

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY :  
PROCEEDINGS AGAINST :  
: FINAL DECISION AND ORDER  
RAYMOND S. KOZIOL, M.D., :  
RESPONDENT. :

0005475

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Division of Legal Services and Compliance Case No. 16 MED 154

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

Raymond S. Koziol, M.D.  
4869 N. Diversey Boulevard  
Whitefish Bay, WI 53217

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. Respondent Raymond S. Koziol, M.D. (DOB February 22, 1941), is licensed by the State of Wisconsin to practice medicine and surgery, having license number 16638-20, first issued on January 15, 1969, 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 4869 N. Diversey Boulevard, Whitefish Bay, Wisconsin 53217.
2. At all times pertinent to this matter, Respondent's area of practice was psychiatry.
3. Respondent was the subject of prior Board disciplinary action. In Division of Legal Services and Compliance (DLSC) case numbers 97 MED 194 and 98 MED 063, Respondent's license to practice medicine was suspended at various intervals and limited by

certain terms and conditions for his admitted self-prescribing and diversion of controlled substances for personal use. He was also disciplined for terminating physician/patient relationships without notifying and arranging for his patients to receive follow up care with another provider.

4. In 2016, DLSC commenced case number 16 MED 154 to investigate allegations that Respondent was prescribing controlled substances for family members and diverting some of the medications. The investigation has not concluded and at this time, the Board has made no determination as to the validity of the allegations.

5. Respondent neither admits nor denies engaging in any professional misconduct but elects to surrender his Wisconsin license to practice medicine and surgery for health reasons.

6. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

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

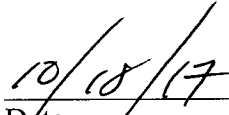
1. The attached Stipulation is accepted.
2. The Board accepts the permanent VOLUNTARY SURRENDER by Raymond S. Koziol, M.D., of his Wisconsin license to practice medicine and surgery (license no. 16638-20) and any appurtenant right to renew that license, effective the date of this Order.
3. If Respondent ever seeks any license under Wis. Stat. chs. 440-480, he shall, as a prerequisite to application, pay COSTS of this matter in the amount of \$2575.00. If Respondent never again seeks licensure in Wisconsin, the Department waives the above-stated costs.
4. If applicable, payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent 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

5. 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

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

RAYMOND S. KOZIOL, M.D.,  
RESPONDENT.

:  
:  
:  
:  
:

STIPULATION

0005475

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Division of Legal Services and Compliance Case No. 16 MED 154

Respondent Raymond S. Koziol, 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.

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.

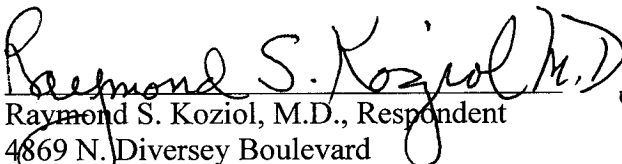
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.

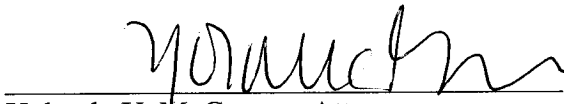
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes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

  
Raymond S. Koziol, M.D., Respondent  
4869 N. Diversey Boulevard  
Whitefish Bay, WI 53217  
License no. 16638-20

9-29-17  
Date

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

10-5-17  
Date