

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

PETER J. BARBIAN, M.D.
RESPONDENT.

:
:
:
:
:

FINAL DECISION AND ORDER

ORDER 0002203

Division of Legal Services and Compliance Case No. 11 MED 371

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

Peter J. Barbian, M.D.
401 Pippen Street
Mount Airy, NC 27030

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

Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 8935
Madison, WI 53708-8935

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 (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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Peter J. Barbian, M.D. (dob September 18, 1967), is licensed as a physician and surgeon in the State of Wisconsin pursuant to license no. 20-37948, which was first granted on July 26, 1996. Respondent's registration is current through October 31, 2013. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services is 401 Pippen Street, Mount Airy, NC 27030. Respondent is certified by the American Board of Pediatrics. Respondent is also licensed in North Carolina.

2. On August 21, 2011, Respondent operated a motor vehicle while influenced by alcohol and after self-administering unprescribed lorazepam, a schedule IV controlled substance. Respondent was subsequently convicted of driving while under the influence.

3. Respondent has participated in the North Carolina Physicians Health Program, as a consequence of his conviction, and represents to the Board that he is presently in compliance with all requirements of that program.

CONCLUSION OF LAW

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).

ORDER

1. The attached Stipulation is accepted.
2. Respondent Peter J. Barbian, M.D., shall report to the Board any change of address to Wisconsin, and any commencement of the practice of medicine in Wisconsin, before such change or commencement of practice. The Board may then impose such conditions as it sees fit to address the facts described above and Respondent's current circumstances.
3. Whether Respondent shall pay COSTS of this matter is held in abeyance at this time.
4. Notices shall be provided to, and any payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to, the Department Monitor at the address below:

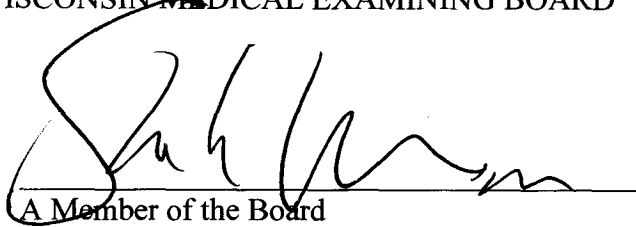
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

5. 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 ordered, Respondent's license (no. 20-37948) 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.

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

WISCONSIN MEDICAL EXAMINING BOARD

by:


A Member of the Board

December 12, 2012
Date