

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE PHYSICAL THERAPY EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

RAYMOND H. MITCHELL, P.T.A.,  
RESPONDENT.

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FINAL DECISION AND ORDER

0005967

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Division of Legal Services and Compliance Case No. 18 PHT 001

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

Raymond H. Mitchell, P.T.A.  
1420 S. 8th Street  
Deming, NM 88030

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 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 Raymond H. Mitchell, P.T.A. (DOB October 14, 1976) is licensed in the state of Wisconsin as a physical therapist assistant, having license number 2022-19, first issued on June 3, 2013, with registration expired on February 28, 2015. Respondent retains the right to renew his license until February 28, 2020. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1420 S. 8th Street, Deming, New Mexico 88030.

2. Respondent is licensed to practice physical therapy in other states, including South Carolina.

3. On July 13, 2017, the South Carolina Board of Physical Therapy Examiners (South Carolina) issued a reprimand and fine to Respondent for falsifying physical therapy records.

4. The South Carolina discipline stems from Respondent's employment at a home health agency in Columbia, South Carolina. In July 2015, Respondent failed to obtain signatures after providing home health services to two patients. When asked to electronically upload the patient signatures, Respondent copied and uploaded their signatures from prior care visits.

5. Respondent consents to 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 Raymond H. Mitchell, P.T.A., engaged in unprofessional conduct as defined by Wis. Admin. Code § PT 7.025(23) by having any credential pertaining to the practice of physical therapy result in adverse action by any agency of this or another state, or by any agency or authority within the federal government, which results in any disciplinary action, including limitation, restriction, suspension, revocation, or any other disciplinary action.

3. As a result of the above conduct, Raymond H. Mitchell, P.T.A., is subject to discipline pursuant to Wis. Stat. § 448.57(2).

#### ORDER

1. The attached Stipulation is accepted.

2. Respondent Raymond H. Mitchell, P.T.A., is REPRIMANDED.

3. Within 90 days from the date of this Order, Raymond H. Mitchell, P.T.A., shall pay COSTS of this matter in the amount of \$200.00.

4. Costs shall be made payable to the Wisconsin Department of Safety and Professional Services and 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](mailto:DSPSMonitoring@wisconsin.gov)

Or they may be submitted online via the Department's Monitoring Case Management System at <https://app.wi.gov/DSPSMonitoring>

5. In the event Respondent violates any term of this Order, Respondent's license (no. 2022-19), or Respondent's right to renew his license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent 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.

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

WISCONSIN PHYSICAL THERAPY EXAMINING BOARD

by: Shari Berry  
A Member of the Board

11/28/18  
Date

STATE OF WISCONSIN  
BEFORE THE PHYSICAL THERAPY EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

RAYMOND H. MITCHELL, P.T.A.,  
RESPONDENT.

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STIPULATION

0005967

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Division of Legal Services and Compliance Case No. 18 PHT 001

Respondent Raymond H. Mitchell, P.T.A. 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.

  
Raymond H. Mitchell, P.T.A., Respondent  
7805 Harpole St SE  
Salem, OR 97317  
License no. 2022-19

11/12/2018  
Date

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

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Date

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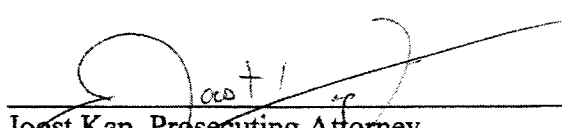
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Raymond H. Mitchell, P.T.A., Respondent  
1420 S. 8th St.  
Deming, NM 88030  
License no. 2022-19

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Date

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

11/12/18  
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Date