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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	FINAL DECISION
	:	AND ORDER
MILAN A. JECKLE, M.D.,	:	LS0208221MED
RESPONDENT	:	

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

Milan A. Jeckle, MD
905 North Pine, Number B
Spokane, WA 99206

State of Wisconsin
Medical Examining Board
P.O. Box 8935
Madison, WI 53708

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, Wisconsin 53708-8935

An evidentiary hearing in this matter was held on October 1, 2002, before Administrative Law Judge William A. Black. The Division of Enforcement appeared by Attorney Steven M. Gloe. The respondent, Milan A. Jeckle M.D., did not appear at the hearing, and did not file an Answer to the Complaint. At the hearing, Steven M. Gloe moved for default, and the motion was granted pursuant to Wis. Admn. Code §§ RL 2.09(3), (4) and RL 2.14. The administrative law judge filed his Proposed Final Decision and Order on October 10, 2002, and Mr. Gloe filed objections to the Proposed Decision on August 22, 2002. The board considered the matter on November 20, 2002.

Based upon the entire record in this matter, the Medical Examining Board makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Milan A. Jeckle, MD (DOB June 30, 1937) is duly licensed to practice medicine and surgery in the state of Wisconsin (license #16332). This license was first granted on April 5, 1968.

2. The respondent's most recent address on file with the Wisconsin Medical Examining Board is 905 North Pines, Number B, Spokane, WA 99206.

3. On or about December 14, 2000, the Washington Department of Health, Medical Quality Assurance Commission, (MQAC), imposed disciplinary action against the respondent based upon the respondent entering into Stipulated Findings of Fact, Conclusions of Law and an Agreed Order, (*Agreed Order*). (Admitted as Exh. A) The factual basis for the imposition of discipline against the respondent in Washington included the following:

- a. Violating rules and regulations regarding prescribing, administering and dispensing of the controlled substances fenfluramine and phentermine;
- b. Allowing the respondent's office staff to practice outside the scope of their licensed practice, and;
- c. Permitting a staff employee to practice as a nurse when the staff employee had no such license or certificate.

4. The discipline imposed by the state of Wisconsin MQAC consisted of license probation for a period of three years with conditions of practice imposed regarding the prescribing, administering and dispensing of prescription drugs, as well as completion of required continuing education. (Exh. A)

5. On or about June 4, 2001, the Idaho State Board of Medicine imposed disciplinary action against the respondent's Idaho license to practice medicine. The basis for the imposition of discipline against the respondent in Idaho was the state of Washington action against the respondent. (Admitted as Exh. B)

6. The Idaho State Board of Medicine ordered reciprocal discipline to that of the state of Washington MQAC.

7. The respondent was properly served by mail with the complaint in this matter on August 22, 2002.

8. The respondent did not file an answer to the complaint or appear at the evidentiary hearing on this matter.

CONCLUSIONS OF LAW

1. The Medical Examining Board has jurisdiction in this matter pursuant to Wis. Stats. § 448.02(3).

2. By failing to file an Answer as required by Wis. Admn. Code § RL 2.09, the respondent is in default under Wis. Admn. Code § RL 2.14.

3. The allegations contained in the complaint are deemed admitted under Wis. Admn. Code § RL 2.09(3).
4. By the conduct described in the Findings of Fact, Milan A. Jeckle, MD, is subject to disciplinary action against his license to practice medicine and surgery in the state of Wisconsin, pursuant to Wis. Stats., § 448.02(3), and Wisconsin Administrative Code § Med 10.02(2)(q).

ORDER

NOW, THEREFORE, IT IS ORDERED that the license of Milan A. Jeckle, MD, is hereby suspended for an indefinite period. Should Dr. Jeckle wish to resume his practice of Medicine and surgery in Wisconsin, he may petition the board for termination of the suspension, and he shall appear before the board in support of any such petition.

IT IS FURTHER ORDRED that Milan A. Jeckle, MD, shall be assessed full costs incurred in this matter.

EXPLANATION OF VARIANCE

The board has accepted the proposed Findings of Fact and Conclusions of Law recommended by the administrative law judge (ALJ) in their entirety. But while the ALJ recommended that Dr. Jeckle be reprimanded, the board instead orders that his license be suspended indefinitely. Should Dr. Jeckle wish to resume his practice in Wisconsin, he may petition the board for termination of the suspension, and shall appear before the board in support of any such petition. In varying from the ALJ's recommended Order, the board is mindful of the fact that Dr. Jeckle didn't appear for the hearing, and didn't even bother to file an answer to the Complaint. Accordingly, the record in this case lacks any evidence in mitigation or any explanation of his actions in the State of Washington leading to his discipline in that state. The board therefore deems it appropriate to prohibit his further practice in this state until he has petitioned the board to permit him to do so, and appears before the board to permit the board to evaluate his rehabilitative status.

Dated this 22nd day of November, 2002.

STATE OF WISCONSIN

MEDICAL EXAMINING BOARD

Virginia Heinemann

Secretary