

**BEFORE THE MINNESOTA
BOARD OF PHYSICAL THERAPY**

In the Matter of the
Physical Therapy License of
Filip Johnson, P.T.
Year of Birth: 1976
License Number: 7059

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between Filip Johnson, P.T. ("Respondent") and the Complaint Review Committee ("Committee") of the Minnesota Board of Physical Therapy ("Board"), as follows:

1. During all times herein, Respondent has been and now is subject to the jurisdiction of the Board from which he holds a license to practice physical therapy in the State of Minnesota.
2. Respondent has been advised by Board representatives that he may choose to be represented by legal counsel in this matter. Respondent knowingly waived his right to legal representation. The Committee was represented by Nicholas Lienesch, Assistant Attorney General.

FACTS

3. Respondent was licensed as a physical therapist ("P.T.") in Minnesota on July 18, 2002.
4. During Respondent's employment as a P.T. at a clinic in the St. Cloud area, the following occurred:
 - a. Respondent provided physical therapy to patients without a treatment plan, therapy end date, documented improvement, or adequate reassessment of patients' conditions.

b. Respondent applied certain treatment interventions, including ultrasound treatment, without documenting the effectiveness of the intervention on particular patients.

c. Respondent failed to provide physical therapy assistants ("P.T.A.") with adequate supervision, including one instance in which a patient received care from a P.T.A. thirty-nine consecutive times without Respondent observing a treatment session.

STATUTES

5. The Committee views Respondent's practices as inappropriate in such a way as to require Board action under Minn. Stat. § 148.75(a)(1) (violated statute), Minn. Stat. § 148.75(a)(6) (unprofessional conduct), and Minn. Stat. §§ 148.75(a)(11) and 148.706, subd. 3 (inappropriate delegation). Respondent agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify the disciplinary action under these statutes.

REMEDY

6. Upon this stipulation and all of the files, records, and proceedings herein, and without any further notice or hearing herein, Respondent does hereby consent that until further order of the Board, made after notice and hearing upon application by Respondent or upon the Board's own motion, the Board may make and enter an order **CONDITIONING** Respondent's license to practice physical therapy in the State of Minnesota as follows:

a. Within six (6) months of the date of this Order, Respondent shall successfully complete courses on the following topics. The courses must be approved in advance by the Committee, and each feature at least four hours of instructional time:

- 1) Essentials of Physical Therapist Practice;
- 2) Roles and Responsibilities of Physical Therapist Assistants and Physical Therapy Aides.

b. Respondent shall submit to and cooperate with no fewer than four quarterly peer reviews, to begin upon the date of execution of this Order, performed by the Problem Identification/Peer Review Committee of the Minnesota Physical Therapy Association (“MNPTA”). Reviews shall include patient chart audits, patient billing reviews, on-site observation of practice, and verification of proper delegation, task assignment, and supervision of Physical Therapist Assistants and Physical Therapy Aides. Respondent shall be responsible for ensuring that the Board receives quarterly reports from MNPTA regarding the findings of each review performed. Reviews will be scheduled by the MNPTA peer reviewer and coordinated with Respondent. The first such peer review shall be completed within 90 days of the date of this Order.

c. Respondent must submit a plan of action to the Committee regarding any negative findings in each peer review report. The plan of action must be submitted no less than 30 days after the negative findings are identified in a peer review report.

d. Respondent must provide physical therapy patient management and maintain patient records which meet physical therapy standards of practice.

7. Respondent is responsible for all costs incurred as a result of compliance with this Stipulation and Order.

8. This Stipulation and Order shall remain in effect for a minimum of 12 months. At the end of this period and upon satisfactorily meeting the professional standards in the two (2) most recent consecutive peer reviews, Respondent may petition the Board for an unconditional license. Respondent may be required to meet with the Committee upon submitting his petition. The Committee may make a recommendation to the Board regarding what action the Board should take on Respondent’s petition. Upon hearing the petition, the Board may continue, modify, or remove the conditions set out herein.

9. Within ten days of the date of this Order, Respondent shall provide the Board with a list of all work sites and locations at which Respondent currently has privileges, a list of all states in which Respondent is licensed or has applied for licensure, and the addresses and telephone numbers of Respondent's residences and all work sites. Within seven days of any change, Respondent shall provide the Board with the new address and telephone information. The information shall be sent to Marshall Shragg, Minnesota Board of Physical Therapy, University Park Plaza, 2829 University Avenue S.E., Suite 420, Minneapolis, Minnesota 55414-3664.

10. In the event Respondent resides or practices outside the State of Minnesota, Respondent shall promptly notify the Board in writing of the location of his residence and all work sites. Periods of residency or practice outside of Minnesota will not be credited toward any period of Respondent's suspended, limited, or conditioned license in Minnesota unless Respondent demonstrates that practice in another state conforms completely with Respondent's Minnesota license to practice physical therapy.

11. If Respondent shall fail, neglect, or refuse to fully comply with each of the terms, provisions, and conditions herein, the Committee shall schedule a hearing before the Board. The Committee shall mail Respondent a notice of the violation alleged by the Committee and of the time and place of the hearing. Respondent shall submit a response to the allegations at least three days prior to the hearing. If Respondent does not submit a timely response to the Board, the allegations may be deemed admitted.

At the hearing before the Board, the Committee and Respondent may submit affidavits made on personal knowledge and argument based on the record in support of their positions. The evidentiary record before the Board shall be limited to such affidavits and this Stipulation and Order. Respondent waives a hearing before an administrative law judge and waives

discovery, cross-examination of adverse witnesses, and other procedures governing administrative hearings or civil trials.

At the hearing, the Board will determine whether to impose additional disciplinary action, including additional conditions or limitations on Respondent's practice, or suspension or revocation of Respondent's license.

12. In the event the Board in its discretion does not approve this settlement, this stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced in any disciplinary action by either party hereto except that Respondent agrees that should the Board reject this stipulation and if this case proceeds to hearing, Respondent will assert no claim that the Board was prejudiced by its review and discussion of this stipulation or of any records relating hereto.

13. Respondent waives any further hearings on this matter before the Board to which Respondent may be entitled by Minnesota or United States constitutions, statutes, or rules and agrees that the order to be entered pursuant to the stipulation shall be the final order herein.

14. Respondent hereby acknowledges that he has read and understands this stipulation and has voluntarily entered into the stipulation without threat or promise by the Board or any of its members, employees, or agents. This stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this stipulation.

Dated: 01-14-2016

Dated: 3-10-16



Filip Johnson, P.T.
Respondent



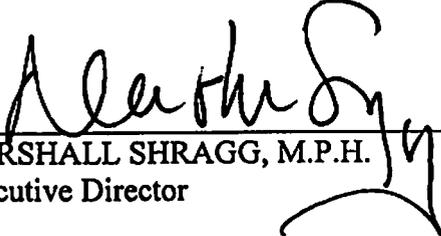
FOR THE COMMITTEE

ORDER

Upon consideration of this stipulation and all the files, records, and proceedings herein,

IT IS HEREBY ORDERED that the Board places Respondent's license in a
CONDITIONAL status and adopts all of the terms described above on this 10th day of
MARCH, 2016.

MINNESOTA BOARD OF
PHYSICAL THERAPY


MARSHALL SHRAGG, M.P.H.
Executive Director