

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 :

NANCY LYNN SCHRADER, M.D., :
RESPONDENT :

FINAL DECISION AND ORDER
96 MED 485

LS9710224MED

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Nancy Lynn Schrader, M.D.
7249 German Creek Park
Memphis, TN 38125

Medical Examining Board
PO Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
PO 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. Nancy Lynn Schrader, M.D. (DOB 02/03/55) is duly licensed to practice medicine and surgery in the state of Wisconsin (license #36087). This license was first granted on October 21, 1994.
2. Dr. Schrader's most recent address on file with the Wisconsin Medical Examining Board is 7249 German Creek Park, Memphis, TN 38125.

3. On September 27, 1996, the Arkansas State Medical Board issued an order which imposed discipline upon the Arkansas license of Dr. Schrader to practice medicine. The factual basis for the imposition involved allegations of improper self-prescription of controlled substances. A true and correct copy of the Arkansas Order is attached to this document as Exhibit A. Exhibit A is incorporated into this document by reference.

4. In resolution of this matter, Dr. Schrader consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction to act in this matter, pursuant to sec. 448.02(3), Stats. and is authorized to enter into the attached Stipulation and Order, pursuant to sec. 227.44(5), Stats.
2. The conduct described in paragraph 3, above, constitutes a violation of Wisconsin Administrative Code §§ Med 10.02(2)(h), (p) and (q).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The license of Nancy Lynn Schrader (license # 36087) to practice medicine and surgery in the State of Wisconsin is **SUSPENDED** for an **INDEFINITE PERIOD** of time.
2. Dr. Schrader may petition the Board for permission to practice within this state at any time.
 - a. In conjunction with a petition by Dr. Schrader, the Board shall require current documentation of Dr. Schrader's full and complete compliance with the terms and conditions imposed against her Arkansas license to practice medicine.
 - b. In conjunction with a petition, the Board may in the exercise of its discretion require a current independent chemical dependency assessment from a health care provider acceptable to the Board. The Board may in addition require a personal appearance by Dr. Schrader to answer any questions regarding Dr. Schrader's competency to safely practice medicine.
 - c. Denial in whole or in part of a petition under this paragraph shall not constitute denial of a license and shall not give rise to a contested case within the meaning of secs. 227.01(3) and 227.42, Stats. *The Board may in its sole discretion determine whether, and under what terms and conditions, Dr. Schrader may resume the practice of medicine and surgery in the state of Wisconsin.*
3. **Violation of any of the terms of this Order or the conditions imposed as a result of this Order shall be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Dr. Schrader's license; the Board in its discretion may in**

the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order.

4. This Order shall become effective on the date of its signing.

MEDICAL EXAMINING BOARD

By Glenn Foley M.D. 18-22-97
A Member of the Board - Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	STIPULATION
NANCY LYNN SCHRADER, M.D.,	:	96 MED 485
RESPONDENT	:	

It is hereby stipulated between Nancy Lynn Schrader, M.D., personally on her own behalf and Steven M. Gloe, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a pending investigation of Dr. Schrader's licensure by the Division of Enforcement (96 MED 485). Dr. Schrader consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Dr. Schrader understands that by the signing of this Stipulation she voluntarily and knowingly waives her rights, including: the right to a hearing on the allegations against her, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against her; the right to call witnesses on her behalf and to compel their attendance by subpoena; the right to testify herself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to her under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.

3. Dr. Schrader is aware of her right to seek legal representation and has been provided an opportunity to obtain legal advice prior to signing this stipulation.

4. Dr. Schrader agrees to the adoption of the attached Final Decision and Order by the Medical Examining Board. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

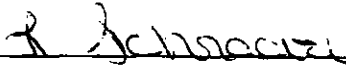
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. Attached to this Stipulation is the current licensure card of Nancy Lynn Schrader. If the Board accepts the Stipulation, Dr. Schrader's license shall be reissued only in accordance with the

terms of the attached Final Decision and Order. If the Board does not accept this Stipulation, the license of Dr. Schrader shall be returned to her with a notice of the Board's decision not to accept the Stipulation.


7 The parties to this stipulation agree that the attorney for the Division of Enforcement and the member of the Medical Examining Board assigned as an advisor in this investigation may appear before the Medical Examining Board for the purposes of speaking in support of this agreement and answering questions that the members of the Board may have in connection with their deliberations on the stipulation.

8. The Division of Enforcement joins Dr. Schrader in recommending the Medical Examining Board adopt this Stipulation and issue the attached Final Decision and Order.



Nancy Lynn Schrader, M.D.

9-12-97
Date



Steven M. Gloe, Attorney
Division of Enforcement

9 19 97
Date

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

In the Matter of the Disciplinary Proceedings Against

Nancy Lynn Schrader, M.D.,

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 October 23, 1997, I served the Final Decision and Order dated October 22, 1997, LS9710224MED, upon the Respondent Nancy Lynn Schrader, M.D. 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 221 158 255.

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:

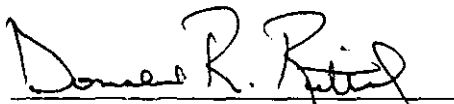
Nancy Lynn Schrader, M.D.
6 Tallyho Lane
Little Rock AR 72207



Kate Rotenberg
Department of Regulation and Licensing
Office of Legal Counsel

Subscribed and sworn to before me

this 23rd day of October, 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:

October 23, 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.)