

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE CHIROPRACTIC EXAMINING BOARD

IN THE MATTER OF THE LICENSE OF :
PATRICK C. ANDERSEN, D.C., : FINAL DECISION AND ORDER
LICENSEE. : FOR REMEDIAL EDUCATION
: **0005563**

Division of Legal Services and Compliance Case No. 15 CHI 017

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

Patrick C. Andersen, D.C.
6502 Normandy Lane
Madison, WI 53719

Wisconsin Chiropractic 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 Chiropractic 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. Licensee Patrick C. Andersen, D.C., (dob January 18, 1954) is licensed in the state of Wisconsin to practice chiropractic, having license number 1411-12, first issued on November 17, 1977 and current through December 14, 2018. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 6502 Normandy Lane, Madison, Wisconsin 53719.

2. At all times relevant to this proceeding, Licensee was employed as a chiropractor at a clinic (Clinic), located in Madison, Wisconsin.

Patient A

3. On June 10, 2014, Patient A presented to Licensee at the Clinic with a primary complaint of back pain. Licensee treated Patient A 30 times between June 2014 and December 2014.

4. During that period, Licensee documented physical exam findings for Patient A, in handwritten format, in a document titled "Chiropractic Record."

5. Licensee documented daily office visit notes, in electronic format, separately from the handwritten examination findings. The office visit notes contained "subjective," "objective," "assessment" and "plan" sections.

6. The daily office visit notes in electronic format do not specify which levels or regions of Patient A's spine Licensee adjusted, with 26 visits containing the generalized statements "Spinal adjustment 3-4 regions" and "See clinical findings as of last examination for full listing of objective findings."

7. Licensee documented his treatment plan for Patient A on a sticker at the bottom of his handwritten Chiropractic Record. The treatment plan was as follows: "R13 L5spL INL RLA C2spR FEML ANTD." This plan is not understandable to health care professionals generally familiar with chiropractic practice, procedures and nomenclature.

8. Licensee used the "R13 L5spL INL RLA C2spR FEML ANTD" type of treatment plan for all of Patient A's visits to determine what levels and regions to adjust. When an issue at a certain level had resolved, Licensee changed the plan to reflect what he needed to adjust.

Patient B

9. On June 9, 2014, Patient B presented to Licensee at the clinic with a primary complaint of back pain. Licensee treated Patient B 31 times between June 2014 and December 2014.

10. During that period, Licensee documented physical exam findings for Patient B, in handwritten format, in a document titled "Chiropractic Record."

11. Licensee documented daily office visit notes for Patient B, in electronic format separately from the handwritten examination findings. The office visit notes contained "subjective," "objective," "assessment" and "plan" sections.

12. The daily office visit notes in electronic format do not specify which levels or regions of Patient B's spine Licensee adjusted, with 31 visits containing the generalized statements "Spinal adjustment 3-4 regions" and 24 visits containing the general statement "See clinical findings as of last examination for full listing of objective findings."

13. Licensee documented his treatment plan for Patient B on a sticker at the bottom of his handwritten Chiropractic Record. The treatment plan was as follows: "EXR

L5spL T6P C7spR COE ANTD.” This plan is not understandable to health care professionals generally familiar with chiropractic practice, procedures and nomenclature.

14. Licensee changed this treatment plan during the course of Patient B’s treatment and placed a new sticker over the old one. This rendered the previous treatment plan unreadable on copies of the Chiropractic Record.

Patient C

15. On February 5, 2014, Patient C presented to Licensee at the clinic with a primary complaint of difficulty walking following a motor vehicle accident in 2013. Licensee treated Patient C 91 times between February 2014 and August 2015.

16. During that period, Licensee documented physical exam findings for Patient C, in handwritten format, in a document titled “Chiropractic Record.”

17. Licensee documented daily office visit notes for Patient C in electronic format separately from the handwritten examination findings. The office visit notes contained “subjective,” “objective,” “assessment” and “plan” sections.

18. The daily office visit notes in electronic format do not specify which levels or regions of Patient C’s spine Licensee adjusted, with 89 visits containing the generalized statement “Spinal adjustment 1-2 regions” and 79 visits containing the general statement “Chiropractic adjustment was performed today specifically as previously noted in patients (sic) listing records and last visit.”

19. Licensee documented his treatment plan for Patient C on a sticker at the bottom of his handwritten Chiropractic Record. The treatment plan was as follows: “ASINL RLD FEML CO1C2F GHIL C1R.” This plan is not understandable to health care professionals generally familiar with chiropractic practice, procedures and nomenclature.

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

CONCLUSIONS OF LAW

1. The Wisconsin Chiropractic Examining Board is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

ORDER

1. The attached Stipulation is accepted.

2. Within six (6) months of the date of this Order, Patrick C. Andersen, D.C., shall at his own expense take and successfully complete nine (9) hours of education on the topic of documentation and record keeping as follows:


- a. Each course attended in satisfaction of this Order must be pre-approved by the Board or its designee. Licensee shall be responsible for locating course(s) satisfactory to the Board and for obtaining the required approval of the courses from the Board or its designee. Licensee must take and pass any exam offered for the course(s).
- b. Licensee shall submit proof of successful completion of the education in the form of verification from the institution providing the education to the Department Monitor at the address stated below.
- c. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Board or Department.

3. Request for approval of courses and proof of successful course completion shall be sent by Licensee 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

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

WISCONSIN CHIROPRACTIC EXAMINING BOARD

by: 
A Member of the Board

12.21.2017
Date

STATE OF WISCONSIN
BEFORE THE CHIROPRACTIC EXAMINING BOARD

IN THE MATTER OF THE LICENSE OF :
 :
PATRICK C. ANDERSEN, D.C., : STIPULATION
 :
LICENSEE. : 0005563

Division of Legal Services and Compliance Case No. 15 CHI 017

Licensee Patrick C. Andersen, D.C., 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. Licensee consents to the resolution of this investigation by Stipulation.

2. Licensee understands that by signing this Stipulation, Licensee voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Licensee, 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 Licensee;
- the right to call witnesses on Licensee's behalf and to compel their attendance by subpoena;
- the right to testify on Licensee'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 Licensee under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Licensee is aware of Licensee's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation. Licensee is represented by attorney Barbara Zabawa.

4. Licensee agrees to the adoption of the attached Final Decision and Order for Remedial Education by the Wisconsin Chiropractic Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order for Remedial Education without further notice, pleading, appearance or consent of the parties. Licensee 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 Licensee or Licensee'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 for Remedial Education.

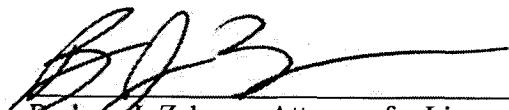
7. Licensee is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order for Remedial Education is a public record and will be published in accordance with standard Department procedure.

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



Patrick C. Andersen, D.C., Licensee
6502 Normandy Lane
Madison, WI 53719
License no. 1411-12

9/11/17
Date



Barbara J. Zabawa, Attorney for Licensee
Center for Health and Wellness Law, LLC
5104 Valley Drive
McFarland, WI 53558

9-14-17
Date



Kim M. Kluck, Attorney
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

9/15/17
Date