

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF	:	
THE APPLICATION OF	:	FINAL DECISION AND ORDER
	:	
BLAKE B. LEMKE, D.O.,	:	LS0307235MED
APPLICANT.	:	03 MED 288

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

Blake B. Lemke, D.O.
1447 Strathmoor
Grand Rapids, MI 49506

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. Applicant Blake B. Lemke (dob 9/7/71) is and was at all times relevant to the facts set forth herein a physician and surgeon who has applied to be licensed in the State of Wisconsin. She is presently licensed in Michigan.
2. Applicant and her spouse, also a physician, applied at the same time to become licensed in

Wisconsin. Part of this process is a take-home examination on Wisconsin law relating to the practice of medicine; the applicant receives the exam at home and mails in the answer sheet. During the license application process, applicant's spouse submitted an answer sheet to the state law examination which resulted in a score of 25%. Upon examination, the answers on his answer sheet are identical in every respect to the answers given by applicant on her answer sheet. However, applicant and her spouse was given a different versions of the examination; her score was 97% (two wrong). Examination of the test booklets shows a number of notations apparently in her handwriting showing what pages of the code book are relevant to the test question.

3. Applicant asserts that she did not discuss the questions or answers with her spouse, and that she followed all the rules for taking the test. She writes: "We did share page numbers for references on a few questions that were not easily answered." By implication, she asks the Board to infer that if there was wrongdoing, she played no part in it.

4. The Board finds that the coincidence is too great to permit it to accept this explanation.

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 ¶2, above, violated § Med 10.02(2)(u), 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. Applicant may become licensed as a physician and surgeon in Wisconsin, subject to the following terms and conditions:

IT IS FURTHER ORDERED, that Blake B. Lemke, D.O., is REPRIMANDED for her unprofessional conduct in this matter.

IT IS FURTHER ORDERED, that applicant shall arrange to sit for the Wisconsin law examination, in person in Madison, at the offices of the Department of Regulation and Licensing. She shall pay all the costs of the proctor to be furnished by the Department. If applicant passes the examination, she shall be issued a license by staff without further order of the Board.

IT IS FURTHER ORDERED, that applicant shall, within six months of the date of this order, take the Physician Renewal In Medicine through Ethics (PRIM-E) educational program offered by the University of Medicine and Dentistry of New Jersey, or an equivalent program approved by the Board. Following this program, applicant shall arrange to appear before the Board for the purposes of assuring the Board that she understands her ethical obligations as a physician, and will practice medicine with high ethical standards.

IT IS FURTHER ORDERED, that applicant shall pay the COSTS of investigating and prosecuting this matter of \$400 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 applicant has violated any term of this Final Decision and Order, the Board may order that the license and registration of applicant be summarily suspended pending investigation of the alleged violation.

Dated this July 23, 2003.

WISCONSIN MEDICAL EXAMINING BOARD

Alfred Franger

A Member of the Board