

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

LORRAIN DOUCET

LICENSE NO. 02040F

CONSENT ORDER

NUMBER: 2022-I-031

CONSENT ORDER

LORRAIN DOUCET (“Ms. Doucet” or “Respondent”) is a Physical Therapist (“PT”), as evidenced by License No. 02040F, 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. 2022-I-031.

FACTUAL BASIS FOR CONSENT ORDER

1. Respondent received her Physical Therapist license, number 02040F, on or about on January 18, 1995.
2. On or about August 15, 2022, the Board received a confidential complaint asserting various allegations regarding the practice of the respondent, Ms. Doucet.
3. In association with the complaint, on August 25, 2022, a subpoena was issued to Ms. Doucet to obtain medical records relative to several clients in order to investigate the allegations raised in the complaint. In response thereto, Ms. Doucet, through counsel, notified the Board of her representation, and requested additional time to produce the requested records.

4. On September 23, 2022, Ms. Doucet, through counsel, provided medical records in response to the Board's subpoena.
5. By correspondence dated October 25, 2022, the Board noticed Ms. Doucet of the allegations against her, and that the investigative committee was scheduling an informal conference, or Bertucci hearing, in the captioned matter to give her an opportunity to show that she met all lawful requirements for the retention of her license.
6. Ms. Doucet and her counsel attended an informal conference with the investigative committee on December 5, 2022, after it was rescheduled from the originally date noticed.
7. During the informal conference, Ms. Doucet confirmed that she failed to properly document initial evaluations, treatment provided to patients, progress notes, re-evaluations, re-assessments, and discharges.

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 his practice of physical therapy:

1. La R.S. 37:2420(A)(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)(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;
3. LAC 46: LIV §343(A)(3) - A written record of physical therapy treatment shall be maintained for each patient. A complete record shall include written documentation of prescription or referral (if such exists), initial evaluation, treatment(s) provided, PT/PTA conferences, progress notes, reevaluations or reassessments, and patient status at discharge all as defined in §123. (3) Progress note is the written documentation of the patient's subjective status, changes in objective findings, and progression to or regression from established goals. A progress note shall be created and signed only by the supervising PT of record or PTA. A progress note shall be written a minimum of once per week, or if the patient is seen less frequently, then at every visit;
4. LAC 46: LIV §341(A)(4) - A written record of physical therapy treatment shall be maintained for each patient. A complete record shall include written documentation of prescription or referral (if such exists), initial evaluation, treatment(s) provided, PT/PTA conferences, progress notes, reevaluations or reassessments, and patient status at discharge all as defined in §123. (4) Reassessment or reevaluation is the written documentation which includes all elements of a progress note, as well as the interpretation of objective findings compared to the previous evaluation with a revision of goals and plan of care as indicated. A reassessment shall be written at least once per month, or, if the patient is seen less frequently, then at every visit. A reassessment shall be created and signed by the supervising PT of record;

5. LAC 46: LIV §341(A)(5) - Treatment Record is the written documentation of each patient visit which includes specific treatment and/or any equipment provided which shall be signed or initialed by the Supervising PT of Record or PTA. A treatment record shall be maintained only if a progress note is not written for each patient visit. A treatment record may be in the form of a checklist, flow sheet, or narrative;
6. 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.
7. LAC 46: LIV §341 B. - A licensee shall maintain accurate patient treatment and billing records and shall not falsify, alter, or destroy such records, the result of which would be to impede or evade investigation by the board or other lawful authorities;
8. LAC 46: LIV §341 C. - The documentation standards set forth above do not mandate a particular format; however, a complete physical therapy record must include these elements;

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 two (2) years from the date this Order is approved by the Board. 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 the Board letter acknowledging the close of the probationary period and a final exit interview with the Board to be scheduled by the Board Executive Director.
2. During the two (2) year probationary period, a third-party entity, to be determined by agreement of the parties, and approval by the Board, will monitor and review the records of Ms. Doucet to determine her compliance with the rules and regulations of the Board. The third-party entity will provide a report to the Board on a quarterly basis, which report will address the progress of Ms. Doucet in complying with the Board rules and regulations regarding record keeping.
3. During the two (2) year probationary period, Ms. Doucet shall complete the eight hour continuing education series entitled "Defensible Documentation" provided by the APTA. These hours are required in addition to all standard requirements for PT licensure renewal during each renewal cycle.
4. Ms. Doucet shall pay the Board the sum of \$3,160.60 in partial reimbursement for legal and administrative expenses incurred in this matter. This amount may be paid in a lump sum, or quarterly or monthly installments, if arranged in writing in advance with the

Executive Director, which payments must be made by certified check or money order. If paid in installment payments, the total amount due must be paid in twenty-four (24) months. In the event that the Respondent reimburses the Board in monthly installments, payment shall be submitted to the Board Executive Director no later than the 15th day of the month if monthly, or the fifteenth day of the first month of the quarter, if paying quarterly. The first payment, whether by lump sum or installment, shall be made within fifteen (15) days of approval of this Agreement and Order by the Board. Failure to provide payment by the 15th day of the month three times is a basis for further disciplinary action by the Board.

5. 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.
6. 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.
7. 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.
8. 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 represented by legal counsel in this matter and in the negotiation of this Agreement.
9. 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.
10. Respondent acknowledges that this Consent Order only addresses the specific violations outlined above.
11. Respondent authorizes the Investigating Board Member, Judith Halverson, 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.

12. 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.
13. Respondent acknowledges that this Consent Order becomes effective only upon signature by the Board Chair.
14. 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, LORRAIN DOUCET, have read this Consent Order, understand it, and agree to be bound by its terms and conditions.

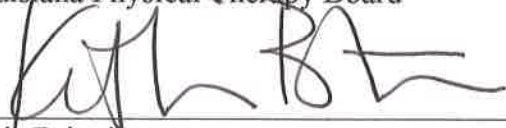
Lorrain Doucet
LORRAIN DOUCET

SWORN TO and subscribed before me, Notary Public this 3rd day of January, ~~2020~~ 2023
in Baton Rouge, Louisiana.

Haylee M. Deutsch
Notary Public
Haylee M. Deutsch
Notary Name printed (#39438)

AGREED AND ACCEPTED by official action of the Board, this 11 day of January, 2023, at Lafayette, Louisiana.

Louisiana Physical Therapy Board



Katie Brittain, PT, DPT, MBA, Secretary/Treasurer