

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
LEONARD M. BORAS, JR., :
RESPONDENT. :

0004974

Division of Legal Services and Compliance Case No. 15 MED 366

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

Leonard M. Boras, Jr.
7014 University Avenue
Middleton, WI 53562

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 Leonard M. Boras, Jr., (DOB July 25, 1962) is licensed in the state of Wisconsin to practice as an anesthesiologist assistant, having license number 22-17, first issued on November 1, 2012, with registration current through September 30, 2018. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 7014 University Avenue, Middleton, Wisconsin 53562.

2. At all times relevant to this proceeding, Respondent was employed as an anesthesiologist assistant at a medical hospital (the Hospital) located in Madison, Wisconsin.

3. Between July and September of 2012, Respondent sent multiple anonymous harassing pager messages to a female co-worker (co-worker A).
4. On October 10, 2012, following an investigation of the incident by the Hospital, Respondent was issued a written reprimand and advised Respondent that any subsequent similar action would be subject to discipline including suspension and/ or termination.
5. On July 1, 2014, co-worker A filed a petition for temporary restraining order against Respondent in Dane County Circuit Court Case No. 14 CV 1885. On July 14, 2014, the temporary restraining order was granted by the court and remains in effect until July 14, 2018.
6. On July 23, 2014, the Hospital issued a Notice of Intent letter to Respondent suspending his employment for cause as Respondent had engaged in a pattern of unacceptable behavior in the workplace over several years which culminated in two separate incidents of inappropriate behavior and harassment of female co-workers.
7. On September 19, 2014, the Hospital terminated Respondent's employment.
8. On June 3, 2015, Respondent pled guilty to a class B misdemeanor violation of Wis. Stat. § 947.012(1)(a) (unlawful phone use, threatens harm), and a class A misdemeanor violation of Wis. Stat. § 946.41(1) (resisting or obstructing an officer) in Dane County Circuit Court Case No. 15 CF 112, a domestic matter (misdemeanor conviction).
9. Respondent did not provide the Department with certified copies of the misdemeanor conviction judgments until October 16, 2015.
10. Respondent is not currently employed as an anesthesiologist assistant.
11. 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 Leonard M. Boras, Jr., engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(2)(h) (Oct. 2013) by engaging in repeated or significant disruptive behavior or interaction with physicians, hospital personnel, patients, family members, or others that interferes with patient care or could reasonably be expected to adversely impact the quality of care rendered.
3. By the conduct described in the Findings of Fact, Respondent Leonard M. Boras, Jr., engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(3)(h) (Oct. 2013) by failing to provide the board with certified copies of the criminal complaint and judgment of conviction within 30 days of the conviction.

4. As a result of the above conduct, Leonard M. Boras, Jr., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.
2. Respondent Leonard M. Boras, Jr., is REPRIMANDED.
3. The license issued to Leonard M. Boras, Jr., (license number 22-17) is LIMITED as follows:

a. Within nine (9) months of the date of this Order, Respondent shall successfully complete 12 hours of education on the topic of anger management and 12 hours of education on the topic of professional boundaries.

b. Respondent shall be responsible for obtaining the courses required under this Order, for providing adequate course descriptions to the Department Monitor, and for obtaining pre-approval of the courses from the Wisconsin Medical Examining Board, or its designee, prior to commencement of the course(s).

c. The following courses are pre-approved:

- UC San Diego Physician Assessment and Clinical Education (PACE) Anger Management for Healthcare Professionals Program, San Diego, CA.
- 24 AMA PRA Category 1 Credits, Vanderbilt Center for Professional Health Maintaining Professional Boundaries, Nashville, TN.

d. The Board or its designee may reject any course and may accept a course for less than the number of hours for which Respondent seeks approval.

e. Respondent shall submit proof of successful completion of the ordered education in the form of verification from the institution providing the education to the Department Monitor at the address stated below.

f. Respondent is responsible for all costs associated with compliance with this educational requirement.

g. None of the education completed pursuant to this requirement may be used to satisfy any other continuing education requirements that have been or may be instituted by the Board or Department.

h. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully completed all of the ordered education.

4. The license issued to Leonard M. Boras, Jr., (license number 22-17) is further LIMITED at the time Leonard M. Boras, Jr., becomes employed as an anesthesiologist assistant as follows:

a. Respondent shall practice only under the oversight of a professional mentor for a period of one (1) year after the date Respondent is employed as an anesthesiologist assistant.

b. Within 30 days of employment by Respondent as an anesthesiologist assistant, Respondent shall retain a professional mentor who shall be pre-approved by the Board or its designee.

c. A professional mentor shall have no relationship that could reasonably be expected to compromise the ability of the professional mentor to render fair and unbiased reports to the Department. For purposes of this Order, a professional mentor shall be a physician or other health care professional determined by the Board's designee to be appropriate. The professional mentor shall hold a valid Wisconsin credential in a relevant health care field, shall have read this Final Decision and Order, and agree to be Respondent's professional mentor.

d. Oversight by the Professional Mentor shall include weekly meetings and any other actions deemed appropriate by the Professional Mentor to determine that Respondent is practicing in a professional and competent manner.

e. Respondent shall arrange for his Professional Mentor to provide formal written reports to the Department Monitor on a quarterly basis, or as otherwise directed by the Department Monitor. These reports shall assess Respondent's work performance. Respondent's Professional Mentor shall immediately report to the Department Monitor any conduct or condition of Respondent which may constitute unprofessional conduct, a violation of this Order, or a danger to the public or patient. If a report indicates poor performance, the Board may institute appropriate corrective limitations in its discretion.

f. In the event that the Professional Mentor is unable or unwilling to continue to serve as Respondent's professional mentor, the Board may, in its sole discretion, select a successor Professional Mentor.

g. The Professional Mentor shall have no duty or liability to any patient or third party, and the Mentor's sole duty is to the Board.

h. Respondent shall report to the Board any change of employment status, residence, address or telephone number within five (5) days of the date of a change.

i. Respondent is responsible for compliance with all of the terms and conditions of this Order, including the timely submission of reports by others. Respondent shall promptly notify the Department Monitor of any failures of the Professional Mentor to conform to the terms and conditions of this Order. Respondent shall promptly notify the Department Monitor of any violations of any of the terms and conditions of this Order committed by Respondent.

j. Every three (3) months, Respondent shall notify the Department Monitor of Respondent's compliance with the terms and conditions of the Order.

k. Respondent may petition the Board on a quarterly basis for modification of the terms of this Order, however no such petition for modification shall occur earlier than three (3) months from the date of this Order. Any petition for modification shall be accompanied by a written recommendation from Respondent's Professional Mentor expressly supporting the specific modifications sought. Denial of a petition in whole or in part shall not be considered a denial of a license within the meaning of Wis. Stat. § 227.01(3)(a), and Respondent shall not have a right to any further hearings or proceedings on the denial.

l. Respondent shall be responsible for all costs and expenses incurred in conjunction with mentoring and any other expenses associated with compliance with the terms of this Order.

5. Within 90 days from the date of this Order, Leonard M. Boras, Jr., shall pay COSTS of this matter in the amount of \$1,387.00.

6. Proof of successful course completion and 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

7. 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, fails to submit proof of successful completion of the ordered education as set forth above and/or otherwise fails to comply with the terms of this Order, Respondent's license (no. 22-17) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing.

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

WISCONSIN MEDICAL EXAMINING BOARD

by: T Westlake MS
A Member of the Board

10/19/16
Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : STIPULATION
LEONARD M. BORAS, JR., :
RESPONDENT. :
 : **0004974**

Division of Legal Services and Compliance Case No. 15 MED 366

Respondent Leonard M. Boras, Jr., 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.

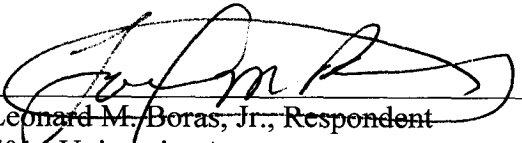
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

of 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.

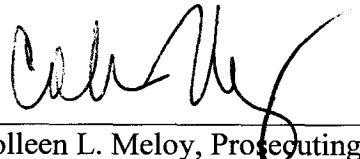
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes 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.


Leonard M. Boras, Jr., Respondent
7014 University Avenue
Middleton, WI 53562
License no. 22-17

9/30/2016
Date


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

10/03/2016
Date