

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
DAVID D. DARCY, M.D.,	:	LS0211201MED
RESPONDENT.	:	

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02 MED 364

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

David D. Darcy, M.D.  
P.O. Box 18  
Marinette, WI 54143

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 David D. Darcy (dob 11/22/42) 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 # 20-19002, first granted on July 23, 1974. Respondent is a general practitioner.

2. Respondent is the subject of monitoring by the Board as a result of an order entered in case 98 MED 316 on May 19, 1999. By order dated May 22, 2002, the Board denied Respondent's request for a stay of suspension of his license due to his failure to comply with drug screen requirements. Respondent was served with a copy of the order denying the stay of suspension on June 11, 2002.

3. Respondent engaged in the practice of medicine from June 11, 2002, until June 25, 2002, while his license was suspended.

#### CONCLUSIONS OF LAW

4. The Wisconsin Medical Examining Board has jurisdiction to act in this matter pursuant to sec. 448.02(3), Wis. Stats. and is authorized to enter into the attached Stipulation pursuant to sec. 227.44(5), Wis. Stats.

5. The conduct described in paragraph 3, above, violated sec. 448.03(1) Stats. and sec. Med 10.02(2)(b), Wis. Adm. Code. 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 David D. Darcy is REPRIMANDED for his unprofessional conduct.

IT IS FURTHER ORDERED, that respondent shall pay the costs of investigating and prosecuting this matter in the amount of \$ 400.00, within 30 days of this order.

IT IS FURTHER ORDERED, that pursuant to sec. 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 20<sup>th</sup> day of November, 2002.

WISCONSIN MEDICAL EXAMINING BOARD

Virginia Heinemann

Board Secretary