# 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 LICENSE TO PRACTICE PHYSICAL THERAPY

CYNDI BIGNER APPLICANT

ORDER GRANTING LIMITED LICENSE

0005044

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

CYDNI BIGNER 30 WEST OWATONNA DULUTH, MN 55803

PHYSICAL THERAPY EXAMINING BOARD 1400 EAST WASHINGTON AVENUE P.O. BOX 8935 MADISON, WI 53708-8935

#### **FINDINGS OF FACT**

- 1. CYDNI BIGNER (Applicant) has filed an application (#565824) for a credential to practice as a Physical Therapist in Wisconsin.
- On February 12, 2016, the Alaska Board of Physical Therapy executed an Order finding that the Applicant had falsely attested to completion of continuing education in violation of Alaska Regulations § 12 AAC 54,400 and § 12 AAC 54,405.
  - a. The Order reprimanded the Applicant and subjected her license renewal to a mandatory audit for the next two renewal periods to ensure compliance with the continuing education requirements for licensure and continued competence under Alaska Stat. § AS 08.84 and Alaska Regulation § 12 AAC 54.
  - h. The Order required Applicant submit documentation to verify successful completion of the required continuing education for the next two renewal periods.
  - c. The Order also resulted in a fine of \$3,900, with \$3,375 of that amount suspended subject to her compliance with all of the terms and conditions of the Order.
- The prior discipline taken against Applicant's Alaska license to practice physical therapy demonstrates that the applicant engaged in unprofessional conduct.

4. As a result of the Applicant's prior discipline in Alaska, the Board may deny the Applicant's request for licensure in Wisconsin.

### CONCLUSIONS OF LAW

- 1. The Board has jurisdiction over this matter pursuant to Wis. Stat. § 448.53 and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. §§ 15.08(5)(c) and 227.44(5).
- 2. By having discipline taken against her Physical Therapist license in Alaska, Applicant engaged in unprofessional conduct as defined in Wis. Admin. Code § PT 7.025(23).
- 3. Applicant, by her conduct, is subject to limitations against her license pursuant to Wis. Stat. § 448.57(2)(f).

#### **ORDER**

NOW, THEREFORE, IT IS ORDERED that CYNDI BIGNER is GRANTED A LICENSE TO PRACTICE PHYSICAL THERAPY subject to the following LIMITATIONS, TERMS AND CONDITIONS:

### Reporting Requirements

- 1. Before Applicant may renew her license for the biennium of 2017 to 2019, Applicant shall submit proof of successful completion of at least 30 hours of board-approved continuing education pursuant to Wis. Stat § 448.55 and Wis. Admin Code ch. PT 9. Applicant shall submit proof of successful completion of the continuing education by sworn affidavit submitted to the Department Monitor at the address stated below.
- 2. Before Applicant may renew her license for the biennium of 2019 to 2021, Applicant shall submit proof of successful completion of at least 30 hours of board-approved continuing education pursuant to Wis. Stat § 448.55 and Wis. Admin Code ch. PT 9. Applicant shall submit proof of successful completion of the continuing education by sworn affidavit submitted to the Department Monitor at the address stated below.
- 3. If the Applicant fails to renew her Wisconsin Physical Therapy license for either biennium listed in paragraphs 1. and 2. above, the Board, in its discretion, may modify this Order to ensure applicant submits proof satisfactory to the Board of successful completion of the continuing education requirements for at least two (2) biennial registration periods and continued competence to practice Physical Therapy.
- 4. Applicant is responsible for compliance with all of the terms and conditions of this Order. Applicant shall promptly notify Department Monitor of any suspected violations of any of the terms and conditions of this Order.
- 5. 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 7190
Madison, WI 53707-7190

Fax: (608) 266-2264 Telephone: (608) 267-3817 dspsmonitoring@wi.gov

### Petitions for Modification

6. Applicant may petition the Department Monitor for modification of the terms of this Order after successful completion of the Reporting requirements above. Applicant shall practice in compliance with all terms and conditions of this Order. "Practice in compliance" includes the timely submission of affidavits swearing to the completion of the required continuing education for at least two (2) biennial registration periods. A denial of such a petition for modification shall not be deemed a denial of license under Wis. Stat. §§ 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

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

## Summary Suspension/Additional Discipline

8. In the event that Applicant violates any term of this Order, Applicant's license may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Applicant has complied with the terms of the Order. The Board may, in addition and/or in the alternative, refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

Dated at Madison, Wisconsin this 29th day of November, 2016.

WISCONSIN PHYSICAL THERAPY EXAMINING BOARD

By: Domineral A. A. Member of the Board

# STATE OF WISCONSIN BEFORE THE PHYSICAL THERAPY EXAMINING BOARD

IN THE MATTER OF APPLICATION FOR A LICENSE TO PRACTICE PHYSICAL THERAPY

> CYNDI BIGNER APPLICANT

STIPULATION

0005044

It is hereby stipulated between the above-referenced Applicant and the State of Wisconsin Physical Therapy Examining Board (Board) as follows:

The Applicant has filed an application for a Physical Therapist license. Information received by the Board reflects a basis for denial of the application for a credential. Based upon the information of record, the Board agrees to issue and the Applicant agrees to accept a Limited License as a Physical Therapist subject to the terms and conditions set forth in the attached Order.

Dated this 14th day of November 2016

Cyndi Bigner. Applicant

STATE OF WISCONSIN
PHYSICAL THERAPY EXAMINING BOARD

Dated this 29th day of Movember . 2016

By: Ann Danney
Member of the Board