



Physical Therapy Board of California

STATE AND CONSUMER SERVICES AGENCY - GOVERNOR EDMUND G. BROWN JR.

Physical Therapy Board of California

Consumer Protection Services Program

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CITATION # 10-11-0573

Polly Badt, PT
Box 2306
Malibu, CA 90265

CASE # 1D 2008 66008 and 1D 2010 68258

CITATION

Information obtained by the Physical Therapy Board of California (PTBC) confirms that actions taken by you have violated multiple sections of the law regulating the practice of physical therapy. Physical therapy records for two of your patients, "KG" and "KP"¹, contain evidence of excessive treatment and insufficient documentation which is lacking proper evaluation, re-evaluation, discharge summary, assessments, treatment plans, and goals.

A citation is hereby issued to you in accordance with Section 125.9 of the Business and Professions Code for the violations described below.

FIRST CAUSE FOR CITATION

Business and Professions Code Section 725 (a):

Repeated acts of clearly excessive prescribing, furnishing, dispensing, or administering of drugs or treatment, repeated acts of clearly excessive use of diagnostic procedures, or repeated acts of clearly excessive use of diagnostic or treatment facilities as determined by the standard of the community of licensees is unprofessional conduct for a physician and surgeon, dentist, podiatrist, psychologist, physical therapist, chiropractor, optometrist, speech-language pathologist, or audiologist.

You are subject to a citation and fine under Section 725 (a) of the Business and Professions Code in that:

- 1) Patient record for KG indicates that while in your care from November 19, 2002 through August 24, 2005, patient KG was treated for 127 visits of physical therapy without a re-evaluation to support the continuation of manual therapy and daily exercise for three years.
- 2) Patient record for KG indicates a lack of progress of her chronic neuromuscular problems which were not taken into account when the same physical therapy treatment was continued. Specific examples where the same treatments were continued when no longer appropriate can be found in daily notes and exercise logs for patient KG from April 2, 2004 through June 18, 2004.

¹ For privacy, patients referred to in the citation will be identified by their initials.

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- 3) Patient record for KP indicates there is no evidence to support the continuation of physical therapy care beyond the first 29 visits during July 30, 2001 through March 8, 2002.

SECOND CAUSE FOR CITATION

California Code of Regulations Section 1399.85

A physical therapist shall document in the patient record the following:

- (1) Examination and re-examination*
- (2) Evaluation, when the patient is to be reevaluated and the reevaluation*
- (3) Diagnosis*
- (4) Prognosis and intervention*
- (5) Treatment plan and modification of the plan of care*
- (6) Each treatment provided*
- (7) Discharge Summary*

Each entry shall be dated and signed by the treating physical therapist. Adjacent to the treating physical therapist's signature or at least on every page if there are multiple entries on a single page shall be the printed or stamped name of the treating physical therapist

You are subject to a citation and fine under Section 1399.85 of the California Code of Regulations in that:

- 1) Patient records for KG indicate an initial evaluation on November 19, 2002 failed to include documentation of muscle strength, range of motion or neurological objective data. The evaluation also failed to indicate assessment, goals, plan of care and anticipated date of discharge. Documentation of the patient's goals, frequency and duration of care, patient's treatment plan, when to re-evaluate the patient, are absent from the patient's record. Re-evaluations and discharge summary are absent from the patient's record, specifically during the period of November 19, 2002 through August 24, 2005.
- 2) Patient records for KP are absent a discharge summary for the last visit on February 16, 2005 when documentation of care ceases.

THIRD CAUSE FOR CITATION

Business and Professions Code Section 2620.7

2620.7. (a) A physical therapist shall document his or her evaluation, goals, treatment plan, and summary of treatment in the patient record.

(b) A physical therapist shall document the care actually provided to a patient in the patient record.

(c) A physical therapist shall sign the patient record legibly.

(d) Patient records shall be maintained for a period of no less than seven years following the discharge of the patient, except that the records of unemancipated minors

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shall be maintained at least one year after the minor has reached the age of 18 years, and not in any case less than seven years:

You are subject to a citation and fine under Section 2620.7 of the Business and Professions Code in that:

- 1) Patient records for KG indicate an initial evaluation on November 19, 2002 does not document muscle strength, range of motion or neurological objective data. The evaluation also fails to indicate assessment, goals, plan of care and anticipated date of discharge. Documentation of the patient's goals, frequency and duration of care, patient's treatment plan, when to re-evaluate the patient, re-evaluation, and discharge summary are absent from the patient's record.
- 2) Patient records for KG reflect only minimal documentation of the care actually provided. Examples are found in the daily visit notes and daily exercise logs dated November 19, 2002 through August 24, 2005.

ORDER

Further, **you are ordered to pay a fine of \$2,000.00** to the PTBC within thirty (30) days of the citation or assessment issuance date. When submitting payment to the PTBC, for your protection and to assure proper credit, please return a copy of the citation and note the citation number on your check or money order.

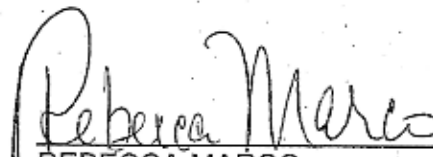
If you wish to contest the Informal Conference Decision, you may, within thirty (30) days of the date of issuance of this citation or assessment, request a formal administrative hearing before an administrative law judge under the Administrative Procedure Act.

FAILURE TO RETURN THE REQUEST FOR AN ADMINISTRATIVE HEARING WITHIN THE TIME INDICATED WILL CONSTITUTE A WAIVER OF YOUR RIGHT TO ADMINISTRATIVELY CONTEST OR APPEAL THIS CITATION.

Administrative Fine

\$2,000.00

October 7, 2011
Date


REBECCA MARCO
Executive Officer