



State of Louisiana

DEPARTMENT OF HEALTH AND HOSPITALS

Board of Physical Therapy Examiners

714 EAST KALISTE SALOOM ROAD, SUITE D-2

LAFAYETTE, LA 70508

337/262-1043

FAX 337/262-1054

In the Matter of
LINDA BOMBARDIER, P.T.
License No. 00481
Respondent

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CONSENT ORDER

ADMINISTRATIVE CASE NO.
2001-02

A Formal Evidentiary Hearing was scheduled before the Louisiana State Board of Physical Therapy Examiners (the "Board") on April 26, 2001, to address alleged, specific violations of the Louisiana Physical Therapy Practice Act by the Respondent, Linda Bombardier, P.T. ("Bombardier"), to-wit: "practicing physical therapy 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, Linda Bombardier, P.T.; 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 ^{April 26, 2001} ~~March 29, 2001~~, is voluntarily entered into by and between Respondent, Linda Bombardier, P.T. 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, Linda Bombardier, P.T., was a physical therapist possessing Louisiana License No. 00481 issued by the Board to practice physical therapy 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. Respondent's application for renewal was received by the Board on or about February 7, 2001.

4. Respondent practiced physical therapy while employed at Motion Dynamics, LLC beginning on or about January 1 through February 5, 2001.

5. Respondent practiced physical therapy in the State of Louisiana without a license issued by the Board beginning January 1 through February 5, 2001.

6. Respondent failed to timely renew her license to practice physical therapy 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 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 therapy 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~~ ^{April 26, 2001}, 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 23rd day of April, 2001, at the City of Chalmette, Parish of St Bernard, 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:

Regina Blankenship
Terry Anglin

Linda Bombardier, P.T.

Shirley Turriage
Notary Public

Verification

BEFORE ME, the undersigned Notary Public, personally came and appeared: Gail Pearce, P.T. who being duly deposed and sworn said that she is the investigating officer in the foregoing Administrative Complaint and that all the allegations of fact contained in the Complaint are true and correct to the best of her knowledge, information and belief.

Gail Pearce, P.T.
Gail Pearce, P.T.

SWORN TO AND SUBSCRIBED before me this 12th day of April, 2001.

Michael A. Tomino, Jr.
Notary Public

Complainant Counsel:
Michael A. Tomino, Jr.
101 Wilbourn Blvd. #605
Lafayette, Louisiana 70506
337-988-5340

AGREED TO AND ACCEPTED this 26th day of April, 2001.

LOUISIANA STATE BOARD OF
PHYSICAL THERAPY EXAMINERS

Pat Adams, PT
Pat Adams, P.T.

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

LOUISIANA STATE BOARD OF
PHYSICAL THERAPY EXAMINERS

Pat Adams, PT
Pat Adams, P.T.