



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

IN THE MATTER OF
CODY LEBLANC, PT
LICENSE NO. 08870

2022 sm3
NUMBER: ~~2020-I-006~~
~~2020-I-009~~
2022 sm3

PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW

Complaints Counsel for the Louisiana Physical Therapy Board ("LPTB") presents the following Proposed Findings of Fact and Conclusions of Law for the Board's consideration relative to the hearing regarding Cody Leblanc ("Mr. Leblanc"), which took place on January 26, 2024.

I. APPEARANCES

The following Board Members of the LPTB were present at the administrative hearing: Judith Halverson, PT, DPT, MHA, Phillip Page, Ph.D., PT, ATC, CSCS, FACSM, Oday Lavergne, Jr., PT, Tyra Mitchell, PT, DPT, MHA, CLT, CEAS, Deandra Johnson-Narcisse, M.Ed., Raven Lyons, PTA, and Kathryn Brittain, PT, DPT, MBA.

Also present were James Raines, prosecuting attorney for the LPTB, Amy Groves Lowe, hearing officer, Larry Roedel, legal counsel to the LPTB, and James E. Sudduth, III, and John L. Fourcade, counsel for Cody Leblanc.

At the hearing, the LPTB called Mr. Leblanc, Charlotte Martin, Executive Director of the LPTB, Kim Cook, Jenna Reeves, Angie Hughes, Ron Hughes, Paige Bailey, and Jeremy Dye. Mr. Leblanc called Gino Lane, PTA, Keegan Benoit, PTA, Kim Cook, Joseph Pritchard, Russell Hearne, and Britney Hearne.

II. JURISDICTION

Jurisdiction for this hearing is vested in the LPTB pursuant to La. R.S. 37:2405 and LAC 46:LIV §153.

III. FINDINGS OF FACT

1. On or about July 1, 2014, Mr. Leblanc became a licensed Physical Therapist ("PT"), as evidenced by PT License Number 08870.
2. At all relevant times, Mr. Leblanc owned or co-owned 3PT Physical Therapy ("3PT"). Russell Hearne was Mr. Leblanc's business partner in 3PT.
3. During the time that Mr. Leblanc and Mr. Hearne worked together at 3PT, Mr. Hearne was credentialed with Healthy Blue and Community Care Insurance. Mr. Leblanc was not credentialed with these two insurance companies.
4. On or around August of 2021, Mr. Hearne moved to exclusively doing home health and did not see patients at the clinic.
5. At all times pertinent hereto, Paige Hickman was a licensed massage therapist/physical therapy technician and was not licensed or trained as a PT or a Physical Therapist Assistant ("PTA").
6. At all times pertinent hereto until February 2022, PTA Keegan Benoit was an employee of 3PT Physical Therapy. Although Mr. Benoit provided physical therapy services to patients at 3PT, no case notes were signed by Mr. Benoit. Further, Mr. Benoit did not have access to the computer system at 3PT to write patient notes. Mr. Benoit and Mr. Leblanc failed to conduct the 6th visit/30th day reassessment visits or patient care conferences. Further, there was insufficient or no documentation of the reassessment visits or patient care conferences in the patient records of 3PT.
7. On or before 2021, Mr. Leblanc had an improper personal relationship with a Physical Therapy Technician (M.P.), who worked for 3PT. This relationship ultimately contributed to his divorce and the divorce of M.P. This information became widely known within the clinic and caused disruptions to the work at the clinic.
8. Mr. Leblanc also engaged in an improper personal relationship with a Physical Therapy Technician at 3PT, (J.R.). The existence of their relationship was common knowledge within the clinic. J.R. testified that during work, Mr. Leblanc texted her and attempted to get her alone in rooms with him. After J.R. attempted to break off the relationship with Mr. Leblanc, he continued to pursue her, which ultimately led her to quit her job with 3PT.
9. Joseph Pritchard, a client of 3PT, saw Russell Hearne for therapy up until August of 2021. After this, Mr. Pritchard saw Mr. Leblanc for physical therapy until July or August of 2022.

Mr. Pritchard's treatment records for 10/11/21, 10/18/21, 11/8/21, 11/11/21, 12/2/21, 12/3/21, 12/6/21, 12/16/21, 12/23/21, 1/10/22, 1/20/22 and 2/1/22, indicate that Mr. Hearne was the treating PT of record. However, Mr. Hearne no longer worked at 3PT on such dates of treatment.

10. Mr. Pritchard's treatment records from 3PT did not contain progress notes or reassessments from January 4, 2022, to October 7, 2022.
11. Angie Hughes, a patient of 3PT first saw Russell Hearne in 2020, but was not treated by him in 2021 or 2022. Ms. Hughes testified that she received dry needling every other visit or every third visit. Ms. Hughes' treatment notes indicate that she received dry needling daily between her appointments on March 4, 2021, and February 4, 2022. She further testified that Physical Therapy Technicians would perform services on Ms. Hughes and other patients without a PT or PTA being in the building. Physical Therapy Technicians would also twist and likely manipulate and then remove the dry needling needles from patients.
12. Ms. Hughes testified that she witnessed Mr. Leblanc and then Physical Therapy Technician, J.R., be affectionate toward each other at the clinic, and that it made her uncomfortable.
13. Mr. Hearne's signature was used on Mrs. Hughes' case notes for six dates after Mr. Hearne stopped treating patients at the clinic. Treatment notes between October 26, 2021, and January 6, 2022, were identical with respect to all listed subjective, objective, and billing information, including the contradictory statement "Patient reports a decreased (sic) in symptoms since last visit. Patient reports symptoms are about the same since last visit." Mrs. Hughes testified that when present for a scheduled appointment, Mr. Leblanc was not at the clinic and was on a trip out of town. The staff at 3PT called Mr. Leblanc, who was upset that Mrs. Hughes had the staff contact him, and terminated her as his patient. Mr. Leblanc failed to create a discharge summary for Mrs. Hughes, and did not refer Mrs. Hughes to another PT nor transfer her care to another PT.
14. Ron Hughes, husband of Angie Hughes, testified that he had an initial evaluation with Mr. Leblanc on January 27, 2022, but otherwise did not have contact with Mr. Leblanc nor have treatment with him. Although Mr. Hughes only had massage therapy at the clinic on February 1, 2022, February 11, 2022, and March 1, 2022, the treatment note for February 1, 2022, indicates that he had E-stim, dry needling, and mobilizations in addition to massage. Mr. Hughes testified he never had dry needling at 3PT. Further, the treatment note for February 11, 2022, indicates that Mr. Hughes had E-stim, mechanical traction, and massage. However, Mr. Hughes testified he did not have mechanical traction at 3PT. Mr. Hearne's signature was used on Mr. Hughes' treatment note for March 1, 2023. Mr. Leblanc failed to create a discharge summary for Mr. Hughes or transfer his care.
15. Kim Cook, a patient of 3PT, received treatment at 3PT during three different time periods. During the first timeframe, which ended in May 2021, she was treated by Russell Hearne, all other times, at the end of 2021, and August of 2022, she was under the care of Mr. Leblanc. Although her insurance was billed for dry needling at every visit, Ms. Cook had

dry needling every other visit, and Physical Therapy technicians would remove the dry needling needles. She also testified that she received massage therapy from Paige Hickman but would not have physical therapy on the same day that she received massage therapy because of how massage therapy was billed at 3PT. Mr. Hearne's name appeared as the treatment provider on seven of Ms. Cook's treatment notes after he stopped treating patients at the clinic, including 12/2/21, 12/9/21, 12/13/21, 12/15/21, 12/16/21, 12/20/21, and 12/29/21. Further, the treatment records from December 2, 2021, to December 22, 2021, contain the same language for the subjective, objective, assessment, and plan sections of the notes, and included contradictory statements. Mr. Leblanc failed to create a discharge summary for Ms. Cook.

16. Mr. Leblanc hired employees whose sole work function was to write patient notes in the records system. These notes were created by the employees without input or guidance from Mr. Leblanc and without knowledge of patient care or treatment. Mr. Leblanc paid these employees on a per-note basis until they moved to another position at 3PT. Ms. Reeves testified she was initially hired for that role and that when she was hired, Mr. Leblanc was 800-1000 treatment notes behind. The sessions for which she wrote treatment notes occurred long before Ms. Reeves was employed at 3PT, and she was not provided with any information from Mr. Leblanc about the treatment of the patients.
17. On or about February 16, 2022, LPTB received an online complaint regarding Mr. Leblanc. The complainant advised that Mr. Leblanc allowed technicians to perform services without a PT or PTA in the building, engaged in physical relationships with multiple employees, paid non-PTs/non-PTAs to create patient notes, billed insurance for massage therapy services performed by Paige Hickman, and allowed the removal of dry needles from patients by non-PT/PTAS. This complaint was assigned file number 2022-I-006.
18. On or about March 15, 2022, LPTB received a second complaint regarding Mr. Leblanc wherein it was alleged that he pressured employees at 3PT into having a physical relationship with him. This complaint was assigned number 2022-I-009.
19. As part of the investigation, six subpoenas for records were issued to 3PT by LPTB. A subpoena issued on February 22, 2022, ordered that 3PT submit to LPTB, "The complete physical therapy record for patient, Joseph Pritchard, for any and all physical therapy treatment rendered to Joseph Pritchard including but not limited to intake paperwork, initial evaluation, physical therapy treatment notes, discharge summary, and treatment records for any and all dates of service." Although Joseph Pritchard had been an active patient with 3PT at the time of the subpoena, 3PT only provided records through October 7, 2022. LPTB had to reissue the subpoena on October 11, 2022, to obtain the complete records for Joseph Pritchard.
20. A subpoena issued on April 13, 2022, ordered that 3PT provide to LPTB, "The billing charges submitted to insurance for any and all physical therapy services rendered to patient..." for Angelene Hughes, Ronald Hughes, Lydia Hawkins, Joseph Pritchard, and Kim Cook. 3PT instead submitted spreadsheets of billing amounts for the five patients rather than billing records showing actual charges. LPTB had to reissue the subpoena on May 24, 2022.

21. By correspondence dated June 13, 2022, the Board notified Mr. Leblanc of the allegations raised in Complaint No. 2022-I-006 and provided him with an opportunity to respond to the charges against him.
22. By correspondence dated June 14, 2022, the Board notified Mr. Leblanc of the allegations raised in Complaint No. 2022-I-009 and provided him with an opportunity to respond to the charges against him.
23. By correspondence dated July 28, 2022, Mr. Leblanc, through counsel, provided a response to the Complaints filed against him.
24. By correspondence dated November 15, 2022, LPTB provided notice to Mr. Leblanc that the investigative committee was scheduling an informal conference for December 2, 2022, regarding both complaints to give him an opportunity to show he met all lawful requirements for the retention of his license. The letter listed the factual allegations and rules and regulations potentially violated by Mr. Leblanc. The notice letter advised Mr. Leblanc of the following allegations against him:
 - a. Improperly delegated the responsibility of completing treatment documentation to unqualified personnel.
 - b. Allowed for patients to be treated without a qualified professional on the premises.
 - c. Allowed for unqualified personnel to remove dry needling needles from patients after treatment, in which there were at least two instances where needles were left in two different patients.
 - d. Allowed for unqualified personnel to perform joint mobility exercises with patients.
 - e. Billed for dry needling services for patients A.H., R.H., and K.C., when in fact dry needling was not performed on those patients on all of the dates that were billed.
 - f. Billed insurance companies for therapeutic massage under CPT codes for patients R.H., K.C., and J.P., that was not conducted by you or a qualified professional.
 - g. Created treatment documentation under a different physical therapist's name, Russell Hearne, who hasn't worked in your clinic since August/September of 2021 and has had no access to your computer system since then, yet his signature is on several patient treatment notes between September 2021 and February 2022.
 - h. Inappropriately terminated patient care for patient A.H. with no discharge summary or transfer of care
 - i. Had a PTA, Keegan Benoit, work under your supervision; however, not properly documenting treatment notes for same and therefore supervision visits (6th/30 day) nor patient care conferences were properly conducted or tracked.

- j. Had unprofessional relationships and inappropriate behavior between you and staff in the treatment facility.
 - k. In addition to the above, a subpoena was issued requesting billing records specific to CPT codes submitted to insurance companies for reimbursement of physical therapy services; however, the response submitted to the Investigative Committee did not satisfy the subpoena request as it appeared to be a typed spreadsheet instead of the original billing records.
25. On December 2, 2022, an informal conference was held at the LPTB office regarding the two complaints involving Mr. Leblanc. Respondent appeared for the conference and addressed the allegations against him. Mr. Leblanc admitted the accuracy of the following allegations against him: (1) unlicensed staff were allowed to remove dry needles from patients, (2) a dry needling needle was left in a patient on at least one occasion, (3) he employs a massage therapist whose therapy is billed as manual therapy, (4) his services were billed under Mr. Hearne's name due to Mr. Hearne being credentialed with certain insurance providers for which Mr. Leblanc was not credentialed, (5) he neglected to document discharge summaries for patients, (6) he failed to conduct the 6th visit/30th day treatment/reassessment visit as required, (7) he failed to hold a patient care conference with his PTA as required every sixth treatment day or every 30 days, whichever occurs first, and (7) he engaged in an intimate relationship with an employee, which impacted him personally and professionally.
26. Following the informal conference, a Consent Order regarding the two disciplinary matters was presented to Mr. Leblanc, through counsel. The Consent Order detailed the admissions made by Mr. Leblanc during the December 2, 2022, informal conference. The Consent Order set forth the admissions made by Mr. Leblanc and violations of law and rule related to Mr. Leblanc's conduct. Mr. Leblanc signed the Consent Order after review.
27. On March 16, 2023, the Consent Order was presented to the Board. The Board declined to approve the Consent Order.
28. On August 23, 2023, LPTB issued a Notice of Formal hearing and Administrative Complaint to Mr. Leblanc, advising him that a formal administrative hearing would be conducted on October 4, 2023. This Administrative Complaint listed the factual allegations and rules and regulations potentially violated by Mr. Leblanc. The Administrative Complaint advised Mr. Leblanc of the following allegations against him:
- a. Mr. Leblanc delegated the responsibility of completing treatment documentation to unqualified personnel.
 - b. Mr. Leblanc billed for dry needling services when dry needling was not performed on all of the dates billed for certain patients.
 - c. Mr. Leblanc allowed unqualified professionals to remove dry needles from patients after treatment, which resulted in at least two instances of needles being left in a patient.

- d. Mr. Leblanc allowed patients to be treated without a PT or PTA on the premises.
 - e. Mr. Leblanc billed certain patients for therapeutic massage services under CPT codes that were not administered by a qualified professional.
 - f. Mr. Leblanc used the signature of another therapist, Russell Hearne, on treatment documentation when Russell Hearne was no longer working in the 3PT clinic on the dates of treatment. Mr. Leblanc billed using the name of Russell Hearne as Mr. Leblanc was not an approved provider for Healthy Blue and Community Care Insurance.
 - g. Mr. Leblanc improperly terminated patient care for patients with no discharge summary or transfer of care.
 - h. Mr. Leblanc and PTAs under his supervision failed to conduct the 6th visit/30th day reassessment visits or patient care conferences.
 - i. Mr. Leblanc failed to provide a sufficient response to a Board subpoena issued to his office for certain records.
 - j. Mr. Leblanc had unprofessional relationships and behaved inappropriately with staff in the treatment facility, which could reasonably be expected to interfere with the process of delivering quality care to patients.
 - k. Mr. Leblanc allowed unqualified personnel to perform joint mobility exercises with patients.
29. The scheduled October 4, 2023, administrative hearing was continued to January 26, 2024. On December 6, 2023, an additional Informal Conference Notice was issued to Mr. Leblanc, through counsel, adding an allegation that he “allowed for unqualified personnel to manipulate dry needles in patients.” On December 16, 2023, a Notice of Formal Hearing and Amended Administrative Complaint were filed with the Board.
30. The captioned matter proceeded to hearing on January 26, 2024, on the above disciplinary matters was held.
- a. In response to the hearing on January 26, 2024, the hearing panel reports the following findings of facts, such that Mr. Leblanc:
 - b. Improperly delegated the responsibility of completing treatment documentation to unqualified personnel.
 - c. Allowed for patients to be treated without a qualified professional on the premises.
 - d. Allowed for unqualified personnel to twist, likely manipulate, and then remove dry needling needles from patients after treatment.

- e. Billed for dry needling services for patients A.H., R.H., and K.C., when in fact dry needling was not performed on those patients on all of the dates that were billed.
- f. Billed insurance companies for massage under manual therapy CPT codes for patients R.H., K.C., and J.P.
- g. Created fraudulent treatment and billing records of physical therapy services that were not performed on patients J.P., A.H., and R.H. when patients only received massage services from licensed massage therapist.
- h. Created multiple treatment and billing records under a different physical therapist's name, Russell Hearne, who had not worked in 3PT clinic since August/September of 2021 and had no access to the 3PT documentation and billing system. Additionally, Mr. Hearne's name and license number appeared on the referenced documentation and billing records between September 2021 and February 2022.
- i. Respondent failed to provide evidence of documented discharge summaries.
- j. Neglected to supervise unlicensed supportive personnel providing patient care under the direction of PTA, Keegan Benoit, without the Supervising PT, Mr. Leblanc, present.
- k. Neglected to track and document PT/PTA patient care conferences.
- l. Engaged in unprofessional relationships and inappropriate behavior between the respondent and staff.
- m. Provided incomplete responses to subpoenas, necessitating reissuance of subpoenas for complete records for all dates requested.
- n. Falsified patient medical records and submitted fraudulent billing to payors.
- o. Failed to accurately document patient responses to treatment.

IV. CONCLUSIONS OF LAW

1. La. R.S. 37:2405(A) provides:

The responsibility for enforcement of the provisions of this Chapter is hereby vested in the board, which shall have all the powers, duties, and authority specifically granted by or necessary for the enforcement of this Chapter, including:

- (1) Establishing rules and procedures for granting licenses, and the requirements therefor, to persons governed by this Chapter...**
- (4) Adopting rules necessary for the efficient operation of the board in accordance with the provisions of the Administrative Procedure Act.**
- (8) Establishing by rule the standards of practice.**

2. La. R.S. 37:2405(B) states that the Board may:

- (10) Conduct disciplinary proceedings pursuant to the provisions of the Administrative Procedures Act and impose sanctions on the practice of licensees who have violated this Chapter, the rules of the board, or standards of practice. Sanctions may be imposed by means of voluntary consent orders or by decisions of the board.**
- (11) Require that all costs of board proceedings relating to a specific disciplinary case, including the members' per diem and expenses, the cost of investigators, stenographers, attorney fees, and other reasonably associated costs be reimbursed to the board as a part of a consent order or board decision in that proceeding.**

3. La. R.S. 37:2420(A) provides that after due notice and hearing, the board may...restrict, suspend, or revoke any license upon proof that the person has:

- (1) Practiced physical therapy in violation of the provisions of this Chapter, the rules of the board, or standard of practice.**
- (3) Committed repeated acts of negligence or incompetence in the practice of physical therapy.**
- (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. Further, LAC 46:LIV §345 provides:

- A. The board shall deem a violation of any charge of conduct which fails to conform to the Practice Act, and board rules to carry out the provisions of the Act, and shall take appropriate action where violations are found. The rules of this Chapter complement the board's authority to deny, suspend, revoke or take such action against a licensee, or compact privilege holder as it deems appropriate.
5. LAC 46:LIV provides:
- A. The board, after due notice and hearing as set forth herein and in the Louisiana Administrative Procedure Act, R.S. 49:950 and following, may refuse to issue a license or provisional license, or may suspend, revoke, or impose probationary conditions and/or restrictions on a licensee upon finding that the licensee has violated the Practice Act, or any of the Rules promulgated by the Board.
- B. Board orders in disciplinary proceedings require the respondent to reimburse the board in accordance with R.S. 37:2405(B)(11).
- C. In placing a respondent on suspension or probation, the board may impose such additional terms, conditions and restrictions as it deems appropriate for the period of suspension or probation. The board shall specify in its order the exact duration of the suspension or probationary period. Upon finding that a respondent placed on probation has failed to comply with the terms and conditions of the board order, the board may take such additional disciplinary action as it deems appropriate, following notice and hearing.
6. Based on the facts set forth above, Mr. Leblanc has violated the laws and regulations of the Board set forth hereinbelow:
- a. La. R.S. 37:2420(A) provides, "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: (1) Practiced physical therapy in violation of the provisions of this Chapter, the rules of the board, or standard of practice; (3) Committed repeated acts of negligence or incompetence in the practice of physical therapy; (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.
- b. LAC 46: LIV §345(B)(1)(a) - 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: (1) departure from, failure to conform to, or failure to perform on a continuing basis to the minimal standards of acceptable and prevailing physical therapy practice as defined in §123, or the commission of any act contrary to honesty, justice, good morals, patient safety or the best interest of the patient, whether committed in the course of the licensees practice or otherwise,

regardless of whether actual injury to a patient results therefrom, including, but not limited to: a. failure to use sound professional judgment;

- c. LAC 46: LIV §345(B)(3)(a) - 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;
- d. LAC 46: LIV §345(B)(10)(a) – 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: (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;
- e. LAC 46: LIV §345(B)(1)(h) - 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: (1) departure from, failure to conform to, or failure to perform on a continuing basis to the minimal standards of acceptable and prevailing physical therapy practice as defined in §123, or the commission of any act contrary to honesty, justice, good morals, patient safety or the best interest of the patient, whether committed in the course of the licensee's practice or otherwise, regardless of whether actual injury to a patient results therefrom, including, but not limited to: h. abandoning a patient without documenting the transfer of care or by inappropriately terminating the patient/practitioner relationship;
- f. LAC 46: LIV §345(B)(2)(a) - 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: (2) improperly delegating or supervising—a PT retains responsibility to his patient for the training, delivery and results of physical therapy services rendered to his patient. A PT shall not: a. delegate professional, physical therapy, or, if applicable, physical therapist assistant responsibilities to a person the PT or PTA knows, or has reason to know, is not qualified by education, training, experience or licensure to perform the function or responsibility involved;
- g. LAC 46: LIV §345(B)(6)- 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: (6) disruptive behavior—aberrant behavior, including but not limited to harassment, sexual or otherwise, manifested through personal interaction with employees, co-workers, hospital personnel, health care professionals, patients, family members or others, which interferes with patient

care or could reasonably be expected to interfere with the process of delivering quality care or jeopardizing patient safety;

- h. LAC 46: LIV §383(A)(1) – Licensees shall cooperate with and assist the board in carrying out its duties. A licensee shall, among other matters: (1) respond or provide information or items requested, respond to a subpoena, comply to a request for a meeting, or complete an evaluation within the time designated by the board or its staff;
- i. LAC 46: LIV §333(B)(2)(b) - A supervising PT of record shall comply with the following requirements in providing patient care and in supervising PTAs : b. treat and reassess the patient at least every sixth treatment day or every 30 days, whichever occurs first;
- j. LAC 46: LIV §333(B)(2)(e) - A supervising PT of record shall comply with the following requirements in providing patient care and in supervising PTAs: e. hold a patient care conference with PTA regarding the patient. The PT is responsible for determining the frequency of the conferences consistent with accepted standards of practice; however, such conference shall occur at least every sixth treatment day or every 30 days, whichever occurs first;
- k. LAC 46: LIV §335(A)(1) - The level of responsibility assigned to a PT technician is at the discretion of a Supervising PT of Record who is ultimately responsible for the care provided by the technician. Documentation of education or in-service training completed by the physical therapy technician shall be maintained in the technician's personnel file. (1) In all practice settings, during the provision of physical therapy services, the supervising PT shall provide continuous, in-person supervision of the physical therapy technician;
- l. LAC 46: LIV §311(E) - Dry needling treatment shall be performed in a manner consistent with generally accepted standards of practice, including sterile needle procedures and the standards of the U.S. Centers for Disease Control and Prevention. Treatment notes shall document how the patient tolerated the technique and the outcome of treatments.

V. BOARD ORDER

After the presentation of evidence at the hearing on January 26, 2024, upon motion, the LPTB went into executive session in order to deliberate its ruling in this matter. After conducting deliberations and voting to come out of executive session and pursuant to motion, the LPTB affirmed, by a unanimous vote of those present at the hearing, the following Order:

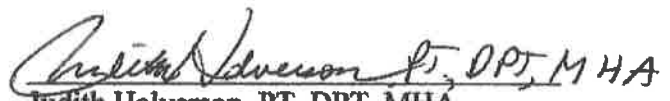
IT IS ORDERED, ADJUDGED AND DECREED that, based upon a preponderance of the evidence presented, the physical therapy license of Cody Leblanc, as evidenced by License Number 08870, is hereby suspended, and he is subject to the following discipline.

1. Respondent's physical therapy license is suspended for a minimum period of three (3) years from the date of signing of the Order by the Louisiana Physical Therapy Board and until the requirements of this Order are satisfied. Respondent shall submit to the Board Executive Director in writing no less than thirty (30) calendar days prior to completion of the suspension period, or fifteen (15) days following successful completion of the requirements of this Order, whichever is later, documentation of successful completion of all requirements found within this Order and a request for a letter from the Board formally acknowledging the close of the suspension period. Respondent's suspension period concludes upon (a) receipt by Respondent of a letter from the Board acknowledging the close of the suspension period and (b) upon review and approval by the Board at the Board meeting following completion of the suspension period dated from the acceptance of the Order by the Board.
2. Prior to the conclusion of the suspension period, Respondent must submit, at his own expense, to a Fitness for Duty and Psychosocial Evaluation by a Board-recognized provider. The evaluation report must be sent directly to the Louisiana Physical Therapy Board upon completion for the Board's review. The Respondent's license will remain suspended until receipt of the evaluation report stating that Respondent has been approved to return to the practice of physical therapy with reasonable skill and safety to the public.
3. During the suspension period, Respondent agrees that he will not practice as a Physical Therapist. The Respondent will have 10 days to transfer patients to an appropriate provider.
4. Prior to the completion of the suspension period, Respondent shall complete the live 3-day PBI Professional Boundaries and Ethics Course (Essential Edition). 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.
5. Prior to the conclusion of the suspension period, Respondent shall successfully complete the American Physical Therapy Association (APTA) documentation course. 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.

6. At the conclusion of the suspension period, the respondent will be on probation for two (2) years. The terms of the Probationary period are:
7. During the probationary period, the Board may make random unannounced monitoring visits to Respondent's work site. In the event of a monitoring visit, Respondent shall fully cooperate with the Board representative making the visit, and Respondent shall provide complete access to his 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 for expenses related to the monitoring visit as invoiced, with payment to be made within 30 days of receipt of the invoice.
8. Respondent must maintain annual continuing competence required for PT licensure. Respondent must fulfill the requirements under LAC 46:LIV §187 for reinstatement of his lapsed license and complete sixty (60) total hours of Board approved continuing education, including four (4) hours of jurisprudence, four (4) hours of ethics, and the remaining in clinical/administrative practices. Of those sixty (60) total hours, fifteen (15) shall be from live coursework. In addition, the thirty (30) hours of board-approved continuing education courses or activities required in the biennial renewal period under Rule §194, during each of the two (2) years of probation, Respondent shall complete an additional eight (8) hours of continuing education courses in professionalism per renewal period. The professionalism courses shall be submitted in writing to the Board Executive Director for approval prior to taking the course. Respondent shall also attend one (1) live Jurisprudence Seminar per renewal period. 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

IT IS FURTHER ORDERED, ADJUGED AND DECREED that Cody Leblanc shall be assessed all costs in association with these proceedings, including the members' per diem and expenses, the cost of investigators, stenographers, attorney fees, and other reasonably associated costs to the board as a part of a consent order or board decision in that proceeding, which costs shall be provided to counsel for Mr. Leblanc within sixty (60) days. Mr. Leblanc shall have ten (10) days to pay the costs once notified of same.

Date: January 31, 2024


Judith Halverson, PT, DPT, MHA
Chairman