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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	FINAL DECISION AND ORDER
	:	
AMY COULTHARD, D.O.,	:	ORDER 0000153
RESPONDENT.	:	

Division of Enforcement Case No. 09 MED 066

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

Amy Coulthard, D.O.
216 Sunset Place
Neillsville, WI 54456

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. Amy Coulthard, D.O. (DOB November 14, 1976) is duly licensed to practice medicine and surgery in the state of Wisconsin (license No. 48375-21). This license was first granted on July 12, 2005.
2. Respondent's address on record with the Wisconsin Medical Examining Board is 216 Sunset Place, Neillsville, WI 54456.

3. At all times relevant to this matter, Respondent was employed as a physician at Platteville Medical Associates, 1240 Big Jack Road, Platteville, WI 53818.
4. In May of 2007, Respondent was finishing her residency at a rural Wisconsin clinic when C.B., DOB 05/14/1985, started work as a medical assistant intern. Respondent moved to Platteville a month later but maintained contact with C.B. By fall 2007, the two began dating. Respondent was aware that C.B. had a felony conviction and was on probation. Respondent believed C.B. had changed and deserved a second chance at life.
5. Respondent dated C.B. until approximately March of 2009. The relationship was a dating relationship but did not include sexual contact.
6. During the time they were dating, Respondent prescribed medications for C.B., his grandfather, and a couple of his friends. The medications included an antidepressant and controlled substances, including oxycodone, hydrocodone and methylin. Respondent did not maintain a physician-patient relationship with C.B.'s grandfather.
7. At times during the dating relationship, Respondent prescribed drugs containing controlled substances without maintaining required medical records at all times, and without complying with the standard of minimal competence for chronic pain management.
8. On New Year's Eve, 2008, Respondent was aware that C.B. took one of the controlled substances she prescribed with alcohol. She told him to take the medication as prescribed, but did nothing else to intervene because, she says, she was intimidated by C.B. and his friend. Respondent never again saw CB or his friend take the controlled substance while consuming alcohol.
9. During a sworn investigative interview on July 30, 2009, Respondent said she had never been present when C.B. snorted controlled substances.
10. The Division's investigation produced a video tape from a telephone camera in which Respondent is depicted observing C.B. snort a line of a powdery white substance that may have been hydrocodone/acetaminophen, which Respondent had prescribed.
11. During the course of their relationship, C.B. cost Respondent more than \$100,000 in credit card charges, overdrafts, and vehicles she purchased for him.
12. Respondent has demonstrated an understanding of the misconduct she committed and expresses appropriate remorse.
13. At the Division's request, between August 1, 2009, and February 18, 2010, Respondent completed the following courses at Case Western Reserve University School of Medicine, and has provided proof of successful completion:

Intensive Course in Medical Ethics, Boundaries & Professionalism and
Follow Up (20.5 cr),

Intensive Course in Medical Record Keeping with Individual
Preceptorships (13.5 cr),
Intensive Course in Controlled Substance Management and Follow Up
(39 cr).

14. Respondent resigned her position and did not practice medicine between June 1 and July 30, 2009.

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 prescribing controlled substances without appropriate documentation, has committed unprofessional conduct as defined by Wis. Admin. Code § Med 10.02(2)(za) and is subject to discipline pursuant to Wis. Stat. § 448.02(3).
3. Respondent, by prescribing controlled substances in a non-emergency situation, without a physician-patient relationship, has committed unprofessional conduct as defined by Wis. Admin. Code § Med 10.02(2)(p) and is subject to discipline pursuant to Wis. Stat. § 448.02(3).
4. Respondent, by prescribing controlled substances to her boyfriend as set out above, has committed unprofessional conduct as defined by Wis. Admin. Code § Med 10.02(2)(p) and is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

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

IT IS FURTHER ORDERED that the license of Amy S. Coulthard, D.O., to practice as a physician in the State of Wisconsin is SUSPENDED for sixty (60) days. The suspension is retroactive to June 1, 2009.

IT IS FURTHER ORDERED that Amy S. Coulthard, D.O., is LIMITED as follows:

1. For a period of two years, Respondent shall not provide non-emergent medical care for family members or for anyone else with whom she has a personal relationship.
2. For a period of two years, Respondent shall not provide medical care outside of a clinic or hospital setting or other settings in which physicians employed by the same employer typically provide care as part of their employment, such as in a nursing home or during a home visit on behalf of her employer, except in emergencies.

3. For a period of not less than one year, Respondent shall continue mental health counseling on at least a monthly basis to address boundary and self-esteem issues with a Treater who shall be pre-approved by the Board or its designee. The Board hereby approves Jerry L. Olson of Hergert & Associates Family Counseling Services, LLC in Marshfield, Wisconsin as the Treater. The Board acknowledges such counseling with such Treater commenced on August 19, 2009 and the one year shall run from such date. Respondent shall arrange with Treater to provide quarterly reports regarding treatment to the Department Monitor.

- a. Respondent shall immediately provide Treater with a copy of this Final Decision and Order and all other subsequent orders.
- b. Respondent shall provide and keep on file with Treater current releases complying with state and federal laws. The releases shall allow the Board, its designee, and any employee of the Department of Regulation and Licensing, Division of Enforcement to discuss the progress of Respondent's treatment. Copies of these releases shall immediately be filed with the Department Monitor.
- c. Respondent shall promptly self report to the Department Monitor any violations of any of the terms and conditions of this Order. Additionally, every three (3) months the Respondent shall notify the Department Monitor of the Respondent's compliance with the terms and conditions of the Order, and shall provide the Department Monitor with a current address and home telephone number.

4. Reports and any other information required by this Order shall be mailed, e-mailed, faxed or delivered to:

Department Monitor
Wisconsin Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935
Fax: (608) 266-2264
Telephone: (608) 267-3817

5. Respondent shall within one hundred eighty (180) days from the date of this Order, pay costs of this proceeding in the amount of \$3,750.00. Payment shall be made payable to the Wisconsin Department of Regulation and Licensing and mailed to the Department Monitor at the address provided in paragraph 4 of the Order.

6. In the event Respondent fails to timely pay costs as ordered or fails to comply with the ordered counseling, Respondent's license (No. 48375-21) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this order. The Board or its designee will remove the suspension, if provided with sufficient information that Respondent is in compliance with the Order and that it is inappropriate for the suspension to remain in effect. The Board in its discretion may impose additional conditions and limitations for a violation of any of the terms of this Order.

7. Respondent is responsible for compliance with all of the terms and conditions of this Final Decision and Order.
8. Except as otherwise indicated, this Order is effective on the date of its signing.

MEDICAL EXAMINING BOARD

By:

Skate MD MA
A Member of the Board

4/21/10
Date