

## 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

CHARLES R. SZYMAN, D.O.,  
RESPONDENT.

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**0004307**  
FINAL DECISION AND ORDER

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Division of Legal Services and Compliance Case Nos. 15 MED 261 and 16 MED 123

The parties to these actions for the purpose of Wis. Stat. § 227.53 are:

Charles R. Szyman, D.O.  
11135 166<sup>th</sup> Street West  
Lakeville, MN 55044

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 these matters agree to the terms and conditions of the attached Stipulation as the final disposition of these matters, subject to the approval of the Medical Examining Board (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in these matters adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Charles R. Szyman, D.O. (DOB February 27, 1951), is licensed in the State of Wisconsin to practice medicine and surgery, having license number 29228-21, first issued on April 22, 1988, with registration current through February 29, 2016. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 515 N. 4<sup>th</sup> Street, Manitowoc, Wisconsin 54220. Upon information and belief, Respondent currently resides at 11135 166<sup>th</sup> Street West, Lakeville, Minnesota 55044.

2. At all times relevant to these matters, Respondent was employed as a pain management physician by a pain clinic located in Manitowoc, Wisconsin.

Division of Legal Services and Compliance Case No. 15 MED 261

3. On July 31, 2015, the Department of Safety and Professional Services, Division of Legal Services and Compliance (Division) received a complaint regarding Respondent's prescribing of controlled substances, and opened Division Case No. 15 MED 261.

4. The allegations in 15 MED 261 were that Respondent, in the course of his practice as a pain management physician dating back to at least June 2013, prescribed unusually large amounts of controlled substances, opioid pain medications in particular, without adequate or any medical support, without adequate or any physical examinations or medical testing, while allowing patients to request specific drugs and dosages, and when he knew or should have known the prescriptions he wrote were being diverted, abused, and were causing the deaths of his patients and others in the area where he practices.

5. On October 21, 2015, the Board summarily suspended Respondent's license to practice medicine and surgery, and approved a formal Complaint containing the allegations set out in paragraph 4 above (Complaint).

6. Respondent's license to practice medicine and surgery and his right to renew the same have remained suspended without interruption since October 21, 2015.

7. On October 29, 2015, the Division filed the Board-approved Complaint with the Wisconsin Department of Administration, Division of Hearings and Appeals.

8. On November 13, 2015, Respondent filed a formal Answer which denied the prescribing allegations set out in the Complaint.

9. The Complaint has remained pending while a related criminal matter progressed against Respondent until its conclusion in November 2017.

Division of Legal Services and Compliance Case No. 16 MED 123

10. On March 29, 2016, the Division received another complaint containing similar allegations about Respondent's prescribing practices, and opened Division Case No. 16 MED 123.

11. Respondent denies the allegations in Division Case Nos. 15 MED 261 and 16 MED 123, but consents to entry of the following Conclusions of Law and Order as a final resolution of these matters.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction to act in these matters pursuant to Wis. Stat. § 448.02(3), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

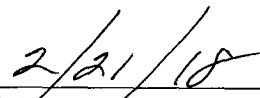
ORDER

1. The attached Stipulation is accepted.
2. The PERMANENT SURRENDER by Charles R. Szyman, D.O., of his license to practice medicine and surgery in the State of Wisconsin (license no. 29228-21) and any appurtenant right to renew that license, is hereby accepted, effective the date of this Order.
3. If Respondent ever seeks any other license under Wis. Stat. chs. 440-480, Charles R. Szyman, D.O., shall, as a prerequisite to application, pay COSTS of these matters in the amount of \$5,050.00. If Respondent never again seeks licensure in Wisconsin, the Department waives the above-stated costs.
4. If applicable, costs would 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

CHARLES R. SZYMAN, D.O.,  
RESPONDENT.

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STIPULATION

0004307

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Division of Legal Services and Compliance Case Nos. 15 MED 261 and 16 MED 123

Respondent Charles R. Szyman, D.O., 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 complaint and an investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of these matters 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.

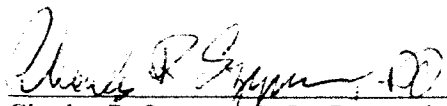
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matters shall then be returned to the

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.

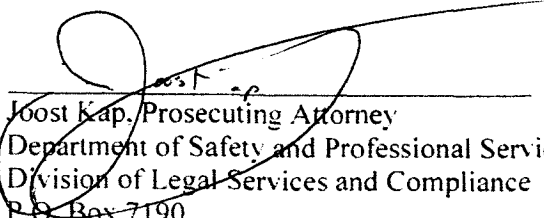
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes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

  
Charles R. Szymanski, D.O., Respondent  
11135 166<sup>th</sup> Street West  
Lakeville, MN 55044  
License no. 29228-21

February 6, 2018  
Date

  
Joost Kap, Prosecuting Attorney  
Department of Safety and Professional Services  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190

2/6/18  
Date