

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscga>

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STATE OF WISCONSIN  
BEFORE THE PODIATRY AFFILIATED CREDENTIALING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

JEFFREY A. OSBOURNE, D.P.M.,  
RESPONDENT.

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: FINAL DECISION AND ORDER  
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**ORDER 0006845**

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Division of Legal Services and Compliance Case No. 17 POD 014

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

Jeffrey A. Osbourne, D.P.M.  
911 Woods Drive  
Hartland, WI 53029

Wisconsin Podiatry Affiliated Credentialing 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 Podiatry Affiliated Credentialing 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 Jeffrey A. Osbourne, D.P.M. (DOB October 7, 1966), is licensed by the State of Wisconsin to practice podiatric medicine and surgery, having license number 681-25, first issued on June 24, 1992, with registration that expired on October 31, 2018. Respondent retains the right to automatically renew his credential for five years following its expiration. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 911 Woods Drive, Hartland, Wisconsin 53228.

2. Respondent has no prior disciplinary history with the Board.
3. At all times pertinent to this matter Respondent practiced podiatric medicine.
4. In May of 2017, the United States Attorney's Office (U.S. Government) charged Respondent with one count of False Statements Relating to Health Care Matters based on Respondent's August 2012 use of his then employer's electronic medical records system to create a false patient record in order to generate additional revenue from Medicare.
5. On September 19, 2017, Respondent was convicted pursuant to a guilty plea in United States District Court, Eastern District of Missouri Federal Court of one count of False Statements Related to Health Care Matters in violation of 18 U.S.C. § 1035(a)(2). He was sentenced, *inter alia*, to probation for two (2) years.
6. On September 22, 2017, Respondent self-reported his September 19, 2017 conviction.
7. On March 5, 2018, based on the September 2017 conviction, the Department of Health and Human Services' Office of Inspector General excluded Respondent from participation in any capacity in Medicare, Medicaid, and all Federal health care programs as defined in section 1128B(f) of the Social Security Act.

#### CONCLUSIONS OF LAW

1. The Wisconsin Podiatry Affiliated Credentialing Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 448.675, 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 Jeffrey A. Osbourne, D.P.M., engaged in unprofessional conduct as defined by Wis. Admin. Code § Pod 2.01(16) by having a license, certificate, permit, registration, or other practice credential granted by another state or by any agency of the federal government to practice medicine and surgery, which becomes limited, restricted, suspended, or revoked, or having been the subject to other adverse action by the state licensing authority or by any agency of the federal government, including but not limited to the denial or limitation of an original credential, or the surrender of a credential, whether or not accompanied by findings of negligence or unprofessional conduct.
3. By the conduct described in the Findings of Fact, Respondent Jeffrey A. Osbourne, D.P.M., engaged in unprofessional conduct as defined by Wis. Admin. Code § Pod 2.01(17) by being convicted of any crime which may relate to the practice under any license.
4. As a result of the above conduct, Jeffrey A. Osbourne, D.P.M., is subject to discipline pursuant to Wis. Stat. § 448.675(1).

ORDER

1. The attached Stipulation is accepted.
2. Respondent Jeffrey A. Osbourne, D.P.M., is REPRIMANDED.
3. Upon renewal of his license, the podiatric medicine and surgery license issued to Jeffrey A. Osbourne, D.P.M., (license number 681-25) is LIMITED as follows:
  - a. Respondent shall fully comply with all the terms and conditions of his probation as ordered.
  - b. Any violation of the terms and conditions of Respondent's probation shall constitute a violation of this Order.
  - c. Respondent shall, within 48 hours of his receipt, provide the Board with a copy of any document which alters the conditions of Respondent's probation.
  - d. Upon Respondent providing proof sufficient to the Board, or its designee, that he has successfully complied with all terms and conditions of his probation, the Board or its designee may issue an order removing the limitation on Respondent's license.
4. Within 90 days from the date of this Order, Jeffrey A. Osbourne, D.P.M., shall pay COSTS of this matter in the amount of \$484.00.
5. All required submissions and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services Monitor) shall be submitted online via the Department's Monitoring Case Management System at <https://app.wi.gov/DSPSMonitoring> or sent to 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](mailto:DSPSMonitoring@wisconsin.gov)
6. In the event Respondent violates any term of this Order, Respondent's license (no. 681-25), 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.

Final Decision and Order  
In the matter of disciplinary proceedings against  
Jeffrey A. Osbourne, D.P.M., Case No. 17 POD 014

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

WISCONSIN PODIATRY AFFILIATED CREDENTIALING BOARD

by: Jack Hunter / C-A  
A Member of the Board

6/11/2020  
Date

TM  
1/17

STATE OF WISCONSIN  
BEFORE THE PODIATRY AFFILIATED CREDENTIALING BOARD

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

JEFFREY A. OSBOURNE, D.P.M.,  
RESPONDENT.

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STIPULATION

ORDER 0006845

Division of Legal Services and Compliance Case No. 17 POD 014

Respondent Jeffrey A. Osbourne, D.P.M., 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 Patrick Knight.
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Podiatry Affiliated Credentialing 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  
Jeffrey A. Osbourne, D.P.M., Case No. 17 POD 014

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.

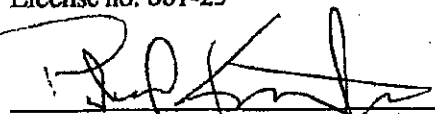
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent or Respondent's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

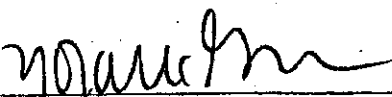
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

  
Jeffrey A. Osbourne, D.P.M., Respondent  
911 Woods Drive  
Hartland, WI 53029  
License no. 681-25

1-15-19  
Date

  
Patrick Knight, Attorney for Respondent  
Gimbel, Reilly, Guerin, and Brown, L.L.P.  
330 E. Kilbourn Ave. # 1170  
Milwaukee, WI 53202

1-17-19  
Date

  
Yolanda McGowan, Attorney  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190

1/22/19  
Date