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BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 : LS0111191MED
THOMAS M. ROWE, M.D., :
RESPONDENT. :

ORDER DENYING PETITION

On January 23, 2002, the Medical Examining Board entered its Final Decision and Order in the above-captioned matter. By the terms of the board's Order, Dr. Rowe's license was suspended for a minimum of one (1) year. In consideration of the period of time that Respondent had not practiced under his license, the effective date of the commencement of the suspension was retroactive to July 23, 2001.

The suspension of Respondent's license was to end after the one year period, upon Respondent providing proof sufficient to the Board that he had taken and completed a one day educational program addressing appropriateness of boundaries between health care professionals and their patients or clients. He was also required prior to reinstatement of his license to undergo an assessment by a mental health care practitioner or practitioners with experience in assessing health care practitioners who have become involved sexually with patients. The assessment was required to conclude that in the assessor's opinion to a reasonable degree of professional certainty, Dr. Rowe can practice with reasonable skill and safety to patients and public.

Finally, the board was authorized to limit Dr. Rowe's license in any manner necessary to address issues raised by the facts of this case or by the assessment, including, but not limited to:

- a. Psychotherapy, at Respondent's expense, by a therapist approved by the Board, to address specific treatment goals, with periodic reports to the Board by the therapist.

- b. Additional professional education in any identified areas of deficiency.

- c. Restrictions on the nature of practice or practice setting or requirements for supervision of practice, by a professional approved by the Board, with periodic reports to the Board by the supervisor.

On January 22, 2003, Dr. Rowe appeared before the board in support of his petition to reinstate his license. He provided evidence at that time of his completion of the required continuing education, and the board had received an assessment performed pursuant to the Order by Timothy D. Schultz, Ph.D. The assessment provided to the board did not, however,

include the conclusion that Dr. Rowe, to a reasonable degree of professional certainty, can practice with reasonable skill and safety to patients and public. Instead, the assessment concludes in the last sentence that “[the board] should be satisfied that Dr. Rowe learns [the] concepts and proscriptions for a treating professional before he is considered for reinstatement.”

At his appearance, Dr. Rowe indicated that he had some beneficial interpersonal contact with Dr. Gary R. Schoener, Minnesota licensed psychologist, who coordinated the training program which Dr. Rowe attended. Accordingly, based on the foregoing, the board orders as follows:

ORDER

NOW, THEREFORE, IT IS ORDERED that the petition of Thomas M. Rowe, M.D., for reinstatement of his license is denied.

IT IS FURTHER ORDERED that Dr. Rowe may renew his petition after undergoing a second assessment by Dr. Gary Schoener, or by a therapist recommended by Dr. Schoener. The assessment shall conclude whether in the professional opinion of the assessor, Dr. Rowe may safely and competently return to practice, and shall include recommendations, if any, as to limitations which should be placed on the license.

Dated this 30th day of January, 2003.

STATE OF WISCONSIN

MEDICAL EXAMINING BOARD

Alfred L. Franger, M.D.

Secretary