

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 | : | |
| | : | FINAL DECISION AND ORDER |
| ANDREA R. LYON, P.T., | : | |
| RESPONDENT. | : | ORDER 0008526 |

Division of Legal Services and Compliance Case No. 22 PHT 004

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

Andrea R. Lyon, P.T.
Wallace, MI 49893

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 Section in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Andrea R. Lyon, P.T. (Respondent), (Year of Birth 1995) is licensed in the state of Wisconsin to practice physical therapy, having license number 15120-24, first issued on June 23, 2020 and current through February 28, 2025. Respondent’s most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Wallace, Michigan 49893.
2. At all times relevant to this proceeding, Respondent worked as a physical therapist at health care facilities located in Marinette and Florence, Wisconsin, and Menominee, Michigan.
3. From December 6, 2021, through February 15, 2022, Respondent provided physical therapy treatment to Patient A, a 31-year-old female patient, for overactive bladder, urinary

hesitancy, and lower abdominal/pelvic pain. During this time, Respondent developed a mutual personal friendship with Patient A, and engaged in unethical behavior including:

- a. Meeting with Patient A socially at a brewery, restaurant, and a nature reserve outside of at therapy setting;
- b. Sharing personal information with Patient A;
- c. Sending Patient A pictures, texts, and emails unrelated to the provision of physical therapy; and
- d. On one occasion, providing treatment to Patient A at Respondent's residence.

4. Respondent did not document all of the treatment that she provided to Patient A in the medical record.

5. On March 23, 2022, Respondent was terminated from her employment as a physical therapist due to engaging in a relationship with a patient that was deemed in violation of the code of ethics, not documenting the care that she provided to the patient, and accessing the patient's medical record to obtain demographic information that was not relevant to patient care.

6. 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(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 engaged in unprofessional conduct within the meaning of Wis. Admin. Code § PT 7.025(2) by committing any act that constitutes a violation of the American Physical Therapy Association's "Code of Ethics."

3. By the conduct described in the Findings of Fact, Respondent engaged in unprofessional conduct within the meaning of Wis. Admin. Code § PT 7.025(3) by committing any act that constitutes a violation of the American Physical Therapy Association's "Standards of Ethical Conduct."

4. By the conduct described in the Findings of Fact, Respondent engaged in unprofessional conduct within the meaning of Wis. Admin. Code § PT 7.025(21) by failing to establish and maintain accurate and timely patient health care records as required by law and professional standards.

5. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 448.57(2)(f) and (h), and Wis. Admin. Code § PT 7.025.

ORDER

1. The attached Stipulation is accepted.
2. Respondent is REPRIMANDED.
3. Respondent's license to practice physical therapy in the state of Wisconsin (license number 15120-24), is LIMITED as follows:
 - a. Within ninety (90) days of the date of this Order, Respondent shall at their own expense, successfully complete four (4) hours of education on the topic of ethics and boundaries, and four (4) hours of education on the topic of documentation with an emphasis on legal documentation, 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 ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$897.00.
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

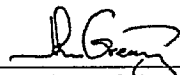
Respondent may also submit this information online at: <https://dspsmonitoring.wi.gov>.

6. In the event Respondent violates any term of this Order, Respondent's license (number 15120-24), 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 PHYSICAL THERAPY EXAMINING BOARD

By:


A Member of the Board

5/3/2023

Date

STATE OF WISCONSIN
BEFORE THE PHYSICAL THERAPY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ANDREA R. LYON, P.T.,
RESPONDENT.

:
:
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:
:

STIPULATION

ORDER 0008526

Division of Legal Services and Compliance Case No. 22 PHT 004

Andrea R. Lyon, P.T., (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. Respondent is represented by Attorney Stacie Rosenzweig.

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

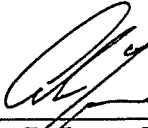
accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

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.

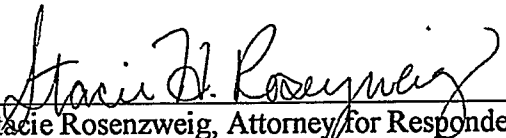
9. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Andrea R. Lyon, P.T., Respondent
Wallace, MI 49893
License No. 15120-24

03/03/2023


Date



Stacie Rosenzweig, Attorney for Respondent
Halling & Cayo, SC
320 E. Buffalo St., Ste 700
Milwaukee, WI 53202

03/03/2023

Date



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

3/6/2023

Date