



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

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 LAFAYETTE, LA 70508
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| In the Matter of | - | CONSENT ORDER |
| GAIL MILLER WATSON, P.T. | - | ----- |
| License No. 00146 | - | ADMINISTRATIVE CASE NO. |
| Respondent | - | 95-109 |

A Formal Evidentiary Hearing was scheduled before the Louisiana State Board of Physical Therapy Examiners (the "Board") on May 23, 1996, to address alleged, specific violations of the Louisiana Physical Therapy Practice Act by the Respondent, Gail Miller Watson ("Watson"), to-wit: failing to properly supervise supportive personnel rendering physical therapy services, LSA R.S. 37:2413A(1) and (7), Rules and Regulations, Title 46, Sections 305, 321 and 325 *et seq.*; allowing treatment to be performed and billed for without an initial physical therapy evaluation and/or proper documentation conducted in the patients' charts, LSA R.S. 2413A(1) and (7), Rules and Regulations, Title 46, Sections 323 and 325 *et seq.*; failing to provide physical therapy coverage to your patients during your absence, LSA R.S. 37:2413A(1) and (7), Rules and Regulations, Title 46, Section 325 *et seq.*; and engaging in "unprofessional conduct", LSA R.S. 37:2413A(7), Rules and Regulations, Title 46, Sections 325 *et seq.*, more particularly Section 327.

In attendance, at the Pre-hearing Conference were Respondent, Gail Miller Watson and her attorney, Gregory T. Juge; the Complainant, Sharon A. Toups, P.T.; and Michael A. Tomino, Jr., attorney for Board.

Upon consideration and discussion and evidence presented at the Conference and thereafter to the Board, this Consent Order, effective May 23, 1996, is voluntarily entered into by and between Respondent, Gail Miller Watson and the Board which was comprised of Lana I. Wilson, Rebecca B. Lege, Gregory Ward and Paul A. Lamothe, Jr. for the purposes of this proceeding.

FINDINGS OF FACT

1. Respondent, **GAIL MILLER WATSON, P.T.**, is a physical therapist duly licensed by the Board to practice as a physical therapist in the State of Louisiana pursuant to

the Physical Therapy Practice Act of Louisiana, La. R.S. 37:2401 et seq., as evidenced by License No. 00146.

2. During 1995, Respondent was engaged in the act of practicing as a physical therapist at Chalmette Medical Center in Chalmette, Louisiana.
3. At all pertinent times herein during 1995, more particularly July 28, 29 and 30, 1995, Respondent failed to properly supervise supportive personnel rendering physical therapy services to patients at Chalmette Medical Center.
4. At all pertinent times herein during 1995, Respondent in some instances performed and/or allowed treatment of physical therapy to be performed and billed for without physical therapy evaluations being performed and/or proper documentation being conducted in patients' charts.
5. For the period of July 28 through July 30, 1995, Respondent failed to provide physical therapy coverage to her patients in her absence.

CONCLUSIONS OF LAW

6. Respondent failed to properly supervise supportive personnel rendering physical therapy services to patients in violation of the law. LSA R.S. 37:2413A(1); Rules and Regulations, Title 46, Sections 305, 321 and 325 et seq.
7. Respondent failed to properly supervise the supportive personnel under her authority and did not conform to the minimal standards of acceptable and prevailing physical therapy practice, such failure constituting unprofessional conduct on her part. LSA R.S. 37:2413A(7); Rules and Regulations, Title 46, Sections 325 et seq. and 327 more particularly.
8. Respondent performed and/or allowed treatment of physical therapy to be performed and billed for without a physical therapy evaluation and/or documentation conducted in the charts. LSA R.S. 37:2410(A) and 37:2413A(1); Rules and Regulations, Title 46, Sections 323 and 325 et seq.
9. Respondent performed and/or allowed treatment of physical therapy to be performed and billed for without a physical therapy evaluation and/or documentation to patients' charts which said conduct did not conform to the minimal standards of acceptable and prevailing physical therapy practice, such failure constituting unprofessional conduct on her part. LSA R.S. 37:2413A(1) and 37:2413A(7); Rules and Regulations, Title 46, Sections 323 and 325 et seq. and 327 more particularly.

10. Respondent failed to provide physical therapy coverage to her patients during her absence. LSA R.S. 37:2413A(1) and (7), Rules and Regulations, Title 46, Sections 325 et seq.
11. For the period of July 28 through July 30, 1995, Respondent failed to provide physical therapy coverage to her patients which did not conform to the minimal standards of acceptable and prevailing physical therapy practice, such failure constituting unprofessional conduct on her part. LSA R.S. 37:2413A(1) and (7), Rules and Regulations, Title 46, Sections 325 et seq. and 327 more particularly.

DECISION

Considering the foregoing, and pursuant to the authority vested in the Board by LSA R.S. 37:2401 et seq.:

IT IS ORDERED that judgment be rendered against Gail Miller Watson, P.T. and based on the evidence, testimony introduced at the hearing and admissions under oath by her to the charges which have been submitted in this matter, that her license to practice physical therapy be suspended for two (2) consecutive months beginning July 1, 1996 and thereafter, be placed on probation for a period of eighteen (18) months of active practice, to run consecutively to the period of suspension.

IT IS FURTHER ORDERED that during the period of suspension of the license, Respondent shall not be entitled to perform any clinical role, nor supervisory role, nor be included in any ratio of physical therapists to supportive personnel.

IT IS FURTHER ORDERED that during the eighteen (18) month probation period set forth above should Respondent not practice physical therapy as a licensee in the State of Louisiana, then the remaining term of the probationary period yet to be served at that time shall be suspended for the duration of the cessation. During the cessation period referenced herein, Respondent's license shall remain under sanction by the Board.

IT IS FURTHER ORDERED that within five (5) days after the receipt of this Final Decision, Respondent shall submit to the Board office a sworn affidavit under oath that she has read and understands the Physical Therapy Practice Act, the Rules and Regulations promulgated by the Board, and the American Physical Therapy Association's Code of Ethics, Guide for Professional Conduct, and Standards of Practice, a copy of which has been supplied to her.

IT IS FURTHER ORDERED that Respondent shall return her license to the Board office on or before July 1, 1996.

IT IS FURTHER ORDERED that Respondent shall be available for attendance at scheduled Board meetings upon reasonable advance notice to review compliance with the terms of the probation.

IT IS FURTHER ORDERED that an Informal Conference will be conducted at the end of the entire sanction period referenced above between a representative committee of the Board and Respondent whereby a Respondent's case will be reviewed at that time.

IT IS FURTHER ORDERED that Respondent must pay the costs of the Administrative Hearing held in this matter upon demand.

IT IS FURTHER ORDERED that Respondent's failure to comply with any of the terms of this Consent Order shall be deemed just cause for the suspension or revocation of her license or temporary permit, or other disciplinary action, as if such violation were enumerated among the causes provided by LSA R.S. 37:2413 and the Rules and Regulations promulgated by the Board.

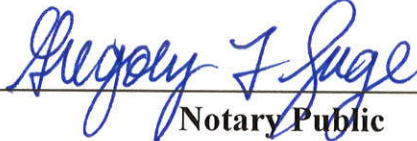
IT IS FURTHER ORDERED that the existence and terms of this Consent Order are not confidential or privileged information.

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

THUS SIGNED before me, Notary Public, on the 23rd day of May, 1996, in Lafayette, Louisiana.

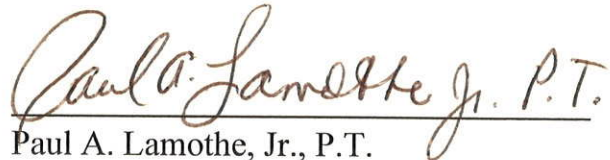


Gail Miller Watson

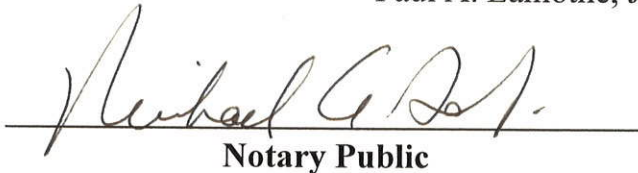


Notary Public

THUS SIGNED before me, Notary Public, on the 23rd day of May, 1996, in Lafayette, Louisiana.



Paul A. Lamothe, Jr., P.T.



Notary Public