

**FILED**   
MAY 16 2013  
KS State Board of Healing Arts

**BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS**

**In the Matter of** )  
**DeAnna C. Wiggett, P.T.A.** )  
 )  
**Kansas License No. 14-02325** )  
\_\_\_\_\_ )

**KSBHA Docket No. 13-HA00063**

**JOURNAL ENTRY OF FINAL ORDER AND  
SATISFACTION OF SUMMARY ORDER**

**COMES NOW** the Kansas State Board of Healing Arts (“Board”), by and through its Executive Director, Kathleen Selzler Lippert, a duly authorized representative of the Board, in accordance with the provisions of the Kansas Administrative Procedure Act, K.S.A. 77-501 *et seq.*, as amended, and upon due consideration of the agency record and applicable statutes and being otherwise duly advised in the premises, finds as follows:

1. On or about March 26, 2013, in accordance with K.S.A. 2011 Supp. 77-514, and as authorized by K.S.A. 2011 Supp. 65-5510, a Summary Order was issued ordering a civil fine against the license of DeAnna C. Wiggett, P.T.A. (“Licensee”), following the expiration of her temporary certificate, for representing herself as a physical therapist assistant from January 28, 2012 until March 1, 2012.
2. Pursuant to K.S.A. 77-542, the Summary Order notified Licensee that if a written request for hearing was not filed within 15 days following service of the Summary Order, the Summary Order would become effective as a Final Order of the Board upon expiration of the time for requesting a hearing.
3. Licensee did not request a hearing on the Summary Order.

4. Pursuant to K.S.A. 77-526 and 77-530, the Summary Order became effective as a Final Order on April 11, 2013.

5. On or about May 3, 2013 Licensee remitted full payment in the amount of \$150.00 to the Kansas State Board of Healing Arts.

6. Licensee has satisfied all requirements of the Summary Order and has no further obligation for compliance.

**IT IS THEREFORE ORDERED** that the Summary Order filed in the above-captioned matter on March 26, 2013 became effective as a Final Order on April 11, 2013.

**IT IS FURTHER ORDERED** that Licensee has satisfied all requirements of the Summary Order, and is hereby discharged from all requirements of the Summary Order.

**IT IS SO ORDERED.**

Dated this 15 day of May, 2013.

**KANSAS STATE BOARD OF HEALING ARTS**

  
Kathleen Selzler Lippert, Executive Director

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certifies that on this 16<sup>th</sup> day of May, 2013, a true and correct copy of the above and foregoing **JOURNAL ENTRY OF FINAL ORDER AND SATISFACTION OF SUMMARY ORDER**, was served by depositing the same in the United States mail, postage prepaid, addressed to:

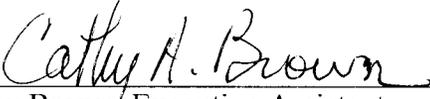
DeAnna C. Wiggett, P.T.A.  
**Confidential**  
Overland Park, KS 66212

and a copy was hand-delivered to:

Jane E. Weiler, Associate Litigation Counsel  
Kansas State Board of Healing Arts  
800 SW Jackson, Lower Level - Suite A  
Topeka, Kansas 66612

Compliance Coordinator  
Kansas State Board of Healing Arts  
800 SW Jackson Lower Level – Suite A  
Topeka, KS 66612

and the original was filed with the office of the Executive Director.

  
\_\_\_\_\_  
Cathy Brown, Executive Assistant

FILED

CAB

MAR 26 2013

Kansas State Board of Healing Arts

**BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS**

**In the Matter of** )  
**DEANNA C. WIGGETT, P.T.A.** )  
 )  
**Kansas License No. 14-02325** )  
\_\_\_\_\_ )

**Docket No. 13HA 00063**

**SUMMARY ORDER**

**NOW ON THIS** 25<sup>th</sup> day of March, 2013, this matter comes before Kathleen Selzler Lippert, Executive Director, Kansas State Board of Healing Arts ("Board"), in summary proceedings pursuant to K.S.A. 77-537. This Summary Order shall become effective as a Final Order, without further notice, upon the expiration of the fifteen (15) day period if no request for hearing is made, pursuant to K.S.A. 77-542.

Upon review of the agency record and being duly advised in the premises, the following findings of fact, conclusions of law and order are made for and on behalf of the Board:

**Findings of Fact**

1. DeAnna C. Wiggett, P.T.A. ("Licensee") was originally issued temporary license number T-03165 to practice as a physical therapy assistant in the state of Kansas on October 27, 2011 to expire on January 27, 2012.
2. Licensee was issued permanent license number 14-02325 on March 2, 2012.
3. Licensee's license is currently active, having been issued on March 2, 2012 to expire on December 31, 2012.
4. Licensee's last known mailing address as provided to the Board at the time of her renewal is **Confidential** Overland Park, Kansas 66212.

5. Licensee began working for Reliant Rehabilitation as a PTA in November 2011. While working for Reliant Rehabilitation, Licensee provided PTA services at various locations in Kansas. To include Pinnacle Ridge Olathe, Indian Creek Healthcare Center, and Meadow Brook Hospital.

6. The employee log for Indian Creek Healthcare showed that Licensee provided PTA services on February 9, February 10, February 13, and February 14, 2012. During this time Licensee's temporary license was expired and her permanent license had not been issued.

7. The employee log for Meadow Brook Hospital showed that Licensee provided PTA services on January 28, 2012, January 29, 2012, February 4, 2012, and February 11, 2012. During this time, Licensee's temporary license had expired and her permanent license had not been issued.

8. Employee records from Pinnacle Ridge Olathe show that Licensee provided PTA services on January 30, January 31, February 1, February 2, February 3, February 6, February 7, February 8, February 9, February 10, February 11, February 13, February 14, February 15 2012. During this time, Licensee's temporary license had expired and her permanent license had not been issued.

9. For approximately thirty-four (34) days, between January 29, 2012 and March 1, 2012, Licensee was employed as a physical therapy assistant and utilized the term "P.T.A." in connection with her employment. While unlicensed and employed as a physical therapy assistant, Licensee provided services such as, but not limited to, therapeutic exercises, gait training therapy, and neuromuscular reeducation.

10. All pending investigation materials regarding Licensee were fully reviewed and considered by the Board members who serve on the Board's Disciplinary Panel. The Disciplinary

Panel authorized and directed the issuance of this Summary Order and the specific disciplinary sanctions pursuant to Board Guidelines.

**Applicable Law**

11. K.S.A. 65-2909(c) states: The board may issue a temporary permit to an applicant an applicant for certification as a physical therapist assistant who applies for a temporary permit on a form provided by the board, who meets the requirements for certification as a physical therapist assistant or who meets all of the requirements certification except examination and who pays to the board the temporary permit fee as required. Such temporary permit shall expire three months from the date of issue or on the date that the board approves the application for certification, whichever occurs first. No more than one such temporary permit shall be granted to any one person.
  
12. K.S.A. 65-2913(b) states: Any person who, in any manner, represents oneself as a physical therapist assistant, or who uses in connection with such person's name the words or letters physical therapist assistant, certified physical therapist assistant, P.T.A., C.P.T.A., or P.T. Asst., or any other letters, words, abbreviations or insignia, indicating or implying that such person is a physical therapist assistant, without a valid existing certificate as a physical therapist assistant issued to such person, shall be guilty of a class B misdemeanor.
  
13. K.S.A. 65-2912 states in pertinent part: The board may refuse to grant a certificate to any physical therapist assistant, or may suspend or revoke the certificate of any physical therapist assistant, or may limit the certificate of any physical therapist assistant or may censure a certified physical therapist assistant for any of the following grounds:
  - (5) The licensee has committed an act of unprofessional conduct. . . .
  
14. K.A.R. 100-29-12 states in pertinent part:
  - (a) "Unprofessional conduct" means:
    - (18) Conduct likely to deceive, defraud or harm the public.
  
15. K.S.A. 65-2916(c) states: The board, in addition to any other penalty prescribed under the provisions of article 29 of chapter 65 of the Kansas Statutes Annotated and acts amendatory of the provisions thereof or supplemental thereto, may assess a civil fine, after proper notice and an opportunity to be heard, against a licensee for a violation of the provisions of

article 29 of chapter 65 of the Kansas Statutes Annotated and acts amendatory of the provisions thereof or supplemental thereto in an amount not to exceed \$5,000 for the first violation, \$10,000 for the second violation and \$15,000 for the third violation and for each subsequent violation.

### **Conclusions of Law**

17. The Board has jurisdiction over Licensee as well as the subject matter of this proceeding, and such proceeding is held in the public interest.

18. Continued use of the name physical therapist assistant in conjunction with her employment with Reliant Rehabilitation, without being licensed under the Kansas Physical Therapist Act constitutes a violation K.S.A. 65-2913(b).

19. Pursuant to K.S.A 65-2912 and K.A.R. 100-29-12 Licensee engaged in conduct likely to deceive, defraud or harm the public by continuing to represent herself as a physical therapist assistant when her temporary certificate had expired.

20. That Licensee represented herself as a physical therapist assistant from January 28, 2012 until March 1, 2012 without having a certification, a violation of K.S.A. 65-2913(b).

21. Based on the facts and circumstances set forth herein, it appears that the use of summary proceedings in this matter is appropriate, in accordance with the provisions set forth in K.S.A. 77-537(a), in that the use of summary proceedings does not violate any provision of the law and the protection of the public interest does not require the Board to give notice and opportunity to participate to persons other than Licensee, DeAnna C. Wiggett, P.T.A.

**IT IS, THEREFORE, ORDERED** that Licensee is hereby fined \$150 due and payable within thirty days of the effective date of this Order.

**NOTICE AND OPPORTUNITY FOR HEARING**

**PLEASE TAKE NOTICE** that this is a Summary Order. A party to whom a Summary Order is issued may file a written request for a hearing pursuant to K.S.A. 77-542 within 15 days following service of the Summary Order. Such written request shall also state the legal and/or factual basis upon which the party opposes this Order. If a hearing is not requested, the Summary Order shall become effective as a Final Order of the Board upon expiration of the time for requesting a hearing. A written request for hearing must be addressed and mailed to Kathleen Selzler Lippert, Executive Director, Kansas State Board of Healing Arts, 800 SW Jackson, Lower Level-Suite A, Topeka, Kansas 66612

**PLEASE TAKE NOTICE** that upon becoming effective as a Final Order, this document shall be deemed a public record and be reported to any reporting entities authorized to receive such disclosure.

**Dated this 25<sup>th</sup> day of March, 2013.**

Kansas State Board of Healing Arts

  
Kathleen Selzler Lippert  
Executive Director

**Certificate of Service**

I certify that the foregoing Summary Order was served this 26<sup>th</sup> day of March, 2013 by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

DeAnna C. Wiggett, P.T.A.  
**Confidential**

Overland Park, Kansas 66212

and a copy was hand-delivered to:

Compliance Coordinator  
Kansas State Board of Healing Arts  
800 SW Jackson, Lower Level Suite A  
Topeka, Kansas 66612

Katy Lenahan  
Licensing Administrator  
Kansas State Board of Healing Arts  
800 SW Jackson, Lower Level Suite A  
Topeka, Kansas 66612

Stacy R. Bond  
Associate Litigation Counsel  
Kansas State Board of Healing Arts  
800 SW Jackson, Lower Level Suite A  
Topeka, Kansas 66612

and the original was filed with the office of the Executive Director:

Kathleen Selzler Lippert  
Executive Director  
Kansas State Board of Healing Arts  
800 SW Jackson, Lower Level Suite A  
Topeka, Kansas 66612



---

Cathy Brown  
Executive Assistant