

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
PHILIP J. BERENT, M.D., :
RESPONDENT. :

0005395

Division of Legal Services and Compliance Case Numbers. 17 MED 018 AND 17 MED 026

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

Philip J. Berent, M.D.
W2170 Tuleta Hill Road
Markesan, WI 53946

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 Philip J. Berent, M.D. (DOB December 9, 1941), is licensed by the State of Wisconsin to practice medicine and surgery, having license number 65000-20, first issued on January 14, 2016, with registration current through October 31, 2017.
2. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is W2170 Tuleta Hill Road, Markesan, WI 53946.
3. At all times pertinent to these matters, Respondent practiced psychiatry.

4. In March 2017, the Division opened two cases involving Respondent:
 - a. Case number 17 MED 018 was opened to investigate allegations that while practicing telemedicine, Respondent inappropriately prescribed controlled and non-controlled substance medications to an out-of-state patient.
 - b. Case number 17 MED 026 was opened to investigate allegations that Respondent verbally threatened to harm a patient and/or otherwise engaged in abusive and disruptive behavior while working as a psychiatrist at a mental health facility in Milwaukee County, Wisconsin.

5. The above-referenced investigations are ongoing. The Board has made no determination as to the validity of the allegations.

6. Respondent specifically denies engaging in unlawful practice, failing to meet any professional standard, and otherwise engaging in unprofessional conduct as relates to case number 17 MED 018.

7. Respondent neither admits nor denies the allegations in case number 17 MED 026.

8. Respondent has decided to retire from the practice of medicine and surgery, and in resolution of both matters, consents to 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).

ORDER

1. The attached Stipulation is accepted.
2. The Board accepts the permanent VOLUNTARY SURRENDER by Philip J. Berent, M.D., of the license to practice medicine and surgery in the state of Wisconsin (license no. 65000-20) and any appurtenant right to renew that license, effective the date of this Order.
3. If Philip J. Berent, M.D., ever seeks any other license under Wis. Stat. chs. 440-480, he shall, as a prerequisite to application, pay COSTS of this matter in the amount of \$480.30.
4. If applicable, payment of costs are to be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address below:

Final Decision and Order
In the matter of disciplinary proceedings against
Philip J. Berent, M.D., Case Nos. 17 MED 018 and 17 MED 026

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

WISCONSIN MEDICAL EXAMINING BOARD

by: 
A Member of the Board

August 16, 2017
Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

FB 8.3.2017

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

STIPULATION

PHILIP J. BERENT, M.D.,
RESPONDENT.

0005395

Division of Legal Services and Compliance Case Numbers. 17 MED 018 and 17 MED 026

Respondent Philip J. Berent, 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 pending investigations 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

Stipulation for Interim Order


**In the matter of disciplinary proceedings against
Philip J. Berent, M.D., Case numbers 17 MED 018 and 17 MED 026**

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.


Philip J. Berent, M.D., Respondent
W2170 Tuleta Hill Road
Markesan, WI 53946
License no. 65000-20

8.3.2017.
Date


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

8/3/17
Date