

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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

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STATE OF WISCONSIN
BEFORE THE OCCUPATIONAL THERAPISTS AFFILIATED CREDENTIALING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ERIN A. PAUL, O.T.
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
: **ORDER 0006556**

Division of Legal Services and Compliance Case No. 18 OTB 005

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

Erin A. Paul, O.T.
1829 N. Sunnyslope Dr.
Mount Pleasant, WI 53406

Wisconsin Occupational Therapists Affiliated Credentialing 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 Occupational Therapists Affiliated Credentialing 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 Erin A. Paul, O.T., (DOB: October 20, 1982), is licensed in the state of Wisconsin to practice occupational therapy, having license number 4774-26, first issued on June 26, 2009, with registration current through May 31, 2021. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1829 North Sunnyslope Drive, Mount Pleasant, Wisconsin 53406.

2. At all times relevant to this matter, Respondent was employed as an occupational therapist providing in-home occupational therapy.

3. In approximately May – July 2018, Respondent documented and billed for in-home occupational therapy which did not in fact occur. Respondent's employer investigated, found credible evidence of fraudulent billing and charting, and terminated Respondent's employment.

4. In her response to the Department, Respondent acknowledged fraudulent billing and charting, and stated her decision to engage in said activities was due in large part to extreme personal stress and hardships at the time.

5. Respondent was asked to provide proof of continuing education completed during the 2015-2017 biennium. She provided the Department with a chart of courses reportedly completed but without completion certificates or any indication of credits earned per course and overall.

6. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Occupational Therapist Affiliated Credentialing Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 448.968(2), 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 Erin A. Paul, O.T., engaged in unprofessional conduct as defined by Wis. Admin Code § OT 5.02(12) by knowingly making any false statement, written or oral, in practicing under any license, with fraudulent intent; or obtaining or attempting to obtain any professional fee or compensation of any form by fraud or deceit.

3. By the conduct described in the Findings of Fact, Respondent Erin A. Paul, O.T., engaged in unprofessional conduct as defined by Wis. Admin. Code § OT 5.02(18) for failing to comply with Wis. Admin. Code § OT 3.06 regarding continuing education.

4. As a result of the above conduct, Erin A. Paul, O.T., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Erin A. Paul, O.T., is REPRIMANDED.

3. The occupational therapy license issued to Erin A. Paul, O.T., (license number 4774-26) is LIMITED as follows:

a. Within nine (9) months of the date of this Order, Respondent shall successfully complete four (4) hours of education on the topic of

billing/documentation, and four (4) hours of education on the topic of ethics.

b. Respondent shall be responsible for obtaining the courses required under this Order, for providing adequate course descriptions to the Department Monitor, and for obtaining pre-approval of the courses from the Wisconsin Occupational Therapists Affiliated Credentialing Board, or its designee, prior to commencement of the courses.

c. The Board or its designee may reject any course and may accept a course for less than the number of hours for which Respondent seeks approval.

d. Within thirty (30) days of completion of each educational component, Respondent shall submit proof of successful completion of the ordered education in the form of verification from the institution providing the education to the Department Monitor at the address stated below.

e. Respondent is responsible for all costs associated with compliance with this educational requirement.

f. 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.

4. Within ninety (90) days from the date of this Order, Erin A. Paul, O.T., shall pay COSTS of this matter in the amount of \$405.00.

5. Requests for course approval, 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

You may also submit this information online via DSPS' Monitoring Case Management System, here: <https://app.wi.gov/DSPSMonitoring>

6. In the event Respondent violates any term of this Order, Respondent's license (no. 4774-26), or Respondent's right to renew her 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.

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

WISCONSIN OCCUPATIONAL THERAPY AFFILIATED CREDENTIALING BOARD

by: Laura O'Brien
A Member of the Board

11/29/19
Date

STATE OF WISCONSIN
BEFORE THE OCCUPATIONAL THERPAY AFFILIATED CREDENTIALING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ERIN A. PAUL, O.T.,
RESPONDENT.

:
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STIPULATION

ORDER 0006556

Division of Legal Services and Compliance Case No. 18 OTB 005

Respondent Erin A. Paul, O.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 Occupational Therapy Affiliated Credentialing 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

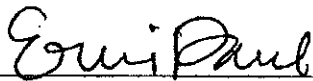
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of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution. NOV 4 2019

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.

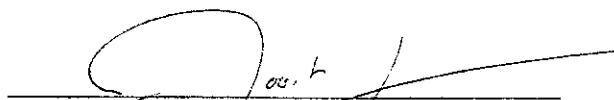
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.



Erin A. Paul, O.T., Respondent
1829 N. Sunnyslope Dr.
Mount Pleasant, WI 53406
License no. 4774-26

10/31/19
Date


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

11/6/19
Date