

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE PHYSICAL THERAPY EXAMINING BOARD

IN THE MATTER OF APPLICATION FOR
A PHYSICAL THERAPY LICENSE

PAUL ABLER
APPLICANT

:
:
: ORDER GRANTING
LIMITED LICENSE

:
:
:
000258

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

PAUL ABLER
833 HAWKS HOLLOW
DELAFIELD WI 53018

DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES
PHYSICAL THERAPY EXAMINING BOARD
1400 EAST WASHINGTON AVENUE
P.O. BOX 8935
MADISON WI 53708-8935

FINDINGS OF FACT

1. PAUL ABLER (Applicant) has filed an application for a credential to practice as a physical therapist in Wisconsin.
2. Information received in the application process reflects the following:
 - On 04/10/2003, convicted for 4th Degree Sexual Assault
 - On 11/04/2003, the Physical Therapists Affiliated Credentialing Board (Board) suspended the Applicant's physical therapist license #2334-24 for a period of at least two (2) years;
 - On 09/28/2004, the Board denied the request for stay of suspension and for a limited license;
 - On 03/17/2005, the Board granted the request for limited license subject to certain terms and conditions;
 - On 03/16/2006, the Board denied the request to restore full licensure and confirmed the license to remain as limited subject to certain terms and conditions;
 - On 12/15/2006, the Board granted request to remove some of the limitations on the license.
 - On 11/29/2007, the Board accepted the surrender of the license due to violation of the Board's previous order in Case No. LS0711291PHT;
 - On 07/07/2011, the Board denied the request for reinstatement of the licensure; and
 - On 01/02/2013, the Board granted permission to apply for re-registration of the license #2334-24 to practice as a physical therapist.

CONCLUSIONS OF LAW

1. The Wisconsin Physical Therapy Examining Board has jurisdiction over this matter pursuant to Wis. Stat. § 448.57.
2. The facts and circumstances of the past discipline as a physical therapist relates to your request for licensure as a physical therapist.
3. The facts and circumstances of the criminal conviction substantially relates to the practice of physical therapy.
4. Applicant by his conduct is subject to action against Applicant's license pursuant to Wis. Stat. § 448.57(2) and Wis. Admin. Code § PT 7.02.
5. Limitations upon the license of the Applicant are necessary to ensure that he is competent to act in a manner which safeguards the interests of the public.

ORDER

NOW, THEREFORE, IT IS ORDERED that PAUL ABLER is GRANTED A PHYSICAL THERAPIST LICENSE subject to the following LIMITATIONS, TERMS AND CONDITIONS:

Practice Limitations

1. Applicant shall at all time practice under the supervision of a board-approved, Wisconsin licensed physical therapist, who will provide direct, immediate, on-premise supervision and at all times be within line of sight when the Applicant has patient contact.
2. Applicant shall disclose all orders and limitations to the above-mentioned supervisor prior to the board approval of the supervisor.
3. Applicant shall be prohibited from providing physical therapy services to female or minor patients during the pendency of this order.

Reporting Requirements

4. Applicant shall file with the Department quarterly reports at the direction of the Department Monitor commencing ninety (90) days after Applicant commences employment. Each report shall include the following:
 - a. The name, address and telephone number of Applicant, and name, address and telephone number of Applicant's employer; and
 - b. A statement from the employer evaluating the Applicant's performance as a physical therapist, including the nature and extent of the Applicant's activities and

whether he has practiced in compliance with all laws governing the practice of physical therapist.

5. Applicant shall report to the Department Monitor any change of employment status, residence, address or telephone number within five (5) days of the date of a change.
6. Applicant is responsible for compliance with all of the terms and conditions of this Order, including the timely submission of reports by others. Applicant shall promptly notify Department Monitor of any suspected violations of any of the terms and conditions of this Order by Applicant

DEPARTMENT MONITOR

7. The Department Monitor is the individual designated by the department as its agent to coordinate compliance with the terms of this Order. Any requests, petitions, reports or other information required by this Order shall be mailed, faxed or delivered to:

DEPARTMENT MONITOR
Department of Safety and Professional Services
Division of Legal Services & Compliance
1400 East Washington Ave., P.O. Box 8935
Madison, WI 53708-8935
Fax: (608) 266-2264
Telephone: (608) 267-3817

Petitions for Modification

8. Applicant may petition the Department Monitor for modification of the terms of this Order after completion of two years of practice in compliance with all terms and conditions of this Order. Applicant's petition must include Applicant's history of employment from the effective date of this Order that states the dates and names of any employer, such employment in total equaling two years of practice. Any such petition shall be accompanied by a written recommendation from Applicant's current employer that includes, among other things, the dates of employment and scope of responsibility during such employment. A denial of such a petition for modification shall not be deemed a denial of license under Wis. Stats. §§ 227.01(3), or 227.42, or Wis. Admin. Code ch. SPS 1, and shall not be subject to any right to further hearing or appeal.

Costs

9. Applicant shall be responsible for all costs and expenses associated with compliance with the terms of this Order.

Summary Suspension/Additional Discipline

10. 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 Applicant'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 that Applicant fails to submit quarterly reports as ordered, Applicant's license may, in the discretion of the Physical Therapy Examining Board or its designee, be SUSPENDED, without further notice or hearing, until Applicant has complied with the terms of this Order.

Dated at Madison, Wisconsin this 5th day of September, 2013

Lori Dominiczak

Lori Dominiczak

Vice Chair of the Wisconsin Physical Therapy Examining Board