

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>

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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JOHN P. CHRISTENSEN, M.D.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER

:
: ORDER 0003164

Division of Legal Services and Compliance¹ Case No. 12 MED 239

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

John P. Christensen
2900 N. Flagler Drive
West Palm Beach, FL 33407

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 John P. Christensen, M.D., (dob September 25, 1950), is licensed in the State of Wisconsin to practice medicine and surgery, having license number 39875-20, first issued on June 26, 1998. This license expired on October 31, 2013, and has not been renewed. Pursuant to Wis. Stat. § 440.08(3), Respondent retains the right to renew upon payment of a fee until October 31, 2018. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 2900 N. Flagler Drive, West Palm Beach, Florida 33407.

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

2. On June 14, 2012, the State of Florida Board of Medicine revoked Respondent's license to practice medicine and surgery in the State of Florida. The basis for the discipline included the following:

- a. Respondent failed to perform a physical exam, evaluation or assessment prior to prescribing one or more medications, including narcotics;
- b. Respondent violated the standards for the use of controlled substances for pain management;
- c. Respondent failed to maintain adequate medical records; and
- d. Respondent engaged in deceptive practices.

3. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

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 John P. Christensen, M.D., engaged in unprofessional conduct pursuant to Wis. Admin. Code § Med 10.02(2)(q) by having his license to practice medicine in the State of Florida revoked.

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

ORDER

1. The attached Stipulation is accepted.

2. The SURRENDER of the license by John P. Christensen, M.D., (license no. 39875-20) to practice medicine and surgery in the State of Wisconsin and the right to renew that license is hereby accepted, effective the date of this Order.

3. In the event that Respondent petitions the Wisconsin Medical Examining Board for re-licensure to practice medicine and surgery in the future, the Board may enter an order denying such application without further notice or hearing. Whether to grant a license and whether to impose any limitations or restrictions on any license granted shall be in the discretion of the Board.

4. Within 90 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$200.00.

5. 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:

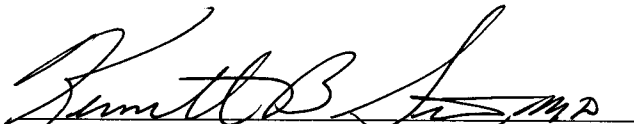
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

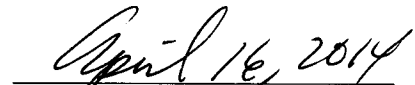
6. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of costs as ordered, Respondent's license (no. 39875-20) 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.

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

WISCONSIN MEDICAL EXAMINING BOARD

by:


A Member of the Board


Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JOHN P. CHRISTENSEN, M.D.,
RESPONDENT.

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STIPULATION

ORDER 000 3164

Division of Legal Services and Compliance¹ Case No. 12 MED 239

Respondent John P. Christensen, M.D., and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation. Respondent is represented by Attorney Richard G. Lubin.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Medical Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or

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

consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

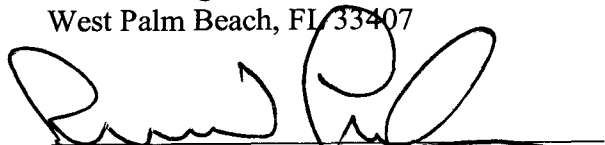
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent or Respondent's attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.


John P. Christensen, M.D., Respondent
2900 N. Flagler Drive
West Palm Beach, FL 33407

4/3/2014
Date


Richard G. Lubin, Attorney for Respondent
1217 S. Flagler Drive
2nd Floor, Flagler Plaza
West Palm Beach, FL 33401

4/3/2014
Date


Kim M. Kluck, Attorney
Division of Legal Services and Compliance
P.O. Box 8935
Madison, WI 53708-8935

4/3/14
Date