

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	:	
	:	FINAL DECISION AND ORDER
SCOTT D. JENKINS, M.D.,	:	
RESPONDENT.	:	0004310

Division of Legal Services and Compliance Case No. 13 MED 224

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

Scott D. Jenkins, M.D.
3 Buchal Heights
North Oaks, MN 55127

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 Scott D. Jenkins, M.D. (DOB May 31, 1952) is licensed by the State of Wisconsin to practice medicine and surgery, having license number 23792-20, first issued on July 1, 1981. Respondent's registration was expired between December 31, 1985 and June 20, 2013, with registration now current through October 31, 2015. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 3 Buchal Heights, North Oaks, Minnesota 55127.

2. In March 2011, the Department opened case number 11 UNL 009 based on an allegation that Respondent was engaged in the practice of medicine in Wisconsin without a current registration; specifically, that Respondent had served as a medical director for two medical spas in Wisconsin without a current Wisconsin medical license.

3. Respondent was given an opportunity to comply with licensing requirements with the caveat that the matter would be referred to the Board. When Respondent renewed his registration, case 11 UNL 009 was closed and case 13 MED 224 was opened on August 13, 2013.

4. On September 16, 2015, the Board reviewed and approved a complaint alleging seven violations of Wisconsin statutes and administrative code pertaining to Respondent's conduct in his role as medical director for two medical spas located in Wisconsin (Complaint).

5. On September 28, 2015, the Complaint was filed with the Wisconsin Department of Administration, Division of Hearings and Appeals (DHA), thereby initiating DHA case number SPS-15-0082.

6. Respondent denies the allegations in the Complaint, but agrees to resolve 13 MED 224 and SPS-15-0082, as follows.

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).

ORDER

1. The attached Stipulation is accepted.

2. The VOLUNTARY SURRENDER by Respondent Scott D. Jenkins, M.D. of his right to renew his Wisconsin license to practice medicine and surgery (number 23792-20) is ACCEPTED.

3. This surrender constitutes Respondent's permanent relinquishment of his right to renew his Wisconsin license to practice medicine and surgery. The Board will not, at any time in the future, process or otherwise consider an application or attempt at renewal by Respondent of credentials necessary to practice as a physician in the State of Wisconsin, and may deny any such application or attempt at renewal without further proceeding.

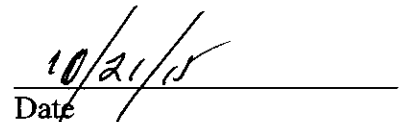
4. This Order is effective on the date of its signing.

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

SCOTT D. JENKINS, M.D.,
RESPONDENT.

:
:
:
:
:
:

STIPULATION

0004310

Division of Legal Services and Compliance Case No. 13 MED 224

Respondent Scott D. Jenkins, 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 and a Complaint filed with the Wisconsin Department of Administration, Division of Hearings and Appeals. Respondent consents to the resolution of this investigation and the Complaint 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.

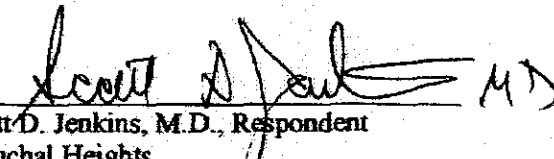
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Medical Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent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

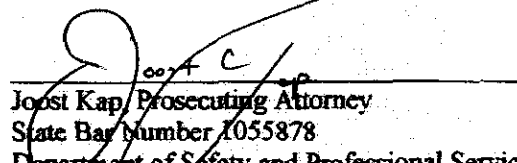
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Scott D. Jenkins, M.D., Respondent
3 Buchal Heights
North Oaks MN 55127
License no. 23792-20

9/30/15

Date



Joost Kap, Prosecuting Attorney
State Bar Number 1055878
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190
Tel. (608) 261-4464
joost.kap@wisconsin.gov

9/30/15

Date