

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
SHAWN G. LARSON, M.D., :
RESPONDENT. :

0005519

Division of Legal Services and Compliance Case No. 15 MED 317

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

Shawn G. Larson, M.D.
315 Johnson Street
Holmen, WI 54636

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 Shawn G. Larson, M.D. (DOB July 25, 1971), is licensed in the state of Wisconsin to practice medicine and surgery, having license number 40180-20, first issued on August 7, 1998, with registration current through October 31, 2019. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 315 Johnson Street, Holmen, Wisconsin 54636.

2. Respondent is certified by the American Board of Psychiatry & Neurology.

3. At all times relevant to this proceeding, Respondent was employed as a psychiatrist at a health care facility (Facility A) located in La Crosse, Wisconsin.

4. In June 2015, Facility A began investigating staff complaints that Respondent was documenting time in excess of care actually rendered.

5. The investigation concluded that there were discrepancies between the treatment time documented by Respondent and the time patients were checked in at Facility A for their appointments with Respondent.

6. On July 15, 2015, Respondent resigned from Facility A.

7. On August 4, 2015, Facility A submitted a disclosure report to the Office of Inspector General (OIG) pursuant to the OIG Provider Self-Disclosure Protocol, related to payments received from Medicare, Wisconsin Medicaid and TRICARE for Respondent's services rendered at Facility A.

8. In July of 2016, Facility A made a payment to the United States Department of Health and Human Services for psychotherapy services which had been billed by Respondent between March 1, 2009, and June 30, 2015.

9. Respondent disputes allegations of unprofessional conduct and contends that check in-time recorded by the reception desk is not indicative of treatment time allocated by a physician. However, 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 Shawn G. Larson, M.D., engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(3)(e) by failing to establish and maintain timely patient health care records, including records of prescription orders, under s. Med 21.03, or as otherwise required by law.

ORDER

1. The attached Stipulation is accepted.

2. The medicine and surgery license issued to Shawn G. Larson, M.D., (license number 40180-20) is LIMITED as follows:

a. Within nine (9) months of the date of this Order, Respondent shall successfully complete eight (8) hours of education on the topic of professional ethics and eight (8) hours on coding/ billing.

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

c. 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.

d. Within thirty (30) days of completion of each educational component, Respondent shall file an affidavit with the Department Monitor stating under oath that he has attended, in its entirety, the course(s) approved for satisfaction of this requirement along with supporting documentation of attendance from the sponsoring organizations.

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

f. 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.

3. Within ninety (90) days from the date of this Order, Shawn G. Larson, M.D., shall pay COSTS of this matter in the amount of \$1,248.00.

4. 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

5. In the event Respondent violates any term of this Order, Respondent's license (no. 40180-20), or Respondent's right to renew his license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of the Order. The Board may, in addition and/or in the alternative refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

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

WISCONSIN MEDICAL EXAMINING BOARD

by: T. Worthke MD
A Member of the Board

11/15/17
Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

SHAWN G. LARSON, M.D.,
RESPONDENT.

:
:
:
:
:

STIPULATION

0005519

Division of Legal Services and Compliance Case No. 15 MED 317

Respondent Shawn G. Larson, 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 Robert J. Dvorak.

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.


Stipulation
In the matter of disciplinary proceedings against
Shawn G. Larson, M.D., 15 MED 317

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.

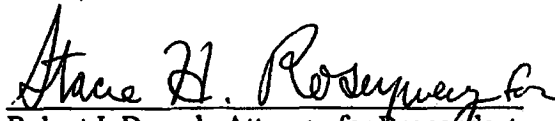
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.



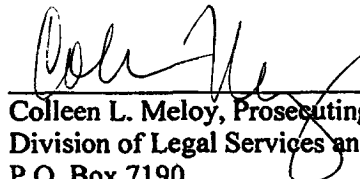
Shawn G. Larson, M.D., Respondent
315 Johnson Street
Holmen, WI 54636
License no. 40180-20

10/26/2017
Date



Robert J. Dvorak, Attorney for Respondent
Halling & Cayo SC
320 E. Buffalo Street, Ste 700
Milwaukee, WI 53202

10/26/17
Date



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

10/26/17
Date