



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  
 FAX 318/262-1054

In The Matter Of	-	CONSENT ORDER
TIMOTHY R. NAQUIN, P.T.	-	-----
License No. 00455	-	ADMINISTRATIVE CASE NO.
Respondent	-	93-108

93-110

TO: Timothy R. Naquin, P.T.  
 2915 Common Street  
 Lake Charles, Louisiana 70601-8583

A Formal Evidentiary Hearing was scheduled before the Louisiana State Board of Physical Therapy Examiners (the "Board") on December 16, 1993, to address alleged, specific violations of the Louisiana Physical Therapy Practice Act by the Respondent, Timothy R. Naquin, P.T. ("Naquin"), 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, and 37:2414(2); and for violating the Rules and Regulations promulgated by the Board, Rules and Regulations, Title 46, Sections 165A, 169A, 307A and 325 et seq.

In attendance, at the Pre-hearing Conference were Respondent, Timothy R. Naquin, his attorney, Randall E. Roach; the complainant, namely: Paul A. Lamothe, Jr.; and Michael A. Tomino, Jr., attorney for the Board.

Upon consideration of the discussion and evidence presented at the Conference, this Consent Order, effective December 16, 1993, is voluntarily entered into by and between the Board and Respondent, Timothy R. Naquin:

## FINDINGS OF FACT

1. Respondent, Timothy R. Naquin, P.T., was a physical therapist possessing Louisiana License No. 00455 issued by the Board to practice physical therapy in the State of Louisiana in 1992 pursuant to the Physical Therapy Practice Act of Louisiana, LSA R.S. 37:2401 et seq.

2. Respondent failed to timely renew his license for the calendar year of 1993.

3. Respondent failed to annually renew on or before December 31, 1992, by failing to submit to the Board an application for renewal together with proof of continuing education and the renewal fee prescribed by the Board's Rules and Regulations.

4. On or about October 19, 1993, Respondent was notified by letter dated October 15, 1993, that in reviewing its files, the Board noticed that he failed to renew his license for the 1993 calendar year.

5. Respondent responded to the letter referenced above by letter dated October 18, 1993, received by the Board office on October 26, 1993, along with the renewal application and the Continuing Education Activities Summary Sheet for 1992 stating that he had obtained 14.75 continuing education units.

6. Respondent practiced physical therapy at Lake Charles Physical Therapy Clinic beginning on or about January 1, 1993, through the date of the filing of the Administrative Complaint in this matter. Said Lake Charles Physical Therapy Clinic is a physical therapy practice solely owned by Respondent.

7. Respondent practiced physical therapy in the State of Louisiana without a license issued by the Board beginning January 1, 1993, through the date of the filing of the Administrative Complaint in this matter.

8. Respondent failed to timely renew his license to practice physical therapy for the calendar year 1993 in violation of the Physical Therapy Practice Act of Louisiana and the Rules and Regulations promulgated by the Board.



9. Respondent failed to obtain the necessary continuing education units in the 1992 calendar year in order to obtain a renewal of his license for 1993 in violation of the Physical Therapy Practice Act of Louisiana and the Rules and Regulations promulgated by the Board.

10. A Pre-hearing Conference was convened on December 16, 1993, to address the alleged, specific violations of the Louisiana Physical Therapy Practice Act set forth herein by the Respondent.

11. Respondent voluntarily agrees to the above Findings of Fact and Terms of Consent Order.

### TERMS OF CONSENT ORDER

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

1. Respondent's license to practice physical therapy shall be placed on probation for 1994 and 1995. This probation shall be without any restrictions on his practice.

2. Respondent is required to obtain five (5.0) hours of applicable continuing education in the 1994 calendar year for his 1995 renewal which are to be obtained above and beyond the required fifteen (15.0) hours for this time period.

3. Respondent is required to obtain five (5.0) hours of applicable continuing education in the 1995 calendar year for his 1996 renewal which are to be obtained above and beyond the required fifteen (15.0) hours for this time period.

4. Respondent shall pay \$500.00 lump sum to the Board as an agreed upon fine in this matter.

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

6. During the entire probation period, Respondent is to be available for meetings with the Board or a representative committee of the Board upon reasonable notice.



7. At the end of the probation period, Respondent shall meet with the Board or a representative committee of the Board to discuss compliance with the probation.

8. 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 promulgated by the Board.

9. If Respondent ceases to practice physical therapy in Louisiana, or does not practice continuously, for the term of his probation, the effect of the probationary practice shall be suspended for the duration of the cessation. Respondent may timely petition the Board in writing for review of this matter on the basis of personal hardship or other necessitous circumstances. The Board in its discretion may alter the terms of this provision depending upon the facts of the matter. "Timely" shall mean prior to the cessation or within five (5) days after the commencement of the cessation.

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

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

12. The effective date of this Consent Order shall be January 1, 1994, if Respondent executes and returns the Consent Order to the Board within five (5) days of his receipt of same.

13. Upon timely receipt by the Board of Respondent's signed Consent Order, payment of the \$500.00 fine, and Affidavit that he 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 1994 with the appropriate sanctions stamped thereon.

14. Upon Respondent timely complying with the requirements set forth in Paragraph 13, his licensure to practice physical therapy for 1993 shall be considered renewed and reinstated effective January 1, 1993.

THUS DONE AND PASSED on the 23 day of December, 1993, 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

Maggie Camp  
Marie Moulton

Timothy R. Naquin, P.T.  
Timothy R. Naquin, P.T.

Randall E Roan  
Notary Public

THUS DONE AND PASSED on the 27<sup>th</sup> day of December, 1993, at the City of Lafayette, Parish of Lafayette, 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

Diane P. Frejman  
Dinger L. Miller

LOUISIANA STATE BOARD OF  
PHYSICAL THERAPY EXAMINERS

BY: Rebecca B. Lege' P.T.  
Rebecca B. Lege', P.T.

Michael J. Jones  
Notary Public