

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
 :
 MARY B.R. CLIFTON, M.D. :
 LICENSEE. :
 : **ORDER 0006952**

Division of Legal Services and Compliance Case No. 19 MED 363

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

Mary B.R. Clifton, M.D.
Plantation, FL 33324

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 Mary B.R. Clifton, M.D. (DOB XX/XX/1969) is licensed by the state of Wisconsin to practice medicine and surgery, having license number 61341-20, first issued on September 16, 2013 with registration current through October 31, 2021. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Plantation, Florida 33324.

2. Subsequent to an investigation on behalf of the North Dakota Board of Medicine ("North Dakota"), Licensee was found to have violated N.D.C.C. § 43-17-31(1)(f) for performing unethical conduct likely to deceive, defraud, or harm the public, and N.D.C.C. § 43-17-31(1)(z) for lacking appropriate documentation in medical records for diagnosis, testing, and treatment of a patient.

3. As stipulated on May 29, 2019 with North Dakota, Licensee admitted the truthfulness of the following facts:

4. At all relevant times, Licensee was employed by a telemedicine provider.

5. On March 6, 2018, Patient A received an unsolicited phone call from Licensee's employer. As a result of this call, Licensee prescribed Patient A doxepin cream, clobetasol cream/ointment, and diclofenac solution.

6. A request for Patient A's treatment records was made to Licensee. The only documents produced were prescription forms with the medication order and the patient's history. There were no records evidencing a consultation by Licensee with Patient A.

7. On the prescription forms, Licensee listed her address as Fargo, North Dakota despite never residing in Fargo, North Dakota. Licensee was using the Fargo address without authorization.

8. On July 19, 2019, North Dakota ordered Licensee to complete a medical record keeping course through the Center for Personalized Education for Physicians within six months.

9. On December 13, 2019, Licensee successfully completed the Medical Records Keeping Seminar at the University of Colorado Health Memorial Hospital, earning 10 AMA PRA Category 1 credits.

10. In resolution of this matter, Licensee consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS 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. The Board recognizes the aforementioned remedial education course completed by Licensee as the equivalent of the education the Board would have otherwise required. This course may not be used to satisfy the statutory continuing education requirements for licensure.

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

WISCONSIN MEDICAL EXAMINING BOARD

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

19 August 2020
Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE LICENSE OF
MARY B.R. CLIFTON, M.D.

:
:
:
:

STIPULATION
ORDER 0006952

Division of Legal Services and Compliance Case No. 19 MED 363

Licensee Mary B.R. Clifton, 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.

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.



07 / 21 / 2020

Mary M.B. Clifton, M.D., Licensee
Plantation, FL 33324
License No. 61341-20

Date



July 23, 2020

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

Date