

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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JUN 19 2020

DIV LEGAL SERVICES & COMPLIANCE
DEPT SAFETY & PROFESSIONAL SERVICES

STATE OF WISCONSIN
BEFORE THE CHIROPRACTIC EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

PAUL W. MERGEN, D.C.,
RESPONDENT.

INTERIM ORDER

ORDER 0006943

Division of Legal Services and Compliance Case No. 20 CHI 003

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

Paul W. Mergen, D.C.
Bloomington, WI 53804

Wisconsin Chiropractic 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 interim disposition of this matter, subject to the approval of the Wisconsin Chiropractic Examining Board (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board adopts the attached Stipulation and makes the following Findings of Fact, Conclusion of Law, and Order.

FINDINGS OF FACT

1. Respondent Paul W. Mergen, D.C., (DOB XX/XX/1987) is licensed in the state of Wisconsin as a chiropractor, having license number 4997-12, first issued on January 27, 2014, and current through December 14, 2020. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is located in Bloomington, Wisconsin 53804.

2. On April 9, 2020, Respondent was charged with twelve (12) counts of Possession of Child Pornography, a class D Felony, in Dane County Circuit Court, Case Number 20CF904.

3. On March 13, 2020, the Department's Division of Legal Services and Compliance (DLSC) opened an investigation of Respondent on behalf of the Board concerning the charges referenced in paragraph 2.

4. The Board has not made a determination as to the validity of the allegations underlying the above charges.

5. Respondent voluntarily agrees to enter into this Order to focus on the criminal case and understands that DLSC Case No. 20 CHI 003 will remain ongoing with investigation.

6. Respondent's consent to the entry of this order does not constitute an admission of the charges referenced in paragraph 2.

7. Respondent voluntarily agrees not to engage in the practice of chiropractic pending final resolution of the criminal proceedings referenced in paragraph 2, and the disciplinary proceedings associated with DLSC Case No. 20 CHI 003.

CONCLUSION OF LAW

1. The Wisconsin Chiropractic Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. §§ 446.03 and 446.05, 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 license of Respondent to practice chiropractic in the state of Wisconsin (license number 4997-12) is SUSPENDED as of the date of this Order.

3. The suspension shall continue until the Board issues a Final Decision and Order in DLSC Case No. 20 CHI 003.

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

WISCONSIN CHIROPRACTIC EXAMINING BOARD

by: Bryan Gerondale C.B.H.
A Member of the Chiropractic Examining Board

8/13/20
Date

STATE OF WISCONSIN
BEFORE THE CHIROPRACTIC EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

PAUL W. MERGEN, D.C.,
RESPONDENT.

STIPULATION
FOR INTERIM ORDER

ORDER 0006943

Division of Legal Services and Compliance Case No. 20 CHI 003

Respondent Paul W. Mergen, D.C. and the Division of Legal Services and Compliance, Department of Safety and Professional Services, stipulate as follows:

1. This Stipulation is entered into in the course of a pending investigation by the Division of Legal Services and Compliance.
2. Respondent is aware of his right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.
3. Respondent agrees to the adoption of the attached Interim Order by the Chiropractic Examining Board. The parties to the Stipulation consent to the entry of the attached Interim Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the attached Interim Order, if adopted in the form as attached.
4. 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 be returned to the Division of Legal Services and Compliance for further proceedings. In the event this 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.
5. 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 Interim Order.
6. Respondent is informed that should the Board adopt this Stipulation, the Board's Interim Order is a public record and will be published in accordance with standard Department procedure.
7. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Interim Order.

