

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF
THE APPLICATION OF

ROBERT E. FARNER, M.D.

Applicant

ORDER ADOPTING STIPULATION

On February 2, 2002, Robert E. Farner, M.D. (applicant) filed his application for a license to practice medicine and surgery in Wisconsin. In May, 2000, applicant was sentenced to 13 months in a federal correction institution following his conviction for coercion of a minor and, on December 7, 2001, his license to practice medicine and surgery in Texas was limited. Based on these occurrences, applicant was asked to appear before the Wisconsin Medical Examining Board in connection with his application, and he appeared on June 19, 2002.

The board and Dr. Farner thereafter entered into a Stipulation, by which the board agreed to grant, and Dr. Farner agreed to accept, a limited license to practice medicine and surgery in Wisconsin.

Based upon that Stipulation, it is ordered as follows:

ORDER

NOW, THEREFORE, IT IS ORDERED that Robert E. Farner, M.D. (applicant) be, and hereby is, granted a limited license to practice medicine and surgery imposing the following terms and conditions:

1. The term of the license shall be for three months. Applicant may petition for further three month extensions of the license, and such petitions shall be granted conditioned upon satisfactory evidence of compliance with the following terms and conditions during the preceding three month period.
2. Applicant shall practice only in a group or institutional setting approved in advance by the board or its agent. Applicant shall provide a copy of the order adopting the terms of this Stipulation to the administrator of the practice group or institution.
3. Applicant shall have a chaperone immediately present any time that applicant performs a physical examination on a female patient. Applicant shall make a notation on the patient's chart that a chaperone was present, and the chaperone shall initial the notation in confirmation that the chaperone was present.

4. Applicant shall participate in individual therapy sessions for the first year of the limited license with a psychiatrist or psychologist approved by the board upon a schedule as recommended by the therapist, but not less than once weekly. Such therapy shall be conducted by the therapist, or another qualified therapist as designated by the therapist and acceptable to the Board. After the first year of limitation, this requirement or therapy sessions may be modified only upon written petition, and a written recommendation by the therapist expressly supporting the modifications sought. A denial of such petition for modification shall not be deemed a denial of the license under §§ 227.01(3) or 227.42, Wis. Stats., or ch. RL 1, Wis. Adm. Code, and shall not be subject to any right to further hearing or appeal.

5. The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including receiving and coordinating all reports and petitions, and requesting additional monitoring and surveillance. The Department Monitor may be reached as follows:

Department Monitor
Department of Regulation Division of Enforcement
P.O. box 8935
Madison, WI 53708-8935
FAX (608) 266-2264
TEL. (608) 267-3817

6. Applicant shall be responsible for submission of formal written reports prepared by the therapist on a quarterly basis, as directed by the Department Monitor. These reports shall assess applicant's activities and progress in therapy; and shall include current mental status examinations, pertinent history and social background information, and updated recommendations for applicant's care. The therapist must agree to report immediately to the Department Monitor any violation or suspected violation of the Board's Final Decision and Order adopting this Stipulation.

7. Applicant shall be responsible for submission of formal written reports prepared by the administrator of his practice group or institution setting forth applicant's activities and progress in his practice.

8. Applicant shall provide and keep on file with the therapist, and all treatment facilities and personnel, current releases which comply with state and federal laws authorizing release of all medical and treatment records and reports, and permitting all treating physicians and therapists to disclose and discuss the progress of applicant's treatment and rehabilitation with the Board or any member thereof, or with any employee of the Department of Regulation and Licensing acting under the authority of the Board. Copies of these releases shall be filed simultaneously with the Department Monitor.

9. Applicant is responsible for compliance with all of the terms and conditions of the Board's Order. It is the responsibility of applicant to promptly notify the Department Monitor of any suspected violations of any of the terms and conditions of this Order, including any failures of the therapist or therapists to conform to the terms and conditions of this Order.

10. Applicant shall appear before the board once each year on the anniversary of the board's order, unless such appearance is waived by the board. Such appearances shall be for the purpose of monitoring applicant's practice and addressing issues related to applicant's compliance with the terms and conditions of the board's order.

11. Applicant shall comply with the terms of his criminal probation arising from his federal criminal conviction.

12. Applicant may petition the Board for modification of the terms of the limited license. Any such petition shall be accompanied by a written recommendation from applicant's therapist expressly supporting the specific modifications sought. Denial of the petition in whole or in part shall not be considered a denial of a license within the meaning of Sec. 227.01(3)(a), Stats. and applicant shall not have a right to any further hearings or proceedings on any denial in whole or in part of the petition for modification of the limited license.

13. Applicant shall report to the Board any change of employment status, residence, address or telephone number within five (5) days of the date of a change.

14. Violation of any of the terms of this Order shall be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of applicant's license. The Board in its discretion may in the alternative deny an extension of the license or impose additional conditions and limitations or other discipline.

Dated this 1st day of August, 2002.

STATE OF WISCONSIN

MEDICAL EXAMINING BOARD

Virginia S. Heinemann

Secretary