

## 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

DANIEL P. BLECHA, P.T.A.,  
RESPONDENT.

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FINAL DECISION AND ORDER

**ORDER 0008082**

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Division of Legal Services and Compliance Case No. 20 PHT 002

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

Daniel P. Blecha, P.T.A.  
Waukesha, WI 53186

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 Daniel P. Blecha, P.T.A., (Year of Birth 1967) is licensed in the state of Wisconsin as a physical therapist assistant, having license number 1145-19, first issued on July 28, 2004 and current through February 28, 2023. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Waukesha, Wisconsin 53186.

2. At all times relevant to this proceeding, Respondent worked, through an agency (Agency), as a physical therapist assistant at a rehabilitation nursing facility located in Milwaukee, Wisconsin (Facility).

3. The Agency received a complaint that Respondent had been billing patients who were no longer at the Facility. The Agency conducted an investigation and found that on November 15, 2019, Respondent had billed for physical therapy services that were not provided to three patients, and he had billed for documentation time for five patients while the patients were not present, which is not permitted under Medicare guidelines.

4. On November 15, 2019, a female resident of the facility born in 1942 (Patient A) was at the hospital and not present at facility.

5. On that date, Respondent reported that he provided physical therapy services to an individual that he incorrectly believed to be Patient A. A woman was sitting outside of Patient A's room, which had a door with Patient A's name displayed on it. Respondent approached the woman, asked if she was the patient whose name was on the door, and the woman nodded. Respondent took her into the room and provided physical therapy services to her.

6. Respondent did not verify that the woman was Patient A before he provided physical therapy services to her. Respondent billed Patient A for these services.

7. Respondent was terminated from his positions at the Agency and Facility.

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

#### CONCLUSIONS OF LAW

1. The 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 engaged in practice or conduct that falls below the standard of minimal competence within the profession that results in an unacceptable risk of harm to the patient, regardless of whether injury results, within the meaning of Wis. Admin. Code § PT 7.025(8).

3. By the conduct described in the Findings of Fact, Respondent engaged in negligence in the practice of physical therapy, regardless of whether injury results, within the meaning of Wis. Admin. Code § PT 7.025(9).

4. By the conduct described in the Findings of Fact, Respondent engaged in illegal or unethical business practices, including fraud, deceit, or misrepresentation in obtaining or attempting to obtain any fee or third-party reimbursement within the meaning of Wis. Admin. Code § PT 7.025(17)(a).

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

### ORDER

1. The attached Stipulation is accepted.
2. Respondent is REPRIMANDED.
3. Respondent's license to practice as a physical therapist assistant in the state of Wisconsin (license number 1145-19), is LIMITED as follows:
  - a. Within 90 days of the date of this Order, Respondent shall at his own expense, successfully complete two hours of education on the topic of ethics, two hours of education on the topic of billing and documentation, and two hours of education on the topic of the PT/PTA relationship which addresses the responsibilities of PT/PTA communication, offered by a provider pre-approved by the Board monitoring liaison, including taking and passing any exam offered for the courses.
  - b. Respondent shall submit proof of successful completion of the education in the form of verification from the institution providing the education to the Department Monitor at the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Board or Department, and also may not be used in future attempts to upgrade a credential in Wisconsin.
  - c. The Board monitoring liaison may change the number of credit hours and/or education topics in response to a request from Respondent. The monitoring liaison may consider the topic availability and/or hours of education when determining if a change to the ordered education should occur.
  - d. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully completed all the ordered education.
4. Within 90 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$1,232.00.
5. Any requests, petitions, payments of costs (made payable to Department of Safety and Professional Services), and other information required by this Order shall be submitted to:

Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 266-2112; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

Respondent may also submit this information online at: <https://dpsmonitoring.wi.gov>.

6. In the event Respondent violates any term of this Order, Respondent's license (number 1145-19), 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.

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

WISCONSIN PHYSICAL THERAPY EXAMINING BOARD

By: Shari Berry, PT  
A Member of the Board

8/10/2022  
Date

STATE OF WISCONSIN  
BEFORE THE PHYSICAL THERAPY EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

DANIEL P. BLECHA, P.T.A.,  
RESPONDENT.

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STIPULATION

**ORDER 0008082**

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Division of Legal Services and Compliance Case No. 20 PHT 002

Daniel P. Blecha, P.T.A. (Respondent) 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

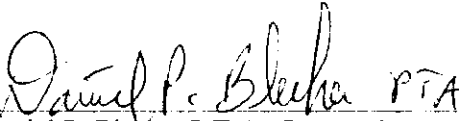
of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

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 or Respondent's attorney, 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. Respondent is further informed that should the Board adopt this Stipulation, the Board's Final Decision and Order will be reported as required by the National Practitioner Databank (NPDB) Guidebook and as otherwise required by any licensure compact or any other state or federal law.

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.

  
Daniel P. Blecha, P.T.A., Respondent  
Waukesha, WI 53186  
License No. 1145-19

5-4-22  
Date

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

5/4/2022  
Date