

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
CINDY L. GILE, P.A.,	:	
RESPONDENT.	:	ORDER 0001434

Division of Enforcement Case No. 10MED229

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

Cindy L. Gile, P.A.
923 Packer Drive
Holmen, WI 54636

Division of Enforcement
Department of Safety and Professional Services
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Wisconsin Medical Examining Board
Department of Safety and Professional Services
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. Cindy L. Gile, P.A., Respondent, date of birth September 5, 1964, is licensed to practice as a physician assistant in the State of Wisconsin pursuant to license number 1454-23, which was first granted on May 14, 2002.

2. Respondent's last address reported to the Department of Safety and Professional Services is 923 Packer Drive, Holmen, Wisconsin 54636.

3. At the time of the events set out below, Respondent was employed as a physician assistant with the Department of Veteran Affairs (VA), Great Lakes Health Care System in Tomah, Wisconsin.

4. In Spring 2009, Patient A presented to the VA for its residential treatment program for substance abuse. The program consisted of a 30-day in-patient stay. Patient A had a long history of alcoholism and post traumatic stress disorder (PTSD) from serving as a Marine in the Vietnam War. During his stay, Patient A was entered into the PTSD program serving only combat veterans, which included a 90-day in-patient program.

5. Respondent worked in the PTSD program as a full-time psychiatric physician assistant.

6. During Patient A's in-patient treatment, Respondent gained his trust, which in the past he had not had with other providers. She started him on medications for his PTSD, anger, depression and anxiety issues. This required close monitoring with weekly or bi-weekly appointments. Patient A also had other issues he felt comfortable speaking to Respondent about and he would stop in her office frequently to discuss. During treatment, it was also discovered that Patient A had various problems requiring further medical attention with frequent trips to Madison for specialty treatment.

7. In early July 2009, Patient A was discharged from the in-patient program. It was at this time Respondent provided Patient A with her personal e-mail address in order for him to ask any questions, or inform her of any concerns he had regarding his health. Respondent was also concerned about his medical status and wanted him to keep her updated on the findings.

8. Beginning in August of 2009 and continuing into November of 2009, Patient A and Respondent corresponded via e-mail. During that time, Respondent sent several e-mails to Patient A which were inappropriate in content, contained personal information and violated the ethical boundaries that should be maintained by mental health professional.

9. On November 6, 2009, Patient A's wife called the VA to report that her husband had been receiving inappropriate e-mails from Respondent.

10. Respondent failed to follow acceptable guidelines for transmitting healthcare information electronically and failed to maintain the records.

11. Respondent, by failing to maintain appropriate ethical and personal boundaries between herself and Patient A, fell below minimum standards of the profession.

12. In response to the conduct mentioned above, Respondent has completed six (6) hours of continuing medical education credits in the area of appropriate ethical boundaries between a healthcare provider and patient. The courses taken are as follows:

- a) Ethical and Legal Issues in Psychotherapy, a text and audio course offered by At Health, Inc., athealthce.com, 4 continuing education credits.
- b) Ethics & Risk Management in Social Media and the Internet, an online course offered by At Health, Inc., athealthce.com, 2 continuing education credits.

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 out above, has engaged in unprofessional conduct, as defined by Wis. Admin. Code § MED 10.02(2)(h) and is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

IT IS HEREBY ORDERED that the Stipulation of the parties is hereby accepted.

IT IS FURTHER ORDERED that Cindy L. Gile, P.A., is REPRIMANDED for the above conduct.

IT IS FURTHER ORDERED that:

1. The Board recognizes the aforementioned continuing medical education courses as the equivalent of the education the Board would have otherwise required. The courses attended may not be used in satisfaction of the statutory continuing education requirements for licensure.
2. Respondent shall pay costs of this proceeding in the amount of EIGHT HUNDRED (\$800.00) dollars, to be made in two installments of \$400.00 each, the first installment to be paid within 60 days of this Order and the second installment to be paid within 120 days of this Order. Payment shall be made to the Wisconsin Department of Safety and Professional Services, and mailed to:

Department Monitor
Division of Enforcement
Department of Safety and Professional Services
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

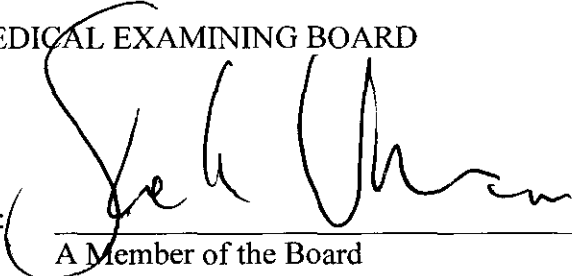
3. Violation of any terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's

license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of the costs as ordered, Respondent's license (No. 1454-23) may, in the discretion of the board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs.

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

MEDICAL EXAMINING BOARD

By:


A Member of the Board


Date