
In the Matter of
RICHARD VILLEMARETTE, P.T.
License No. 01828
Respondent

* LOUISIANA STATE BOARD OF
* PHYSICAL THERAPY EXAMINERS
*
* Case Number 2003-127

CONSENT ORDER

A complaint received by the Louisiana State Board of Physical Therapy Examiners (Board) raised several issues regarding the professional conduct of Respondent Richard Villemarette, a physical therapist licensed by the Board, in the course of his employment at LaSalle General Hospital and also in his providing contract services to several home health providers, nursing homes, and other entities. Many documents were subpoenaed from Respondent's employers and reviewed and numerous witnesses were interviewed by Board agents. Based on serious evidence relating to patient safety and welfare, the Board invoked the Emergency Action provisions of Rule 343 and summarily suspended Respondent's license on October 30, 2003. After further investigation, Respondent was requested to participate in an Informal Conference on November 18, 2003 with Investigating Board Member Chuck Reynolds, Executive Director Cheryl Gaudin and Board Counsel Glenn Ducote participating. Respondent was represented by attorney Robert Patriquin. The informal conference was continued on December 17, 2003, at which time the terms of this Consent Order were agreed to by Board representatives and Respondent.

FINDINGS OF FACT

1. Respondent has failed to meet documentation standards for the period May 1-31, 2003. Records reviewed from LaSalle General Hospital and LaSalle Nursing Home reflect repeated incomplete evaluation reports, incomplete sixth visit treatment and or reassessments and incomplete or omitted goals. Further, the goals lacked time frames, were not measurable and were not based on documented tests or measurements. Physical therapist assistants who worked with Respondent state that they had incomplete clinical information from an evaluation by Respondent upon which to base safe treatment. They report having to contact the referring physician to obtain weight-bearing status or other precautions not documented in the evaluation. Further records obtained from Hardtner Medical Center sixth visit documentation is incomplete, with either the reassessment incomplete or the treatment provided incomplete or omitted. LaSalle Nursing Home records reflect repeated incomplete status on discharge or no discharge summary written. Further, at LaSalle General Hospital Outpatient Clinic, Respondent failed to meet sixth visit requirements for treatment and reassessment and reported incomplete evaluations with incomplete goals. Respondent scheduled nine physical therapy evaluations on one day back-to-back at fifteen minute intervals.

2. Respondent has failed to practice within the prevailing standards of practice by establishing a plan of care for the PTA to follow which called for the use of electrical stimulation when the patient had a pacemaker. Further, Respondent failed to practice safely by failing to record weight-bearing status and by calling for treatment modalities which had not been assessed during

C. Respondent shall pay to the Board the sum of \$2,000 as partial reimbursement of legal, investigative and administrative expenses incurred in connection with his case. This amount may be paid by Respondent to the Board in monthly payments of \$250 beginning January, 2004 until paid in full.

D. At his own expense, Respondent shall enroll in and successfully complete during 2004, a continuing education course in treatment documentation, which course shall be approved in advance by the Board Executive Director. This course shall be in addition to continuing education hours required for the maintenance of Respondent's license.

E. Respondent shall contact Dr. John Thompson, M.D., of the Tulane Medical School to arrange for a forensic psychiatric evaluation to be completed before the end of his license suspension. Professional charges by Dr. Thompson shall be paid by the Board. Findings and recommendations by Dr. Thompson may provide the basis for further action by the Board.

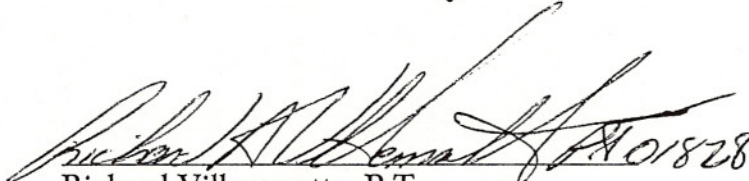
F. Respondent shall cooperate with Board representatives seeking to verify or document that the requirements of this Consent Order have been met and that legal and ethical procedures are in place and being complied with.

G. Respondent declares that, before signing this Consent Order, he has carefully read this document, understands the contents, and freely consents to it as valid and binding upon him. He is aware of his right to a notice of hearing, to a formal administrative hearing and to judicial review of an administrative finding, and freely waives those rights. He has been represented by counsel throughout these proceedings and has reviewed this instrument with his counsel.

H. Respondent acknowledges that his failure to comply with any term of this Consent Order is a basis for further disciplinary action by the Board and that the 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 of these proceedings.

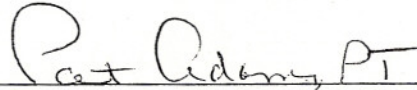
I. Respondent acknowledges that this Consent Order becomes effective only upon signature by the Board Chair.

SWORN TO AND SUBSCRIBED on this 26th day of January, 2004.


Richard Villemarette, P.T.

AGREED AND ACCEPTED by official action of the Board, the 18th day of December, 2003, at Lafayette, Louisiana.

LOUISIANA STATE BOARD OF
PHYSICAL THERAPY EXAMINERS


Pat Adams, P.T., Chair



**Louisiana State Board
of Physical Therapy Examiners**
714 E. Kaliste Saloom Rd., Suite D-2
Lafayette, Louisiana 70508

Telephone (337) 262-1043
Facsimile (337) 262-1054

Licensee: Rick Villamerette, P.T. **Case Number:** 2003-I27

Criteria:	Visit 1	Visit 2	Visit 3	Visit 4	Visit 5
Date	6-17-04	9-2-04	12-30-04	6-9-05	2-28-06
Employment Records					
Dubuis Hospital of Alexandria	Y		Y		
-Are there any Disciplinary Actions after May 1, 2004, that would be related to the foundations of the Current Consent Agreement?	Non				No Dis Acts or empl c/o's or pt c/o's
- Has there been excessive absences from work?	No				
Place of Employment					
Dubuis Hospital of Alexandria	Y		Y		
-Co-workers report an acceptable professional behavior?	Yes, Adm, Charge RN, Tech		Y Tech, ST, RN, Clin Coord		Y per Angie Robinson, HR
-Observation of direct patient care					
-Average patient caseload?	9		10		13
MidState Home Health				Y	
-Co-workers report an acceptable professional behavior?		Y		Y	
-Observation of direct patient care					
-Average patient caseload?	2	1-2	3	2	1 per day
Synergy Home Health—Alexandria				Y	
-Co-workers report an acceptable professional behavior?					
-Observation of direct patient care					
-Average patient caseload?				0	1 per day
Patient Treatment Records					
Dubuis Hospital of Alexandria	Y		Y		
-Evaluations are complete, timely, and thorough?	Yes, 2 of 9 charts reviewed		Y, reviewed 2 charts		Y
-Evidence of accurate daily documentation of treatments rendered?	Yes		Y		Y

MidState Home Health					
-Evaluations are complete, timely, and thorough?		Y		Y	
-Evidence of accurate daily documentation of treatments rendered?		Y		Y	
Synergy Home Health—Alexandria				n/a	
-Evaluations are complete, timely, and thorough?				Y	
-Evidence of accurate daily documentation of treatments rendered?				Y	
Findings:					
Dubuis Hospital of Alexandria					Currently, 13 patients, good documentation of SO2 for patient at risk.
MidState Home Health				See report	
Synergy Home Health—Alexandria				n/a	
Licensee has been cooperative with Board Representative?	Yes	Y	Y		Y

LOUISIANA STATE BOARD OF PHYSICAL THERAPY EXAMINERS
Monitor Tracking Guide

Case Number: 2003-127

Date: 02-28-06 Licensee: Rick Villamerette, P.T.

Purpose of monitor visit: Monitoring visit based upon consent agreement.

Evidence of Compliance: Interviewed Rick Villamerret, P.T. at Dubuis Hospital of Alexandria.

Rick presented responsive and attentive to questions asked and to requests to view documentation of current patients. Rick reported that he is no longer seeing patients for Synergy Home Health, and that he is currently seeing about 1 patient per day for Mid-State Home Health and Moss Home Health during the week, and a greater number of home health patients on the weekends and days off. Rick reported that he had contacted Cheryl Gaudin, Executive Director of the LSBPTE and informed Ms. Gaudin of Moss Home Health. Interviewed Angie Robinson, HR with Dubuis Hospital of Alexandria—Ms. Robinson reported no disciplinary actions and no patient complaints since initiation of Consent Order. Ms. Robinson did not have a copy of the Consent Order on file in the personnel record; a copy was provided to Ms. Robinson. Rick reported that Beth Parsons, RN, DON possessed a copy of the Consent Order. Annual Evaluations were completed in the personnel record with no adverse actions noted. Reviewed documentation of 2 current patients receiving physical therapy services from Rick. Documentation appeared timely, complete, and thorough. Documentation reflected daily documentation rendered unto patients and a Dubuis System quality review process was noted for both patient records with identified timelines for completeness and reassessment.

Rick Villamerrette, P.T.—provided a copy of a response from a Medicare Service Specialist in response to questions presented to Rick based upon the last site visit of Mid-State Home Health. The question addressed the ability of a HH PT to provide services to 2 patients (husband and wife) in the same residence and at the same time. The response from the Medicare Service Specialist is attached. Rick also indicated that he would petition the Board in regards to his probationary period as was outlined in his Consent Order.

Evidence of Non-Compliance: None noted.

Attachments: Medicare Service Specialist response

Board Designee: Mark Brown, P.T., Board Member

Rick Villemarette

FINDINGS OF FACT

1. Respondent has failed to meet documentation standards for the period May 1-31, 2003. Records reviewed from LaSalle General Hospital and LaSalle Nursing Home reflects repeated incomplete evaluation reports, incomplete sixth visit treatment and or reassessments and incomplete or omitted goals. Further the goals lacked time frames, were not measurable and were not based on documented tests or measurements. Physical therapist assistants who worked with Respondent state that they had incomplete clinical information from an evaluation by Respondent upon which to base safe treatment they report having to contact the referring physician to obtain weight-bearing status or other precautions not documented in the evaluation. Further records obtained from Hardner Medical Center sixth visit documentation is incomplete, with either the reassessment incomplete or they treatment provided incomplete or omitted. LaSalle Nursing Home records reflect repeated incomplete status on discharge or no discharge summary written. Further, at LaSalle General Hospital Outpatient Clinic, Respondent failed to meet sixth visit requirements for treatment and reassessment and reported incomplete evaluations within complete goals. Respondent scheduled nine physical therapy evaluations on one day back-to-back at fifteen minute intervals.
2. Respondent has failed to practice within the prevailing standards of practice by establishing a plan of care for the PTA to follow which called for the use of electrical stimulation when the patient had a pacemaker. Further, Respondent failed to practice safely by failing to record weight-bearing status and by calling for treatment modalities which had no been assessed during evaluation in the LaSalle General Outpatient Clinic.
3. Respondent participated in client orientation in the LaSalle General Wellness Center without proper evaluation and workup.

DECISION

- A. Suspension for six month beginning Oct 30, 2003
- B. Probation for 4 years beginning May 1, 2004
- C. May request reconsideration of probation at the end of the first two years
- D. Submit for evaluation by Dr. Thompson
- E. Cooperate with monitor
- F. Pay \$250 a month until \$2,000 partial administrative cost is reimbursed
- G. Pay \$75 on the 5th of each month for monitoring beginning in May 2004
- H. If Rick ceases to be regularly employed as a PT in LA, he shall notify the Board in writing within ten days of the last date he has practiced physical therapy in Louisiana.
- I. Complete additional CE course in Documentation

										Oct 03	Nov 03	Dec 03

Jan 04	Feb 04	Mar 04	Apr 04	May 04	June 04	July 04	Aug 04	Sept 04	Oct 04	Nov 04	Dec 04
F	F D	F \$1250		G	G E	G I	G	E	G	G	G E

Jan 05	Feb 05	Mar 05	Apr 05	May 05	June 05	July 05	Aug 05	Sept 05	Oct 05	Nov 05	Dec 05
G	G	G	G	G	G E	G	G	G	G	G	G

Jan 06	Feb 06	Mar 06	Apr 06	May 06	June 06	July 06	Aug 06	Sept 06	Oct 06	Nov 06	Dec 06
G	G	G	G	G							

Jan 07	Feb 07	Mar 07	Apr 07	May 07	June 07	July 07	Aug 07	Sept 07	Oct 07	Nov 07	Dec 07

Jan 08	Feb 08	Mar 08