

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE PHYSICAL THERAPY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

STEVEN J. HEGGERNES,
RESPONDENT.

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FINAL DECISION AND ORDER

ORDER 0006389

Division of Legal Services and Compliance Case No. 18 PHT 014

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

Steven J. Heggernes
2725 Bexley Drive
Woodbury, MN 55125

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 Steven J. Heggernes (DOB January 17, 1953) was licensed in the state of Wisconsin to practice physical therapy (License No. 12383-24). His license was first issued on May 28, 2013 and is currently expired as of February 28, 2019, but he maintains his right to renew. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 2725 Bexley Drive, Woodbury, MN 55125.

2. On September 17, 2018, the Department received a complaint indicating that on September 13, 2018, the Minnesota Board of Physical Therapy had accepted Respondent's Voluntary Surrender of his Minnesota license after allegations of improper or abusive billing practices.

3. Respondent did not report the Minnesota Board's action to the Department.

4. In his response to the complaint dated January 5, 2019, Respondent told the Department that he has retired from being a physical therapist and will not be practicing in the future.

5. Having any credential pertaining to the practice of physical therapy result in adverse action by any agency of this or another state, which results in disciplinary action, is considered unprofessional conduct in Wisconsin pursuant to Wis. Admin. Code § PT 7.025(23).

6. Failure, within 30 days, to report any adverse action by another licensing jurisdiction concerned with the practice of physical therapy, whether final or temporary, taken against the licensee's authority to practice physical therapy, is considered unprofessional conduct in Wisconsin pursuant to Wis. Admin. Code § PT 7.025(24)(a).

7. Respondent agrees to voluntarily surrender his Wisconsin license to practice physical therapy (License No. 12383-24), and his right to renew said license, and 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).

ORDER

1. The attached Stipulation is accepted.

2. The Board accepts the PERMANENT VOLUNTARY SURRENDER by Respondent Steven J. Heggernes of his Wisconsin license to practice physical therapy (License No. 12383-24), and his right to renew said license, effective the date of this Order.

3. This surrender constitutes Respondent's permanent relinquishment of his license to practice physical therapy in the state of Wisconsin. The Board will not at any time in the future process or otherwise consider an application or an attempt at renewal by Respondent of credentials necessary to practice physical therapy in the state of Wisconsin.

4. If Respondent ever seeks any other license under Wis. Stat. chs. 440-480, Steven J. Heggernes shall, as a prerequisite to application, pay the COSTS of this matter in the amount of \$300.00. If Respondent never again seeks licensure in Wisconsin, the Department waives the above-stated costs.

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

WISCONSIN PHYSICAL THERAPY EXAMINING BOARD

by: Shari Berry, ft
A Member of the Board

8-28-2019
Date

STATE OF WISCONSIN
BEFORE THE PHYSICAL THERAPY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

STEVEN J. HEGGERNES,
RESPONDENT.

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:

STIPULATION

ORDER 0006389

Division of Legal Services and Compliance Case No. 18 PHT 014

Respondent Steven J. Heggernes 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.

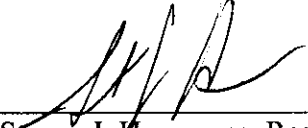
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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 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.

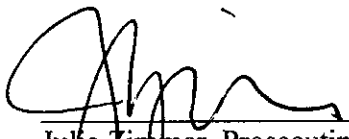
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.



Steven J. Meggernes, Respondent
2725 Bexley Drive
Woodbury, MN 55125
License # 12383-24

6/27/2019
Date



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

7/2/19
Date