

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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**STATE OF WISCONSIN  
BEFORE THE PHYSICAL THERAPY CREDENTIALING BOARD**

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**IN THE MATTER OF THE  
DISCIPLINARY PROCEEDINGS AGAINST**

**ORDER DENYING  
MODIFICATION**

**LS0711291PHT**

**PAUL Z. ABLER, P.T.,  
PETITIONER.**

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TO: Paul Z. Abler  
36752 Lower Lake Road  
Oconomowoc, WI 53066

**PROCEDURAL HISTORY**

Paul Z. Abler (Petitioner) was first licensed to practice physical therapy on April 13, 1981. On April 10, 2003, Petitioner was convicted, in Waukesha County Circuit Court, of 4<sup>th</sup> degree sexual assault. The conviction was the result of Mr. Abler engaging in sexual contact with a patient while providing physical therapy to the patient at her residence.

On November 04, 2003, in Case No. LS0311041PHT, the Physical Therapy Credentialing Board (Board) concluded that Petitioner had committed unprofessional conduct as defined by Wis. Admin. Code § PT7.02(18) (acts which tend to constitute a danger to the health, welfare and safety of a patient). The Board suspended Petitioner's license to practice physical therapy, (#24-2334) for a period of at least two years. The Order retained the Board's discretion to maintain or terminate the suspension. The Order required that, if the Board elected to terminate the suspension in the future, the Board was authorized to impose limitations which included, but were not limited to: psychotherapy, professional education, and restrictions on the nature of practice and/or the practice setting. The Board further specified that any request for reinstatement of the license was to be accompanied by a recommendation from Petitioner's treating therapist that Petitioner did not present a threat to his patients and could safely practice without limitations.

On September 28, 2004, the Board denied Petitioner's requests for a stay of the suspension and for an unlimited license.

Petitioner's license remained suspended until March 17, 2005. On that date, the Board denied Petitioner's request for reinstatement of full licensure, and granted Petitioner a limited license.

On March 16, 2006, the Board denied Respondent's request for full licensure and required continuing limitations.

On December 14, 2006, the Board granted Petitioner's request to remove some of the limitations on his license to practice physical therapy. The Board's Order retained some of the practice limitations, including that Respondent was barred from treating patients in a home setting; and that Respondent was

prohibited from treating female patients, except under the direct supervision of a licensed physical therapist. The Order further required Petitioner to appear before the Board on an annual basis.

On November 29, 2007, in Case No. LS0711291PHT, Petitioner stipulated that he had, on four occasions in June of 2007, violated the Board's previous orders when, at his initiative, Petitioner provided unsupervised physical therapy to a female patient, while alone with the female patient in her home. Petitioner further stipulated that he had committed professional misconduct when he digitally penetrated the patient's vaginal orifice without legitimate physical therapy purpose.

On November 29, 2007 the Board accepted the surrender of Petitioner's license to practice physical therapy.

On or about March 23, 2011, the petitioner requested a reinstatement of his limited license. Based upon the information of record presented, the Board now finds and makes the following:

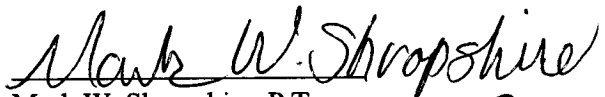
**ORDER**

**NOW, THEREFORE, IT IS ORDERED** that Paul Z. Abler, (#24-2334) has presented insufficient evidence to establish rehabilitation, adequate assurances of public safety, and that the objectives of disciplinary action have been accomplished.

**IT IS FURTHER ORDERED** that the request for reinstatement of Paul Z. Abler, (#24-2334), be and hereby is, Denied.

Dated this 7<sup>th</sup> of July, 2011.

Physical Therapy Examining Board

  
Mark W. Shropshire, P.T.  
Chairperson 