

**BEFORE THE MINNESOTA
BOARD OF PHYSICAL THERAPY**

In the Matter of
Sarah Nelie Ten Benschel, P.T.
License No. 6685

**STIPULATION TO CEASE
THE PRACTICE OF
PHYSICAL THERAPY**

WHEREAS, pursuant to Minnesota Statutes chapter 148, the Minnesota Board of Physical Therapy ("Board") has the authority to regulate the practice of physical therapy in the State of Minnesota;

WHEREAS, during all times herein, Sarah Nelie Ten Benschel, P.T. ("Respondent") has been and is now subject to the jurisdiction of the Board from which she holds a license to practice physical therapy;

WHEREAS, the Board has received information indicating that Respondent is unable to practice physical therapy with reasonable skill and safety by reason of use of alcohol and/or drugs;

WHEREAS, the above conduct, if proven, would constitute one or more violations of Minnesota Statutes chapter 148;

WHEREAS, Respondent voluntarily agrees to cease the practice of physical therapy in the State of Minnesota;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between Respondent and the Complaint Review Committee as follows:

1. Respondent shall not practice, attempt to practice, offer to practice, or advertise or hold out as authorized to practice physical therapy in a setting in Minnesota. Respondent shall not use the title "physical therapist" or any designation which indicates licensure as a physical therapist. Within ten days after the terms of this Stipulation are accepted by the Complaint

Review Committee, Respondent shall return her license and most recent evidence of renewal to the Board, c/o Marshall Shragg, Executive Director, Minnesota Board of Physical Therapy, 2829 University Avenue SE, Suite 420, Minneapolis, MN 55414.

2. This Stipulation is not disciplinary action. However, the Board reserves its right to initiate the disciplinary process if Respondent fails to comply with the terms herein or if the Board receives additional information alleging violations of the Physical Therapy Practice Act.

3. Respondent may petition to have this Stipulation rescinded at any time Respondent is willing and able to participate with the Board in its review of the pending allegations made against Respondent. Respondent shall request to petition by submitting to the Board a written statement expressing her intent to address the pending allegations. At the time of petition, Respondent may be asked to meet with a Complaint Review Committee of the Board to review the pending allegations and any subsequently obtained information relative to Respondent's ability to practice physical therapy with reasonable skill and safety.

4. This Stipulation shall remain in effect until such time as the allegations are resolved by the Board's approval of a Stipulation and Order, issuance of a final decision of the Board following a contested case proceeding, or by written agreement rescinding or modifying this Stipulation between Respondent and the Complaint Review Committee.

5. Respondent's noncompliance and violation of this Stipulation shall be considered a violation of Minnesota Statutes section 148.75(a)(1) and (21) and section 148.76 and constitute grounds for disciplinary action.

6. Respondent agrees that should she violate the terms of this Stipulation, the following actions may be taken:

a. The Board may, pursuant to Minnesota Statutes chapter 14 and Minnesota Rules 1400.5100 to 1400.8400, refer any alleged violation to the Office of Administrative Hearings.

b. Should a violation be alleged, Respondent agrees the issue before the administrative law judge may be limited as to whether a violation did in fact occur and whether there was sufficient or reasonable cause to excuse such violation. If the administrative law judge finds there has been a violation and there is not sufficient or reasonable cause to excuse such, he or she may make a recommendation of discipline.

c. Respondent agrees that, in the event the Board receives findings of the administrative law judge that there has been a violation of this Stipulation, the Board may order a suspension or revocation of Respondent's license to practice physical therapy or such lesser action or remedy as the Board deems appropriate.

d. Upon application of the Board, any appropriate court may enter a decree enforcing the terms of this Stipulation and prohibiting Respondent's practice of physical therapy until and unless the conditions of this Stipulation are fulfilled.

7. This Stipulation shall not limit the Board's authority to initiate disciplinary action against Respondent on the basis of any act, conduct, or admission that constitutes grounds for disciplinary action and which is not directly related to the specific facts and circumstances set forth in this Stipulation.

8. This Stipulation shall be classified as public data for purposes of Minnesota Statutes sections 13.02, subdivision 15, and 13.41, subdivision 5. Data regarding this action will be provided to data banks as required by Federal law or consistent with Board policy.

9. Respondent was advised of her right to legal counsel in this matter. Nicholas Lienesch, Assistant Attorney General, represented the Complaint Review Committee.

10. Respondent acknowledges she has read this Stipulation, understands the terms and conditions as set forth herein, and has freely and voluntarily signed this Stipulation.

11. Respondent waives any claims against the Board, the Minnesota Attorney General, the State of Minnesota, and their agents, employees, and representatives related to the investigation of the conduct herein, or the negotiation or execution of this Stipulation, which may otherwise be available to Respondent.

12. This Stipulation contains the entire agreement between the Board and Respondent, there being no agreement of any kind, verbal or otherwise, which varies this Stipulation.

Sarah Nelie Ten BenseL
SARAH NELIE TEN BENSEL, P.T.
Respondent

Jessica R. [Signature]
FOR THE COMMITTEE

Dated: December 15, 2015

Dated: December 30, 2015