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STATE OF WISCONSIN

BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF

DISCIPLINARY PROCEEDINGS AGAINST

THOMAS V. JACKSON, M.D.,
RESPONDENT.

FINAL DECISION AND ORDER
99 MED 038
LS9906231

The parties to this action for the purposes of § 227.53, Wis. Stats., are:

Thomas V. Jackson, M.D.
N1299 Smokey Hollow Road
Lodi, WI 53555

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

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

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Respondent, Thomas V. Jackson (dob 05/10/50) is and was at all times relevant to the facts set forth herein a physician and surgeon licensed in the State of Wisconsin pursuant to license # 21269, first granted on October 28, 1977. Respondent engages in the general practice of medicine and is currently employed as an emergency room physician.
2. During 1998 Respondent ordered controlled substances from a distributor which were delivered to his home address, where Respondent maintains a small office. Respondent failed to maintain receiving records, inventories or disposition records for the drugs, in violation of 21 CFR 1304.
3. Respondent dispensed the controlled substances as follows:
1000 hydrocodone, 5 mg to PL, Respondent's aunt, following a broken hip;
200 hydrocodone, 5 mg to BL, Respondent's friend for Lyme disease;
100 alprazolam, 0.5 mg to LJ, Respondent's mother for insomnia;
100 acetaminophen with codeine and codeine cough syrup to MJ,
Respondent's former spouse for dental conditions and colds.

4. Respondent failed to maintain contemporaneous patient records or drug dispensing records for the individuals identified in paragraph 3 above.

CONCLUSIONS OF LAW

5. The Wisconsin Medical Examining Board has jurisdiction to act in this matter pursuant to §448.02(3), Wis. Stats. and is authorized to enter into the attached Stipulation pursuant to §227.44(5), Wis. Stats.

6. The conduct described above violated § Med 10.02(2)(h) and (p), Wis. Adm. Code. Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

IT IS FURTHER ORDERED, that Thomas V. Jackson, M.D., is REPRIMANDED for his unprofessional conduct in this matter.

IT IS FURTHER ORDERED, that the license and registration of Respondent to practice as a physician and surgeon in Wisconsin is LIMITED as follows: no later than December 31, 1999, Respondent shall take and satisfactorily pass a 40 hour course in Proper Prescribing of Controlled Dangerous Substances sponsored by the Forensic and Educational Consultants of Margate, N.J., or an equivalent course which has been approved in advance by the Board. Respondent shall be responsible for all costs associated with the completion of this educational requirement. Respondent shall arrange for the course sponsor to report directly to the Department Monitor, at P.O. Box 8935, Madison, WI 53708-8935, telephone (608) 267 7139. Respondent shall authorize release of all records of attendance and performance during the course to the Department Monitor and the Board.

IT IS FURTHER ORDERED, that Respondent shall pay the cost of investigation and prosecution of this action in the sum of \$ 400.00 , within 30 days of the date of this Order.

IT IS FURTHER ORDERED, that pursuant to §448.02(4), Wis. Stats., if the Board determines that there is probable cause to believe that respondent has violated any term of this Final Decision and Order, the Board may order that the license and registration of respondent be summarily suspended pending investigation of the alleged violation.

Dated this 23rd day of June, 1999.

WISCONSIN MEDICAL EXAMINING BOARD, by:

by: Ronald Grossman, M.D.

Chair