



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

2014 WEST PINHOOK ROAD, SUITE 701
 LAFAYETTE, LA 70508
 318/262-1043
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In the Matter of
PORTIA POLLOCK, P.T.
License No. 00669
Respondent

CONSENT ORDER

ADMINISTRATIVE CASE NO.
98-002

A Formal Evidentiary Hearing was scheduled before the Louisiana State Board of Physical Therapy Examiners (the "Board") on June 25, 1998, to address alleged, specific violations of the Louisiana Physical Therapy Practice Act by the Respondent, Portia Pollock, P.T. ("Pollock"), 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, Portia Pollock, P.T.; 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 June 25, 1998, is voluntarily entered into by and between Respondent, Portia Pollock, P.T. and the Board which was comprised of Gail Pearce, Rebecca B. Lege, Gregory Ward and David Vidrine for the purposes of this proceeding.

FINDINGS OF FACT

1. Respondent, Portia Pollock, P.T., was a physical therapist possessing Louisiana License No. 00669 issued by the Board to practice physical therapy in the State of Louisiana in 1997 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 1998.

3. Respondent failed to annually renew on or before December, 31, 1997, by failing to submit to the Board an application for renewal together with the renewal fee and photographs prescribed by the Board's Rules and Regulations.

4. Respondent practiced physical therapy at Fleur De Lis Home Care in Kenner, Louisiana and LifeTron Home Health Care in Metairie, Louisiana, beginning on or about January 5, 1998 through January 9, 1998.

5. Respondent practiced physical therapy in the State of Louisiana without a license issued by the Board beginning January 5, 1998, through January 9, 1998.

6. Respondent failed to timely renew her license to practice physical therapy for the calendar year 1998 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 1998 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 June 25, 1998, 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 1998.

9. Upon Respondent timely complying with the requirements set forth in Paragraph 8, her licensure to practice physical therapy for 1998 shall be considered renewed and reinstated effective January 1, 1998.

THUS DONE AND PASSED, on the 25th day of June, 1998, at the City of Laplace, Parish of Louisiana, 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:

Naomi Mauton

Portia L. Pollock, PT

Portia Pollock, P.T.

Stephanie Foreman

Michael G. M.
Notary Public

AGREED TO AND ACCEPTED this 25 day of June, 1998

LOUISIANA STATE BOARD OF
PHYSICAL THERAPY EXAMINERS

Becky Lege'
Becky Lege', P.T.