

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE HEARING AND SPEECH EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST:

FINAL DECISION AND ORDER

KATHRYN R. CAMILOTTO, SLP,

RESPONDENT.

0004636

Division of Legal Services and Compliance Case No. 14 HAD 014

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

Kathryn R. Camilotto, SLP
1172 Sterling Heights Dr.
Menasha, WI 54952

Wisconsin Hearing and Speech Examining Board
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin Hearing and Speech Examining Board (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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Kathryn R. Camilotto, SLP, (dob May 25, 1979) is licensed in the state of Wisconsin to practice speech-language pathology, having license number 2660-154, first granted on October 26, 2005 and current through January 31, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1172 Sterling Heights Drive, Menasha, Wisconsin 54952.
2. At all times relevant to this proceeding, Kathryn R. Camilotto, SLP, was employed as a speech-language pathologist at a nursing center (Center) located in Menasha, Wisconsin.

3. Beginning in August of 2014, after evaluating the patient and obtaining consent, Respondent provided speech therapy services to an elderly man experiencing left-sided facial palsy and speech, language and swallowing deficits following an acute subdural hematoma and subarachnoid hemorrhage.
4. One of the modes of therapy Respondent used was electrical stimulation of various nerves on the left side of the patient's face using VitalStim® electrodes. Respondent was trained and certified to perform electrical stimulation using the VitalStim® system.
5. On a number of occasions, Respondent attached the VitalStim® electrodes to the left side of the patient's forehead and below the left eye to stimulate the third cranial nerve and improve the function of muscles in that area.
6. There is no clinical evidence supporting the use of VitalStim® to enervate the third cranial nerve or improve function of the muscles that mobilize the eye. There is also no billing code that covers utilization of VitalStim® therapy in these areas.
7. Respondent's use of the VitalStim® electrodes on the patient's forehead and below the eye did not harm the patient.
8. Respondent did not personally benefit or profit in any way with respect to the improper coding for services related to the use of VitalStim®.
9. Respondent was cooperative with the Department of Safety and Professional Services and Hearing and Speech Examining Board throughout the investigation of this matter and appears to have learned from this experience.
10. This matter does not involve fraud, neglect, abuse or mistreatment of a patient.
11. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Hearing and Speech Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 459.34(2), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).
2. Pursuant to Wis. Stat. § 459.20(5), speech-language pathology means applying principles, methods or procedures of prevention, identification, evaluation, consultation, intervention, instruction or research related to speech, language, cognition or swallowing or any abnormal condition involving speech, articulation, fluency, voice, verbal or written language, auditory comprehension, cognition or communication or oral, pharyngeal or laryngeal sensorimotor competencies.

3. By the conduct described in the Findings of Fact, Kathryn R. Camilotto, SLP, engaged in unprofessional conduct as defined by Wis. Admin. Code § HAS 6.18(2)(s), by failing to practice speech-language pathology within the scope of the licensee's competence, education, training and experience.
4. As a result of the above violations, Kathryn R. Camilotto, SLP, is subject to discipline pursuant to Wis. Stat. § 459.34(2)(h).

ORDER

1. The attached Stipulation is accepted.
2. Kathryn R. Camilotto, SLP, (license number 2660-154) is hereby REPRIMANDED.
3. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$750.00.
4. Payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent to the Department Monitor at the address below:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

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 costs, Respondent's license (no. 2660-154) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of costs.
6. This Order is effective on the date of its signing.

WISCONSIN HEARING AND SPEECH EXAMINING BOARD

By: Th. W. Sed _____ 4/11/16 _____
A Member of the Board Date

STATE OF WISCONSIN
BEFORE THE HEARING AND SPEECH EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

KATHRYN R. CAMILOTTO, SLP,
RESPONDENT.

STIPULATION

0004636

Division of Legal Services and Compliance Case No. 14 HAD 014

Respondent Kathryn R. Camilotto, SLP, and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation. Respondent is represented by Attorney Patrick Koenen.


4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Hearing and Speech Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

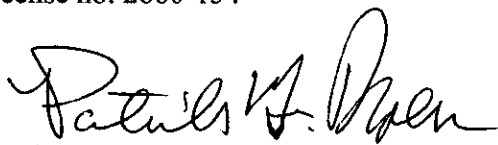
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

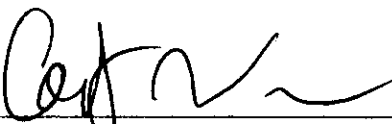
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.


Kathryn R. Camilotto, SLP, Respondent
1172 Sterling Heights Dr.
Menasha, WI 54952
License no. 2660-154

2/22/16
Date


Patrick F. Koenen, Attorney
Hinshaw & Culbertson LLP
100 W. Lawrence Street
Appleton, WI 54911

2/26/16
Date


Cody Wagner, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

3/1/16
Date