



Jeff Landry  
Governor

State of Louisiana  
Department of Health and Hospitals

Charlotte F. Martin, M.P.A.  
Executive Director

## Louisiana Physical Therapy Board

IN THE MATTER OF

ELIZABETH HAILE, PTA

LICENSE NO. A10789

CONSENT ORDER

NUMBER: 2023-I-048

### CONSENT ORDER

ELIZABETH HAILE (“Ms. Haile” or “Respondent”) is a Physical Therapist Assistant (“PTA”), as evidenced by License No. A10789, and is subject to the jurisdiction and the Rules and Regulations of the Louisiana Physical Therapy Practice Act (La. R.S. 37:2401, *et seq.*), and the Rules and Regulations of the Louisiana Physical Therapy Board (“LPTB” or “Board”) (LAC 46:LIV §103, *et seq.*), and enters in the following agreement relative to Complaint No. 2023-I-048.

### FACTUAL BASIS FOR CONSENT ORDER

1. Respondent received her Physical Therapist Assistant license, number A10789, on or about on October 26, 2020.
2. On or about September 26, 2023, the Board received a rap back report that indicated Ms. Haile was arrested on September 8, 2023, in St. Tammany Parish for three misdemeanor charges: operating a vehicle while intoxicated (La. R.S. 14:98), possession of alcoholic beverages in a motor vehicle (La. R.S. 32:300), and driving on right side of road (La. R.S. 32:71).
3. On September 28, 2023, the Board initiated Complaint No. 2023-I-048, due to Ms. Haile’s failure to report the September 18, 2023 arrest to the Board.
4. In association with the complaint, on September 29, 2023, a subpoena was issued to the St.

Tammany Parish Sherriff's Office to obtain documents related to Ms. Haile's arrest. A subpoena was also issued on that same date to the Louisiana State Police – Troop L to obtain documents related to Ms. Haile's arrest.

5. On October 9, 2023, the St. Tammany Parish Sherriff's Office provided the Booking Receipt relative to Ms. Haile's arrest and advised the Board that Ms. Haile was arrested by the Louisiana State Police; therefore, arrest reports must be obtained from the Louisiana State Police.
6. On November 9, 2023, a subpoena was issued to the Criminal Division of the St. Tammany Parish District Attorney's Office to obtain documents related to Ms. Haile's arrest.
7. On November 21, 2023, the St. Tammany Parish District Attorney's Office provided documents in response to the subpoena.
8. By correspondence dated November 28, 2023, the Board noticed Ms. Haile of the allegations against her, and requested that she provide a written statement giving her response to the allegations within thirty (30) days.
9. By correspondence received by the Board on December 22, 2023, through counsel, Ms. Haile provided a written statement in response to the allegations set forth in the notice letter and documents related to her arrest. Therein, Ms. Haile indicated that she was participating in a court diversion program as a result of the arrest and would update the Board to provide assurance of successful completion of the diversion program.
10. By email on March 13, 2024, Board office staff attempted to receive an update regarding the diversion program progress from Ms. Haile with no response.
11. By email on April 24, 2024, Board office staff attempted for a second time to receive an update regarding the diversion program progress from Ms. Haile with no response.
12. By telephone on May 2, 2024, Ms. Haile called the Board office to provide an update that she was currently in treatment for substance abuse and had been in said treatment since February 2024.
13. On May 9, 2024, counsel for Ms. Haile advised that she was participating in an inpatient substance abuse treatment program in Florida.

## **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 his practice of physical therapy:

1. La R.S. 37:2420(A)(1) - After due notice and hearing, the board may refuse to license any applicant, or may refuse to renew the license of any person, or may restrict, suspend, or revoke any license upon proof that the person has: (5) Been habitually intemperate or abused controlled dangerous substances as defined by federal or Louisiana law;

2. LAC 46:LIV §345(B)(15) - As used in R.S. 37:2420(A)(7) of the Practice Act and in these rules, the term unprofessional conduct does not require actual injury to a patient, and includes, but is not limited to, the following: failure to notify the board of a felony arrest or arrest related to habitual intemperance as defined in §351, institution of formal criminal charges either by indictment or bill of information, and conviction, including, but not limited to, a guilty plea or a plea of nolo contendere, within seven days of such arrest, criminal charge, or conviction.

## 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:

1. Respondent's Physical Therapist Assistant license is SUSPENDED until such time that Respondent submits to a fitness for duty evaluation. Respondent will schedule at her own expense a Fitness for Duty Evaluation by a Board-recognized provider. The evaluation report must be sent directly to the Louisiana Physical Therapy Board upon completion for review. The respondent's license will remain suspended until receipt of an evaluation report stating that Respondent is safe to return to the practice of physical therapy with reasonable skill and safety to the public.
2. Respondent agrees to follow all treatment recommendations resulting from the Fitness for Duty Evaluation. If individual therapy/treatment is recommended in the Fitness for Duty Evaluation, the individual treatment provider must meet the LPTB Criteria for Individual Treatment Providers. Participant shall sign all necessary medical release forms for the full initial evaluation report, fitness for duty evaluation report and any treatment discharge summaries released directly to the individual treatment provider. Participant agrees to allow the LPTB to send a copy of the Consent Order to the individual treatment provider. Individual therapy reports shall be sent directly to the LPTB from the individual therapy provider on a quarterly basis, to be received no later than the 15th of January, April, July, and October;
3. Once Respondent's license is reinstated after the suspension period set forth at Paragraph 1, above, Respondent's license shall be on probation for a minimum of five (5) years. Respondent shall submit to the Board Executive Director in writing not less than thirty (30) calendar days prior to completion of the 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 a letter from the Board acknowledging the close of the probationary period and a final exit interview with the Board to be scheduled by the Board Executive Director;
4. During the suspension and probationary period, the respondent shall participate in the Recovering Physical Therapy Program ("RPTP") and follow all terms and conditions set forth in the RPTP Participation Agreement.
5. During the probationary period, the Board may make random unannounced monitoring visits to Respondent's work site. In the event of a monitoring visit, Respondent shall fully

cooperate with the Board representative making the visit and Respondent shall provide complete access to her place of employment, 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 for expenses related to the monitoring visit as invoiced and must be paid within 30 days of receipt of invoice;

6. During the five-year probationary period, Respondent shall provide a copy of this Consent Order to her employer(s), direct supervisor(s), and any physical therapist(s), physical therapist assistant(s), or physical therapy technician(s) who are supervised by, work for, or contract with Respondent at any business, including, but not limited to, any business(es) Respondent owns, operates or manages before providing physical therapy services and shall have such person(s) notify the Executive Director in writing that she has received and reviewed a copy of this Consent Order prior to Respondent providing physical therapy services. Respondent shall do this also with any new or subsequent employer(s), direct supervisor(s), physical therapist(s), physical therapist assistant(s), or physical therapy technician(s) during the probationary period;
7. The five-year probation period shall be extended for any period of time in which Respondent is not employed as a physical therapist assistant within the State of Louisiana and regularly working an aggregate over the month that is at *least twenty (20) hours per week*. If Respondent ceases to be regularly employed as a physical therapist assistant 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;
8. Ms. Haile shall pay the Board the sum of \$725.00 in partial reimbursement for legal and administrative expenses incurred in this matter. Failure to reimburse associated fees will require the Board to take further action in collection of this debt. Respondent has twenty-four (24) months to reimburse the expenses before the debt will be considered final and transferred to the Louisiana Office of Debt Recovery (ODR). After transfer, the debt is subject to an additional collection fee of up to twenty-five percent (25%) of the total debt liability, as provided for in La. R.S. 47:1676(E).
9. Respondent shall comply with La R.S. 37:2415(B) and 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 8 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;
10. Respondent shall meet with the Board, or with the Board's representative, whenever requested during the probationary period, and shall fully cooperate in providing information and documents requested in such meetings;
11. Respondent shall have reliable access to a computer, internet, and telephone. In accordance with Board Rule §385, Respondent shall provide to the Executive Director her preferred telephone number and/or email address in writing for expedited communications regarding

compliance with this Board Order within forty-eight (48) hours of signing the Consent Order. Respondent shall reply to Board emails and telephone calls within four (4) hours of such communication. Respondent shall notify the Executive Director in writing of any change to her preferred telephone number and/or email address immediately upon such change;

12. Respondent declares that, before signing this Consent Order, she is of sound mind 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. Further, she has had the opportunity to be represented by legal counsel in this matter and in the negotiation of this Agreement;
13. Respondent acknowledges that her failure to comply with any term of this Consent Order is a basis for the immediate summary suspension of her license and for further disciplinary action by the Board;
14. Respondent acknowledges that this Consent Order only addresses the specific violations outlined above;
15. Respondent authorizes the Investigating Board Member, Phillip Page, 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, as currently comprised, or any future composition of the Board, 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;
16. 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, as the Board is currently constituted, or any future appointments to the Board, from further participation in hearings or resolution to these proceedings;
17. Respondent acknowledges that this Consent Order becomes effective only upon signature by the Board Chair; and
18. Respondent acknowledges that all communication(s) 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(s) 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.

I, ELIZABETH HAILE, have read this Consent Order, understand it, and agree to be bound by its terms and conditions.

*Elizabeth Haile*  
ELIZABETH HAILE

SWORN TO and subscribed before me, Notary Public this 10<sup>th</sup> day of June, 2024, in Mandeville, Louisiana.

*[Signature]*  
Notary Public  
CRAIG J. ROBICHAUX  
Notary Public  
Notary ID No. 9832  
St. Tammany Parish, Louisiana

AGREED AND ACCEPTED by official action of the Board, this 12<sup>th</sup> day of June, 2024, at Lafayette, Louisiana.

Louisiana Physical Therapy Board  
*Oday Lavergne, Jr.*  
Oday Lavergne, Jr., PT, Chair