

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

PAUL STRAPON III, M.D.,
RESPONDENT.

:
:
:
:
:

FINAL DECISION AND ORDER

0002680

Division of Legal Services and Compliance¹ Case No. 12 MED 440

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

Paul Strapon III, M.D.
P.O. Box 764
Hayward, WI 54843

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 attached Stipulation as the final disposition 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 Paul Strapon III, M.D., (dob May 25, 1942), is licensed in the State of Wisconsin to practice medicine and surgery, having license number 20-17306, first issued on August 4, 1970, and current through October 31, 2013. Respondent's last address reported to the Department of Safety and Professional Services is P.O. Box 764, Hayward, Wisconsin 54843. Respondent is not certified by any Board recognized by the American Board of Medical Specialties. During the time described in paragraph 2, below, Respondent was employed as a general practitioner by the Lac Courte Oreilles Tribal Health Center located in Sawyer County, Wisconsin.

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

2. A number of patient health care records for patients cared for by Respondent at the clinic has been reviewed independently by two experts. These experts independently conclude that Respondent's prescribing of controlled substances is outside the standard of care, not supported by the patient health care records, and an unjustified danger to patients and public. Other practice concerns were also noted.

3. On 10/31/11, Respondent renewed his registration for the biennium 2012-2013. Respondent represented to the Board that he had, or would have, completed 30 hours of category I continuing medical education between 1/1/10 and 12/31/11. When the Board requested proof of completion of CME, Respondent was unable to produce records supporting this representation; he was able to produce records demonstrating completion of 20 hours.

4. Respondent has provided proof that, on March 29, 2013, he had successfully completed the National Family Medicine Board Review Self-Study, and obtained 41 category 1 credits.

5. Respondent has provided 10 letters from physicians familiar with his recent practice, all of which attest to his current knowledge and skill. Additionally, the clinic for which Respondent was the medical director passed an accreditation review in August, 2012 by the Accreditation Association for Ambulatory Health Care.

6. On July 17, 2013, Respondent underwent a neuropsychological examination by competent practitioners, who opined that Respondent does not have any significant deficits which would interfere with the safe practice of medicine.

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 Finding of Fact ¶ 2, Respondent Paul Strapon III, M.D., engaged in unprofessional conduct pursuant to Wis. Admin. Code § Med 10.02(2)(h) by engaging in practice which was an unjustified danger to the health, safety, or welfare of patient or public.

3. By the conduct described in Finding of Fact ¶ 3, Respondent Paul Strapon III, M.D., engaged in unprofessional conduct pursuant to Wis. Admin. Code §§ Med 10.02(2)(a), and Med 13.05(2).

4. As a result of the above conduct, Paul Strapon III, M.D., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Paul Strapon III, M.D., is REPRIMANDED.

3. The medicine and surgery license issued to Paul Strapon III, M.D., (license number 20-17306) is LIMITED as follows: within 60 days of the date of this order, Respondent shall demonstrate successful completion of 10 hours of category I continuing medical education, which shall not be used as evidence of compliance with the CME requirements for the current biennium. The Board accepts the credits described in paragraph 4 of the Findings of Fact, above, as meeting this requirement.

4. The medicine and surgery license issued to Paul Strapon III, M.D., (license number 20-17306) is LIMITED as follows: Respondent shall not prescribe, order, dispense, administer, or otherwise possess, without a prescription issued to him as a patient by another authorized prescriber, any controlled substance, nor shall he direct or request, directly or indirectly, a physician assistant, advanced practice nurse prescriber, or other subordinate prescriber, to prescribe, order, dispense, or administer any controlled substance. This limitation is permanent.

5. The medicine and surgery license issued to Paul Strapon III, M.D., (license number 20-17306) is LIMITED as follows:

- a. Respondent shall practice only in a work setting pre-approved by the Board or its designee. The setting shall assure that Respondent's practice is subject to frequent meaningful peer review. His present employment at Fogarty Surgical Services & Family Care Clinic is approved.
- b. Respondent shall practice only under the oversight of a Professional Mentor approved by the Board.
- c. Respondent is responsible for obtaining a Professional Mentor acceptable to the Board. A Professional Mentor shall have no prior or current business or personal relationship with Respondent, or other relationship that could reasonably be expected to compromise the ability of the monitor to render fair and unbiased reports to the Department (including but not limited to any bartering relationship, mutual referral of patients, etc.). However, Respondent's employing or supervising physician may serve as a Professional Mentor, if otherwise qualified. A Professional Mentor shall be actively practicing in Respondent's field of practice, hold a valid Wisconsin license, shall be board certified by an ABMS-recognized board in a specialty relevant to Respondent's field of practice, and shall have read this Final Decision & Order and agree to be Respondent's Professional Mentor. Dorothy Novak M.D., is approved as a Professional Mentor.
- d. Oversight by the Professional Mentor shall include weekly meetings, review of charts selected by the Professional Mentor, and any other actions deemed appropriate by the Professional Mentor to determine that Respondent is practicing in a professional and competent manner. "Weekly" is defined to mean five days of engaging in practice, irrespective of the length of practice time on any given day. This frequency may be modified, in the discretion of the Board or its designee.
- e. Respondent shall arrange for his Professional Mentor to provide formal written reports to the Department Monitor on a quarterly basis, as directed by the

Department Monitor. These reports shall assess Respondent's work performance. Respondent's Professional Mentor shall immediately report to the Department Monitor and the Respondent's Supervising Health Care Provider any conduct or condition of the Respondent which may constitute unprofessional conduct, a violation of this Order, or a danger to the public or patient. If a report indicates poor performance, the Board may institute appropriate corrective limitations, or may revoke a stay of the suspension, in its discretion. The report shall state the number of hours respondent was in practice for that quarter.

- f. The Professional Mentor may designate another qualified physician or other health care provider to exercise the duties and responsibilities of the Professional Mentor in an absence of up to three weeks. If the absence will exceed three weeks, the Professional Mentor must obtain approval of the Board or its designee before delegating the mentoring duties under this Order.
- g. In the event that the Professional Mentor is unable or unwilling to continue to serve as Respondent's professional mentor, the Board may in its sole discretion select a successor Professional Mentor.
- h. The Professional Mentor shall have no duty or liability to any patient or third party, and the Mentor's sole duty is to the Board.
- i. Respondent may petition the Board for modification or elimination of this limitation, following eight satisfactory quarterly reports, and 2000 hours of practice. Modification or elimination of this limitation is solely within the discretion of the Board, and failure of the Board to grant such a petition, in whole or in part, shall not entitle Respondent to a hearing.
- j. Respondent shall report to the Board any change of employment status, residence, address or telephone number within five (5) days of the date of a change.

6. No later than 6 months from the date of this order, Paul Strapon III, M.D., shall pay COSTS of this matter in the amount of \$2,100.

7. Payment of costs (made payable to the Wisconsin Department of Safety and Professional Services), requests for approval of a course, and proof of satisfactory completion of education, shall be sent by Respondent 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

8. 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 costs, or proof of satisfactory completion of education as ordered, Respondent's license (no. 20-17306) 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 of, including any accrued interest, and provided proof of satisfactory completion of the required education.

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

WISCONSIN MEDICAL EXAMINING BOARD

by:


A Member of the Board

October 16, 2013

Date

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