

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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1996

STATE OF WISCONSIN
BEFORE THE PSYCHOLOGY EXAMINING BOARD

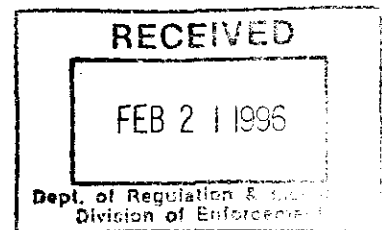
IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	FINAL DECISION AND ORDER
	:	
MICHAEL A. ZULLI, Ph.D.	:	95 PSY 012
RESPONDENT.	:	

The parties to this action for the purposes of Wis. Stats. sec. 227.53 are:

Michael A. Zulli, Ph.D.
P.O. Box 322
Ettrick, WI 54627

Wisconsin Psychology Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935



The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Psychology Examining Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Michael H. Zulli, Ph.D., Respondent, date of birth March 9, 1950, is licensed by the Wisconsin Psychology Examining Board as a psychologist in the state of Wisconsin pursuant to license number 000792, which was first granted June 8, 1979.
2. Respondent's last address reported to the Department of Regulation and Licensing is 11910 West Diane Drive; Wauwatosa, Wisconsin 53226.
3. That from January of 1994 through March of 1994, Patient A, who was then 17 years old, was an inpatient at Charter Hospital of Milwaukee for psychological treatment.

4. That during Patient A's hospitalization at Charter Hospital of Milwaukee, Patient A received psychological services from Respondent.

5. That during the time Patient A was hospitalized at Charter Hospital of Milwaukee, Respondent also provided psychological services to each of Patient A's parents and to her two siblings, both individually and as a group.

6. That services provided by Respondent to Patient A and her family were covered under, and paid for by, a health insurance policy held by Patient A's father through the Principal Financial Group.

7. That coverage for mental health services under the health insurance policy was restricted to a certain dollar ceiling each year for each family member.

8. That during his treatment of Patient A, Respondent often improperly billed the insurance company under the name of a family member of Patient A for time spent by Respondent with Patient A. That during these improperly billed sessions, the family member billed was not present for treatment.

9. That Respondent engaged in this activity in order to increase the coverage under the insurance policy for treatment provided to Patient A by using the allotted coverage for mental health services of other family members for treatment provided to Patient A.

10. That Respondent was responsible for the decision to bill other family members for services provided to Patient A, and has admitted that fact.

11. That the Principal Financial Group, recovered \$5,378.27 from Respondent's clinic: Winston Clinics, Inc., an Apogee Behavioral Health Care Group Practice; as repayment of claims filed for services provided by Respondent which should not have been considered.

CONCLUSIONS OF LAW

1. The Psychology Examining Board has jurisdiction over this matter pursuant to § 455.09, Stats.

2. The Wisconsin Psychology Examining Board has authority to enter into this stipulated resolution of this matter pursuant to § 227.44(5), Stats.

3. Respondent, by engaging in false, fraudulent, misleading and deceptive billing practices has committed misconduct as defined by Wis. Adm. Code § Psy 5.01(8) and is subject to discipline pursuant to § 455.09(1)(g), Stats.

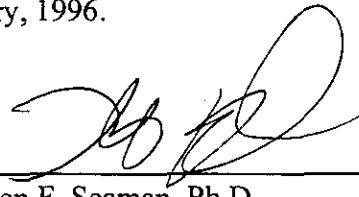
ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. That Respondent, Michael A. Zulli, Ph.D., is hereby REPRIMANDED.

The rights of a party aggrieved by this Decision to petition the Board for rehearing and to petition for judicial review are set forth on the attached "Notice of Appeal Information".

Dated at Madison, Wisconsin this 20th day of February, 1996.



Stephen F. Seaman, Ph.D.
Chair
Psychology Examining Board

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STATE OF WISCONSIN
BEFORE THE WISCONSIN PSYCHOLOGY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

MICHAEL A.. ZULLI, Ph.D.
RESPONDENT.

STIPULATION
95 PSY 012

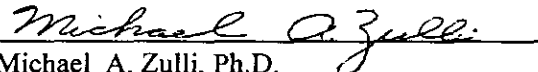
It is hereby stipulated and agreed, by and between Michael A.. Zulli, Ph.D., Respondent; and, John R. Zwieg, as attorney for the Complainant, Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of pending investigation of Respondent by the Department of Regulation and Licensing, Division of Enforcement on behalf of the Psychology Examining Board (file 95 PSY 012).
2. Respondent understands that by the signing of this stipulation Respondent voluntarily and knowingly waives Respondent's rights, including: the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against Respondent; the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena; the right to testify; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.
3. Respondent is aware of his right to seek legal representation prior to signing this stipulation.
4. Respondent admits the allegations in this matter, and agrees to the adoption of the attached Final Decision and Order by the Board. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

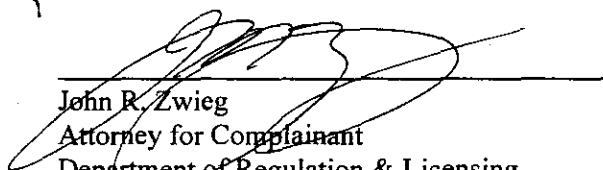
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this stipulation agree that the Respondent, Respondent's attorney, if any, an attorney for the Division of Enforcement, and the member of the Board who has been appointed as the investigative advisor may appear before the Board for the purposes of speaking in support of this agreement and answering questions that the members of the Board may have in connection with their deliberations on the stipulation.

Dated this 9th day of February, 1996.


Michael A. Zulli, Ph.D.
Respondent

Dated this 2nd day of February, 1996.

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John R. Zwieg
Attorney for Complainant
Department of Regulation & Licensing
Division of Enforcement

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