



**BEFORE THE LOUISIANA PHYSICAL THERAPY BOARD**

**IN THE MATTER OF**

**EMILY ABENDROTH, PT**

**LICENSE NO. 08002**

**CONSENT ORDER**

**NUMBER: 2022-I-0016**

**CONSENT ORDER**

**FACTUAL BASIS FOR CONSENT ORDER**

Emily Abendroth, Louisiana Physical Therapist License No. 08002, hereinafter "Ms. Abendroth" or "Respondent", initially came to the attention of the Louisiana Physical Therapy Board ("LPTB" or "Board") during 2021, when the Louisiana Physical Therapy Board investigated a complaint regarding the practice of physical therapy by another individual. The investigation revealed that on or about April 30, 2021, Emily Abendroth created and signed discharge summaries for patients S.R. and M.B. treated at Spring Lake Skilled Nursing and Rehabilitation, 8622 Line Avenue, Shreveport, Louisiana, although Ms. Abendroth was not the supervising physical therapist for those two patients and she had never treated either patient. Upon discovery of this information a confidential complaint ensued and reviewed by an investigative committee formed in accordance with Board Rule §123. On July 29, 2021, the Investigative Committee of the Board sent a letter to the Respondent notifying Ms. Abendroth of the complaint and requested a written statement concerning the incident. The Investigative Committee received Ms. Abendroth's written statement on August 5, 2021. On November 19, 2021, Ms. Abendroth attended an Informal Conference with the Investigative Committee to discuss the incident.

**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. Respondent's conduct described above and otherwise reviewed in this action is subject to and/or in violation of the following provisions of law and Board Rules regarding her practice of physical therapy:

1. LAC 46: LIV § 341 (A)(7) - Discharge summary is the written documentation of the reasons for discontinuation of care, degree of goal achievement and a discharge plan which shall be created and signed by the supervising PT of record. A discharge summary shall be written at the termination of physical therapy care when feasible.

2. LAC 46:LIV § 345B(3)(a) - B. 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: \* \* \* (3) failing to create or maintain medical record - a licensee shall create and maintain adequate and legible patient records. In addition, a licensee shall: (a) not falsely create or alter a medical record or destroy a medical record except as authorized by law;

3. La. R.S. 37:2420(A)(7) - (A) 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: \* \* \* (7) Been found guilty of unprofessional conduct or sexual misconduct, including but not limited to departure from, or failure to conform to, the minimal standards of acceptable and prevailing physical therapy practice, in which proceeding actual injury to a patient need not be established;

4. LAC 46:LIV §345B(10)(a) - (10) making or participating in any communication, advertisement, or solicitation which is false, fraudulent, deceptive, misleading or unfair in violation of board rules, or which contains a false, fraudulent, deceptive, misleading or unfair statement or claim, including, but not limited to: (a) documenting services provided which have not been provided as documented or billing for services which have not been provided; and

5. LAC 46:LIV §383A(2) - A. Licensees shall cooperate with and assist the board in carrying out its duties. A licensee shall, among other matters:

\* \* \*

2. not attempt to influence the board, its members, staff or agents by means of intimidation, falsehoods or other means prohibited by law.

## 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 license shall be on probation for a minimum of one year. Respondent shall submit to the Board Executive Director in writing not less than thirty (30) calendar days prior to completion of 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 the Board a letter acknowledging the close of the probationary period and final exit interview with the Board to be scheduled by the Board Executive Director;
2. During the one year probationary period, Respondent shall fully cooperate with the Board representatives making random unannounced monitoring visits to her work sites and 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 \$150.00 for each such monitoring visit;

3. During the one 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;
4. The one 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 at least 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 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;
5. Respondent shall complete thirty (30) hours of board-approved continuing education courses or activities required in the biennial renewal period under Rule §194 during her probationary period. In addition, Respondent shall complete an additional four (4) hours of continuing education courses related to documentation and shall attend one live Jurisprudence Seminar per renewal period. Respondent shall request in writing and receive approval from the Executive Director prior to taking the additional four (4) hours of Ethics. Respondent shall provide documentation in the form of a course completion certificate to the Executive Director within five (5) calendar days of receipt of such documentation. Furthermore, Respondent shall submit documentary evidence of completion of thirty-four (34) hours of continuing education for license renewal period;
6. Respondent shall pay the Board the sum of \$2,100.00 in partial reimbursement for legal and administrative expenses incurred in this matter, this amount shall be paid in a lump sum, by certified check or money order payable to the Louisiana Physical Therapy Board at the time this Consent Order is signed by Respondent and prior to the time it is submitted to the Board for approval;
7. 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 "12" pertaining to reimbursement of legal and administrative expenses, are suspended until Respondent again resides within Louisiana, notifies the Executive Director of his Louisiana residence, and receives written confirmation from the Executive Director;
8. 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;

9. Respondent shall have reliable access to a computer, internet, and telephone. In accordance with Board Rule §385 Respondent shall provide to the executive director their preferred telephone number and/or email address in writing for expedited communications regarding compliance with 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 their preferred telephone number and/or email address immediately upon change;
10. 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 him. 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. As is her right, she has been represented by legal counsel;
11. Respondent acknowledges that her failure to comply with any term of this Consent Order is a basis for immediate summary suspension of her license and for further disciplinary action by the Board;
12. Respondent acknowledges that this Consent Order only addresses the specific violations outlined above;
13. Respondent authorizes the Investigating Board Member, Oday Lavergne, 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 him, or to the Board's capacity 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, his right to have notice of any allegations or charges against him, to administrative adjudication of such allegations or charges, and to a subsequent final decision rendered upon written findings of fact and conclusions of law;
14. 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, from further participation in hearings or resolution to these proceedings; and
15. Respondent acknowledges that this Consent Order becomes effective only upon signature by the Board Chair; and
16. Respondent acknowledges that all communication 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 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.



EMILY ABENDROTH, PT  
10106 Autumn Oaks Lane  
Shreveport, LA 71106

SWORN TO and subscribed before me, Notary Public 21<sup>st</sup> day of July, 2022,  
Shreveport, Louisiana.

Debra S. Brown #1543  
Notary Public  
Caddo Parish, LA  
My Commission is for Life

  
Notary Public

AGREED AND ACCEPTED by official action of the Board, the 25 day of  
August, 2022, at Lafayette, Louisiana.

Louisiana Physical Therapy Board

  
Chairman of the Board