



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**  
**PATRICIA FLOWERS, P.T.A.**  
**License No. A1667R**  
**Respondent**

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**CONSENT ORDER**

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**ADMINISTRATIVE CASE NO.**  
**95-106 95 I 49**

A Formal Evidentiary Hearing was scheduled before the Louisiana State Board of Physical Therapy Examiners (the "Board") on April 25, 1996, to address alleged, specific violations of the Louisiana Physical Therapy Practice Act by the Respondent, Patricia Flowers ("Flowers"), to-wit: practicing physical therapy without proper supervision, LSA R.S. 37:2410C(1) and 37:2413A(1), Rules and Regulations, Title 46, Section 305, 321 and 325 et seq.; performing and/or allowing treatment of physical therapy to be performed without a physician's referral or prescription, LSA R.S. 37:2410A and 37:2413A(1), Rules and Regulations, Title 46, Sections 321 and 325 et seq.; supervise physical therapy supportive personnel, LSA R.S. 37:2413A(1), Rules and Regulations, Title 46, Sections 321 and 325 et seq.; failure to conform to the minimal standards of acceptable and prevailing physical therapy practice, such failure constituting unprofessional conduct, LSA R.S. 37:2413A(7), Rules and Regulations, Title 46, Sections 321, 325 et seq. and 327 more particularly.

In attendance, at the Pre-hearing Conference were Respondent, Patricia Flowers and her attorney, Anthony Hollis; the Complainant, Lana I. Wilson, 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 25, 1996, is voluntarily entered into by and between Respondent, Patricia Flowers and the Board which was comprised of Sharon A. Toups, Rebecca B. Lege, Gregory Ward and Paul A. Lamothe, Jr. for the purposes of this proceeding.

**FINDINGS OF FACT**

1. Respondent, Patricia Flowers, P.T.A., is, and at all times and materials of the facts alleged herein was, a physical therapist assistant duly licensed by the Board to practice as a Physical Therapist Assistant in the State of Louisiana pursuant to the Physical Therapy Practice Act of Louisiana, La. R.S. 37:2401 et seq., as evidenced by License No. A1667R.

2. Beginning October 1994 through December 1994, Respondent was engaged in the act of practicing as a physical therapist assistant at P.T.S. Physical Therapy Services, Inc. in Shreveport, Louisiana.
3. Beginning October 1994 through December 1994, Respondent practiced physical therapy without proper supervision at P.T.S. Physical Therapy Services, Inc.
4. Beginning October 1994 through December 1994, Respondent performed and/or allowed treatment of physical therapy to be performed without a physician's referral or prescription.
5. Beginning October 1994 through December 1994, Respondent supervised physical therapy supportive personnel in violation of the Physical Therapy Practice Act of Louisiana and Rules and Regulations promulgated thereto.

#### CONCLUSIONS OF LAW

1. Respondent practiced physical therapy without proper supervision. LSA R.S. 37:2410(C)(1) and 37:2413(A)(1); Rules and Regulations, Title 46, Sections 305, 321 and 325 et seq.
2. Respondent practiced physical therapy as a physical therapy assistant without proper supervision and did not conform to the minimal standards of acceptable and prevailing physical therapy practice, such failure constituting unprofessional conduct on her part. LSA R.S. 37:2410(C)(1) and 37:2413(A)(7); Rules and Regulations, Title 46, Section 325 et seq. and 327 more particularly.
3. Respondent performed and/or allowed treatment of physical therapy to be performed without a physician's referral or prescription. LSA R.S. 37:2413(A)(1); Rules and Regulations, Title 46, Sections 321 and 325 et seq.
4. Respondent performed and/or allowed treatment of physical therapy to be performed without a physician's referral or prescription and did not conform to the minimal standards of acceptable and prevailing physical therapy practice, such failure constitutes unprofessional conduct on her part. LSA R.S. 37:2413(A)(7); Rules and Regulations, Title 46, Sections 325 et seq. and 327 more particularly.
5. Respondent supervised physical therapy supportive personnel in violation of the law. LSA R.S. 37:2413(A)(1); Rules and Regulations, Title 46, Sections 321 and 325 et seq.
6. Respondent supervised physical therapy supportive personnel and did not conform to the minimal standards of acceptable and prevailing physical therapy practice such failure

constitutes an unprofessional conduct on her part. LSA R.S. 37:2413(A)(7); Rules and Regulations, Title 46, Sections 321, 325 et seq. and 327 more particularly.

### **DECISION**

Considering the foregoing, and pursuant to the authority vested in the Board by LSA R.S. 37:2401 et seq.:

**IT IS ORDERED** that judgment be rendered against Patricia Flowers, P.T.A. and based on the evidence, testimony introduced at the hearing and admissions under oath by him to the charges which have been submitted in this matter, that his license to practice physical therapy be suspended for one (1) month beginning June 1, 1996 and thereafter, be placed on probation for a period of one (1) year of active practice, to run consecutively to the period of suspension.

**IT IS FURTHER ORDERED** that during the period of suspension of the license, Respondent shall not be entitled to perform any clinical role, or function in any capacity in the field of physical therapy.

**IT IS FURTHER ORDERED** that during the one (1) year probation period set forth above should Respondent not practice physical therapy as a licensee in the State of Louisiana, then the remaining term of the probationary period yet to be served at that time shall be suspended for the duration of the cessation. During the cessation period referenced herein, Respondent's license shall remain under sanction by the Board.

**IT IS FURTHER ORDERED** that within five (5) days after the receipt of this Final Decision, Respondent shall submit to the Board office a sworn affidavit under oath that he has read and understands the Physical Therapy Practice Act, the Rules and Regulations promulgated by the Board, and the American Physical Therapy Association's Code of Ethics, Guide for Professional Conduct, and Standards of Practice, a copy of which has been supplied to him.

**IT IS FURTHER ORDERED** that Respondent shall return her license to the Board office on or before May 1, 1996.

**IT IS FURTHER ORDERED** that Respondent shall be available for attendance at scheduled Board meetings upon reasonable advance notice to review compliance with the terms of the probation.

**IT IS FURTHER ORDERED** that an Informal Conference will be conducted at the end of the entire sanction period referenced above between a representative committee of the Board and Respondent whereby a Respondent's case will be reviewed at that time.

**IT IS FURTHER ORDERED** that Respondent must pay the costs of the Administrative Hearing held in this matter upon demand.

**IT IS FURTHER ORDERED** that Respondent's failure to comply with any of the terms of this Consent Order shall be deemed just cause for the suspension or revocation of his license or temporary permit, or other disciplinary action, as if such violation were enumerated among the causes provided by LSA R.S. 37:2413 and the Rules and Regulations promulgated by the Board.

**IT IS FURTHER ORDERED** that the existence and terms of this Consent Order are not confidential or privileged information.

**IT IS FURTHER ORDERED** that Respondent hereby releases the Board, its representatives and attorney from any any obligations or liability in their endeavors to administer this Consent Order.

**THUS SIGNED** before me, Notary Public, on the 5<sup>th</sup> day of September, 1996, in Shreveport, Louisiana.

Patricia Flowers, P.T.A.  
Patricia Flowers, P.T.A.

Ally Hall  
Notary Public

**THUS SIGNED** before me, Notary Public, on the 25<sup>th</sup> day of September, 1996, in Lafayette, Louisiana.

Sharon A. Toups, P.T.  
Sharon A. Toups, P.T.

Michael A. J.  
Notary Public