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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST

JOSEF F. VOSMEK, M.D.,

Respondent

ORDER RENEWING THE LIMITED LICENSURE

On October 6, 1991, the Medical Examining Board issued its Order Granting the Limited License in the above-captioned matter. By the terms of the board's order, respondent's license to practice medicine and surgery in Wisconsin was reinstated with limitations. Among these were that respondent's practice be supervised by Thomas H. Peterson, M.D., or another physician satisfactory to the board, and that Dr. Vosmek be responsible for submission to the board of quarterly written reports from both his supervising physician and his treating psychologist.

The term of Dr. Vosmek's license was for six months. The board's Order required that Dr. Vosmek appear before the board at the end of six months in support of any request for renewal, and Dr. Vosmek was therefore scheduled for an appearance before the board at its meeting of April 29, 1992. Because Dr. Vosmek failed to appear, and because he had failed to ensure that necessary reports were filed with the board, the board ordered on May 13, 1992, that the license not be renewed.

By letter dated May 26, 1992, Dr. Vosmek requested an appearance before the board in support of reinstatement of his license, and the board permitted an appearance at its meeting of June 24, 1992. The board thereafter reinstated the limited license by its Order dated July 6, 1992. The term of the license was for three months, and the license was thereafter renewed for additional three month periods in October and December, 1993.

Pursuant to the board's Order dated December 23, 1992, Dr. Vosmek appeared before the board on March 25, 1993, in support of further renewal of his license. The board considered the matter on that date and, by its Order dated April 12, 1993, renewed the license for six months.

Dr. Vosmek again appeared before the board on September 23, 1993, in support of renewal of the limited license. The board considered the matter on that date, and orders as follows:

NOW, THEREFORE, IT IS ORDERED that the limited license of Josef F. Vosmek, M.D., to practice medicine and surgery in the State of Wisconsin be, and hereby is, renewed subject to the following terms and conditions:

1. The term of the license shall be for six months. Dr. Vosmek shall appear at the meeting of the board scheduled for March, 1994, in support of any renewal of the license.

2. During the term of the limited license, Dr. Vosmek's practice shall be under the supervision of Thomas H. Peterson, M.D., of the Wausau Family Practice Clinic, or another physician satisfactory to the board.

3. During the term of the limited license, Dr. Vosmek shall be responsible for the submission to the board of quarterly written reports from his supervising physician setting forth Dr. Peterson's opinion of Dr. Vosmek's demonstrated ability to safely and competently practice medicine and surgery, and including a review of both Dr. Vosmek's private and emergency room practices.

4. During the term of the limited license, Dr. Vosmek shall be responsible for submission to the board of quarterly written reports from his treating psychologist, Steven A. Benson, Ph.D., setting forth Dr. Benson's opinion of Dr. Vosmek's continuing ability to safely practice medicine and surgery.

6. Any violation of the terms and conditions of the limited license, including failure to appear as required, shall result in immediate suspension of the license.

DISCUSSION

The board's April 12, 1993, Order commented in part as follows:

At his appearance before the board, Dr. Vosmek described feelings of depression occasioned at least in part by the board's Order and his feeling that the process seems to have no defined objective. The original suspension of Dr. Vosmek's license and subsequent grant of a limited license was based on a finding by the Minnesota licensing board that Dr. Vosmek was unable to practice with reasonable skill and safety to his patients by reason of mental illness. The object of the board's Order is therefore to ensure that Dr. Vosmek's practice in Wisconsin is consistent with his patients' safety. And while the board can understand that the limitations imposed on the license are burdensome, those limitations must continue until the board is satisfied that they are no longer needed.

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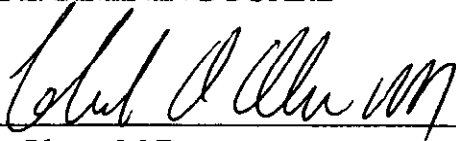
It is difficult for the board to predict when that will be. The board is concerned over Dr. Vosmek's apparent depression and concerned as well that his depression is the result of what the board would consider an appropriate and ultimately constructive intervention on its part; and these concerns are of course a factor in the board's conclusion that the limitations must continue for some longer period of time. Moreover, while it would not presume to order any change in Dr. Vosmek's treatment regimen, the board's concern leads it to suggest that Dr. Vosmek may wish to seek a psychiatric evaluation for the purpose of determining whether some medical intervention is appropriate. Such an evaluation would also be of assistance to the board in its determination of the necessity to continue the various limitations presently imposed.

Dr. Vosmek's most recent appearance before the board has done nothing to persuade the board that the psychiatric evaluation suggested by the board's previous order would not be appropriate. The board continues to consider such an evaluation to be of potential benefit to both Dr. Vosmek and, in terms of its oversight responsibility, to the board.

Dated this 1 day of October, 1993.

STATE OF WISCONSIN
MEDICAL EXAMINING BOARD

by


Clark O. Olsen, M.D.
Secretary