



2. Respondent practiced physical therapy at AMR Physical Therapy Services, Inc. at all pertinent times, more particularly July 6, 2000 through April 23, 2001.

3. Respondent provided physical therapy treatment services to May F. Lorenz, beginning July 6, 2000 through August 7, 2000, on nine different days.

4. Respondent discharged May F. Lorenz from receiving physical therapy treatment services on or about August 7, 2000.

5. Respondent provided preventative services to May F. Lorenz on twelve different days, beginning September 6, 2000 through April 23, 2001 on a PRN basis.

6. Unprofessional conduct, such as kissing his client, was demonstrated by Respondent during his provision of preventative services to his client, May F. Lorenz.

### CONCLUSION OF LAW

7. It is unlawful for an individual licensed to practice physical therapy to engage in unprofessional conduct such as kissing a client during the provision of preventative services. LSA R.S. 37:2413 A (7); and Rules and Regulations, Title 46, Sections 305A, 307D, 327 E1, 327 E6 and 325 et seq.

8. It is unlawful for a person licensed to practice physical therapy to violate any of the provisions of the Physical Therapy Practice Act and the Rules and Regulations promulgated by the Board which includes the American Physical Therapy Association's Code of Ethics, more particularly Principle 2.1C. LSA R.S. 37:2413 A (1) and 37:2414(4); and Rules and Regulations, Title 46, Sections 305B and 325 et seq.

9. Respondent's violations of the provisions of the Physical Therapy Practice Act of Louisiana and the Rules and Regulations promulgated thereto constitute lawful grounds for the Louisiana State Board of Physical Therapy Examiners, upon due notice of hearing and proof of such violations, to suspend or revoke Respondent's license or other disciplinary action as provided by law. LSA R.S. 37:2413 A(1), 37:2413 A(7) and 37:2414 (4); and Rules and Regulations, Title 46, Sections 325 et seq.

### DECISION

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

10. Respondent is hereby placed on "Probation" for three (3) consecutive years beginning April 25, 2002 through April 24, 2005.



11. On the effective date of this Consent Order, Respondent shall pay \$ <sup>\$7,500.00</sup> (unknown *J.H.A.*) ~~at present~~) lump sum to the Board for administrative costs in this matter.

12. Within thirty (30) days of the effective date of this Consent Order, Respondent will begin psychiatric and/or psychological evaluation by a Board approved mental healthcare provider, and undergo treatment if suggested, at his expense. Respondent shall provide a medical authorization to the mental healthcare professionals giving the Board, or its representative, the ability to discuss any evaluation and/or treatment with such healthcare professionals. Respondent shall further provide the Board, or its representative, with a copy of all evaluations and/or reports rendered pursuant to this Consent Order.

13. On the effective date of this Consent Order, Respondent shall submit a signed Affidavit to the Board that he has read the Physical Therapy Practice Act of Louisiana and the Rules and Regulations promulgated thereto.

14. Respondent's failure to comply with any of the terms of this Order shall be deemed just cause for the suspension or revocation of Respondent's licensure, or any other disciplinary action, as if such violation were enumerated among the causes provided in LSA R.S. 37:2413 and the Rules and Regulations by the Board.

15. The existence and terms of this Consent Order will not be confidential or privileged information.

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

17. The effective date of this Consent Order shall be April 25, 2002, if Respondent executes and returns the Consent Order to the Board.

18. During the entire probation period, Respondent is to be available for meetings with the Board or a representative committee of the Board upon reasonable notice.

19. At the end of the probation period, Respondent shall meet with the Board or a representative committee of the Board to discuss compliance with this Consent Order.

20. If Respondent ceases to practice physical therapy in Louisiana, or does not practice continuously, for the term of his probation, the effect of the probationary practice shall be suspended for the duration of the cessation. Respondent may timely petition the Board in writing for review of this matter on the basis of personal hardship or other necessitous circumstances. The Board in its discretion may alter the terms of this provision depending upon the facts of the matter. "Timely" shall mean prior to the cessation or within five (5) days after the commencement of the cessation.

21. During the probationary period, Respondent shall be issued a Renewal Card

with the appropriate sanction of "Probation" stamped thereon in accordance with the terms set forth in this Consent Order.

22. Respondent declares that, before signing this Consent Order, he has carefully read this document, he knows and understands the contents thereof, he signs it as an act of his own free will, he understands its meaning and effect, he has had the opportunity to retain counsel if he so chose, he waives all rights to a formal public hearing and he consents to this Order.

THUS DONE AND PASSED, on the 18<sup>TH</sup> day of <sup>April</sup> ~~March~~, 2002, at the City of New Orleans, Parish of Orleans, 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:

Donica Dula

John Schmidt, P.T.

Barton G. Fouchy

[Signature]  
Notary Public

AGREED TO AND ACCEPTED this 25 day of April, 2002.

LOUISIANA STATE BOARD OF  
PHYSICAL THERAPY EXAMINERS

Becky Lege'  
Becky Lege', P.T.