

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE HEARING AND SPEECH EXAMINING BOARD

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IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
LAURA J. SIMA, S.L.P.	:	DHA case DRL 11-0004
RESPONDENT.	:	ORDER 0001504

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[Division of Enforcement Case #08 HAD 012]

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

Laura J. Sima  
9002 Camp Highland Road  
Sayner, WI 54560

Division of Enforcement  
Department of Safety and Professional Services  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

Department of Safety and Professional Services  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

PROCEDURAL HISTORY

The Division of Enforcement, represented by James Polewski, filed a formal complaint in this matter on January 13, 2011, and Respondent, represented by Steven Lucareli, filed a timely answer. Administrative Law Judge Amanda Tollefsen, Department of Administration, Division of Hearings and Appeals, presided over scheduling conferences and prehearing conferences until she was succeeded by Administrative Law Judge Jennifer Nashold. The Division and Respondent have reached a resolution, and have submitted it to the Board for its consideration. The Board has considered the proposed resolution, and finds it acceptable.

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

### FINDINGS OF FACT

1. Laura J. Sima ("Respondent") was born on June 20, 1965, and is licensed to practice speech language pathology in the state of Wisconsin pursuant to license 2816-154, first granted on February 24, 2006.
2. Respondent's most recent address of record with the Hearing and Speech Examining Board and the Department of Regulation and Licensing is 9002 Camp Highland Road, Sayner, Wisconsin 54560.
3. At all times relevant to this complaint, Respondent practiced speech language pathology in northern Wisconsin.
4. Patient N.S. is a female born on April 1, 2006.
5. Respondent provided speech language pathology services to Patient N.S., in N.S.' home in Eagle River, Wisconsin, and said services were paid for through BadgerCare, a health insurance program operated by the State of Wisconsin using Medicaid funds.
6. Respondent claimed to have provided services to Patient N.S. on fifty different dates of service from February 14, 2007, through November 19, 2007, billing BadgerCare for said services, and was paid approximately \$6,800.00 for those services.
7. In fact, Respondent provided services to Patient N.S. on only twelve of the dates, to-wit: February 14, February 21, February 26, February 27, March 13, March 21, March 23, July 16, September 24, October 15, October 22, and October 24, 2007; Respondent provided no services to Patient N.S. on thirty-eight of the dates on which she claimed to have provided services to Patient N.S.
8. Respondent currently suffers from an autoimmune disease, which has caused her to go blind in one eye, and has resulted in the progressive loss of vision in her remaining eye, for which she is currently undergoing treatment in an effort to save her limited remaining eyesight. Treatment of the disease has left her immunologically compromised, and physically unable to practice or to personally participate in these proceedings. The only issue remaining to be determined in this proceeding is the discipline to be imposed for the violations described in paragraphs 1 through 7, above; Respondent agrees to accept the indefinite suspension of her

license until the issue can be fully heard and decided after her recovery or rehabilitation.

### CONCLUSIONS OF LAW

1. The Wisconsin Hearing and Speech Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. § 459.34, and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. The conduct described in paragraphs 1-7 above, constitutes a violation of Wisconsin Administrative Code §§ HAS 6.18(1)(h) and HAS 6.18(2)(d).

### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The license of Laura J. Sima, S.L.P., to practice speech language pathology in the State of Wisconsin is hereby **SUSPENDED** for an indefinite period.

a. When Respondent is physically able to return to practice, or to participate in disciplinary proceedings, she may petition the Board for reinstatement of the license.

b. As a prerequisite for reinstatement of the license, Respondent shall then be required to participate in a hearing before an Administrative Law Judge on the issue of the appropriate discipline to be imposed for the violations described in the Findings of Fact. The Administrative Law Judge may recommend any discipline, and the Board may make any variance in that recommendation, as the law may then permit.

IT IS FURTHER ORDERED that:

2. Respondent shall, within ninety days from the date of this Order, pay costs of this proceeding in the amount of Four Thousand Five Hundred (\$4500.00) dollars. Payment shall be made payable to the Wisconsin Department of Safety and Professional Services, and mailed to:

Department Monitor  
Division of Enforcement  
Department of Safety and Professional Services  
P.O. Box 8935  
Madison, WI 53708-8935  
Telephone (608) 267-3817  
Fax (608) 266-2264

3. 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 as set forth above, the Respondent's license (# 2816-154) 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 or forfeiture or completion of the continuing education).

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

Wisconsin Hearing and Speech Examining Board

By: Peter J. Zellmer  
A Member of the Board

4/23/2012  
Date