

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 :
DANIEL B. JACKSON, P.A. : FINAL DECISION AND ORDER
: FOR REMEDIAL EDUCATION
:

0004934

Division of Legal Services and Compliance Case No. 14 MED 557

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

Daniel B. Jackson, P.A.
1324 Skyline Lane
Wausau, Wisconsin 54403

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 Wisconsin 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. Licensee Daniel B. Jackson, P.A. (DOB May 16, 1968), is licensed in the state of Wisconsin to practice as a physician assistant, having license number 1074-23, first issued on January 8, 1999, with registration current through February 28, 2018. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1324 Skyline Lane, Wausau, Wisconsin 54403.

2. Licensee is certified by the National Commission on Certification of Physician Assistants and at all time pertinent to this proceeding, was employed as a physician assistant at an urgent care clinic located in Wausau, Wisconsin (Clinic).

3. On September 17, 2014, Patient A, a male born in 2001, presented to the Clinic with complaints of a sore throat, body aches, fatigue, runny nose and congestion for three days. Patient A normally received medical care in a different health system and its medical recordkeeping system was not accessible to Clinic providers.

4. Patient A was accompanied by his mother, who states she informed Clinic staff who registered and roomed them that Patient A had also experienced recent weight loss, excessive voiding of sweet smelling urine, and labored breathing. The mother states she asked Clinic staff to convey this information to Licensee.

5. Licensee denies being informed by the mother or Clinic staff that Patient A had experienced recent weight loss, excessive voiding of sweet smelling urine, and labored breathing. The medical record of the visit does not reference these symptoms. The registered nurse who performed and charted Patient's A history and physical likewise does not recall being advised of these symptoms, and states she would have charted them had they been conveyed.

6. Licensee states he examined Patient A for complaints of sore throat, body aches, fatigue, runny nose and congestion for three days. Licensee states the mother raised concerns about Patient A's enuresis and whether it may be caused by a chronic urinary tract infection, but declined additional testing.

7. Licensee diagnosed Patient A with bilateral acute otitis media, an upper respiratory infection and sore throat. Licensee prescribed a broad spectrum antibiotic to treat the diagnosed conditions as well as any urinary tract infection, if present, and advised Patient A's mother to utilize over-the-counter medications for symptomatic treatment and to increase fluids.

8. Patient A went home and his symptoms worsened. On September 18, 2014, Patient A was taken to a local hospital emergency department where the examining provider noted increased shortness of breath, progressive weakness, global aches, polydipsia and polyuria. Labs drawn in the ED revealed sodium of 127, glucose at 826 and carbon dioxide of 3.

9. Patient A was diagnosed with diabetic ketoacidosis due to undiagnosed and uncontrolled diabetes, and was admitted to the pediatric intensive care unit.

10. On September 22, 2014, Patient A was discharged to home with instructions to follow up with endocrinology for ongoing diabetes management.

11. In resolution of this matter, Licensee 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. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.

2. Within six (6) months of the date of this Order, Daniel B. Jackson, P.A., shall at Licensee's own expense take and successfully complete six (6) hours of education in diabetes diagnosis and management, as follows:

- a. Each course attended in satisfaction of this Order must be pre-approved by the Board or its designee. Licensee shall be responsible for locating course(s) satisfactory to the Board and for obtaining the required approval of the courses from the 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 education requirements that have been or may be instituted by the Board or Department.

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

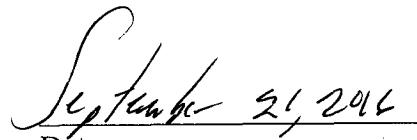
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

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

WISCONSIN MEDICAL EXAMINING BOARD

by:


A Member of the Board


Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE LICENSE OF :
 :
DANIEL B. JACKSON, P.A. : STIPULATION
 :
 : 0004934

Division of Legal Services and Compliance Case No. 14 MED 557

Licensee Daniel B. Jackson, P.A., 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 Patrick F. Koenen at Hinshaw & Culbertson LLP.

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.

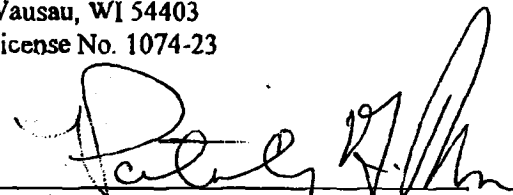
8. The Division of Legal Services and Compliance joins Licensee in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order for Remedial Education.



Daniel B. Jackson, P.A., Licensee
1324 Skyline Lane
Wausau, WI 54403
License No. 1074-23

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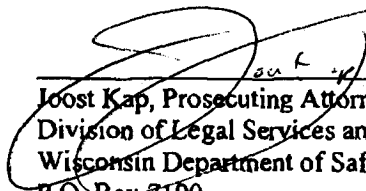
Date



Patrick F. Koenen, Attorney for Licensee
Hinshaw & Culbertson LLP
100 W. Lawrence Street
Appleton, WI 54911

8/31/16

Date



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

8/31/16

Date