

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

JAMES O. STEELE, M.D.,
RESPONDENT.

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FINAL DECISION AND ORDER

0003346

Division of Legal Services and Compliance Case No. 14 MED 066

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

James O. Steele, M.D.
1233 N. 23rd Street
Fort Dodge, IA 50501

Wisconsin Medical Examining Board
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

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 James Oliver Steele, M.D., (dob July 13, 1951), is licensed in the State of Wisconsin to practice medicine and surgery, having license number 25106-20, first issued on January 28, 1983, with registration current through October 31, 2015. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1233 North 23rd Street, Fort Dodge, Iowa 50501. Respondent is certified by the American Board of Family Medicine.

2. On July 17, 1981, Respondent was issued Iowa medical license no. 22607 by the Iowa Board of Medicine to practice medicine.

3. On March 6, 2014, the Iowa Board of Medicine and Respondent entered into a combined Statement of Charges and Settlement Agreement, wherein Respondent was Cited for violating the laws and rules governing the practice of medicine in Iowa, and ordered to comply with the following terms and conditions:

- a. Pay a civil penalty of \$5,000;
- b. Prohibited from prescribing, administering or dispensing controlled substances for the treatment of chronic pain under his Iowa medical license;
- c. Successfully complete the Professional/ Problem Based Ethics (PROBE) program sponsored by the Center for Personalized Education for Physicians (CPEP);
- d. Placed on five (5) years of probation subject to the terms and conditions of establishing a Board monitoring program; complying with Board-approved audits of his controlled substance prescribing; filing sworn quarterly reports attesting to his compliance with all the terms of this Order; appearing before the Board annually or upon request of the Board; paying a quarterly monitoring fee of \$300.

4. The Iowa Board of Medicine's disciplinary action was based on Respondent's failure to provide appropriate pain management to multiple patients in Fort Dodge, Iowa, in 2009 and 2010, including, but not limited to, the following:

- a. Failure to perform and/ or document appropriate patient evaluations for multiple patients;
- b. Failure to establish and/ or document a comprehensive treatment plan for multiple patients prior to initiation of treatment;
- c. Failure to discuss and/ or document discussion of the risks and benefits of controlled substances with multiple patients;
- d. Failure to perform and/ or document appropriate period review for multiple patients;
- e. Failure to obtain and/ or document appropriate consultation and/ or referral to specialists for multiple patients;
- f. Failure to maintain appropriate documentation for multiple patients;
- g. Failure to appropriately utilize pain management agreements for multiple patients;
- h. Failure to address and/ or document how he addressed substance abuse and/ or comorbid psychiatric disorders for multiple patients;

- i. Failure to perform and/ or document appropriate drug testing for multiple patients;
- j. Provided numerous early refills to multiple patients, replacing lost or stolen prescriptions without addressing the potential for abuse or diversion, despite family members insisting that the patients were misusing or abusing the prescribed medications;
- k. Failure to consider and/ or document appropriate consideration of termination of care for multiple patients; and
- l. Failure to utilize and/ or document appropriate use of the Iowa Prescription Monitoring Program for multiple patients.

5. 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 James O. Steele, M.D., engaged in unprofessional conduct pursuant to Wis. Admin. Code § Med 10.03(3)(c) by having adverse action taken by another jurisdiction against his license to practice medicine.

3. As a result of the above conduct, James O. Steele, M.D., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

- 1. The attached Stipulation is accepted.
- 2. Respondent James O. Steele, M.D., is REPRIMANDED.
- 3. The license to practice medicine and surgery in Wisconsin of James O. Steele, M.D., (license number 25106-20) is LIMITED as follows:
 - a. Respondent shall maintain full and complete compliance with all terms, limitations, and conditions imposed against his medical license by the Iowa Board of Medicine.
 - b. Respondent shall provide the State of Wisconsin Medical Examining Board with a copy of any document issued by the Iowa Board of Medicine which alters the conditions of Respondent's continued practice of medicine in the state of Iowa, including any document reinstating full licensure.

- c. Upon Respondent providing proof sufficient to the Board, or its designee, that he has successfully complied with all terms and conditions of the March 6, 2014 Order of the Iowa Board of Medicine and his license has been restored to full, unrestricted status, the Board or its designee shall issue an Order removing the limitation on Respondent's license.

4. Within 60 days from the date of this Order, James O. Steele, M.D., shall pay COSTS of this matter in the amount of \$250.

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 7190, Madison, WI 53707-7190
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 25106-20) 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.

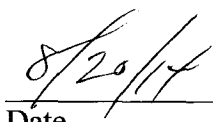
7. This Order is effective on the date of its signing.

WISCONSIN MEDICAL EXAMINING BOARD

by:


A Member of the Board

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Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JAMES O. STEELE, M.D.,
RESPONDENT.

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STIPULATION

0003346

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Division of Legal Services and Compliance Case No. 14 MED 066

Respondent James O. Steele, 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.

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
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, 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.

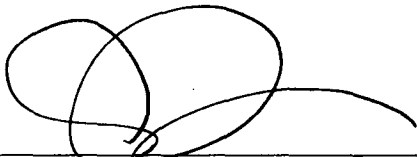
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.



James O. Steele, M.D., Respondent
1233 N. 23rd Street
Fort Dodge, IA 50501
License no. 25106-20

07/22/2014
Date



Arthur Thexton, Prosecuting Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

7/24/14
Date