

# 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 THE DISCIPLINARY  
PROCEEDINGS AGAINST

THOMAS L. HOLBROOK, M.D.,  
Petitioner

ORDER GRANTING REINSTATEMENT  
OF LIMITED LICENSE  
LS0103261MED

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Dr. Thomas L. Holbrook  
34700 Valley Road  
Oconomowoc, WI 53066

On September 15, 2004, the petitioner appeared before the Medical Examining Board to request reinstatement of his suspended medical license, pursuant to the order dated August 22, 2001, which provides that the Board may terminate the suspension of his license upon a showing of compliance with terms and conditions of the Board order. Based upon all information of record herein, and good cause shown, the Board finds and makes the following:

ORDER

NOW, THEREFORE, IT IS ORDERED that the request for reinstatement of the license of THOMAS L. HOLBROOK, to practice medicine and surgery in Wisconsin (lic.# 17769) is hereby granted.

IT IS FURTHER ORDERED that the license reinstated to the petitioner shall be limited for an INDEFINITE period as follows:

1. Supervised Practice

The petitioner shall practice only under the supervision of a professional mentor. The mentor shall be a qualified psychiatrist pre-approved by the Board. The petitioner shall meet regularly face-to-face with his mentor to discuss his work during the first year of his practice and make available any work materials that the mentor may need to review in order to fulfill his duties. In addition, the mentor shall prepare written quarterly reports to the Board or its designee indicating whether the petitioner is practicing in a competent manner and observing appropriate boundaries with his patients. The mentor shall immediately report to the Department monitor, any behavior or condition which may constitute unprofessional conduct or a violation of the Board order by the petitioner. The mentor shall have no duty or liability to any patient or third party, as the mentor's sole duty is to the Board. The mentor shall be given a copy of this order and the August 22, 2001 order, which describes the petitioner's violations and the mentor's duties.

2. Therapy Requirement

- a) The petitioner shall arrange for and receive therapeutic counseling from a qualified psychotherapist pre-approved by the Board, who may be a psychologist or psychiatrist. The approved psychotherapist shall have access to any assessments or evaluations of petitioner related to the Board's disciplinary action, and a copy of all orders of the Board.
- b) The required therapeutic counseling may consist of individual or group sessions as recommended by the psychotherapist, but at an initial frequency no less than one session per week.
- c) The psychotherapist must submit written reports to the Board on a quarterly basis verifying the petitioner's compliance with the therapy requirement. The psychotherapist shall immediately report to the Department monitor, any behavior or condition which may constitute unprofessional conduct or violation of the Board orders by the petitioner.

3. Limitations Required to Maintain Active Wisconsin Medical License

In order to maintain an active medical license in Wisconsin, the petitioner must observe and fulfill these limitations regardless whether he returns to practice in Wisconsin or commences practice in any other jurisdiction within or outside of the United States.

4. Reporting to the Board

Any requests, petitions, reports and other information required by this order to be submitted to the Board shall be mailed, e-mailed, faxed or delivered to:

Department Monitor, Department of Regulation and Licensing  
1400 East Washington Ave., P.O. Box 8935  
Madison, WI 53708-8935  
Fax: (608) 266-2264, Telephone: (608) 267-3817  
[department.monitor@drl.state.wi.us](mailto:department.monitor@drl.state.wi.us)

5. Change of Provider or Approved Program by Board

If the Board or its designee determines that the pre-approved mentor or psychotherapist has failed to satisfy the terms and conditions of this Order, or is otherwise unable to fulfill the requirements, the Board or its designee may direct that the petitioner seek approval of another mentor or psychotherapist.

#### 6. Petitions for Modification

Any petition for modification of the terms of this order shall be accompanied by a written recommendation from the petitioner and the provider expressly supporting the specific modifications sought. Denial of a petition in whole or in part shall not be considered a denial of a license within the meaning of §227.01(3)(a), Stats., and there shall not be a right to any further hearings or proceedings on the denial.

#### 7. Annual Appearance

The petitioner shall make an annual appearance before the Board to answer any questions that the Board may have concerning his compliance with this order. The Board, in its discretion, may modify the terms of the order, based on any information received at the annual appearance or from the Department Monitor.

#### 8. Summary Suspension

a) The petitioner's limited license shall be subject to summary suspension, in the interests of public health and safety, for a violation of any terms of the order provided that the Board determines that there is good cause for summarily suspending the license. The summary suspension shall become effective upon:

(1) Mailing to the petitioner's last-known address provided to the Department of Regulation and Licensing, or;

(2) Actual notice to the petitioner or his attorney.

b) The petitioner may request a hearing on the imposition of the summary suspension, and such hearing shall be conducted under the procedures set forth in ch. RL 2, Wis. Admin. Code. The hearing shall be held in a timely manner with the evidentiary portion of the hearing completed within sixty (60) days of receipt of the petitioner's request, unless otherwise waived.

c) The request for a hearing does not stay the suspension during the pendency of the hearing process. After a hearing, or in lieu of a hearing, the limited license may be reinstated, if the petitioner is in compliance with the order and it is deemed appropriate for the suspension to be vacated. The decision whether to reinstate the license shall be wholly in the discretion of the Board or its designee.

d) The sufficiency of the proof of compliance shall be determined by the Board or its designee in its discretion. The suspension will be tolled during any period that the petitioner is not working as a physician.

#### 9. Additional Discipline

In addition to a basis for summary suspension, violation of any term of this order may be the basis for a separate disciplinary action under § 448.02, Stats. The rights of a party aggrieved by this Decision to petition the Section for rehearing and to petition for judicial review are set forth on the attached "Notice of Appeal Information".

This Order is effective upon the date of signing.

STATE OF WISCONSIN  
WISCONSIN MEDICAL EXAMINING BOARD

Lief W. Erickson, Jr., M.D.  
Secretary of the Board

9-20-04  
Date