

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY :  
PROCEEDINGS AGAINST :  
 :  
 : FINAL DECISION AND ORDER  
THOMAS H. KOWALSKI, M.D., :  
RESPONDENT. : **ORDER 0002111**

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Division of Legal Services and Compliance Case No. 12 MED 374

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Thomas H. Kowalski, M.D.  
8754 Woodbridge Drive  
Greendale, WI 53129-1086

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

Division of Legal Services and Compliance  
Department of Safety and Professional Services  
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 disposition of this matter, subject to the approval of the Medical Examining Board (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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Thomas H. Kowalski, M.D., (dob September 19, 1937), is licensed in the State of Wisconsin to practice medicine and surgery, having license number 20-15045, first issued on July 27, 1964, with registration current through October 31, 2013. Respondent's last address reported to the Department of Safety and Professional Services is 8754 Woodbridge Drive, Greendale, Wisconsin 53129-1086. Respondent practiced as a pediatrician and is reported to be semi-retired.

2. A confidential record sheet created and maintained by the Milwaukee County Council of the Boy Scouts of America, dated September 30, 1987, states:

As Volunteer Camp Doctor, he was accused of masterbating [sic] while fondling the genitals of two junior staff members under his care in the ward room of the infirmary. Upon checking the story, Scout Executive caused a Department of Social Service Child Abuse Report to be filed. The case was investigated by Sheriff Norman T. Knoll and Detective Jerry Gibson, both of the Forest County, Wisconsin Sheriffs [sic] Department. Scout Executive presented Dr. Kowalski with suspension letter...just prior to Sheriff removing him from Camp. According to Sheriff, D.A., and DSS Director, Dr. Kowalski admitted his actions. He was released, returned to Camp for his family, and left for home before Midnight.

3. The records indicate that the children involved were sixteen years old at the time of the assaults. The parties to the investigation, other than Dr. Kowalski, agreed that the matter would not be prosecuted criminally nor would it be otherwise publicized.

4. Due to the conduct set out in paragraph 2, Respondent was permanently barred from volunteering with the Boy Scouts of America.

5. The records indicate that a report was made to the Medical Examining Board, but there is no evidence that a report was made.

6. On or about approximately 2005, Respondent admitted that during the 1970's Respondent had sexual contact with Citizen A's then-adolescent son, who was Respondent's patient. At that time Respondent claimed that he was not permitted to treat children any longer. The parents therefore declined to report the incident to authorities.

#### CONCLUSIONS OF LAW

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

2. By the conduct described in the Findings of Fact, Respondent Thomas H. Kowalski, M.D., engaged in unprofessional conduct pursuant to Wis. Admin. Code § MED 10.02(2)(zd), by engaging in inappropriate sexual contact, exposure, gratification, or other sexual behavior with or in the presence of a patient.

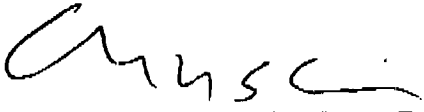
3. As a result of the above conduct, Thomas H. Kowalski, M.D., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.
2. The VOLUNTARY SURRENDER by Respondent Thomas H. Kowalski, M.D., of his license and registration to practice medicine and surgery in the state of Wisconsin and his right to renew that license and registration is hereby ACCEPTED.
3. Respondent shall never make application to the Board for any credential.
4. If Respondent does ever apply to the Board for any credential, the Department of Safety and Professional Service shall not process the application.
5. This Order is effective on the date of its signing.

WISCONSIN MEDICAL EXAMINING BOARD

by:

  
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A Member of the Board

10/30/2012  
Date