

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE LICENSE OF :
 :
 : FINAL DECISION AND ORDER
 : FOR REMEDIAL EDUCATION
MICHAEL DEAN REPLLINGER, M.D., :
LICENSEE. : **0006069**

Division of Legal Services and Compliance Case No. 18 MED 027

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

Michael Dean Replinger, M.D.
5729 Summerhill Court
Fitchburg, WI 53711-5883

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. Licensee Michael Dean Replinger, M.D. (DOB March 11, 1982) is licensed by the state of Wisconsin to practice medicine and surgery, having license number 52591-20, first issued on January 29, 2009 with registration current through October 31, 2019. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 5729 Summerhill Court, Fitchburg, Wisconsin 53711-5883.

2. At all times relevant hereto, Licensee completed an emergency residency at a facility in Madison, Wisconsin (Hospital).

3. The Department of Safety and Professional Services, Division of Legal Services and Compliance (Division) commenced Case No. 18 MED 027 to investigate allegations that Licensee engaged in unprofessional conduct during his residency in 2009 and 2010. The allegations included improper performance of groin examinations and on one occasion, sending a Facebook friend request to a patient.

4. Licensee denies performing improper groin examinations and does not recall sending a Facebook friend request to a patient.

5. An external peer review was conducted at the request of the Hospital. This review was "blinded," meaning that the reviewer did not know the identity of the Licensee. The external peer review concluded that the groin examinations performed by Licensee were medically necessary.

6. During the Division's investigation, Licensee represented to the Division that he performs all groin examinations with the presence of a chaperone in his current practice at the Hospital.

7. Licensee denies that he has engaged in unprofessional conduct, but in resolution of this matter, consents to the entry of the following Conclusion of Law and Order.

CONCLUSION OF LAW

1. The Wisconsin Medical 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 eight (8) months of the date of this Order, Licensee shall at Licensee's own expense take and successfully complete the *Medical Ethics, Boundaries, and Professionalism* course offered by the Case Western Reserve University School of Medicine or the *PROBE Ethics and Boundaries* course offered by CPEP.

3. 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. 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.

4. 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

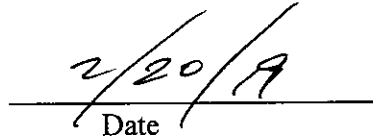
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

You may also submit this information online via DSPS' Monitoring Case Management System,
here: <https://app.wi.gov/DSPSMonitoring>

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

IN THE MATTER OF THE LICENSE OF :
 :
MICHAEL DEAN REPPLINGER, M.D., : STIPULATION
LICENSEE. :
 :
 : **2006069**

Division of Legal Services and Compliance Case No. 18 MED 027

Licensee Michael Dean Repplinger, 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. 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 Tim Kiefer.
4. Licensee agrees to the adoption of the attached Final Decision and Order for Remedial Education by the Wisconsin Medical 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, 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.

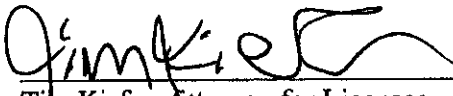
8. The Division of Legal Services and Compliance joins Licensee in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order for Remedial Education.



Michael Dean Repplinger, M.D., Licensee
5729 Summerhill Ct.
Fitchburg, WI 53711-5883
License No. 52591-20

1/17/2019


Date



Tim Kiefer, Attorney for Licensee
Kiefer Law Office, LLC
10 East Doty St., Ste 800
P.O. Box 1546
Madison, WI 53701-1546

January 17, 2019

Date



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

01/10/2019

Date