

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

GEORGE P. BOYUM, M.D.,
RESPONDENT.

:
:
: ORDER TO AMEND AND
: RESCIND PREVIOUS ORDERS
:
: Case No. 12 MED 322
:
: *ORDER 0002144*

TO: GEORGE BOYUM, M.D.
2275 OVERLOOK CTH N
STILLWATER, MN 55082-1566

TO: DAVID P. BUNDE, ESQ
FREDRICKSON & BYRON PA
200 S. SIXTH ST., SUITE 4000
MINNEAPOLIS, MN 55402-1425

Between October 8, 2012, and October 14, 2012, Respondent George P. Boyum, M.D., entered into a Stipulation with the Division of Legal Services and Compliance¹ (Division) to resolve Division Case No. 12 MED 322. The parties agreed that if the Stipulation was received within ten days, costs, in the amount of \$200, would be waived. This agreement was not known to the Board. On November 14, 2012, the Medical Examining Board issued a version of the proposed final decision and order that required Respondent to pay \$200 in costs within 90 days of November 14, 2012.

On May 14, 2013, the Department Monitor sent a letter to Respondent's address of record advising him that he had not yet paid costs as ordered, and that he had until June 7, 2013, to pay costs, or his license to practice medicine and surgery in Wisconsin would be suspended. Respondent did not pay costs by June 7, 2013, nor did he otherwise communicate with the Department Monitor.

On June 13, 2013, the Board issued an order suspending Respondent's license to practice medicine and surgery in Wisconsin. On July 1, 2013, Respondent paid the costs as ordered and the suspension was terminated.

The Division has since discovered that the proposed decision and order that was routed to the Board on November 14, 2012, was an incorrect version of the proposed decision and order, and the order for costs was inconsistent with the parties' negotiated resolution.

ORDER

1. The proposed decision and order in 12 MED 322 is amended to indicate that the costs are waived. An amended decision and order is attached and incorporated into this Order.

¹ The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

2. The June 13, 2013 order suspending the license to practice medicine and surgery in the State of Wisconsin is hereby vacated, rescinded and expunged.

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

WISCONSIN MEDICAL EXAMINING BOARD

By:


A Member of the Board

Date

11 December 2013

STATE OF WISCONSIN
BEFORE THE WISCONSIN MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	<u>AMENDED</u>
	:	FINAL DECISION AND ORDER
GEORGE P. BOYUM, M.D.,	:	
RESPONDENT.	:	<i>ORDER 0002144</i>

Division of Legal Services and Compliance¹ Case No. 12 MED 322

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

George P. Boyum, M.D.
1991 Northwestern Ave. S.
Stillwater, MN 55082

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

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

The parties in this matter agree to the terms and conditions of the Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin Medical Examining Board (Board). Having considered the terms of the stipulated agreement, the Board considers it acceptable.

Accordingly, the Board in this matter adopts the Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent George P. Boyum, M.D., (dob January 05, 1944), is licensed in the State of Wisconsin to practice medicine and surgery, having license number 22298-20, first issued on July 13, 1979, and current through October 31, 2013. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1991 Northwestern Avenue South, Stillwater, Minnesota 55082.

¹ The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

2. On May 12, 2011, Respondent admitted to the Minnesota Board of Medical Practice that, between January 2009 and September 2010, Respondent authorized a series of prescriptions for family members, including refills for family members and himself. The prescriptions included weekly and monthly psychotropic medications. Respondent admitted that he failed to refer family members to other treatment providers for specialized care, failed to provide adequate monitoring and failed to document the prescriptions in a clinic record.

3. On September 8, 2012, the Minnesota Board of Medical Practice issued a disciplinary order based on the conduct described above. The Minnesota Order conditioned and restricted Respondent's Minnesota license for a period of at least one year, and required that Respondent: complete a pre-approved course on professional boundaries; refrain from prescribing, administering or dispensing any prescription drug or drug sample for Respondent's use or for use by Respondent's family members; meet quarterly with a board member; provide the board with a list of facilities in which he has privileges and a list of states in which he is licensed; and provide the board with notice of work sites.

CONCLUSIONS OF LAW

1. 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).

2. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § Med 10.02(2)(h).

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § Med 10.02(2)(q).

4. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § Med 10.02(2)(za).

5. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.

2. Respondent George P. Boyum, M.D., is REPRIMANDED.

3. The license to practice medicine and surgery issued to George P. Boyum, M.D., is LIMITED, as follows: Respondent must comply with the terms of the September 8, 2012, Order of the Minnesota Board of Medical Practice (Minnesota Order).

a. Respondent is hereby on notice that the Wisconsin Medical Examining Board may consider any violation of the Minnesota Order a violation of the terms of this Final Decision and Order; Respondent may therefore be subject to

additional discipline by the Wisconsin Medical Examining Board, pursuant to Wis. Admin. Code § Med 10.02(2)(b).

b. For purposes of this Order, the Wisconsin Medical Examining Board accepts the Parties' Stipulation that the Wisconsin Medical Examining Board will accept any final determination by the Minnesota Board of Medical Practice that Respondent violated the Minnesota Order as conclusive evidence that Respondent did violate the terms of the Minnesota Order.

c. Respondent's license to practice medicine and surgery in Wisconsin will be reinstated to full licensure upon Respondent proving to the satisfaction of the Board or its designee that he satisfied the terms of the Minnesota Order and his license to practice medicine and surgery in the State of Minnesota is unrestricted.

4. All communication regarding this Order shall be addressed with the Department Monitor at the address below:

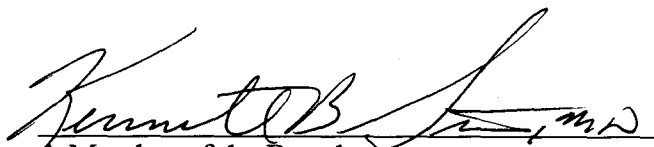
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

5. Violation of any term 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.

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

WISCONSIN MEDICAL EXAMINING BOARD

by:


A Member of the Board

11 December 2013
Date