

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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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
	:	
LUIS A. RIVERA, JR., P.T.,	:	
RESPONDENT.	:	ORDER 0000950

Division of Enforcement Case No. 10PHT008

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

Luis A. Rivera, Jr., P.T.
403 W. Mequon Road
Mequon, WI 53092

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 in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Luis A. Rivera, Jr., P.T., Respondent herein, (DOB February 5, 1977) is licensed to practice physical therapy in the state of Wisconsin (license no. 11189-24). This license was granted on March 10, 2009.
2. Respondent's address on record with the Wisconsin Physical Therapy Examining Board is 403 W. Mequon Road, Mequon, Wisconsin 53092.

3. At all times relevant hereto, Respondent was licensed to practice physical therapy in the state of Arizona (license no. 5517).

4. On April 28, 2010, the Arizona State Board of Physical Therapy issued an order accepting the voluntary surrender of Respondent's license to practice physical therapy. Respondent was found to be in violation of A.R.S. § 32-2044(1), Violating this chapter, board rules or a written board order, A.R.S. § 32-2044(12), Failing to adhere to the recognized standards of the physical therapy profession, A.R.S. § 32-2044(13), charging unreasonable or fraudulent fees for services performed or not performed and A.R.S. § 32-2044(20), Failing to maintain adequate patient records. The factual basis for the surrender was Respondent's failure to provide actual treatment to three patients for whom he documented and billed such treatment.

5. While Respondent chose not to contest the Arizona action due to relocation out of state and disagrees with the factual basis for the surrender, in the interest of resolving this matter, agrees to entry of this Final Decision and Order.

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 having disciplinary action taken against his Arizona license to practice physical therapy by the Arizona State Board of Physical Therapy, as set out above, is a violation of Wis. Stats. § 448.57 and Wis. Admin. Code § PT 7.02(17).

ORDER

IT IS HEREBY ORDERED that the stipulation of the parties is approved.

IT IS FURTHER ORDERED that Luis A. Rivera, Jr., P.T. is hereby REPRIMANDED.


IT IS FURTHER ORDERED that Respondent shall pay to the Department of Regulation and Licensing costs of this proceeding in the amount of TWO HUNDRED dollars (\$200.00) pursuant to Wis. Stat. § 440.22(2). Payment of costs shall be mailed or delivered to:

Department Monitor
Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935
Tele. (608) 267-3817
Fax (608) 266-2264

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 the Respondent fails to pay costs as ordered the Respondent's license SHALL BE SUSPENDED until the Respondent has complied with the terms of this Order.

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

PHYSICAL THERAPY EXAMINING BOARD

By:  7/7/11
A Member of the Board Date

10PHT008/Rivera/PMS/BAC/822010