

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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FILE COPY

STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF  
DISCIPLINARY PROCEEDINGS AGAINST

THEODORE JOHN GALVANI, JR., M.D.,

Respondent

---

ORDER MODIFYING THE LIMITED LICENSE

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On July 27, 1995, the Medical Examining Board issued its Final Decision and Order in the above-captioned matter. By the terms of the board's order, respondent's license to practice medicine and surgery in Wisconsin was suspended for five years, with provision for consecutive three month stays of the suspension conditioned upon compliance with certain limitations on the license. Among these were that Dr. Galvani participate in a drug treatment program, one element of which was that he submit to random blood or urine screens on a twice-weekly basis.

Dr. Galvani appeared before the board pursuant to the board's Order on July 24, 1996. At that time, he petitioned the board for a reduction in the number of required urine screens. The board considered the request on that date, and granted the request by its Order dated August 7, 1996.

Pursuant to the board's Order, Dr. Galvani appeared before the board at its meeting of July 23, 1998. At that time, Dr. Galvani petitioned for a further reduction in the number of urine screens. The board considered the matter on that date.

Based upon Dr. Galvani's request, and upon other information of record herein, the board orders as follows:

ORDER

NOW, THEREFORE, IT IS ORDERED that paragraph #9 of the Order set forth in the Final Decision and Order of the Medical Examining Board in the above-captioned matter dated July 27, 1995, as modified by the board's Order dated August 7, 1996, is hereby modified to reduce the number of required urine screens from two per month to one per month.

IT IS FURTHER ORDERED that all other terms and conditions of the board's July 27, 1995, Order shall remain in full force and effect.

Dated this 3rd day of August, 1998.

STATE OF WISCONSIN  
MEDICAL EXAMINING BOARD

by Wanda Roever  
Wanda Roever  
Secretary of the Board

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

In the Matter of Disciplinary Proceedings Against

Theodore John Galvani, Jr., M.D.,

AFFIDAVIT OF MAILING

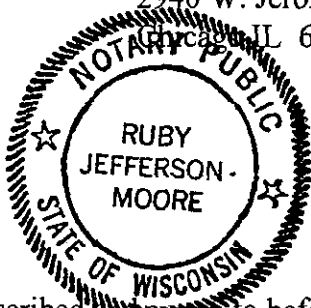
Respondent.


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 August 5, 1998, I served the Order Modifying the Limited License dated August 3, 1998 upon the Respondent Theodore John Galvani, Jr., 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 Z 233 819 672.
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:

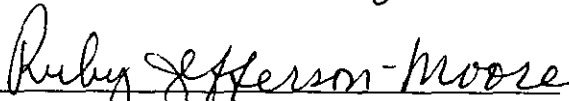
Theodore John Galvani, Jr., M.D.  
2940 W. Jerome Street  
Chicago, IL 60645



  
\_\_\_\_\_  
Kate Rotenberg  
Department of Regulation and Licensing  
Office of Legal Counsel

Subscribed and sworn to before me

this 6<sup>th</sup> day of August, 1998.

  
\_\_\_\_\_  
Notary Public, State of Wisconsin  
My commission is permanent.

## NOTICE OF RIGHTS OF APPEAL

TO: THEODORE JOHN GALVANI JR MD

You have been issued a Final Decision and Order. For purposes of service the date of mailing of this Final Decision and Order is 8/5/98. Your rights to request a rehearing and/or judicial review are summarized below and set forth fully in the statutes reprinted on the reverse side.

### A. 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 section 227.49 of the Wisconsin Statutes. The 20 day period commences on the day of personal service or the date of mailing of this decision. The date of mailing of this Final Decision is shown above.

A petition for rehearing should name as respondent and be filed with the party identified below.

A petition for rehearing shall specify in detail the grounds for relief sought and supporting authorities. Rehearing will be granted only on the basis of some material error of law, material error of fact, or new evidence sufficiently strong to reverse or modify the Order which could not have been previously discovered by due diligence. The agency may order a rehearing or enter an order disposing of the petition without a hearing. If the agency does not enter an order disposing of the petition within 30 days of the filing of the petition, the petition shall be deemed to have been denied at the end of the 30 day period.

A petition for rehearing is not a prerequisite for judicial review.

### B. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in section 227.53, Wisconsin Statutes (copy on reverse side). The petition for judicial review must be filed in circuit court where the petitioner resides, except if the petitioner is a non-resident of the state, the proceedings shall be in the circuit court for Dane County. The petition should name as the respondent the Department, Board, Examining Board, or Affiliated Credentialing Board which issued the Final Decision and Order. A copy of the petition for judicial review must also be served upon the respondent at the address listed below.

A petition for judicial review must be served personally or by certified mail on the respondent and filed with the court within 30 days after service of the Final Decision and Order 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. Courts have held that the right to judicial review of administrative agency decisions is dependent upon strict compliance with the requirements of sec. 227.53 (1) (a), Stats. This statute requires, among other things, that a petition for review be served upon the agency and be filed with the clerk of the circuit court within the applicable thirty day period.

The 30 day period for serving and filing a petition for judicial review commences on the day after personal service or mailing of the Final Decision and Order by the agency, or, if a petition for rehearing has been timely filed, the day after personal service or mailing of a final decision or disposition by the agency of the petition for rehearing, or the day after the final disposition by operation of the law of a petition for rehearing. The date of mailing of this Final Decision and Order is shown above.

The petition shall state the nature of the petitioner's interest, the facts showing that the petitioner is a person aggrieved by the decision, and the grounds specified in section 227.57, Wisconsin Statutes, upon which the petitioner contends that the decision should be reversed or modified. The petition shall be entitled in the name of the person serving it as Petitioner and the Respondent as described below.

### SERVE PETITION FOR REHEARING OR JUDICIAL REVIEW ON:

STATE OF WISCONSIN MEDICAL EXAMINING BOARD  
1400 East Washington Avenue  
P.O. Box 8935  
Madison WI 53708-8935