the Board Chair.
- Y. 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.

Sacha Comeaux, PT  
Sacha Comeaux, PT

Plaquemine SWORN TO and subscribed before me, Notary Public 22<sup>nd</sup> day of April, 2016, Louisiana.

Tracy Lopez #71945  
Notary Public  
**Dy. Clerk of Court & Ex Officio  
Notary Public, Parish of Iberville, La.**

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