

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
JEFFREY P. HOLMGREN, M.D., :
RESPONDENT. : **ORDER 0006897**

Division of Legal Services and Compliance Case Nos. 18 MED 136 and 18 MED 655

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

Jeffrey P. Holmgren, M.D.
North Branch, MN 55056

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

FINDINGS OF FACT

1. Respondent Jeffrey P. Holmgren, M.D. (DOB xx-xx-1949), is licensed in the state of Wisconsin to practice medicine and surgery, having license number 28973-20, first issued on November 18, 1987, with registration current through October 21, 2021. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in North Branch, Minnesota 55056.

18 MED 136

2. A patient alleged that Respondent failed to respond to her requests to obtain her medical records for over a year.

3. Between April 11, 2018 and November 20, 2019, the Department made requests for a response to the allegations from Respondent. The Department's requests were sent to Respondent's email and mailing addresses of record with the Department, but he failed to respond until November 23, 2019.

18 MED 655

4. On February 6, 2018, Patient A, a female born in 1989, presented to Respondent, who obtained a tongue swab sample to perform genetic testing.

5. Respondent failed to send the sample to the lab for testing. On February 28, 2018, when Patient A contacted Respondent for test results, Respondent informed Patient A that the test results were inconsequential.

6. Patient A subsequently filed a complaint with the Department.

7. Between January 14, 2019 and November 15, 2019, the Department made multiple efforts to obtain a response to the allegations of the complaint from Respondent utilizing Respondent's email and mailing address of record with the Department. Respondent failed to respond to these requests.

8. On November 25, 2019, Respondent provided a response. In his submission, Respondent admitted that he failed to provide accurate information to Patient A regarding what had occurred with the test results:

[Patient A's tongue swab sample] was never forwarded to the genetics lab due to inadvertence on my part and the loss of my support nurse at that time left for another position. She typically would handle the sending of samples and a collation of lab results for me, and in her absence I neglected to do so. Thus the sample was never submitted, and no results were forthcoming. Instead of simply apprising [Patient A] of that fact I covered it up by saying that the results were inconsequential.

9. In resolution of these matters, Respondent consents to the entry of the following Conclusions of Law and Order.

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).

2. By the conduct described in the Findings of Fact, Respondent engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(2)(b) by departing from or failing to conform to the standard of minimally competent medical practice which creates an unacceptable risk of harm to a patient or the public.

3. By the conduct described in the Findings of Fact, Respondent engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(3)(g) by failing to cooperate in a timely manner with the board's investigation of a complaint filed against a license holder.

4. As a result of the above conduct, Jeffrey P. Holmgren, M.D., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.

2. Respondent is REPRIMANDED.

3. Within 90 days from the date of this Order, Jeffrey P. Holmgren, M.D. , shall pay COSTS of these matters in the amount of \$1,069.00.

4. Payment of costs shall 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

You may also submit payment online via DSPPS' Monitoring Case Management System, here: <https://dpsmonitoring.wi.gov/>

5. In the event Respondent violates any term of this Order, Respondent's license (no. 28973-20), 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.

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

WISCONSIN MEDICAL EXAMINING BOARD

by: Stephen A. Wasserman, MD
A Member of the Board

7/15/2020
Date

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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JEFFREY P. HOLMGREN, M.D.,
RESPONDENT.

STIPULATION

ORDER 0006897

Division of Legal Services and Compliance Case Nos. 18 MED 136 and 18 MED 655

Respondent Jeffrey P. Holmgren, 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


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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.



Jeffrey P. Holmgren, M.D., Respondent
North Branch, MN 55056
License no. 28973-20

6/24/20
Date



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

6/24/2020
Date