

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

JAY R. ZARETSKY, M.D.,
RESPONDENT.

FINAL DECISION AND ORDER

ORDER 0000 592

Division of Enforcement Case No. 10MED360

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

Jay R. Zaretsky, M.D.
Respondent
7343 256th Street
Wyoming, MN 55092

Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935

Wisconsin Medical Examining Board
Department of Regulation and Licensing
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 Medical Examining Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Jay R. Zaretsky, M.D., Respondent, date of birth May 17, 1957, is licensed and currently registered by the Medical Examining Board (Board) to practice medicine and surgery in the State of Wisconsin, pursuant to license number 54923-20, which was first granted September 7, 2010. Respondent is also licensed in New York and Pennsylvania and specializes in orthopedic surgery.

2. Respondent's last address reported to the Department of Regulation and Licensing (Department) is 7343 256th Street, Wyoming, MN 55092.

3. In September 2010, Respondent was hired by River Valley Medical Center (RVMC) to provide orthopedic surgery services for St. Croix Regional Medical Center (Center) in St. Croix Falls, Wisconsin.

4. Shortly after Respondent began working for RVMC, patients and staff began complaining about his behavior. On October 1, 2010, Respondent voluntarily submitted his blood and urine for testing. The testing of Respondent's urine and blood were both positive for alprazolam, an anxiolytic prescribed to Respondent. A confirmatory quantitative blood test resulted in a level of 472.5 ng/ml, which was far in excess of the reference range of 5-25 ng/ml and well into the toxic range of >60 ng/ml.

5. Recognized side effects of alprazolam include slurred speech, short term memory loss, disorientation and confusion. These side effects become more likely the higher the dosage taken.

6. Respondent has not practiced medicine in Wisconsin since October 11, 2010 and does not presently intend to practice in Wisconsin. For this reason, Respondent tenders the surrender of his license to practice in Wisconsin.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction over this matter pursuant to Wis. Stat. § 448.02(3), and has authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. §§ 227.44(5) and 448.02(5).

2. Respondent, by practicing or attempting to practice medicine while there were toxic levels of alprazolam in his body, has violated Wis. Admin. Code § MED 10.02 (2)(h) and is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The VOLUNTARY SURRENDER by Jay R. Zaretsky, M.D. of his license to practice medicine and surgery in the State of Wisconsin is ACCEPTED.

2. If Respondent ever makes application to the Board for any credential:

a. He shall provide proof sufficient to the Board that he does not suffer from any physical, psychological or alcohol or drug related condition which impairs his ability to function as a physician.

b. Whether to grant Respondent a credential and whether to impose any limitations or restrictions on any credential granted shall be in the sole discretion of the Board.

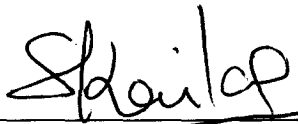
c. Respondent shall, prior to becoming credentialed, pay to the Department of Regulation and Licensing costs of this proceeding in the amount of \$1,665.00 pursuant to Wis. Stat. § 440.22(2).

3. Payment of costs shall be mailed or delivered to:

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

4. This Order is effective on the date of its signing.

Wisconsin Medical Examining Board

By: 
A Member of the Board

12/15/10
Date

10MED360/ZARETSKY/ZWIEG/LG/12-13-10