

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
ADETUNJI A. ADEJUMO, M.D., :
RESPONDENT. :

0004973

Division of Legal Services and Compliance Case No. 15 MED 324

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

Adetunji A. Adejumo, M.D.
P.O. Box 5964
De Pere, WI 54115

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 Adetunji A. Adejumo, M.D., (DOB October 1, 1971), is licensed in the state of Wisconsin to practice medicine and surgery, having license number 52530-20, first issued on January 8, 2009, with registration current through October 31, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is P.O. Box 5964, De Pere, Wisconsin 54115.

2. Respondent is certified by the American Board of Internal Medicine for internal medicine-general and infectious disease-subspecialty.

3. At all times relevant, Respondent was employed as a physician with a medical facility located in Green Bay, Wisconsin (Facility A).
4. On May 18, 2015, Patient A, a female born in 1982, presented to Respondent upon a referral from her allergist. Respondent ordered blood work and scheduled Patient A for a follow-up appointment.
5. On June 1, 2015, Respondent saw Patient A and diagnosed her with a skin condition for which he prescribed oral penicillin.
6. Also at the June 1, 2015 appointment, Respondent provided his personal cell phone number to Patient A.
7. Between June 1, 2015 and June 21, 2015, Respondent sent sexually explicit text messages to Patient A. Patient A also sent text messages to Respondent.
8. Between June 1, 2015 and June 21, 2015, Respondent requested Patient A's residential address, but Patient A refused to provide it.
9. On June 21, 2015, Respondent went to Patient A's residence. Patient A did not provide Respondent her residential address and Respondent accessed it through her medical chart.
10. Between July 1, 2015 and July 24, 2015, Patient A contacted Respondent via text messages regarding a flare up of her skin condition. Subsequently, Patient A scheduled appointments with Respondent and another provider at Facility A but did not attend and cancelled the appointments.
11. On August 3, 2015, Patient A sought treatment with another physician.
12. On August 20, 2015, Patient A obtained a temporary restraining order against Respondent¹.
13. On August 25, 2015, Facility A placed on administrative leave pending formal investigation by the Facility A's Medical Practice Committee.
14. On August 26, 2015, Respondent voluntarily resigned from Facility A.
15. On September 21, 2015, the temporary restraining order against Respondent was withdrawn by Patient A and dismissed.
16. At no time did Respondent engage in inappropriate physical contact or have a physical sexual relationship with Patient A.
17. On October 14, 2015, Respondent completed 16 AMA PRA Category 1 credits by attending the University of California, Irvine School of Medicine - Professional Boundaries and Boundary Violation: A Primer.

¹ Further identification of the Circuit Court case has not been provided to protect patient identity.

18. On October 15, 20 and 27, 2015 Respondent was evaluated by a psychologist for a risk assessment who concluded that Respondent completed the necessary education and that Respondent's risk for any further inappropriate behavior has been significantly reduced and in the very low risk category for re-offense.

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 Adetunji A. Adejumo, M.D., engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(2)(f) (Oct. 2013) engaging in sexually explicit conduct, sexual contact, exposure, gratification, or other sexual behavior with or in the presence of a patient, a patient's immediate family, or a person responsible for the patient's welfare.

3. As a result of the above conduct, Adetunji A. Adejumo, M.D., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Adetunji A. Adejumo, M.D., is REPRIMANDED.

3. The medicine and surgery license issued to Adetunji A. Adejumo, M.D., (license number 52530-20) is LIMITED for the period of six (6) months from the date of this Order as follows:

a. Respondent shall not meet with any female patient in a clinical office setting without the presence of a chaperone in the room at all times. The chaperone shall not be someone who has a personal or professional relationship with Respondent which could reasonably be expected to impede the chaperone's role and duties. Respondent shall never be alone with a female patient in a clinical office setting and shall document the presence and identity of the chaperone in the patient's health care record.

4. Respondent's license to practice medicine and surgery is further LIMITED for the period of six (6) months from the date of this Order as follows:

a. Every thirty (30) days, Respondent shall report to the Department Monitor a list of all facilities (by name and address) where he has worked as locum tenens during the prior thirty (30) days.

b. If Respondent becomes employed in a capacity other than locum tenens capacity, Respondent shall report to the Department Monitor any change of employment status within five (5) days of the date of a change.

- c. Respondent shall not send, receive or otherwise exchange texts, instant messages, emails, or electronic or computer-related communication with female patients. Respondent shall not have contact of any kind with any female patient outside of Respondent's regular office hours. In the event Respondent has emergent medical need to communicate with any female patient outside of these time periods, Respondent shall notify the Board's monitoring liaison within twenty-four (24) hours of such contact, and shall report the nature of the contact.
 - d. Prior to returning to active practice, or thirty (30) days from the date of this Order if Respondent is currently practicing, Respondent shall engage the services of a licensed physician pre-approved by the Board or its designee to serve as a professional mentor. The professional mentor shall be actively practicing in internal medicine or Respondent's subspecialty field and shall not have any personal or other relationship, past or present, with Respondent that could reasonably be expected to compromise the ability to render fair and unbiased reports to the Department (including but not limited to any bartering relationship, mutual referral of patients, etc.). Respondent's request for mentor approval shall be accompanied by the mentor's current curriculum vitae and a letter from the mentor confirming that he or she has read the Final Decision and Order and agrees to serve in this capacity.
 - e. Every thirty (30) days, Respondent shall arrange for the mentor to randomly select and review the charts of at least five (5) female patients that have presented to Respondent in the last month. The chart review shall thoroughly assess whether Respondent's records are compliant with the terms of this Order, including whether Respondent has documented the presence and identity of the chaperone in the patient's health care record.
 - f. The mentor shall submit thorough reports every sixty (60) days identifying the number of charts reviewed in the previous sixty (60) days, addressing Respondent's compliance and/or noncompliance with the terms of this Order. It is Respondent's responsibility to ensure the reports are submitted when due. The mentor shall immediately report any unprofessional conduct or suspected violation of this Order to the Department Monitor.
 - g. With a written recommendation from the mentor expressly supporting the request, Respondent may petition the Board for modification of this limitation after the timely submission of three (3) mentor reports. Whether to modify the terms of this Order is in the Board's sole discretion.
5. The Board accepts the CME credits referenced in the Findings of Fact as the equivalent of the education the Board would have otherwise ordered, but none of

those credits may be used to satisfy any other continuing education requirements that have been or may be instituted by the Board or Department.

6. Within ninety (90) days from the date of this Order, Adetunji A. Adejumo, M.D., shall pay COSTS of this matter in the amount of \$1,727.92.

7. Payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent 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

8. 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. 52530-20) 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.

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

WISCONSIN MEDICAL EXAMINING BOARD

by:

J. Wasthale MD
A Member of the Board

10/19/16
Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ADETUNJI A. ADEJUMO, M.D.,
RESPONDENT.

STIPULATION

0004973

Division of Legal Services and Compliance Case No. 15 MED 324

Respondent Adetunji A. Adejumo, 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. Respondent is represented by Attorney Patrick Koenen.


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 or Respondent's attorney, 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.

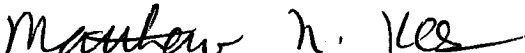
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Adetunji A. Adejumo, M.D., Respondent
P.O. Box 5964
De Pere, WI 54115
License no. 52530-20

10/7/2016


Date



Patrick Koenen, Attorney for Respondent
Matthew Kees, Attorney for Respondent
Hinshaw & Culbertson, LLP
100 W. Lawrence Street, Suite 304
Appleton, WI 54911-5754

10/7/16

Date



Colleen L. Meloy, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

10/07/16

Date