

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
DANIEL T. O'CONNOR, M.D., :
RESPONDENT. :

0004432

Division of Legal Services and Compliance Case No. 14 MED 610

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

Daniel T. O'Connor, M.D.
2865 Brookfield Road,
Brookfield, WI 53045.

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 Daniel T. O'Connor, M.D. (DOB September 21, 1970), is licensed in the state of Wisconsin to practice medicine and surgery, having license number 50669-20, first issued on July 19, 2007, with registration current through October 31, 2017.

2. The most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) for Respondent is 2865 Brookfield Road, Brookfield, WI 53045.

3. On or before July 9, 2013, and through September 19, 2014, Respondent was employed by a mobile medical services organization through which he provided medical care and treatment to residents of community based residential facilities and group homes.

4. On or about July 9, 2013, Respondent began providing medical care and treatment to Patient A, a then 92 year-old female resident of Cozy Care Group Home (Cozy Care) located in Milwaukee, WI.

5. In March 2014, Cozy Care staff alerted Respondent to a small sore on Patient A's buttocks. Respondent prescribed an antibiotic ointment to be applied three times per day until the sore healed.

6. Patient A's May 18, 2014 Progress Notes maintained by Cozy Care staff document the "sore on her bottom," as do progress notes from May 22, 23, and 27th.

7. Patient A's healthcare records reflect a July 14, 2014 visit with Respondent. Respondent documented a history and physical (H&P), review of systems (ROS) and physical exam (PE). Respondent's records do not document an assessment or evaluation of skin breakdown or pressure sores on Patient A's buttocks.

8. On July 23, 2014, Patient A's Cozy Care progress note states "client has an open wound on her bottom...."

9. Respondent saw Patient A on August 11, 2014, and again documented an H&P, ROS and PE. Respondent's records do not document an assessment or evaluation of skin breakdown or pressure sores on Patient A's buttocks.

10. On September 8, 2014, Respondent saw Patient A and again documented an H&P, ROS, and PE. Respondent's records do not document an assessment or evaluation of skin breakdown or pressure sores on Patient A's buttocks.

11. Progress notes maintained by Cozy Care staff document the pressure wound on Patient A's buttocks in entries dated September 9, 11, and 16, 2014.

12. On September 25, 2014, Patient A was taken to the hospital and found to have multiple areas of skin breakdown that had not been previously adequately assessed or monitored to ensure needed medical care.

13. Respondent denies failing to meet any professional standard regarding his care and treatment of Patient A.

14. 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 Daniel T. O'Connor, M.D., engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(2)(b) (Oct. 2013) by departing from or failing to conform to the standard of minimally competent medical practice which creates an unacceptable risk of harm to a patient or the public whether or not the act or omission resulted in actual harm to any person.

3. As a result of the above conduct, Daniel T. O'Connor, M.D., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Daniel T. O'Connor, M.D., is REPRIMANDED.

3. Within 90 days from the date of this Order, Daniel T. O'Connor, M.D., shall pay COSTS of this matter in the amount of \$1545.50.

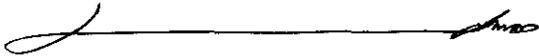
4. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address below:

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

5. 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 (50669 -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.

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

WISCONSIN MEDICAL EXAMINING BOARD

by: 
A Member of the Board

12/16/15
Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

DANIEL T. O'CONNOR, M.D.,
RESPONDENT.

:
:
:
:
:

STIPULATION

0004432

Division of Legal Services and Compliance Case No. 14 MED 610

Respondent Daniel T. O'Connor, 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

Stipulation
In the matter of disciplinary proceedings against
Daniel T. O'Connor, M.D., Case No. 14 MED 610

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.

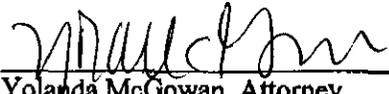
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.



Daniel T. O'Connor M.D., Respondent
2865 Brookfield Road
Brookfield, WI 53045-3026
License No. 50669 -20

11DEC15
Date



Yolanda McGowan, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

12.11.15
Date