

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
CHRIS A. METZGER, M.D., :
RESPONDENT. : **0006191**

Division of Legal Services and Compliance Case No. 18 MED 685

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

Chris A. Metzger, M.D.
268 NW Outlook Vista Drive
Bend, OR 97703

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 Chris A. Metzger, M.D. (DOB November 8, 1970), is licensed in the state of Wisconsin to practice medicine and surgery, having license number 68243-20, first issued on October 27, 2017, 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 268 NW Outlook Vista Drive, Bend, Oregon 97703.

2. Respondent is an anesthesiologist and has also been licensed to practice medicine in the state of Washington since 2003.

3. On November 15, 2018, Respondent and the Washington Medical Quality Assurance Commission (WA Commission) entered into an Amended Stipulation to Informal Disposition (WA Stipulation).

4. The WA Stipulation reflects, *inter alia*, the following:

a. On or about June 12, 2016, while working in an operating room, Respondent was seen self-medicating via IV and performing self-wound care.

b. Respondent claimed he self-injected antibiotics and treated a wound resulting from an infection he developed while on vacation.

c. Respondent's employer required him to complete a residential diagnostic evaluation at a Hazelden facility in Oregon to assess for potential substance abuse.

d. Between July 14 and July 19, 2016, Respondent completed the Hazelden evaluation, which "found no evidence of Respondent's opioid use or any substance use disorder" as confirmed by toxicology testing. However, it was recommended that Respondent undergo additional testing for alcohol use levels.

e. Respondent underwent an Independent Evaluation for Impaired Professionals with a physician certified by the American Board of Psychiatry and Neurology and the American Board of Addiction Medicine. The evaluator found that Respondent "continues to consume very low levels of alcohol and that there is no evidence of problematic drinking or alcohol abuse." He recommended random alcohol testing for an additional six months or upon request for any concerns at work.

f. Respondent was ordered to undergo twelve months of random testing, to work under physician monitoring with quarterly reporting, pay costs of \$1,000, and other administrative conditions.

g. Mitigating factors were identified as: no known patient harm; Respondent cooperated with the WA Commission's investigation; Respondent proactively addressed the WA Commission's concerns; and no prior discipline since licensure in 2003.

5. Respondent consents to 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 Chris A. Metzger, M.D., engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(3)(c) by having any credentialing pertaining to the practice of medicine and surgery or any act constituting the practice of medicine and surgery become subject to adverse determination by any agency of this or another state, or by any federal agency or authority.

3. As a result of the above conduct, Chris A. Metzger, M.D., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.

2. The license of Chris A. Metzger, M.D. to practice medicine and surgery in the state of Wisconsin (license no. 68243-20) is LIMITED as follows:

a. Respondent is to maintain full and complete compliance with all terms, limitations, and conditions imposed by the WA Stipulation or any subsequent related order by the WA Commission;

b. Any conclusion by the WA Commission that Respondent has violated the WA Stipulation or any subsequent related order by the WA Commission is conclusive evidence of a violation for this Board's purposes; and

c. Respondent shall provide the Board with a copy of any document issued by the WA Commission which alters the conditions of Respondent's continued practice of medicine and surgery under the WA Stipulation or any subsequent related order by the WA Commission.

3. Upon Respondent providing proof sufficient to the Board, or its designee, that he has successfully complied with all terms and conditions of the WA Stipulation or any subsequent related order by the WA Commission, the Board or its designee shall issue an Order removing the limitation on Respondent's license.

4. Within 90 days from the date of this Order, Chris A. Metzger, M.D. shall pay COSTS of this matter in the amount of \$265.00.

5. Any submissions required under this Order and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be 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

You may also submit payment online via the DSPS Monitoring Case Management System:

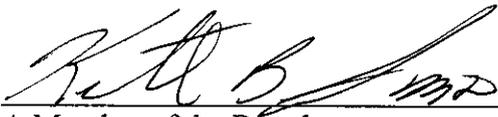
<https://app.wi.gov/DSPSMonitoring>

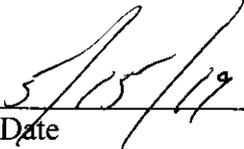
6. In the event Respondent violates any term of this Order, Respondent's license (no. 68243-20), or Respondent's right to renew his license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied

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.

7. 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 DISCIPLINARY
PROCEEDINGS AGAINST

CHRIS A. METZGER, M.D.,
RESPONDENT.

:
:
:
:
:

STIPULATION

0006191

Division of Legal Services and Compliance Case No. 18 MED 685

Respondent Chris A. Metzger, 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.

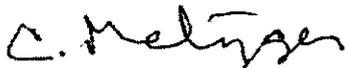
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.

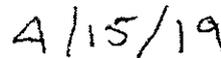
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes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



Chris A. Metzger, M.D., Respondent
268 NW Outlook Vista Dr.
Bend, OR 97703
License no. 68243-20



Date

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

Date

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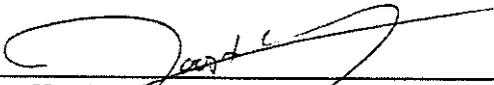
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Chris A. Metzger, M.D., Respondent
268 NW Outlook Vista Dr.
Bend, OR 97703
License no. 68243-20

Date



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

4/15/19

Date