

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

FINAL DECISION AND ORDER
Case No. LS-9611211-MED

JOHN T. YAGOW, D.O.,
RESPONDENT.

PARTIES

The parties in this matter under § 227.44, Stats., and for purposes of review under § 227.53, Stats., are:

John T. Yagow, D.O.
702 Oakwood Lane
Watertown, Wisconsin 53094

Medical Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation & Licensing
Division of Enforcement
P.O. Box 8935
Madison, Wisconsin 53708

This matter was commenced by the filing of a Notice of Hearing and Complaint on November 20, 1996. Respondent's Answer was filed on December 11, 1996, and a hearing was held in the matter on December 11, 1996. Atty. Steven M. Gloe appeared at the hearing on behalf of the Division of Enforcement. Dr. Yagow appeared in person without legal counsel.

The Administrative Law Judge filed her Proposed Decision in the matter on January 6, 1997. Mr. Gloe filed his objections on January 14, 1997; and Dr. Yagow's objections were received on January 27, 1997. The board considered the matter on January 28, 1997.

Based upon the entire record herein, the Medical Examining Board makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. John T. Yagow (d.o.b. 08/23/43), is duly licensed in the state of Wisconsin to practice medicine and surgery (license #28815, which was first granted on July 23, 1987). Respondent's

most recent address on file with the Department of Regulation and Licensing is 702 Oakwood Lane, Watertown, WI 53094.

2. On or about September 4, 1996, the Medical Examining Board issued an Order for Examination "In the Matter of the License to Practice Medicine and Surgery of John T. Yagow, D.O.". Dr. Yagow failed to comply with the requirements set forth in the Order in that he:

a. failed to submit to the Board the names of internal medicine practitioners for the purpose of the physical examination required under the Order;

b. failed to submit himself for mental and physical examinations to Board-approved practitioners and failed to provide the Board with appropriate releases regarding such examinations;

c. failed to provide mental and physical examination results to the Board, and

d. failed to register and take the SPEX (Special Purpose Examination) administered by the Federation of State Medical Boards of the United States, Inc.

CONCLUSIONS OF LAW

1. The Medical Examining Board has jurisdiction in this matter pursuant to sec. 448.02 (3), Stats., and ch. Med 10, Wis. Adm. Code.

2. By failing to comply with the requirements set forth in the Order for Examination issued by the Medical Examining Board, as described in Findings of Fact 2 herein, respondent engaged in unprofessional conduct under sec. 448.02 (3)(b), Stats., and secs. Med 10.02 (2)(a) and Med 10.02(2)(b), Wis. Adm. Code.

ORDER

NOW, THEREFORE, IT IS ORDERED that the license of John T. Yagow to practice medicine and surgery (license #28815) be, and hereby is, **SUSPENDED** for an indefinite period of time.

IT IS FURTHER ORDERED that respondent may petition the Board for removal of the suspension and return to full licensure upon submission of evidence satisfactory to the Board that he has fully complied with the Board's Order for Examination, dated September 4, 1996.

IT IS FURTHER ORDERED that pursuant to s. 440.22, Stats., the cost of this proceeding shall be assessed against respondent, and shall be payable to the Department of Regulation and Licensing.

EXPLANATION OF VARIANCE

The board has accepted the Proposed Decision in this matter in its entirety with the exception of Conclusion of Law #2. The ALJ found at that conclusion that Dr. Yagow had violated sec. Med 10.02(2)(a), Code. Because the Findings of Fact make clear that Dr. Yagow has violated a valid board order, the board amends that Conclusion of Law to include a violation of sec. Med 10.02(2)(b), Code.

Dated this Jan 30th day of Jan, 1997.

STATE OF WISCONSIN
MEDICAL EXAMINING BOARD

by Glenn Hoberg
Glenn Hoberg, D.O.
Secretary

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 February 3, 1997, I served the Final Decision and Order dated January 30, 1997, LS9611211MED, 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 201 377 300.
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
Watertown WI 53094



Kate Rotenberg
Department of Regulation and Licensing
Office of Legal Counsel

Subscribed and sworn to before me

this 3rd day of February, 1997.



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:

February 3, 1997

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.)

**STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD**

**IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST**

**PROPOSED DECISION
Case No. LS-9611211-MED**

**JOHN T. YAGOW, D.O.,
RESPONDENT.**

PARTIES

The parties in this matter under § 227.44, Stats., and for purposes of review under § 227.53, Stats., are:

John T. Yagow, D.O.
702 Oakwood Lane
Watertown, Wisconsin 53094

Medical Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation & Licensing
Division of Enforcement
P.O. Box 8935
Madison, Wisconsin 53708

This matter was commenced by the filing of a Notice of Hearing and Complaint on November 20, 1996. Respondent's Answer was filed on December 11, 1996. A hearing was held in the above-captioned matter on December 11, 1996. Atty. Steven M. Gloe appeared at the hearing on behalf of the Division of Enforcement. Dr. Yagow appeared in person without legal counsel.

Based upon the record herein, the Administrative Law Judge recommends that the Medical Examining Board adopt as its final decision in this matter, the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. John T. Yagow (d.o.b. 08/23/43), is duly licensed in the state of Wisconsin to practice medicine and surgery (license #28815, which was first granted on July 23, 1987). Respondent's most recent address on file with the Department of Regulation and Licensing is 702 Oakwood Lane, Watertown, WI 53094.

2. On or about September 4, 1996, the Medical Examining Board issued an Order for Examination "In the Matter of the License to Practice Medicine and Surgery of John T. Yagow, D.O.". Dr. Yagow failed to comply with the requirements set forth in the Order in that he:

a. failed to submit to the Board the names of internal medicine practitioners for the purpose of the physical examination required under the Order;

b. failed to submit himself for mental and physical examinations to Board-approved practitioners and failed to provide the Board with appropriate releases regarding such examinations;

c. failed to provide mental and physical examination results to the Board, and

d. failed to register and take the SPEX (Special Purpose Examination) administered by the Federation of State Medical Boards of the United States, Inc.

CONCLUSIONS OF LAW

1. The Medical Examining Board has jurisdiction in this matter pursuant to s. 448.02 (3), Stats., and ch. Med 10, Wis. Adm. Code.

2. By failing to comply with the requirements set forth in the Order for Examination issued by the Medical Examining Board, as described in Findings of Fact 2 herein, respondent engaged in unprofessional conduct under s. 448.02 (3)(b), Stats., and s. Med 10.02 (2)(a), Wis. Adm. Code.

ORDER

NOW, THEREFORE, IT IS ORDERED that the license of John T. Yagow to practice medicine and surgery (license #28815) be, and hereby is, **SUSPENDED** for an indefinite period of time.

IT IS FURTHER ORDERED that respondent may petition the Board for removal of the suspension and return to full licensure upon submission of evidence satisfactory to the Board that he has fully complied with the Board's Order for Examination, dated September 4, 1996.

IT IS FURTHER ORDERED that pursuant to s. 440.22, Stats., the cost of this proceeding shall be assessed against respondent, and shall be payable to the Department of Regulation and Licensing.

This order is effective on the date on which it is signed by a designee of the Medical Examining Board.

OPINION

This matter was commenced by the filing of a Notice of Hearing and Complaint on November 20, 1996. Dr. Yagow filed his Answer on December 11, 1996. A hearing was held in the above-captioned matter on December 11, 1996. Atty. Steven M. Gloe appeared on behalf of the Division of Enforcement. Dr. Yagow appeared in person without legal counsel.

Prior to the issuance of the Complaint in this matter, the Board issued a Summary Suspension Order, dated November 20, 1996, suspending respondent's license for a period of 30 days based upon his failure to comply with the Order of Examination issued by the Board on September 4, 1996.¹

The Complainant alleges that Dr. Yagow failed to timely comply with several requirements contained in the Order for Examination issued by the Board on September 4, 1996, in violation s. 448.02 (3) (b), Stats., and s. Med 10.02 (2)(a), Code.

Section 448.02 (3) (b), Stats., states, in part, that the Board may require a person holding a license to undergo and may consider the results of one or more physical, mental or professional competency examinations if the board believes that the results of any such examinations may be useful to the board in conducting its hearing.

Section Med 10.02 (2) (a), Code states, in part, that unprofessional conduct is defined to mean and include but is not limited to violating or attempting to violate any provision or term of ch. 448, Stats., or of any valid rule of the board.

The evidence presented establishes that Dr. Yagow failed to comply with the requirements of the Board Order for Examination, as alleged by the Complainant.

Ms. Neverman, the Department Monitor, designated by the Board to receive all correspondence and reports required to be filed under the Order for Examination, indicated that she had not received the information which Dr. Yagow was required to file with her.

Dr. Yagow's response regarding non-compliance with the Order, as reflected in his Answer, dated December 11, 1996, is that "the bulk of these requests are unnecessary and unreasonable". He further stated, in reference to his mental condition, that 1993 he sought a second opinion from a psychiatrist at the Mayo Clinic and that since that time he has done exactly as the psychiatrist has stated. In reference to his physical condition, he indicated that he was examined by a competent internist previous to, and as a prerequisite to, his short part-time employment in 1994. He said that he unequivocally passed the examination. He indicated that he had a follow-up appointment at the Mayo Clinic in December 1996.

Finally, Dr. Yagow stated that he has continued his medical education and has received CME 1-A credits well over and above the state requirements. He indicated that in the last 3 years he has attended comprehensive 3-5 day General Practice update seminars in Iowa, Arizona, and Illinois, respectively. A seminar that he attended in 1995, included a comprehensive Family Practice refresher course and Board Certification practice exam which he passed. *Exhibit #6.*

1. Dr. Yagow's appeal of the Order for Examination is pending in Jefferson County Circuit Court, Branch II. *Exhibits #4, 5.*

Having found that Dr. Yagow engaged in unprofessional conduct, a determination must be made regarding whether discipline should be imposed, and if so, what discipline is appropriate.

The Medical Examining Board is authorized under s. 448.02 (3) (c), Stats., to reprimand a physician or limit, suspend or revoke the license of a physician if it finds that the individual has engaged in unprofessional conduct.

The purposes of discipline by occupational licensing boards are to protect the public, deter other licensees from engaging in similar misconduct and to promote the rehabilitation of the licensee. *State v. Aldrich*, 71 Wis. 2d 206 (1976). Punishment of the licensee is not a proper consideration. *State v. McIntyre*, 41 Wis. 2d 481 (1969).

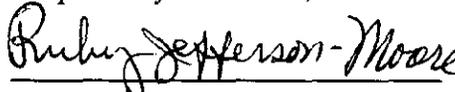
The Administrative Law Judge recommends that Dr. Yagow's license to practice medicine and surgery be suspended for an indefinite period of time and that he be permitted to return to full licensure upon submission of evidence satisfactory to the Board of compliance with the Order for Examination. This measure is designed primarily to assure protection of the public and to deter other licensees from engaging in similar misconduct.

Dr. Yagow's failure to comply with the Order for Examination deprives the Board of its ability to fully and expeditiously assess his competence to practice medicine and surgery; thereby, hindering its efforts to ensure protection of the public. In addition, Dr. Yagow's conduct leaves the Board with little choice in imposing discipline. Any other action on the part of the Board would send the wrong message to other licensees; namely, that failure to comply with a Board order is not a serious violation.

Based upon the record herein, the Administrative Law Judge recommends that the Medical Examining Board adopt as its final decision in this matter, the proposed Findings of Fact, Conclusions of Law and Order as set forth herein.

Dated at Madison, Wisconsin this 6th day of January, 1997.

Respectfully submitted,



Ruby Jefferson-Moore
Administrative Law Judge

FILE COPY

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	ORDER FIXING COSTS
	:	Case #LS9611211MED
JOHN T. YAGOW, D.O.,	:	
RESPONDENT.	:	

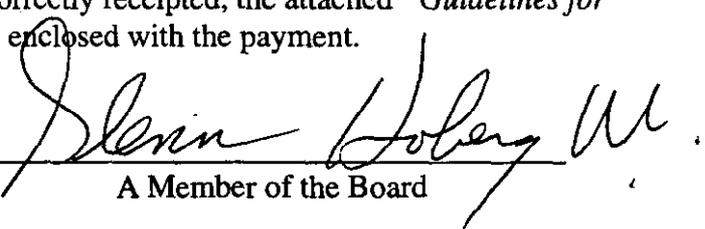
On January 30, 1997, the Medical Examining Board filed its Final Decision and Order in the above-captioned matter by which the board ordered that pursuant to sec. 440.22, Wis. Stats., 100% of the costs of this proceeding be assessed against respondent. Pursuant to sec. RL 2.18 (4), Wis. Adm. Code, on or about January 16, 1997, the board received the *Affidavit of Costs* in the amount of \$4,437.40, filed by Attorney Steven M. Gloe. On or about February 12, 1997, the board received the *Affidavit of Costs of Office of Legal Services* in the amount of \$313.05, filed by Administrative Law Judge Ruby Jefferson-Moore. The board considered the affidavits on March 20, 1997, and orders as follows:

ORDER

NOW, THEREFORE, IT IS ORDERED that pursuant to sec. 440.22, Wis. Stats., the costs of this proceeding in the amount of \$4,750.45, which is 100% of the costs set forth in the affidavits of costs of Ruby Jefferson-Moore and Steven M. Gloe, which are attached hereto and made a part hereof, are hereby assessed against John T. Yagow, D.O., and shall be payable by him to the Department of Regulation and Licensing. **Failure of respondent to make payment on or before April 19, 1997, which is the deadline for payment established by the board, shall constitute a violation of the Order unless respondent petitions for and the board grants a different deadline.** Under sec. 440.22 (3), Wis. Stats., the department or board may not restore, renew or otherwise issue any credential to the respondent until respondent has made payment to the department in the full amount assessed.

To ensure that payments for assessed costs are correctly receipted, the attached "*Guidelines for Payment of Costs and/or Forfeitures*" should be enclosed with the payment.

Dated this 20 day of March, 1997


A Member of the Board

Department of Regulation & Licensing

State of Wisconsin

P.O. Box 8935, Madison, WI 53708-8935
(608)

TTY# (608) 267-2416, hearing or speech
TRS# 1-800-947-3529, impaired only

GUIDELINES FOR PAYMENT OF COSTS AND/OR FORFEITURES

On January 30, 1997, the Medical Examining Board
took disciplinary action against your license. Part of the discipline was an assessment of costs and/or a
forfeiture.

The amount of the costs assessed is: \$4,750.45 Case #: LS9611211MED

The amount of the forfeiture is: _____ Case # _____

Please submit a check or a money order in the amount of \$ 4,750.45

The costs and/or forfeitures are due: April 19, 1997

NAME: John T. Yagow, D.O. LICENSE NUMBER: 28815

STREET ADDRESS: 702 Oakwood Lane

CITY: Watertown STATE: WI ZIP CODE: 53094

Check whether the payment is for costs or for a forfeiture or both:

COSTS FORFEITURE

Check whether the payment is for an individual license or an establishment license:

INDIVIDUAL ESTABLISHMENT

If a payment plan has been established, the amount due monthly is:
See payment plan above.

Make checks payable to:

DEPARTMENT OF REGULATION AND LICENSING
1400 E. WASHINGTON AVE., ROOM 141
P.O. BOX 8935
MADISON, WI 53708-8935

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#2145 (Rev. 9/96)
Ch. 440.22, Stats.
G:\BDLS\FM2145.DOC

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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 :
 : AFFIDAVIT OF COSTS
 JOHN T. YAGOW, D.O., : 90 MED 414; 92 MED 244; 92 MED 423
 RESPONDENT : LS9611211MED

STATE OF WISCONSIN)
) ss.
COUNTY OF DANE)

Steven M. Gloe, being duly sworn, deposes and states as follows:

1. I am an attorney licensed in the state of Wisconsin and am employed by the Wisconsin Department of Regulation and Licensing, Division of Enforcement:
2. In the course of those duties I was assigned as a prosecutor in the above-captioned matter; and
3. Set out below are the costs of the proceeding accrued to the Division of Enforcement in the above-captioned matter, based upon Division of Enforcement records compiled in the regular course of agency business.

PROSECUTING ATTORNEY COSTS

<u>Date</u>	<u>Activity</u>	<u>Time Spent</u>
March 16, 1996	Case conference, review file	1 hour 30 minutes
June 6, 1996	Case conference	0 hour 15 minutes
July 16, 1996	Road trip to interview expert; case conference	6 hours 30 minutes
August 12, 1996	draft petition and supporting documents	2 hours 0 minutes
August 15, 1996	interview expert witness- UW Phm	2 hours 0 minutes
August 21, 1996	case conferences	1 hour 0 minutes
August 22, 1996	hearing prep and presentation of petition before board	2 hours 30 minutes
October 30, 1996	Road trip to review medical records	5 hours 0 minutes
November 6, 1996	Draft petition for summary suspension; hearing prep	2 hours 15 minutes
November 19, 1996	Draft/review complaint	1 hour 0 minutes
November 20, 1996	Attend summary suspension hearing; hearing prep	1 hour 30 minutes
December 11, 1996	Attend hearing; hearing prep	3 hours 0 minutes

January 13, 1997	Research and prepare Objections to Proposed Decision	4 hours 15 minutes
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TOTAL HOURS

32 Hours 45 Minutes

Total attorney expense for 32 hours and 45 minutes at \$41.00 per hour (based upon average salary and benefits for Division of Enforcement attorneys) equals:

\$1,342.75

INVESTIGATOR'S EXPENSES

<u>Date</u>	<u>Activity</u>	<u>Time Spent</u>
January 1, 1991	Contacts w/ complainant; memo	0 hour 45 minutes
February 1, 1991	File prep	0 hour 05 minutes
April 8, 1991	Prepare correspondence	0 hour 05 minutes
April 25, 1991	Contact w/ respondent; memo to file	0 hour 40 minutes
April 26, 1991	Memo to file	0 hour 20 minutes
May 1, 1991	Prepare case file documents	0 hour 45 minutes
April 8, 1993	-Attempt to interview; serve subpoena	2 hours 0 minutes
June 8, 1993	Serve subpoena	1 hour 0 minutes
June 16, 1993	Interview; memo; deliver fluids to hospital	3 hours 0 minutes
June 24, 1993	TC; memo	0 hour 20 minutes
August 31, 1993	Organize file; review records	2 hours 0 minutes
September 14, 1993	Materials to Bd Advisor	2 hours 0 minutes
November 10, 1993	Organize file; draft primary investigation complete summary	6 hours 0 minutes
July 26, 1996	Review file	1 hour 30 minutes
August 5, 1996	3 TCs	0 hour 30 minutes
August 7, 1996	TC	0 hour 15 minutes
August 20, 1996	Prep aff of svc; copy	1 hour 30 minutes
August 20, 1996	Review file re: disability insurance application/payments	3 hours 0 minutes
August 21, 1996	Review aff of svc, copy same	1 hour 0 minutes
August 21, 1996	TC to insurance co. re: clarification of disability benefits paid	1 hour 0 minutes
August 30, 1996	Receive and review insurance info	2 hours 0 minutes
September 30, 1996	TC's and fax re: pt. records	1 hour 0 minutes
October 1, 1996	Serve Order to respondent at residence	3 hours 0 minutes
October 16, 1996	prep Aff of Service	0 hour 15 minutes
October 30, 1996 -	- Travel to/from Watertown (Bethesda) to review records	5 hours 0 minutes
November 8, 1996	Discuss case and aff	1 hour 0 minutes

November 20, 1996	Attempt to contact respondent; service documents at atty office	2 hours 0 minutes
November 22, 1996	Attempt svc on respondent in Watertown; memo to file	4 hours 30 minutes
December 10, 1996	Affidavit	0 hour 15 minutes

TOTAL HOURS

46 Hours 45 Minutes

Total investigator expense for 46 hours and 45 minutes at \$20.00 per hour (based upon average salary and benefits for Division of Enforcement investigators) equals:

\$935.00

LEGAL ASSISTANT EXPENSES

<u>Date</u>	<u>Activity</u>	<u>Time Spent</u>
March 6, 1996	Discuss need for MD expert w/ prosecuting atty; review file	1 hour 45 minutes
March 7, 1996	TC's to/from possible MD experts; Draft ltr to expert re: unprofessional conduct/negligence	2 hours 30 minues
March 8, 1996	Prepare expert witness checklist	0 hour 10 minutes
March 11, 1996	Revise ltr to MD expert; ID, copy and tab pt. records for MD expert review	2 hours 35 minutes
March 13, 1996	Finalize ltr to MD expert; finalize organizing pt. records for MD expert review; mail same to expert	2 hours 45 minutes
March 19, 1996	E-mail request for Contract for Expert Svcs.; Discuss issues of same	0 hour 20 minutes
May 15, 1996	TC w/ MD expert	0 hour 20 minutes
May 29, 1996	TC w/ MD expert	0 hour 5 minutes
May 29, 1996	TC to/from possible new MD expert; Discuss need for possible Phm expert w/ prosecuting atty	0 hour 40 minutes
May 30, 1996	Copy records for new MD expert; revise ltr to expert	0 hour 45 minutes
June 3, 1996	Finalize ltr to new MD expert; receive records back fr old MD expert	0 hour 30 minutes
June 4, 1996	Mail records to new MD expert	0 hour 35 minutes
June 5, 1996	ID/Locate potential Phm experts; TC's to same	2 hours 0 minutes
June 6, 1996	Discuss new Phm expert w/ prosecuting atty; Memos to file; TC's to/from new Phm expert	1 hour 45 minutes
June 7, 1996	Provide prosecuting atty w/ copies of records sent to MD/Phm experts	0 hour 15 minutes

June 26, 1996	ID, copy and mail records to Phm expert	1 hour 35 minutes
July 16, 1996	Schedule mtg w/ MD expert; Discuss w/ prosecuting atty	0 hour 20 minutes
August 12, 1996	Discuss mtg w/ Phm expert w/ prosecuting atty; ID dates for Aff for MD expert	0 hour 55 minutes
August 13, 1996	TC to MD expert; Review Aff; Draft cover ltr and fax w/ aff to MD expert	1 hour 0 minutes
August 15, 1996	Mtg w/ Phm expert	2 hours 0 minutes
August 16, 1996	Discuss petition for psych evaluation - service and presentation to MEB w/ prosecuting atty and atty supervisor; TC to MD expert	1 hour 15 minutes
August 20, 1996	Receive MD expert aff; forward to prosecuting atty	0 hour 5 minutes
August 21, 1996	Review statutes for svc of petition for psych evaluation; discuss same w/ prosecuting atty	0 hour 30 minutes
August 22, 1996	Attend/assist prosecuting atty w/ MEB presentation of petition for psych evaluation	0 hour 30 minutes
November 7, 1969	Review petition and notice of summary suspension; copy same	1 hour 0 minutes
November 8, 1996	File w/ Bureau petition for summary suspension; discuss research issue w/ prosecuting atty	1 hour 0 minutes
November 11, 1996	Research "drafted by" or "prepared by" issue on Lexis and Wislaw; print and forward cases found to prosecuting atty	2 hours 0 minutes
November 20, 1996	Review, copy and file complaint and notice of hearing, Draft Aff. of Mailing	1 hour 0 minutes
January 14, 1997	review and revise complainant's objections to proposed decision; discuss same w/ prosecuting atty; check 1992 MEB orders	1 hour 0 minutes
January 14, 1997	Draft Affidavit of Costs	2 hours 0 minutes
January 15, 1997	Revise Aff. of Costs; forward same to prosecuting atty	1 hour 30 minutes

TOTAL HOURS

34 Hours 30 Minutes

Total legal assistant expense for hours and minutes at \$20.00 per hour (based upon average salary and benefits for Division of Enforcement investigators) equals:

\$690.00

POSTAGE AND PHOTOCOPYING COSTS

November 22, 1993: photocopying fee	\$ 15.00
August 12, 1996: postage fees	5.50
November 18, 1996: photocopying fee	311.40
TOTAL	\$ 331.90

EXPERT WITNESSES COSTS

August 15, 1996: MD Expert	300.00
September 12, 1996: Pharmacy Expert	837.75

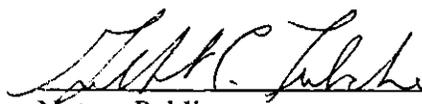
TOTAL EXPERT WITNESSES COSTS **1137.75**

TOTAL ASSESSABLE COSTS **\$4437.40**



Steven M. Gloe, Attorney

Subscribed and sworn to before me this 16th
day of January, 1997



Notary Public
My Commission is permanent.