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STATE OF WISCONSIN
BEFORE THE PHYSICAL THERAPY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST : FINAL DECISION AND ORDER
:
MARIANNE K. KLAIS, P.T., :
RESPONDENT. : ORDER 0000275
:

[Division of Enforcement Case No. 07 PHT 009]

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

Marianne K. Klais, P.T.
1020 Madison Street
Fennimore, WI 53809

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

Wisconsin Department of Regulation and Licensing
Division of Enforcement
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 Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Marianne K. Klais, P.T., Respondent, date of birth July 4, 1963, is duly licensed to practice physical therapy in the state of Wisconsin under license number 3308-24. This license was first granted on December 10, 1986.
2. Respondent's address on record with the Wisconsin Physical Therapy Examining Board is 1020 Madison Street, Fennimore, WI 53809.
3. During 2006, Boscobel Area Health Care (BAHC) provided physical therapy services to the Boscobel and Fennimore school districts. Respondent was employed by BAHC and during the first two weeks of October 2006 was scheduled to provide physical therapy services to students in those districts.

4. During that time, Respondent did not appropriately document services she provided to students in the district. She also misplaced the document binder which contained notations she did make of some services. As a result of losing the confidential document binder, when Respondent submitted information to BAHC so services could be billed Respondent attempted to recall dates of services and did so erroneously. Upon later review, progress notes written by Respondent could not be found for dates on which services were billed and the entities which had been billed for those services were credited for those amounts.

CONCLUSIONS OF LAW

1. The Wisconsin Physical Therapy Examining 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, by failing to create and maintain patient records for patients she examined or treated, has violated Wis. Stat. § 448.56(5) and is subject to discipline pursuant to Wis. Stat. § 448.57(2).

ORDER

1. Respondent, Marianne K. Klais, P.T., is hereby REPRIMANDED for the above conduct.

2. The license of Respondent, Marianne K. Klais, P.T., to practice physical therapy in the State of Wisconsin is LIMITED, as follows:

a. Within 6 months of the date of this Order, Respondent shall provide proof sufficient to the Board, or its designee, of Respondent's satisfactory completion of 6 hours of continuing education on the subjects of documentation of services provided, record keeping and maintaining the security and confidentiality of records.

b. If Respondent is unable to complete within 6 months the course or courses described in subparagraph a because of illness or other circumstance found to be acceptable by the Board or its designee, Respondent shall, prior to the required completion date, petition for a reasonable extension of time within which to take and complete the course or courses.

c. Respondent is responsible for paying the full cost of attending this course. Respondent is prohibited from applying any of the continuing education credits earned in satisfaction of this Order toward satisfaction of the biennial training requirements of Wis. Adm Code § PT 9.03

d. Respondent shall, within six (6) months of the date of this Order, take and successfully complete the open book examination entitled "Physical Therapist Wisconsin Statutes and Rules Examination." The costs of administration of the examination shall be the responsibility of the Respondent.

e. Upon Respondent providing proof sufficient to the Board, or its designee, that she has successfully completed the education and test, the Board or its designee shall issue an Order removing this limitation of Respondent's license.

3. Respondent shall, within one year of this Order, pay to the Department of Regulation and Licensing the costs of this proceeding in the amount of \$400.00 pursuant to Wis. Stat. § 440.22(2).

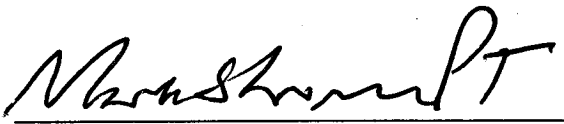
4. All payments, requests and evidence of completion of the education required by this Order shall be mailed, faxed or delivered to:

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

5. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of the costs or fails to comply with the ordered continuing education as set forth above, the Respondent's license (No. 3308-24) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs of the continuing education.

6. This Order is effective on the date of its signing.

PHYSICAL THERAPY EXAMINING BOARD

By: 
A Member of the Board

7/8/10
Date