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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS AGAINST : **FINAL DECISION AND ORDER**
:
CHANNING C. WIERSEMA, M.D., :
RESPONDENT. : LS0403177MED

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

Channing C. Wiersema, MD
2401 Plover Rd.
Plover, WI 54467

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 Channing C. Wiersema (dob 12/14/57) 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 #38945, first granted on 7/11/97. Respondent is a family practitioner, and is certified by the American Board of Family Practice.

2. On 6/27/01, respondent first examined RV, a male born in 1959. Respondent became this patient's primary care physician and managed the patient's chronic lower back pain at various times in 2001 and 2002. Although the chart states that the patient had a history of drug abuse, there is no AODA history charted, nor are there urine drug screens at any time, nor is there any indication that the patient was examined for signs of drug abuse such as track marks. Although chronic opioid therapy was used, there is no written medication agreement. Respondent prescribed methylphenidate for the patient without a recorded indication for its use. At no time was a consultation from an addictionologist requested.

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, constitutes negligence in treatment. Such conduct is a basis for discipline under §448.02(3)(b), Wis. Stats.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

IT IS FURTHER ORDERED, that the license to practice medicine and surgery of Channing C. Wiersema, MD, is LIMITED as provided in §448.02(3)(e), Wis. Stats., and in the following respect: no later than December 31, 2004, respondent shall take and successfully pass a 40 or more hour course in appropriate prescribing of controlled substances, which course shall have been pre-approved by the Board or its designee. Respondent shall cause the program sponsor to send the certificate and any course records requested, directly to the Board, and shall permit the Board, including department staff, to discuss respondent's participation and performance, with the course sponsor and staff. If there is a pre-test offered, respondent shall take the pre-test and the score shall also be reported to the Board. The course offered by Case Western Reserve University School of Medicine is approved; respondent may request approval of other courses which are substantially equivalent.

IT IS FURTHER ORDERED, that respondent shall pay the COSTS of investigating and prosecuting this matter of \$900 within 60 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 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 March 17, 2004.

WISCONSIN MEDICAL EXAMINING BOARD

Alfred Franger
A Member of the Board