



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
MARY ELLEN HONEYCUTT, P.T.A.-	-	-----
License No. A4586	-	ADMINISTRATIVE CASE NO.
Respondent	-	2001-15

A Formal Evidentiary Hearing was scheduled before the Louisiana State Board of Physical Therapy Examiners (the "Board") on March 29, 2001, to address alleged, specific violations of the Louisiana Physical Therapy Practice Act by the Respondent, Mary Ellen Honeycutt, P.T.A. ("Honeycutt"), to-wit: "practicing physical therapist assisting in violation of the provisions of this Chapter and any rules and regulations promulgated thereto in accordance with the Administrative Procedure Act," LSA R.S. 37:2413A(1); violating provisions of the Physical Therapy Practice Act, LSA R.S. 37:2402A, 37:2407A, 37:2414(2); and for violating the Rules and Regulations promulgated by the Board, Rules and Regulations, Title 46, Sections 165A, 307A and 325 *et seq.*

In attendance, at the Pre-hearing Conference were Respondent, Mary Ellen Honeycutt, P.T.A.; the Complainant, Gail Pearce, 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 March 29, 2001, is voluntarily entered into by and between Respondent, Mary Ellen Honeycutt, P.T.A. and the Board which was comprised of Sharon Toups, Pat Adams and Becky Lege' for the purposes of this proceeding.

FINDINGS OF FACT

1. Respondent, Mary Ellen Honeycutt, P.T.A., was a physical therapist assistant possessing Louisiana License No. A4586 issued by the Board to practice physical therapist assisting in the State of Louisiana in 2000 pursuant to the Physical Therapy Practice Act of Louisiana, LSA R.S. 37:2401 *et seq.*

2. Respondent failed to timely renew her license for the calendar year of 2001.

3. Respondent failed to annually renew on or before December, 31, 2000, by failing to timely submit to the Board the renewal fee prescribed by the Board's Rules and Regulations. Respondent's check was received by the Board on or about January 19, 2001,

however, the check was returned "NSF."

4. Respondent practiced physical therapist assisting beginning on or about January 1 through January 19, 2001.

5. Respondent practiced physical therapist assisting of Louisiana without a license issued by the Board beginning January 1 through January 19, 2001.

6. Respondent failed to timely renew her license to practice physical therapist assisting for the calendar year 2001 in violation of the Physical Therapy Practice Act of Louisiana and the Rules and Regulations promulgated by the Board.

CONCLUSIONS OF LAW

7. Respondent unlawfully practiced, held herself out, or designated herself, as a physical therapist assistant without a license duly issued by the Board. LSA R.S. 37:2402A, 37:2414(2) and 37:2413A(1); and Rules and Regulations, Title 46, Sections 307A and 325 et seq.

8. Respondent unlawfully practiced physical therapist assisting without timely renewing her 2001 license prior to the deadline establish by law for such renewal. LSA R.S. 37:2407A and 37:2413A(1); and Rules and Regulations, Title 46, Sections 165A and 325 et seq.

9. Respondent's violations of the provisions of the Physical Therapy Practice Act of Louisiana and the Rules and Regulations promulgated thereto constitute lawful grounds for the Louisiana State Board of Physical Therapy Examiners, upon due notice of hearing and proof of such violations, to suspend or revoke Respondent's license or other disciplinary action as provided by law. LSA R.S. 37:2402A, 37:2407A, 37:2414(2) and 37:2413A(1); and Rules and Regulations, Title 46, Sections 165A, 307A and 325 et seq.

DECISION

Based upon the foregoing Findings of Fact, Respondent and the Board, by vote of the quorum, mutually agree to the following:

1. Respondent shall pay \$250.00 lump sum to the Board as an agreed upon fine in this matter.

2. Within five (5) days of the effective date of this Consent Order, Respondent shall submit a signed Affidavit to the Board that she has read the Physical Therapy Practice Act of Louisiana and the Rules and Regulations promulgated thereto.

3. Respondent shall pay the costs associated with this proceeding.

4. Respondent's failure to comply with any of the terms of this Order shall be deemed just cause for the suspension or revocation of Respondent's licensure, or any other disciplinary action, as if such violation were enumerated among the causes provided in LSA R.S. 37:2413 and the Rules and Regulations by the Board.

5. The existence and terms of this Consent Order will not be confidential or privileged information.

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

7. The effective date of this Consent Order shall be March 29, 2001, if Respondent executes and returns the Consent Order to the Board within five (5) days of her receipt of same.

8. Upon timely receipt by the Board of Respondent's signed Consent Order, payment of the \$250.00 fine, payment of costs associated with this proceedings, and Affidavit that she has read the Physical Therapy Practice Act and the Rules and Regulations, the Board shall thereafter issue a license to practice physical therapy to Respondent for 2001.

9. Upon Respondent timely complying with the requirements set forth in Paragraph 8, her licensure to practice physical therapy for 2001 shall be considered renewed and reinstated effective January 1, 2001.

10. Respondent declares that, before signing this Consent Order, she has carefully read this document, she knows and understands the contents thereof, she signs it as an act of her own free will, she understands its meaning and effect, she has had the opportunity to retain counsel if she so chose, she waives all rights to a formal public hearing and she consents to this Order.

THUS DONE AND PASSED, on the 23 day of MARCH, 2001, at the City of Lake Charles, Parish of CALCASIEU, Louisiana., in the presence of the two undersigned competent witnesses, who hereunto sign their names with Appearer and me, Notary, after due reading of the whole.

WITNESSES:

Janyla Sonnier
Cora Reed

Mary Ellen Honeycutt, P.T.A.
Mary Ellen Honeycutt, P.T.A.

Vickie Rollen
Notary Public

AGREED TO AND ACCEPTED this 29th day of March, 2001.

LOUISIANA STATE BOARD OF
PHYSICAL THERAPY EXAMINERS

Pat Adams, PT
Pat Adams, P.T.