

STATE OF LOUISIANA
LOUISIANA PHYSICAL THERAPY BOARD

IN THE MATTER OF
LEE JOHNSON, P.T.

COMPACT PRIVILEGE NO. CP000602T

NUMBER: 2020-I-002

VOLUNTARY SURRENDER OF COMPACT PRIVILEGE

WHEREAS, LEE JOHNSON (“Ms. Johnson”) is a Physical Therapist (“PT”), holds a compact privilege in Louisiana, and is therefore subject to the jurisdiction and rules and regulations of the Physical Therapy Practice Act (La. R.S. 37:2401, et seq.), and the Board Rules and Regulations (LAC 46:LIV §103, et seq.);

WHEREAS, the Louisiana Physical Therapy Board (“LPTB”), received a complaint on January 7, 2020, that included information related to a recent termination of Ms. Johnson from Aureus Medical Group and from a travel assignment at St. Martin Hospital in Breaux Bridge, Louisiana, for suspicion of being under the influence of alcohol while at the facility;

WHEREAS, by correspondence dated February 6, 2020, the LPTB notified Ms. Johnson of the above complaint, provided Ms. Johnson with a summary of the nature of the complaint, and requested that Ms. Johnson submit to a substance abuse evaluation within seven (7) days;

WHEREAS, after not receiving a response from Ms. Johnson, by correspondence dated February 27, 2020, the LPTB sent a second letter to Ms. Johnson notifying her of the above complaint and providing her with a summary of the nature of the complaint, and scheduled an informal conference to be held on March 13, 2020, to provide Ms. Johnson with an opportunity

to show compliance with all lawful requirements for the retention of her privilege to practice as a physical therapist in the state of Louisiana;

WHEREAS, by correspondence dated March 15, 2020, Ms. Johnson responded to the letters from the LPTB in order to re-schedule the informal conference, which conference took place on August 12, 2020;

WHEREAS, the parties present the following facts as the basis for the Voluntary Surrender of Compact Privilege:

1. Ms. Johnson is a licensed physical therapist in Texas, holding license number 1031987. Ms. Johnson holds a compact privilege in Louisiana, #CP000602T.
2. Ms. Johnson provided a release to authorize the LPTB to obtain her past treatment records;
3. A review of the records reveals that since 2013, Ms. Johnson has entered eight (8) treatment programs, including three thirty (30) day programs, several inpatient programs, and three (3) three-day/short term hospitalizations. Her most recent treatment was at an inpatient facility in Texas from June 20-July 19, 2020.
4. Ms. Johnson has two DWI convictions, in 2014 and 2016.
5. On November 20, 2019, Ms. Johnson appeared for work at St. Martin Hospital intoxicated, after an evening of binge drinking.

WHEREAS, the respondent, Lee Johnson, has indicated her desire to voluntarily surrender her compact privilege with the LPTB, particularly No. CP000602T;

WHEREAS, the respondent, Lee Johnson, PT, acknowledges that the following will result due to her voluntary surrender of her compact privilege with the LPTB:

1. A report of this Voluntary Surrender of Compact Privilege and the conditions under which the compact privilege was surrendered shall be submitted to the National Practitioners Data Bank (“NPDB”).
2. Public notification of this Voluntary Surrender of Compact Privilege by posting a copy of this Voluntary Surrender of Compact Privilege on the LPTB website.

3. Prior to applying for licensure or a compact privilege in Louisiana, Ms. Johnson must submit to a Fit for Duty evaluation by an evaluator to be determined by the LPTB.
4. A three (3) year waiting period before Ms. Johnson will be eligible to apply for licensure or a compact privilege with the LPTB.
5. Prior to the grant of licensure or a compact privilege in Louisiana, a hearing shall be held by the LPTB to afford Ms. Johnson an opportunity to present evidence that she is fit to practice as a physical therapist in Louisiana. After such hearing, the LPTB may deny or grant licensure, require the completion of a specific program or remedial education approved by the Board, and/or require monitoring of Ms. Johnson's physical therapy practice as specified by the Board.
6. Ms. Johnson will be required to pay to the LPTB the amount of \$3,000.00 to reimburse the LPTB a portion of the fees and expenses incurred in this investigation.

WHEREAS, Ms. Johnson acknowledges that she has had the opportunity to thoroughly review the content of this Voluntary Surrender of Compact Privilege and that she is informed of and understands her rights to due process in connection with administrative charges, and that prior to final disciplinary action against her compact privilege, she would be entitled to have notice of a hearing on the allegations and charges asserted against her through the filing of an Administrative Complaint, and to have an administrative adjudication of such charges, at which time Ms. Johnson would be entitled to be represented by legal counsel, to call witnesses and to present evidence on her own behalf in defense or in mitigation of the charges made, and to a decision thereon by the Board based upon written findings of fact and conclusions of law pursuant to La. R.S. 49:950, *et seq.*;

WHEREAS, Notwithstanding her right to an administrative hearing and a decision thereon as provided by La. R.S. 49:955-965, in recognition of the stipulations set forth above and for the final disposition of this administrative action, Ms. Johnson, nonetheless, waives her right

to formal adjudication and voluntarily surrenders to the Board her compact privilege to practice as a physical therapist in the state of Louisiana as evidenced by Compact Privilege No. CP000602T. Ms. Johnson also hereby authorizes a member of the Investigative Committee or the Board attorney to present this Voluntary Surrender of Compact Privilege to the Board for its consideration, and to fully disclose to and discuss with the Board the nature and results of the investigation, and she waives any objection to such disclosures under La. R.S. 49:950, *et seq.*;

WHEREAS, Ms. Johnson acknowledges, stipulates and agrees that the voluntary surrender of her compact privilege in lieu of an administrative action shall have, and shall be deemed by the Board to have the same effect as if the Board had entered an order of revocation upon the conclusion of formal administrative proceedings. Ms. Johnson further acknowledges, stipulates and agrees that as a result of the voluntary surrender of her compact privilege, she shall not have any right or entitlement to reinstate or renew her compact privilege to practice as a physical therapist in the state of Louisiana;

WHEREAS, by the voluntary surrender of her compact privilege in lieu of disciplinary action, Ms. Johnson, moreover, acknowledges, stipulates, and agrees that she hereby waives any right to which she may be entitled pursuant to the Louisiana Administrative Procedure Act or which otherwise may be afforded to her by law, to contest her agreement to, or the force and effect of this document in any Court related to the matters referred to herein;

WHEREAS, Ms. Johnson acknowledges that she has had the opportunity to seek the advice and guidance of legal counsel with respect to this Stipulation;

WHEREAS, based upon the above, Lee Johnson, surrenders her compact privilege held
with the LPTB, particularly No. CP000602T;

Lee Johnson 11/03/2020
LEE JOHNSON Date

ORDER

The Louisiana Physical Therapy Board, represented herein by its Chair, having examined the Voluntary Surrender of Compact Privilege, Case No. 2020-I-002, accepts the Voluntary Surrender of Compact Privilege in this matter on this 19th day of November, 2020. Accordingly, the Board orders as follows:

1. A report of this Voluntary Surrender of Compact Privilege and the conditions under which the compact privilege was surrendered shall be submitted to the National Practitioners Data Bank ("NPDB").
2. Public notification of this Voluntary Surrender of Compact Privilege shall be made by posting a copy of this Voluntary Surrender of Compact Privilege on the LPTB website.
3. Prior to applying for licensure or a compact privilege in Louisiana, Ms. Johnson must submit to a Fit for Duty evaluation by an evaluator to be determined by the LPTB.
4. A three (3) year waiting period shall pass before Ms. Johnson will be eligible to apply for licensure or a compact privilege with the LPTB.
5. Prior to the grant of licensure or a compact privilege in Louisiana, a hearing shall be held by the LPTB to afford Ms. Johnson an opportunity to present evidence that she is fit to practice as a physical therapist in Louisiana. After such hearing, the LPTB may deny or grant licensure, require the completion of a specific program or remedial education approved by the Board, and/or require monitoring of Ms. Johnson's physical therapy practice as specified by the Board.
6. Ms. Johnson shall pay to the LPTB the amount of \$3,000.00 to reimburse the LPTB a portion of the fees and expenses incurred in this investigation.

Date: 11-19-2020

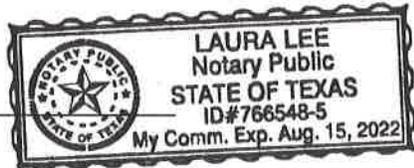

Judith Halverson, PT, DPT, MHA
Chairman

I, **LEE JOHNSON**, have read the Voluntary Surrender of Compact Privilege and Order, understand it, and agree to be bound by its terms and conditions.

DATED: 11/03/2020 Lee Johnson
LEE JOHNSON

SUBSCRIBED AND SWORN TO before me this 3rd day of November, 2020,
at Tyler, Texas.

Laura Lee
Notary Public



Print Name: _____
My Commission Expires: _____