



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

JAMIE FLOYD

LICENSE NO. 01920

CONSENT ORDER

NUMBER: 2024-I-005

CONSENT ORDER

JAMIE FLOYD (“Ms. Floyd” or “Respondent”) is a Physical Therapist (“PT”), as evidenced by License No. 01920, 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. 2024-I-005.

FACTUAL BASIS FOR CONSENT ORDER

1. Respondent received her Physical Therapist license, number 01920, on or about December 16, 1993.
2. On or about February 18, 2024, upon review of Respondent’s physical therapy license renewal application, the Board determined that Respondent failed to timely report her August 11, 2023 arrest for driving while intoxicated, and failed to timely report her January 25, 2024 arrest for simple battery.
3. On February 20, 2024, the Board Office sent notice to Respondent advising her that a complaint had been initiated and requested that she provide, within thirty days, a written statement giving her view of the situation and explaining fully the circumstances involved.
4. On March 20, 2024, the Board received Respondent’s written response, admitting to her 2023 arrest and failure to timely report same. Respondent also advised that a civil stay away order was in place between her and her dating partner/the father of the alleged victim

involved in her 2024 arrest.

5. On March 28, 2024, the Board Investigative Committee issued a notice letter to Respondent, setting an Informal Conference (Bertucci hearing) for April 23, 2024.
6. An informal conference was held on April 23, 2024, between the Investigative Committee and Respondent. During the conference, Respondent acknowledged her failure to timely report her 2023 and 2024 arrests. Respondent admitted to her increased consumption of alcohol in recent years.
7. Respondent admits that her consumption of alcohol was a factor in her 2023 arrest for driving while intoxicated and resisting arrest, her 2020 arrest for battery of a dating partner, and her 2024 arrest for simple battery.
8. Following the informal conference, on April 29, 2024, the Board's Executive Director issued a notice letter to Respondent, directing her to submit to an outpatient evaluation with a Board-recognized provider to address issues raised by the Investigative Committee and to include, at a minimum, a comprehensive substance abuse evaluation, psychiatric evaluation, psychological evaluation, and medical examination to include drug screening.
9. Respondent completed her outpatient evaluation on May 29, 2024, at the Board-recognized provider, Palmetto Addiction Recovery Center ("Palmetto").
10. On June 12, 2024, Palmetto provided its report and recommendations to the Board. Among its recommendations, Palmetto advised that Respondent was "not ready to practice as a Physical Therapist with skill and safety until she has completed treatment, has a continuing care plan in place, has signed a Louisiana Board of Physical Therapy agreement and has met with her treating addictionist following treatment to determine her fitness to return to duty." Palmetto also recommended that Respondent sign a five-year LPTB monitoring contract, for which any violations or positive drug screens should result in further inpatient evaluation, and that Respondent complete a LPTB approved inpatient treatment program for chemically dependent professionals.

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:

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: (1) Practiced physical therapy in violation of the provisions of this Chapter, the rules of the board, or standards of practice.
2. La R.S. 37:2420(A)(5) - 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.

3. 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: (15) 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.
4. LAC 46 LIV §345(B)(1)(a) - 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: (1) departure from, failure to conform to, or failure to perform on a continuing basis to the minimal standards of acceptable and prevailing physical therapy practice as defined in §123, or the commission of any act contrary to honesty, justice, good morals, patient safety or the best interest of the patient, whether committed in the course of the licensee's practice or otherwise, regardless of whether actual injury to a patient results therefrom, including, but not limited to; (a) failure to use sound professional judgment.

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 license is **SUSPENDED** until such time that Respondent complies with the recommendations provided by the Palmetto treatment team in their May 29, 2024, evaluation report and letter. As recommended, the Respondent must complete an in-patient treatment program for chemically dependent professionals with a Board-approved provider. Upon completion of the treatment program, Respondent must submit to a Fitness For Duty Evaluation. Respondent will schedule the evaluation at her own expense. The Fitness For Duty Evaluation report must be sent directly to the Board upon completion for review. The respondent's license will remain suspended until receipt by the Board of an evaluation report from a Board-approved provider 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 in-patient treatment program and the Fitness for Duty Evaluation. If individual therapy/treatment is recommended, Respondent shall choose an individual treatment provider that meets the LPTB Criteria for Individual Treatment Providers. Respondent shall sign all necessary medical release forms for the full initial evaluation report, Fitness For Duty Evaluation report and any treatment discharge summaries to be released directly to the individual treatment provider and to the LPTB. Participant further agrees to allow the LPTB to send a copy of the Consent Order(s) and any other Orders issued by the Board relative to Respondent 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. Respondent shall complete a RPTP Participation Agreement. 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 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. Floyd shall pay the Board the sum of \$3500 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.
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, JAMIE FLOYD, have read this Consent Order, understand it, and agree to be bound by its terms and conditions.

Jamie Floyd
JAMIE FLOYD

SWORN TO and subscribed before me, Notary Public this 18 day of July, 2024,
in Rayville, Louisiana.

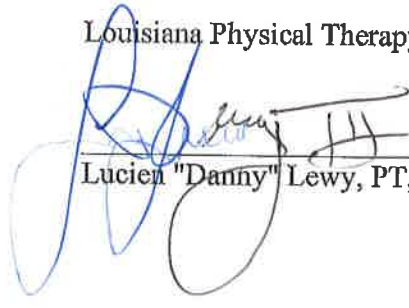


Michelle G. Lively
Notary Public

Michelle G. Lively
Notary Name printed (#)

AGREED AND ACCEPTED by official action of the Board, this 24th day of July, 2024, at Lafayette, Louisiana.

Louisiana Physical Therapy Board



Lucien "Danny" Lewy, PT, Chair

