

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE LICENSE OF :
 :
 : FINAL DECISION AND ORDER
 : FOR REMEDIAL EDUCATION
BRADLEY S. BOETTCHER, M.D. :
 : **0004724**

Division of Legal Services and Compliance Case No. 14 MED 127

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

Bradley S. Boettcher, M.D.
Aspirus Doctors Clinic
2031 Peach Street
Wisconsin Rapids, WI 54494

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 Medical Examining Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Medical Examining Board in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Licensee Bradley S. Boettcher, M.D. (DOB November 30, 1960), is licensed in the state of Wisconsin to practice medicine and surgery, having license number 31272-20, first issued on July 1, 1990, with registration current through October 31, 2017. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is Aspirus Doctors Clinic, 2031 Peach Street, Wisconsin Rapids, Wisconsin 54494.
2. Licensee is board certified in family medicine.
3. Between 2010 and 2014, Licensee treated Patient A, a male born in 1974.

4. Patient A presented with numerous physical conditions, mental health diagnoses, and admitted abuse of alcohol, narcotics, and illegal street drugs, including crack cocaine.

5. Licensee regularly prescribed high dosages of opioid pain medications to Patient A.

6. Patient A's medical records from the same time period, as created by other providers, reflect that Patient A sought opioid pain medications from other providers at the same time he was receiving similar medications from Licensee, and that Licensee was aware of Patient A's drug-seeking behavior.

7. Licensee at times made efforts to reduce and control his prescribing to Patient A, and referred him for pain management and AODA treatment, but Licensee nevertheless prescribed opioid pain medications to Patient A in ways that did not meet the minimal standard of competence.

8. Licensee denies that his care of Patient A fell below the minimal standard of competence, but to resolve this matter he consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

ORDER

1. The attached Stipulation is accepted.

2. Within six (6) months of the date of this Order, Bradley S. Boettcher, M.D. shall at Licensee's own expense take and successfully complete ten (10) hours of continuing medical education on the topic of responsible opioid prescribing, as follows:

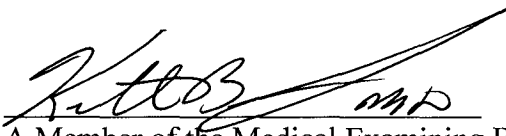
- a. Each course attended in satisfaction of this Order must be pre-approved by the Medical Examining Board or its designee. Licensee shall be responsible for locating course(s) satisfactory to the Medical Examining Board and for obtaining the required approval of the course(s) from the Medical Examining Board or its designee. Licensee must take and pass any exam offered for the course(s).
- b. Licensee shall submit proof of successful completion of the education in the form of verification from the institution providing the education to the Department Monitor at the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Medical Examining Board or Department.

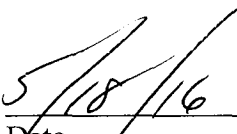
3. Requests for course approval and proof of successful course completion shall be sent by Licensee to the Department Monitor at the address below:

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

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

WISCONSIN MEDICAL EXAMINING BOARD

by: 
A Member of the Medical Examining Board


Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE LICENSE OF
BRADLEY S. BOETTCHER, M.D.

STIPULATION

0004724

Division of Legal Services and Compliance Case No. 14 MED 127

Licensee Bradley S. Boettcher, 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. Licensee consents to the resolution of this investigation by Stipulation.

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

- the right to a hearing on the allegations against Licensee, 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 Licensee;
- the right to call witnesses on Licensee's behalf and to compel their attendance by subpoena;
- the right to testify on Licensee'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 Licensee under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Licensee is aware of Licensee's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation. Licensee is represented by Attorney Heidi Melzer.

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

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

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

Bradley S. Boettcher, M.D.
Bradley S. Boettcher, M.D., Licensee
Aspirus Doctors Clinic
2031 Peach Street
Wisconsin Rapids, WI 54494
License No. 31272-20

5/2/16
Date

Heidi D. Melzer
Heidi Melzer, Attorney for Respondent
Corneille Law Group
615 S. Monroe Avenue
Green Bay, WI 54301

5/5/16
Date

Joost Kap
Joost Kap, Prosecuting Attorney
Division of Legal Services and Compliance
Wisconsin Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

5/5/16
Date