

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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FILE COPY

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

JOHN T. YAGOW, D.O.,
RESPONDENT

:
: ORDER EXTENDING
: SUMMARY SUSPENSION
: 90 MED 414; 92 MED 244, 92 MED 423
:

TO:

John T. Yagow
702 Oakwood Lane
PO Box 595
Watertown, WI 53094

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

FINDINGS

1. The Medical Examining Board met on November 20, 1996 and issued an Order summarily suspending the license to practice medicine and surgery (license #28815) of John T. Yagow for a period of thirty days.
2. A disciplinary hearing against Dr. Yagow was held before Administrative Law Judge Ruby Jefferson Moore on December 11, 1996.
2. Ms. Jefferson Moore has not yet issued a Proposed Decision for consideration by the Board; and
3. It is the Board's determination that to continue to protect the public health, safety and welfare, the emergency suspension of the respondent's license should continue for an additional thirty (30) days..

ORDER

Now, therefore, it is **ORDERED** that the Division of Enforcement's Petition for extension of Summary Suspension is granted, and the license of John T. Yagow to

practice medicine and surgery in the state of Wisconsin is hereby **SUSPENDED** for an additional period of THIRTY (30) days.

NOTICE OF RIGHT TO SHOW CAUSE

PLEASE TAKE NOTICE that respondent has the right under Wis. Adm. Code §RL6.09 to request a hearing to show cause why this summary suspension order should not be continued. A request to show cause should be filed with the State of Wisconsin Medical Examining Board, 1400 East Washington Avenue, P.O. Box 8935 Madison, WI 53708. If a hearing to show cause is requested, the hearing shall be scheduled to be held on a date within twenty (20) days of the date of receipt in the Board office of the request for hearing, unless a later time is requested by or agreed to by the respondent.

If a hearing to show cause is held, both the petitioner and the respondent may testify; the petitioner and the respondent may call, examine and cross examine witnesses; and the petitioner and the respondent may offer other evidence. The petitioner shall have the burden to show by a preponderance of the evidence why the summary suspension order should be continued. At the conclusion of the hearing to show cause, the Medical Examining Board shall make findings and an order. If it is determined that the summary suspension order should not be continued, the suspended license shall be immediately restored.

This Order shall become effective upon actual notice of the summary suspension order to the respondent or respondent's attorney, or upon service under s. RL 6.08, or, whichever is sooner.

Dated at Madison, Wisconsin this 19 day of December, 1996.

MEDICAL EXAMINING BOARD

By: B. J. Newasser
On behalf of the Board

G\HBX\YAGPET2.DOC

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY	:	PETITION FOR
PROCEEDINGS AGAINST	:	EXTENSION OF ORDER OF
	:	SUMMARY SUSPENSION
JOHN T. YAGOW, D.O .	:	90 MED 414; 92 MED 244; 92 MED 423
RESPONDENT	:	

TO: Medical Examining Board
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

John T. Yagow
702 Oakwood Lane
Watertown, WI 53094

John T. Yagow
PO Box 595
Watertown WI 53094

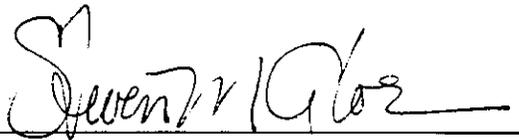
The Wisconsin Department of Regulation and Licensing Division of Enforcement [hereinafter referred to as petitioner], 1400 East Washington Avenue, P.O. Box 8935, Madison, WI 53708, requests the Medical Examining Board to issue an Order extending its November 20, 1996 Order of SUMMARY SUSPENSION for an additional thirty (30) days. This petition is made pursuant to secs. 227.51(3) and 448.02(4), Wis. Stats. and Ch. RL 6 of the Wis. Adm. Code.

Petitioner bases this request upon the following:

- The disciplinary hearing was held before Administrative Law Judge Ruby Jefferson Moore on December 11, 1996;
- The judge has not yet issued a Proposed Decision for consideration by the Board on the disciplinary proceedings instigated subsequent to the Board's emergency Order; and
- The Board's original Order of Summary Suspension may expire prior to issuance of a proposed decision for consideration and action by the Board at its January, 1997 meeting.

In order to continue its protection of the public health, safety and welfare, the Board should extend its Order of Summary Suspension, as allowed by law.

Signed this 18th day of December, 1996.

A handwritten signature in black ink, appearing to read "Steven M. Gloe", written over a horizontal line.

Steven M. Gloe

Attorney

Division of Enforcement

(608) 266-5435

G \HBX\YAGPET2.DOC

STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING
BEFORE THE MEDICAL EXAMINING BOARD

In the Matter of the Disciplinary Proceedings Against

John T. Yagow, D.O.,

AFFIDAVIT OF MAILING

Respondent.

STATE OF WISCONSIN)
)
COUNTY OF DANE)

I, Kate Rotenberg, having been duly sworn on oath, state the following to be true and correct based on my personal knowledge:

1. I am employed by the Wisconsin Department of Regulation and Licensing.

2. On December 23, 1996, I served the Order Extending Summary Suspension dated December 19, 1996 upon the Respondent John T. Yagow, D.O. by enclosing a true and accurate copy of the above-described document in an envelope properly stamped and addressed to the above-named Respondent and placing the envelope in the State of Wisconsin mail system to be mailed by the United States Post Office by certified mail. The certified mail receipt number on the envelope is P 213 340 329.

3. The address used for mailing the Decision is the address that appears in the records of the Department as the Respondent's last-known address and is:

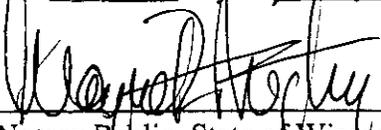
John T. Yagow, D.O.
702 Oakwood Lane
P.O. Box 595
Watertown WI 53094



Kate Rotenberg
Department of Regulation and Licensing
Office of Legal Counsel

Subscribed and sworn to before me

this 23rd day of December, 1996.



Notary Public, State of Wisconsin
My commission is permanent.

NOTICE OF APPEAL INFORMATION

Notice Of Rights For Rehearing Or Judicial Review. The Times Allowed For Each. And The Identification Of The Party To Be Named As Respondent.

Serve Petition for Rehearing or Judicial Review on:

STATE OF WISCONSIN MEDICAL EXAMINING BOARD

1400 East Washington Avenue

P.O. Box 8935

Madison, WI 53708.

The Date of Mailing this Decision is:

December 23, 1996

1. REHEARING

Any person aggrieved by this order may file a written petition for rehearing within 20 days after service of this order, as provided in sec. 227.49 of the *Wisconsin Statutes*, a copy of which is reprinted on side two of this sheet. The 20 day period commences the day of personal service or mailing of this decision. (The date of mailing this decision is shown above.)

A petition for rehearing should name as respondent and be filed with the party identified in the box above.

A petition for rehearing is not a prerequisite for appeal or review.

2. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in sec. 227.53, *Wisconsin Statutes* a copy of which is reprinted on side two of this sheet. By law, a petition for review must be filed in circuit court and should name as the respondent the party listed in the box above. A copy of the petition for judicial review should be served upon the party listed in the box above.

A petition must be filed within 30 days after service of this decision if there is no petition for rehearing, or within 30 days after service of the order finally disposing of a petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30-day period for serving and filing a petition commences on the day after personal service or mailing of the decision by the agency, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing this decision is shown above.)