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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	ORDER MODIFYING FINAL DECISION
	:	
PERRY G. COALMON, M.D.,	:	LS-0108223-MED
RESPONDENT.	:	

99 MED 56, 00 MED 394

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

Perry G. Coalmon, MD
139 N. Ashland Ave.
Green Bay, WI 54303

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, 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 Perry Gene Coalmon (dob 12/10/54) 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 #30001, first granted on 2/23/89. He is not certified by any board recognized by the American Board of Medical Specialties. On August 22, 2001, Respondent was disciplined in files 99 MED 56 and 00 MED 394 for inadequate recordkeeping for his controlled substance prescribing, for failing to timely renew his registration, and for the matters described in par. 2, below, all while in solo practice. As a result of that discipline his license is currently suspended and he has been unable to complete the requirements needed to finish his suspension and resume practice, nor has he been able to renew his license since 10/31/01.
2. Respondent did, on or before June 8, 1999, fail to pay his Patient Compensation Fund (PCF) assessment, but continued to practice medicine until he paid a partial past assessment on or about March 28, 2000. He also failed to have underlying malpractice insurance coverage between March 24, 2000 and September 30, 2000, but practiced medicine during this time. Additionally, he did not pay his PCF assessment for the period November 15, 1999 to January 1, 2000. More than three years have passed since those periods, and Respondent has not been informed of any claims, nor served with any request for mediation or any civil complaint alleging malpractice. The PCF has informed the Board that Respondent is exempt from compliance at this time, and has been exempt from compliance continuously since 12/31/01; they therefore consider him to be in compliance.
3. Respondent has not yet paid any of the costs assessed by the August 22, 2001, Order (the due date for which was extended by the Board at Respondent's request on March 20, 2002), and represents to the Board that the sole reason for this is financial inability.
4. Respondent has taken the following: "Recordkeeping and the Law," sponsored by the Wisconsin Medical Society, 6.0 Category I CME hours, 11/6/03; and "Intensive Course in Medical Record Keeping," Case Western Reserve University,

Continuing Medical Education, 6.5 Category I CME hours, June 15-16, 2006. He may receive an additional 4.0 hours of CME credit if he submits medical records for review, three and six months following the course. The Board finds that these courses, taken together and when completed, are the substantial equivalent of the record keeping course ordered in its previous order, and that the recordkeeping course requirement of the Board's order will be satisfied when Respondent completes the record review portions of the Case Western University course.

5. Respondent has satisfactorily completed the "Mini-Residency in Proper Prescribing of Controlled Dangerous Substances," as required by the Board's order of August 22, 2001.

6. Respondent has not practiced medicine since late 2001, but has taken "Practical Therapeutics" offered by the University of Wisconsin—Continuing Medical Education office, October 25-December 20, 2005, and received 44 Category I CME credits.

CONCLUSIONS OF LAW

A. The Wisconsin Medical Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 448.02(3), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

B. This Order represents an accommodation to Respondent to permit him to satisfy the requirements of the August 22, 2001, Final Decision & Order, and is extended to Respondent in the Board's discretion.

ORDER

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

IT IS FURTHER ORDERED, that Respondent's suspension is terminated, and his license may be renewed by payment of all required fees. Respondent's license is LIMITED as provided in Wis. Stat. § 448.02(3)(e), until all requirements of this order and the order of August 22, 2001, are completed, and as follows: Respondent shall practice only in a setting pre-approved by the Board or its designee, and shall not practice as a solo practitioner. As long as Respondent's license is limited in any respect, this Order and the Order of August 22, 2001, shall be provided to any employer (or provider who contracts for Respondent's professional services as a health care provider) before Respondent commences practice with that employer (or contractor). Respondent shall report any change of address, telephone number, or employer (including any contracts to provide health care as an independent contractor), within 5 days of such change. Respondent shall also submit samples of patient health care records kept by him, to the *Intensive Course in Medical Record Keeping* staff, at the intervals set by the course staff, and shall make any recommended changes in his charting practices. He shall cause a copy of the final summary letter to be sent to the Department Monitor; it is a violation of this Order for such letter to state that Respondent has not satisfactorily completed the objectives of the course. Respondent may petition for termination of all limitations, and restoration of unlimited licensure, one year after the final summary letter from the *Intensive Course in Medical Record Keeping* is issued.

IT IS FURTHER ORDERED, that the Costs previously imposed shall be paid, together with accrued interest from 12/1/02, no later than 12/31/06, and the deadline for payment is extended to that date. If not paid in full by that date, Respondent's license shall be SUSPENDED without further action by the Board, until paid in full.

IT IS FURTHER ORDERED, that the Board's requirement that as a condition of ending his suspension Respondent obtain tail coverage and pay the PCF assessments (for the periods in 1999 and 2000 for which he did not have coverage) is waived, as the normal statute of limitations has run for those periods, and little additional protection of the public will be obtained by requiring such coverage now.

IT IS FURTHER ORDERED, that before commencing any clinical practice of medicine in a setting in which malpractice insurance and/or PCF coverage is required, Respondent shall satisfactorily demonstrate to the Department Monitor that he is then covered by malpractice insurance and the PCF. For any practice which he may undertake while subject to this order; Respondent is referred to Wis. Stat. § 655.23(7), which states in part... "Each health care provider shall comply with this section and with § 655.27(3)(a) before exercising any rights or privileges conferred by his or her health care provider's license..."

IT IS FURTHER ORDERED, that unless expressly modified by this Order, the Board's order of August 22, 2001, remains in full force and effect.

Dated this August 16, 2006.

WISCONSIN MEDICAL EXAMINING BOARD, by:

by: Bhupinder Saini MD
A Member of the Board