

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



## Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

### Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscqa>.
- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DRL website:** An individual who believes that information on the website is inaccurate may contact the webmaster at [web@drl.state.wi.gov](mailto:web@drl.state.wi.gov)

-----  
IN THE MATTER OF

DISCIPLINARY PROCEEDINGS AGAINST:

TUYEN T. TRAN, M.D.,

RESPONDENT

**FINAL DECISION AND ORDER**

**LS0102213MED**

-----

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

Tuyen T. Tran, M.D.

206 N. Lawrence Ave.

Tomah WI 54660

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 Tuyen Thanh Tran, M.D. (dob 6/10/67) 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 #34583, first granted on 7/1/93. Respondent is an emergency medicine physician.
2. Respondent did, from 1995-97, prescribe hydrocodone, a Schedule III controlled substance, and oxycodone, a Schedule II controlled substance, to various immediate and extended family members, without keeping any kind of health care chart or record. Approximately 6,000 dosage units were so prescribed.
3. Respondent's prescribing included the writing of prescriptions purportedly to other persons, and having those persons fill the prescriptions at pharmacies, following which the medications would be forwarded to members of respondent's immediate and extended.
4. As a result of the above activity, respondent has entered into a pretrial diversion agreement with the United States Attorney for the Western District of Wisconsin, for 18 months following July, 2000.
5. Respondent's prescribing of these medications was in part for lower back pain caused by repetitive lifting of heavy objects and loads in a work environment. Other prescribing was for what respondent diagnosed as migraine headaches. While in some cases, opioids may be appropriate short term treatment for these conditions, in most cases such treatment is not appropriate. Respondent has no records or other documentation to show that such treatment was appropriate here.

CONCLUSIONS OF LAW

A. 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.

B. The conduct described in paragraph 2, above, violated § Med 10.02(2)(a), Wis. Adm. Code. The conduct described in paragraph 3, above, violated § Med 10.02(2)(p), Wis. Adm. Code. The conduct described in paragraph 5, above, violated § Med 10.02(2)(h), Wis. Adm. Code, and was negligence in treatment. 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 Tuyen T. Tran, M.D., is REPRIMANDED for his unprofessional conduct in this matter.

IT IS FURTHER ORDERED, that respondent shall, no later than 12/31/01, take and satisfactorily complete the following CME courses, which shall be pre-approved by the Board's monitoring liaison, and be of the seminar-type (as opposed to home-study):

A 40 or more hour CME course in appropriate prescribing of controlled substances.

An 8 or more hour CME course in diagnosis and treatment of migraine and other headaches.

Respondent shall cause the course sponsors to release all records relating to his attendance and performance to the Board and its staff, and authorize the sponsors and course staff to discuss his performance with the Board and its staff.

IT IS FURTHER ORDERED, that respondent shall pay the costs of investigating and prosecuting this matter in the amount of \$300, within 30 days 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 February 21, 2001.

WISCONSIN MEDICAL EXAMINING BOARD, by:

Sidney Johnson

A member of the Board