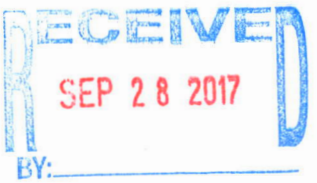
JOHN BEL EDWARDS
GOVERNOR

CHARLOTTE F. MARTIN, M.P.A.
EXECUTIVE DIRECTOR

State of Louisiana
DEPARTMENT OF HEALTH AND HOSPITALS
Louisiana Physical Therapy Board



IN THE MATTER OF	**ADMINISTRATIVE HEARING**
ODIE HUGHES	**ORDER**
LICENSE APPLICANT	

The Louisiana Physical Therapy Board (the "Board") held an Administrative Hearing in the above referenced matter at the Board's Office, located at 104 Fairlane Drive in Lafayette, Louisiana, on August 23, 2017. The Administrative Hearing was held at the request of Odie Hughes, the Applicant, ("Mr. Hughes" or "Applicant") following service of a Notice of Intent to Deny License. A quorum of the Board was present and participated in the hearing. Board Members participating were Donald Cassano, P.T., Craig Prejean, P.T.A., Kristina Lounsberry, P.T., Elizabeth Austin, P.T., Patrick Cook, P.T. and Julie Harris, P.T. Robert Odinet, attorney, was present and served as hearing officer during the proceedings. Attorneys representing the Board were George M. Papale, General Counsel, and Courtney P. Newton. Charlotte Martin, Executive Director of the Board, was also present. Mr. Hughes was present and was not represented by counsel.

The Board appointed Donald Cassano, P.T. as the chairman for the hearing. The Applicant presented testimony and evidence before the Board. As part of his presentation of evidence, the Applicant called Caleb Martin and Katie Hughes to provide testimony on the Applicant's behalf. After hearing testimony and reviewing all exhibits introduced, the Board found that, in accordance with La. R.S. 37:2413, the Applicant presented sufficient evidence to the Board of his qualifications for licensure as specified in La. R.S. 37:2411. Thereafter, Board unanimously voted to issue a provisional license to the Applicant; and, following official notice of passage of examination, to issue Applicant a license to practice as a physical therapist assistant with restrictions.

THEREFORE, IT IS ORDERED that:

A restricted provisional license be issued to Odie Hughes immediately following the decision of the Board on August 23, 2017; and, upon notice of passage of examination, that Mr. Hughes be issues a restricted license to practice as a physical therapist assistant. License restrictions include the following:

1. Applicant shall be personally responsible for all costs incurred in complying with the terms of this order, including, but not limited to therapy, assessments, evaluation, supervision, drug/alcohol screens and the monitoring and reporting thereof, medical care and treatment and reproduction of treatment or other records.

2. Applicant shall fully participate in any assessments and/or evaluations to be completed by a licensed professional who is designated and pre-approved by the Board as reasonably *mav be* required and shall follow those recommendations made as a result of the assessment.

3. Recovery from functional impairment involving excessive or habitual use of alcohol and/or mood altering drugs requires complete and timely compliance with random drug and/or alcohol screening. Therefore, applicant shall be monitored for a minimum of three (3) years.

4. Applicant shall abstain from the use and ingestion by any means of alcohol, including, but not limited to, foodstuffs, beverages, or toiletries containing alcohol; mood altering substances; any controlled substance as defined by Louisiana and federal laws; or any drugs requiring a prescription unless lawfully prescribed by an individual legally authorized to prescribe medications and is knowledgeable of Respondent 's substance abuse history. Applicant shall abstain from foodstuffs containing poppy seeds, hemp products, herbal or health preparations containing derivatives of controlled substances, and all over-the-counter medications, unless authorized in writing by a physician knowledgeable of Respondent's substance abuse history, except plain aspirin, plain acetaminophen, or ibuprofen. If Respondent is prescribed or authorized in writing a mood altering substance, controlled substance, drug, or over-the-counter medication, or administered such by physician order, Applicant shall provide the following in writing to the Executive Director within 24 hours of obtaining such a prescription/medication:
a. Documentation of the prescription or written authorization;
b. Witten explanation of the condition for which the medication is prescribed;
c. Contact information for the prescribing or authorizing physician;
d. Names and contact information for the following:
i. Prescribing/authorizing healthcare provider;
ii. The pharmacy where the prescription has been filled, if applicable; and
iii. The pharmacist filling the prescription, if applicable.

5. Applicant shall immediately notify the Executive Director of the Board in writing of any relapse related to alcohol or substance abuse including, but not limited to, any unauthorized use of mood altering drugs.

6. Applicant 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 his expense. Applicant 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;

7. This Order imposes no duty on the Board, and including any persons or entities designated or approved by the Board, to access, evaluate, screen, supervise or monitor Applicant, to provide healthcare to Applicant or to consult about or make arrangement for Applicant 's physical or mental

health care notwithstanding any information which they have or may obtain concerning Applicant's physical or mental condition(s).

8. In the event that Applicant relocates to another state, Applicant will, within five (5) days of relocation, enroll in that state's Impaired Professional Program and have reports required under this Order sent to the Louisiana Physical Therapy Board. If the other state has no program, Applicant will notify the licensing Board of that state or jurisdiction that Applicant is impaired or in recovery and is enrolled in the Louisiana Physical Therapy Board's Recovering Physical Therapy Program. Applicant acknowledges failure to adhere to this requirement constitutes a violation of this Order and could result in the Applicant's physical therapy license being suspended.

9. The Board, or its designee retain the discretion to share information, if they deem(s) necessary with those persons providing evaluation/assessment, therapy, treatment, supervision, monitoring, or drug/alcohol testing or reporting pursuant to this Order.

10. In the event that some unusual circumstances or event has or could interfere with Applicant's timely compliance with any term or condition of this Order, Applicant shall, within five (5) working days, notify the Executive Director of the Board of such circumstance.

11. Full compliance with the terms and conditions of this Order is a prerequisite of Applicant 's continued physical therapy practice. Failure to comply with the terms and conditions of this Order can form the basis for disciplinary action under the practice act and board rules including, but not limited to, Rule §361 which could result in the suspension or revocation of Applicant's physical therapy license, denial of application or other appropriate action, pertaining to the PTs/PTAs license as the Board determines to be appropriate.

12. The practice of physical therapy by an impaired physical therapist poses a serious threat to the public health, safety and welfare. Therefore, non-compliance or complications relative to Applicant's impairment during the monitoring period, as herein specified, warrant immediate action to enable the Board to protect the public. Applicant 's non-compliance including, but is not limited to:

a. Applicant's failure to contact the laboratory approved by the Board for performing substance abuse tests or screens on Applicant' s bodily fluids or samples.

b. Applicant 's failure to provide an adequate specimen or sample for the substance-abuse test or screen.

c. Applicant's failure to provide the laboratory with correct and accurate information/documentation relative to any specimen or samples submitted for a substance abuse test or screen.

d. Applicant's submission of a specimen or sample for substance abuse testing or screening which results in a report of the test or screen showing dilution or adulteration of the specimen or sample.

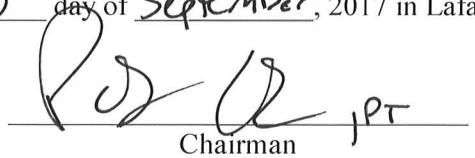
e. Receipt by the Board of any positive, unexplained substance abuse/drug screen report.

f. Receipt by the board of apparently reliable information of Applicant 's relapse related to impairment.

13. Upon Applicant 's notice by the Board of any non-compliance or complication relative to Applicant's impairment during the monitoring period as specified in this order, Applicant shall immediately cease practicing any form of physical therapy until Applicant has undergone a fitness for duty evaluation by an independent evaluator, approved by the Board, and Applicant has received written notification from the Board that Applicant may resume the practice of physical therapy.

14. In the event that Applicant receives notice of his or her non-compliance or complications relative to Applicant's impairment during the monitoring period and Applicant does not immediately cease practicing physical therapy or resumes practicing physical therapy prior to receiving written notification from the Board, Applicant acknowledges that such conduct will provide the Board just cause to take action pursuant to Board Rules to protect health, safety and welfare of the public just as deemed necessary by the Board, including, but not limited to , the summary suspension of Applicant's license to practice physical therapy as authorized by Board Rule §379 and La. R.S. 49 §961 C.

Signed this 25th ~~day~~ of September, 2017 in Lafayette, Louisiana.



Chairman