

# 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 : FINAL DECISION AND ORDER  
: :  
: :  
KARA J. HAMILTON, P.A., :  
RESPONDENT. : ORDER 0000150  
:

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Division of Enforcement Case No. 09 MED 282

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

Kara J. Hamilton, P.A.  
8293 Quail Point  
Neenah, WI 54956

Wisconsin Medical Examining Board  
P.O. Box 8935  
Madison, WI 53708-8935

Wisconsin Department of Regulation and Licensing  
Division of Enforcement  
P.O. 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 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. Kara J. Hamilton, P.A. (DOB December 23, 1975) is duly licensed as a physician's assistant in the state of Wisconsin (license no. 1370-23). This license was first granted on November 7, 2001.
2. Respondent's address of record with the Wisconsin Medical Examining Board is 8293 Quail Point, Neenah, Wisconsin 54956.

3. At all times relevant to this action, Respondent was working as a physician's assistant at Riverview Hospital in Wisconsin Rapids, Wisconsin.
4. Respondent prescribed the following medications for her fiancé:
  - a. January 25, 2009- Valtrex, 500mg, 18 tablets.
  - b. February 13, 2009- Hydrocodone, 7.5mg, 30 tablets.
  - c. March 16, 2009- Hydrocodone, 5mg, 60 tablets.
  - d. March 31, 2009- Hydrocodone, 5mg, 120 tablets (2: 60 tablet refills).
  - e. March 31, 2009- Lorazepam, 2mg, 60 tablets.
  - f. April 17, 2009- Valtrex, 500mg, 18 tablets.
  - g. May 18, 2009- D-Amphetamine Salt Combo, 30mg, 60 tablets.
  - h. June 2, 2009- Valtrex, 500mg, 18 tablets.
  - i. June 8, 2009- Hydrocodone, 10mg, 90 tablets.
  - j. July 1, 2009- Hydrocodone, 10mg, 90 tablets.
  - k. July 13, 2009- Amphetamine Salt Combo, 30mg, 83 tablets.
5. On July 14, 2009, Respondent's fiance attempted to fill a prescription for Adderall 30mg at a local pharmacy. Insurance rejected the claim. Respondent's fiancé had already filled the prescription at another pharmacy on July 13, 2009. Respondent wrote and signed the prescription on a Riverview Hospital prescription pad.
6. Respondent's fiance has not been a patient of Riverview Hospital since March 2008. There are no medical entries correlating to the above prescriptions or prescription dates.
7. Respondent's employment at Riverview Hospital was terminated on ~~July 27, 2009~~ August 3, 2009. (Amended 07/02/10)
8. Respondent stated she wrote the prescriptions because her fiance threw his back out. She denied seeing him as a patient; he was never seen in a clinical or hospital setting. Respondent thought it was permissible to prescribe for family members if she saw a need and if they followed up with a physician. Respondent claimed to have made personal records that included the dates she prescribed the medications. She did not keep the records and could not produce them at the Division's request. Respondent stopped prescribing medications to her fiance in June or July 2009 when he started seeing his own doctor.
9. On November 30, 2009, Respondent began work as a physician's assistant at Waukesha Memorial Hospital.
10. Hydrocodone is a Schedule III controlled substance pursuant to Wis. Stat. § 961.16(2)(a)7.
11. Lorazepam is a Schedule IV controlled substance pursuant to Wis. Stat. § 961.20(2)(er).
12. Wisconsin Admin. Code § MED 8.08 provides that physician assistants may not prescribe drugs independently.

13. Wis. Admin. Code § MED 8.07 provides that it is outside the scope of a physician assistant's practice to prescribe medications without supervision by a physician.

#### CONCLUSIONS OF LAW

1. 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 and Order, pursuant to Wis. Stat. § 227.44(5).

2. Respondent, by engaging in the conduct described above, has engaged in the unprofessional conduct of prescribing controlled substances other than in the course of legitimate professional practice, which is a violation of Wis. Admin. Codes §§ Med 10.02(2)(p) and Med 10.02(2)(z). She is therefore subject to discipline pursuant to Wis. Stat. § 448.02(3).

3. Respondent, by engaging in the conduct described above, has practiced outside the scope of her license, which is misconduct as defined by Wis. Admin. Code § Med 10.02(2)(j). She is therefore subject to discipline pursuant to Wis. Stat. § 448.02(3).

4. Respondent, by engaging in the conduct described above, has failed to maintain medical records as required by law, which is unprofessional conduct as defined by Wis. Admin. Code § MED 10.02(z). She is therefore subject to discipline pursuant to Wis. Stat. § 448.02(3).

#### ORDER

IT IS HEREBY ORDERED that the stipulation of the parties is approved.

IT IS FURTHER ORDERED that Kara J. Hamilton, P.A., is hereby REPRIMANDED.

IT IS FURTHER ORDERED that Kara J. Hamilton, P.A., is LIMITED as follows:

1. Within 9 months of the date of this Final Decision and Order, Respondent shall take and complete 16 hours of continuing education in: a) legal aspects of prescribing, including record keeping; and b) 12 hours of continuing education in prescribing narcotics for pain management. The courses attended in satisfaction of this Order must be pre-approved by the Medical Examining Board or its designee. Respondent will be responsible for locating courses satisfactory to the Medical Examining Board and for obtaining the required approval of the courses from the Medical Examining Board or its designee. Respondent will, within 30 days of completion of this educational requirement, file an affidavit with the Medical Examining Board stating under oath that she has attended in its entirety the courses approved for satisfaction of this requirement along with supporting documentation of attendance from the sponsoring organization. This affidavit and the supporting documentation of attendance will be filed with:

Department Monitor  
Department of Regulation and Licensing  
Division of Enforcement

