

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE PHYSICAL THERAPISTS AFFILIATED CREDENTIALING BOARD

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IN THE MATTER OF :  
DISCIPLINARY PROCEEDINGS AGAINST : FINAL DECISION AND ORDER  
: :  
JOHN T. VOELZ, P.T., : ORDER 0000091  
RESPONDENT. :

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Division of Enforcement Case #08 PHT 005

The parties to this action for the purposes of Wis. Stat. § 227.53, are:

John T. Voelz, P.T.  
505 Indian Hills Drive  
Waterloo, WI 53594

Division of Enforcement  
Department of Regulation and Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

Physical Therapist Credentialing Board  
Department of Regulation & Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

PROCEDURAL HISTORY

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 Physical Therapists Affiliated Credentialing 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. John T. Voelz, P.T., (DOB 6/29/1966) was duly licensed as a physical therapist in the state of Wisconsin (license #9593-24). This license was granted on March 2, 2001. Respondent's license has been suspended since April 2, 2008.

2. Respondent's most recent address on file with the Wisconsin Physical Therapists Affiliated Credentialing Board is 505 Indian Hills Drive, Waterloo, Wisconsin 53594.

#### COUNT 1

3. On November 29, 2007, the Wisconsin Physical Therapists Affiliated Credentialing Board issued a Final Decision and Order suspending Respondent's license indefinitely.

a. The discipline was based on Respondent having criminal charges pending in Dane County Circuit Court for possession of oxycodone and cocaine and for having a history of using those drugs.

b. The Order provided for a stay of the suspension with proof that Respondent was in compliance with its terms, including: drug and alcohol treatment, therapy, quarterly reports by the Treater to the Department Monitor, AA/NA meetings, abstinence from alcohol and controlled substances except when prescribed, drug and alcohol urine screens 56 times a year for the first year, practice only under direct supervision, providing a copy of the final Decision and Order and all subsequent orders to his supervisor at all settings where he works as a physical therapist currently or in the future and quarterly reports from work supervisor to the Department Monitor.

c. Respondent had presented evidence of compliance and was granted an immediate stay on November 28, 2007.

4. On November 29, 2007, Respondent failed to submit work reports and pay required fees. The Board removed the Stay of Suspension on April 2, 2008 and Respondent has been suspended since.

5. After the stay was lifted and Respondent's license was suspended, Respondent knowingly continued to practice as a physical therapist from April 2, 2008 and through April 26, 2008 with a suspended license at Oregon Manor in Oregon, Wisconsin.

#### COUNT II

6. On May 1, 2008, Respondent was charged in Dane County Circuit Court with burglary and obtaining a controlled substance by fraud. The charges were based on Respondent having gone to Oakwood Village a seniors living facility, fraudulently told residents he was from the pharmacy and was checking for expired medications, looked in a resident's bathrooms for controlled substances and took possession of the Resident's expired hydrocodone, a schedule III controlled substance.

7. On September 2, 2008, Respondent was convicted in that case of Wis. Stat. 961.43(1)(a), obtaining a controlled substance by fraud, a Class H felony.

#### CONCLUSIONS OF LAW

1. The Wisconsin Physical Therapists Affiliated Credentialing Board has jurisdiction to act in this matter, pursuant to Wis. Stat. § 448.57, and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. Respondent's conduct in practicing physical therapy while his license was suspended is a violation of Wis. Stat. § 448.51 and Wis. Admin. Code §§ PT 7.02(1) and (7). [Count I]

3. Respondent having been convicted of a crime related to the possession or use of a controlled substance is a violation of Wis. Admin. Code § PT 7.02(18). [Count II]

ORDER

1. The license of John T. Voelz, P.T. (license #9593-24) to practice physical therapy in the State of Wisconsin is hereby REVOKED, effective immediately.

2. If Respondent ever seeks to regain this or any other credential from the Board:

a. Respondent shall, pay costs of this proceeding to the Wisconsin Department of Regulation and Licensing in the amount of five hundred (\$500.00) dollars.

b. Respondent shall provide sufficient evidence to the Board that he does not have any psychiatric or chemical abuse or dependency condition that could interfere with his safely providing professional services to patients or the public.

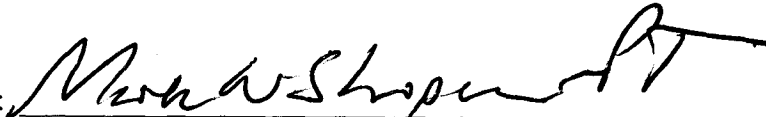
c. It shall be in the sole discretion of the Board whether to grant any credential to Respondent and whether to impose limitations on any credential the Board may decide to grant.

3. Requests and payment shall be made to:

Department Monitor  
Division of Enforcement  
Department of Regulation and Licensing  
P. O. Box 8935  
Madison, WI 53708-8935  
Tel. (608) 267-3817  
Fax (608) 266-2264.

This Order shall become effective on the date of its signing.

PHYSICAL THERAPISTS AFFILIATED CREDENTIALING BOARD

By:  3/11/10  
A Member of the Board Date