



State of Louisiana

Board of Physical Therapy Examiners

332 EAST FARREL ROAD, SUITE D
LAFAYETTE, LA 70508
318/984-1522

In The Matter of
DAVID JESSIE JOHNSON, L.P.T.
(License No. 199)
Respondent

B90030601

No. 90-101

Consent Order

TO: Mr. David Jessie Johnson
Rt. 6, Box 1722
Ruston, Louisiana 71270

An Informal Conference was convened before a representative committee of the Louisiana State Board of Physical Therapy Examiners ("Board") on April 4, 1990, to discuss alleged, specific violations of the Louisiana Physical Therapy Practice Act by the Respondent, David Jessie Johnson ("Johnson") to-wit: "the person (physical therapist) is habitually intemperate," La. Rev. Stat., Title 37, Section 2413 (5), and "no person shall violate any provisions of this Chapter," La. Rev. Stat., Title 37, Section 2414(4).

In attendance, at the Informal Conference was Respondent; Thomas LaBorde, M.D. and Rebecca Lege, Board members; and Michael A. Tomino, Jr., attorney for the Board.

Upon consideration of the discussion and evidence presented at the Informal Conference, the representative committee of the Board made certain recommendations to the Board resulting in this Consent Order which is voluntarily entered into by and between the Board and Respondent, David Jessie Johnson;

FINDINGS OF FACT

1. Respondent is a physical therapist duly licensed by the Board to practice physical therapy in the State of Louisiana pursuant to the

Physical Therapy Practice Act of Louisiana, LSA R.S. 37:2401, et seq., as evidenced by License No. 199.

2. At all times pertinent herein, Respondent was engaged in active practice as a physical therapist in Monroe, Louisiana.

3. Respondent voluntarily agrees that he has a problem with alcohol abuse resulting in habitual intemperance and wishes to work towards an amicable resolution of solving his alcohol abuse problem.

TERMS OF CONSENT ORDER

Based upon the foregoing Findings of Fact, Respondent and the Board, by vote of the quorum, mutually agree to the following:

1. Respondent agrees not to ingest, use or abuse alcohol beginning with the effective date of this Consent Order, being April 26, 1990.

2. Respondent agrees to keep the Board informed of where he lives and works and shall notify the Board of a change in either no later than 24 hours after any such change.

3. For a period of one year beginning on the effective date of April 26, 1990, a licensed physical therapist in the Monroe area will visit the facility or facilities where Respondent practices physical therapy on a weekly basis and submit a monthly report to the Board's attorney regarding the treatment rendered by Respondent (it will be Respondent's responsibility to establish and maintain the referenced relationship with a licensed physical therapist in Monroe in order to accomplish this element of the Consent Order and should it be necessary to find a substitute physical therapist, Respondent shall notify the Board's attorney within 48 hours of the need for the substitution);

4. Respondent provide a patient list regarding the patients who will be receiving physical therapy treatment from him within ten days from the effective date of this Consent Order (random selections will be made and discreet surveys will periodically be conducted by the Board or its representative);

5. Respondent will submit to an evaluation to be conducted by the regional Alcoholics Anonymous office located at Monroe Alcoholic and Drug Abuse Clinic within ten days of the effective date of this Consent Order, and further respondent will abide by the result and advises of Alcoholics Anonymous for the period of one year from the effective date of this Consent Order (if professional counseling is advised by Alcoholics Anonymous Respondent will participate in this and any other programs which are advised by this organization and Respondent will execute any necessary forms and medical authorizations at the time of his evaluation for the access to his treatment and rehabilitation files);

6. All expenses, costs and professional fees involved in this matter are to be paid by Respondent;

7. Respondent will resign his position as an Advisory Committee member with the understanding that Respondent will be reconsidered for appointment at the end of the one year period referenced above;

8. Respondent's physical therapy license will not be on probation nor suspension for the one year period referenced herein; however, in the event any violations of this Consent Order are committed by Respondent, Respondent's license will be subject to sanction after proper notice and due process;

9. A supplemental Informal Conference will be conducted at the end of the one year period referenced above between a representative committee of the Board, Respondent, and the Board's attorney whereby Respondent's case and progress will be reviewed at that time and recommendations will be made to the Board regarding this matter;

10. At any time during the one year period referenced above, the Board, one or more of its representatives, and/or the Board's attorney may conduct an informal visit with Respondent to review and discuss his current status and whether the terms of this Consent Order are being fulfilled and the results of such meeting shall be reported to the Board;

11. Respondent will follow any further recommendations of the Board should it feel additional monitoring measures are needed

and should the Board request supervised random alcohol screen(s) (blood and/or urine) at any time or placed Respondent agrees to pay the associated expenses; and

12. Respondent hereby releases the Board, its representatives and attorney from any obligations or liability in their endeavors to administer this Consent Order.

THUS DONE AND PASSED on the 26th day of April, 1990, at the City of Lafayette, Parish of Lafayette, 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:

LOUISIANA STATE BOARD OF
PHYSICAL THERAPY EXAMINERS

Richard Reynolds
Jean C. Segura

BY: Paul LaMothe, Jr., P.F.
Paul LaMothe, Jr., P.F.
Presiding Administrative Officer

Michael A. Jernico, Jr.
NOTARY PUBLIC

THUS DONE AND PASSED on the 1st day of May, 1990, at the City of Monroe, Parish of Ouachita, 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:

[Signature]
Brenda Lambert

David Jessie Johnson
David Jessie Johnson

Brenda C. Hulford
NOTARY PUBLIC