

# 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  
THEODORE GALVANI, JR., M.D., :  
RESPONDENT. : ORDER 0000657

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Division of Enforcement Case No. 08MED360

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

Theodore Galvani, Jr., M.D.  
9703 Fox Bluff Lane  
Spring Grove, IL 60081

Division of Enforcement  
Department of Regulation and Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

Wisconsin Medical Examining Board  
Department of Regulation and Licensing  
1400 East Washington Avenue  
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 in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Theodore Galvani Jr., M.D., Respondent, date of birth August 15, 1956, is licensed and currently registered by the Wisconsin Medical Examining Board to practice medicine and surgery in the state of Wisconsin pursuant to license number 25260, which was first granted July 1, 1983.
2. Respondent's address of record with the Department of Regulation and Licensing is 9703 Fox Bluff Lane, Spring Grove, IL 60081.
3. During all times relevant to this matter, Respondent has maintained a license to practice medicine and surgery in Illinois.

4. On August 25, 1994, the Illinois Medical Licensing Board placed Respondent's license to practice medicine and surgery in that state on indefinite probation. Respondent disclosed that he was recovering from chemical dependency, with addictions to alcohol and other drugs. Respondent has never applied for removal of his probationary status in Illinois and his credentials there remain in probationary status.

5. On July 27, 1995, the Wisconsin Medical Examining Board limited Respondent's license to practice medicine and surgery in Wisconsin, and required him to comply with conditions of probation imposed by the Illinois Board. The Wisconsin Board subjected Respondent to a monitoring order to address the impairment issues. The Wisconsin discipline was based on the Illinois order.

6. On June 8, 2004, the Wisconsin Medical Examining Board restored Respondent to full licensure.

7. In 2008, Aurora Medical Group terminated Respondent's employment for a HIPAA violation concerning access to a family member's medical record.

8. On November 5, 2008, Respondent reported to the Department that on November 21, 2007, he had been convicted of a misdemeanor, disorderly conduct in Walworth County, Wisconsin. The court placed Respondent on probation, and required Respondent to undergo an AODA assessment and treatment.

9. Respondent wrote:

I was intoxicated and stupours [sic] uncoordinated in a hotel hot-tub and was bumping into people, who complained about me. I have been in full compliance with my orders. I continue with treatment...including urine drug screening. This report is late, as I only today became aware of requirement when I was changing my contact information online.

10. According to police reports, on February 24, 2007, adolescent and college-age women at a hotel complained that Respondent, while apparently intoxicated, grabbed or touched their thighs and/or buttocks. Respondent denied touching the girls, but admitted that he had been drinking, "somewhat to excess".

11. On August 30, 2010, Respondent disclosed details of his substance abuse history, which he says began at age nine. In short, Respondent has a long history of chemical dependency, with multiple treatment experiences, and multiple periods of abstinence and relapse. Respondent's drugs of choice included alcohol, marijuana and cocaine.

12. Despite the Illinois Board's prohibition of the use of mood altering drugs, on January 17, 2007, and again on February 21, 2007, Respondent filled prescriptions for phentermine, which is a schedule IV controlled substance and a mood altering substance. The second prescription was filled days before the incident set forth in paragraphs 9 and 10.

13. Respondent states that he does not live in Wisconsin, nor does he intend to practice medicine or surgery in Wisconsin. Respondent now voluntarily surrenders his license to practice medicine and surgery in Wisconsin.

14. Respondent knows, understands and agrees that as of the date of this order, he may no longer practice medicine and surgery in Wisconsin, nor may he practice elsewhere under his Wisconsin license, unless and until his credentials are reinstated and renewed, with the Board's advance permission, and pursuant to Wis. Stat. § 448.07.

15. Respondent knows, understands and agrees that he may not renew his license and registration to practice medicine and surgery in Wisconsin unless and until he first establishes to the Board's satisfaction that he is professionally competent to re-enter the practice of medicine, under terms and conditions established by the Board.

#### CONCLUSIONS OF LAW

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

2. Respondent, by engaging in the conduct set forth above, has engaged in conduct which tends to constitute a danger to the health, welfare or safety of the public, which is unprofessional misconduct as defined by Wis. Admin. Code § MED 10.02(2)(h). Respondent is therefore subject to discipline pursuant to Wis. Stat. § 448.02(3).

#### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the SURRENDER by Theodore Galvani, M.D., Respondent, of his license and registration to practice medicine and surgery in Wisconsin, is hereby ACCEPTED.

IT IS FURTHER ORDERED that Respondent's right to renew his license to practice medicine and surgery is RESTRICTED as follows:

1. The Board retains sole discretion to permit or deny Respondent's right to renew his license in the future.

2. Before applying to reinstate and/or renew his license at any time in the future, Respondent shall first obtain consent from the Board or its designee. No application for reinstatement or renewal will be considered unless and until Respondent has first paid costs of this proceeding in the amount of \$1500.00.

3. The Board shall not grant licensure unless and until Respondent establishes to the Board's satisfaction that he is professionally competent to re-enter the practice of medicine.

4. If the Board elects to grant Respondent licensure in the future, the Board may impose whatever terms and conditions it deems necessary to insure Respondent's practice does not create unacceptable risk to health care consumers. Conditions may include, but are not limited to, sobriety and an extensive period of monitoring.

5. Respondent shall immediately surrender all indicia of licensure and registration to the Department by mail or in person.

6. Prior to any application for reinstatement or renewal of Respondent's credentials, Respondent shall mail or deliver payment of costs to:

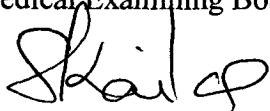
Department Monitor  
Department of Regulation and Licensing  
Division of Enforcement  
1400 East Washington Ave.  
P.O. Box 8935  
Madison, WI 53708-8935  
Telephone: (608) 267-3817  
Fax: (608) 266-2264

7. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare.

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

Wisconsin Medical Examining Board

By:



A Member of the Board

2/16/11

Date