

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	FINAL DECISION AND ORDER
	:	
LEON CASS TERRY, M.D.,	:	
RESPONDENT.	:	ORDER 0001894

Division of Enforcement Case #10 MED 169

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

Leon Cass Terry, M.D.
2612 31st Street Court
Rock Island, IL 61201-0525

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

Department of Safety and Professional Services
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. Respondent Leon Cass Terry, M.D. (dob 12/22/1940) is and was at all times relevant to the facts set forth herein a physician and surgeon licensed in the State of Wisconsin pursuant to license # 30088, first granted on 3/22/1989. Respondent is a neurologist and is certified by the American Board of Psychiatry and Neurology. He was formerly licensed in California, Florida, Illinois, Michigan, New York, Tennessee, and Virginia.

2. On and between 2004 and 2006, Respondent engaged in the practice of medicine through a venture known as Nexos Therapeutics. The practice consisted of prospective patients, who might reside in any state, filling out questionnaires on Nexos's website and transmitting them

to the Nexos office, in Florida. There, a nurse would review them, assemble other information including a required blood test and records of a required focused physical examination conducted by a practitioner of the patient's choosing, and then transmit the written information to Respondent. Respondent reviewed the information, and in most cases approved the prescribing of various hormones, including testosterone, a controlled substance, without ever seeing or examining or speaking to the patient. The medications were then dispensed by a pharmacy in Tennessee, which contracted with Nexos. Respondent was paid a fixed monthly stipend for his services.

3. On December 16, 2010, Respondent was convicted in the United States District Court for the Eastern District of Wisconsin, of filing a false income tax return. Respondent failed to report some of his income from medicolegal consulting, and further failed to report any of his income derived through Nexos. Respondent was placed on probation for three years, and required to spend one year confined to his home, such confinement to be electronically monitored, perform 50 hours of community service per year, and submit all delinquent tax returns and pay all back taxes and interest.

4. On December 3, 2011, Respondent surrendered his license to practice medicine in the State of Florida, while under investigation, based on his conviction as described, above.

5. On an exact date unknown, but in the years 2005-2006, and again in 2010-2011, Respondent destroyed the patient health care records of patients he had personally cared for, without complying with Wis. Stat. § 146.819.

6. Respondent is unable to produce documentation demonstrating successful completion of the required continuing medical education for the 2009-2011 biennium. Respondent represents to the Board that he did in fact complete the required education, but discarded the records when he lost his house in foreclosure.

7. Respondent last engaged in the practice of clinical medicine in 2011, and informed Board staff that he is unlikely to be able to resume the practice of clinical medicine until sometime in 2013.

CONCLUSIONS OF LAW

A. 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 pursuant to Wis. Stat. § 227.44(5).

B. The conduct described in ¶2, above, violated Wis. Adm. Code §§ Med 10.02(2)(a), (h), (q), and (z), Med 13.05(2), and Med 21.03(1); and 21 USC § 353(b)(2). Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes.

ORDER

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

IT IS FURTHER ORDERED, that Leon Cass Terry, M.D., is REPRIMANDED for his unprofessional conduct in this matter.

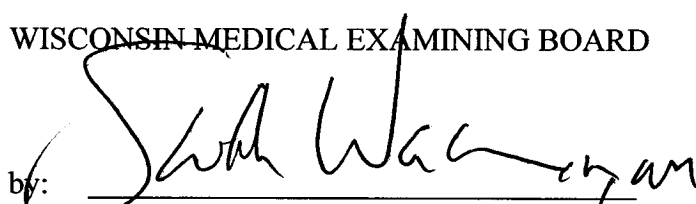
IT IS FURTHER ORDERED, that the license to practice medicine and surgery of Respondent is LIMITED as provided in Wis. Stat. § 448.02(3)(e), and is restricted as follows: Respondent shall not engage in the clinical practice of medicine until he has demonstrated satisfactory completion of a course designed for persons preparing to take the certification examination in neurology, to become certified by the American Board of Psychiatry and Neurology. The course shall be preapproved by the Board or its designee. The Limitation shall be removed from Respondent's license and Respondent will be granted a full, unrestricted license after satisfying the Board or its designee that he has successfully completed the ordered continuing education.

IT IS FURTHER ORDERED, that Respondent shall pay the COSTS of investigating and prosecuting this matter of \$2,500, by September 5, 2013.

IT IS FURTHER ORDERED, that pursuant to Wis. Stats. §§ 227.51(3) and 448.02(4), violation of any of the 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 set forth above, the Respondent's license may, in the discretion of the board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has paid them in full, including any accrued interest.

Dated this June 20, 2012.

WISCONSIN MEDICAL EXAMINING BOARD

by: 
a member of the Board

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