

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>

- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact DSPS@wisconsin.gov

STATE OF WISCONSIN
BEFORE PHYSICAL THERAPY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 :
THOMAS J. SCHUMACHER, P.T., : FINAL DECISION AND ORDER
RESPONDENT. :
 : **0004903**

Division of Legal Services and Compliance Case No. 16 PHT 023

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

Thomas J. Schumacher, P.T.
936 Osheridan Street
Madison, WI 53715-2045

Wisconsin Physical Therapy 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 Physical Therapy 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 Thomas J. Schumacher, P.T., (DOB April 8, 1975), is licensed in the State of Wisconsin to practice physical therapy, having license number 11841-24, first granted on July 15, 2011, and current through February 28, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 936 Osheridan Street, Madison, Wisconsin 53715-2045.

2. In 2016, the Department began an audit of compliance with the continuing education requirements for physical therapists for the 2013-2015 biennium.

3. Respondent's name was randomly selected as a subject of the audit pursuant to Wis. Stat. § 448.55(3) and Wis. Admin. Code § PT 9.05.

4. Respondent failed to demonstrate compliance with continuing education requirements for the 2013-2015 biennium as follows:

- a. Respondent submitted evidence that he had completed 57 credits of continuing education;
- b. Of those credits, 21 did not meet the standards for approval set forth in Wis. Admin Code § PT 9.04(1)(a) and (b);
- c. Another 21 of those credits did not meet the standards for approval and were completed after the 2013-2015 biennium;
- d. Respondent therefore completed 15 of the 30 credits due in the 2013-2015 biennium.

5. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law 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 pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § PT 9.03(1) by failing to complete thirty (30) hours of acceptable continuing medical education hours.

3. In violating Wis. Admin. Code § PT 9.03(1), Respondent committed unprofessional conduct as defined by Wis. Admin. Code § PT 7.025(5).

4. As a result of the above violations, Respondent, is subject to discipline pursuant to Wis. Stat. § 448.57(2)(f).

ORDER

1. The attached Stipulation is accepted.

2. Respondent, Thomas J. Schumacher, P.T., license no. 11841-24, is hereby REPRIMANDED.

3. The license to practice physical therapy in the State of Wisconsin of Thomas J. Schumacher, P.T., is hereby LIMITED as follows:

- a. Within ninety (90) days of the date of this Order Respondent shall complete fifteen (15) hours of required continuing education in subject matter relevant to physical therapy.
- b. Respondent shall be responsible for obtaining the course(s) required under this Order, and for providing adequate course(s) descriptions to the Department Monitor, prior to commencement of the course(s).
- c. The Board or its designee may reject any course(s) and may accept a course(s) for less than the number of hours for which Respondent seeks approval. Any decision under this subsection is not reviewable.
- d. Within thirty (30) days of completion of each educational component, Respondent shall submit the course(s) approved for satisfaction of this requirement along with supporting documentation of attendance from the sponsoring organization(s).
- e. Respondent is responsible for all costs associated with compliance with this educational requirement.
- f. The continuing education completed pursuant to this requirement will be used to satisfy only the continuing education required for the 2013-2015 biennium. None of the education completed pursuant to this requirement may be used to satisfy any other continuing education requirements that have been or may be instituted by the Board or Department.
- g. Satisfaction of this limitation does not relieve Respondent of the obligation to complete continuing education in the current biennium.
- h. Respondent is on notice that the Department may audit his compliance with continuing education requirements in the next biennium.
- i. This limitation shall be removed upon Respondent demonstrating to the Board or its designee that Respondent has successfully completed continuing education requirements for the 2013-2015 biennium.

4. Within ninety (90) days from the date of this Order, Respondent Thomas J. Schumacher, P.T., shall pay COSTS of this matter in the amount of \$83.00.

5. Request for approval of courses, proof of successful course completion and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent 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

6. Violation of any of the terms of this Order, including failure to complete continuing education or to pay costs as ordered 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 as ordered or fails to submit proof of successful completion of the continuing education as set forth above, Respondent's license (no. 11841-24) 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 and completion of the continuing education.

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

WISCONSIN PHYSICAL THERAPY EXAMINING BOARD

by: Lawrence H. Damjanich, PT, MS
A Member of the Board

9/7/2016
Date

STATE OF WISCONSIN
BEFORE THE PHYSICAL THERAPY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : STIPULATION
THOMAS J. SCHUMACHER, P.T., :
RESPONDENT. :

0004903

Division of Legal Services and Compliance Case No. 16 PHT 023

Respondent Thomas J. Schumacher, P.T., 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.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Physical Therapy 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.

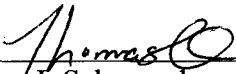
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.

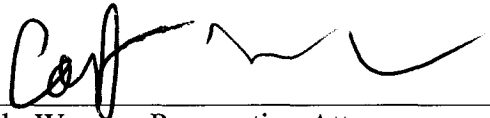
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.



Thomas J. Schumacher, P.T., Respondent
936 Osherdan Street
Madison, WI 53715-2045
License no. 11841-24

8-19-16
Date



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

8/25/16
Date