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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
JAMES L. CARLSON, M.D., : LS0407211MED
RESPONDENT. :

Division of Enforcement Case No. 03 MED 088

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

James L. Carlson, M.D.
5006 Morning Dew Lane
Monroe, NC 28110

Medical Examining Board
Department of Regulation and Licensing
PO Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
PO Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

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 Wisconsin Medical Examining 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. James L. Carlson, M.D. (DOB 11/20/59) is duly licensed to practice medicine and surgery in the state of Wisconsin (license #20-39456). This license was first granted on November 21, 1997. Dr. Carlson’s registration expired on October 31, 2003 and has not been renewed. Dr. Carlson’s specialty is family practice.
2. Dr. Carlson’s most recent address on file with the Wisconsin Medical Examining Board is 5006 Morning Dew Lane, Monroe, NC 28110.
3. On February 19, 2003 the North Carolina Medical Board issued a Consent Order which surrenders the unrestricted license of Dr. Carlson to practice medicine in North Carolina and grants a license with conditions. The factual basis for the imposition of discipline against Respondent in North Carolina involved: 1) “in 2002, Dr. Carlson sexually harassed two nurses during the final year of his residency at Carolinas Medical Center.” 2) “Dr. Carlson has a history of sexually harassing coworkers.” A true and correct copy of the North Carolina Board’s Stipulation and Order is attached to this document as Exhibit A. Exhibit A is incorporated into this document by reference.

4. In resolution of this matter, Dr. Carlson consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction to act in this matter, pursuant to sec. 448.02(3), Stats. and is authorized to enter into the attached Stipulation and Order, pursuant to sec. 227.44(5), Stats.
2. The conduct described in paragraph 3, above, constitutes a violation of Wisconsin Administrative Code § Med 10.02(2)(q).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that

1. The license of James L. Carlson, M.D. (license #20-39456) to practice medicine and surgery in the State of Wisconsin is SUSPENDED for an INDEFINITE PERIOD OF TIME.

IT IS FURTHER ORDERED that:

2. Respondent may petition the Board for the end of the suspension when he can demonstrate that he possesses an unlimited license in the State of North Carolina.

- a. In conjunction with a petition by Respondent, the Board shall require documentation of Respondent's compliance with the terms and conditions imposed against his license to practice medicine in North Carolina.

- b. In the exercise of its discretion, the Board in addition may require a personal appearance by Respondent to answer questions in conjunction with his petition. The Board may in addition require the Respondent to undergo and may consider the results of one or more physical, mental or professional competency examinations if the Board believes that the results of any such examinations may be useful to the Board.

- c. Denial in whole or in part of a petition under this paragraph shall not constitute denial of a license and shall not give rise to a contested case within the meaning of Wis. Stats. §§ 227.01(3) and 227.42. Upon its completion of review of a petition under this Order, the Board may in its discretion impose such terms and conditions upon Respondent's license as the Board finds appropriate to protect patient and public health, safety and welfare.

3. Respondent shall, within thirty (30) days from the date of this Order, pay partial costs of this proceeding in the amount of one hundred (\$100.00) dollars. Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P. O. Box 8935
Madison, WI 53708-8935
Tel. (608) 267-3817
Fax (608) 266-2264

4. Violation of any of the terms of this Order or the conditions imposed as a result of this Order shall be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions, terms and limitation or other additional discipline for a violation of any of the terms of this order.

5. This Order shall become effective on the date of its signing.

MEDICAL EXAMINING BOARD

Alfred Franger	7-21-04
A Member of the Board	Date