

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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

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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
: FINAL DECISION AND ORDER
TRUNG T. TRAN, D.O., :
RESPONDENT. : **ORDER 0007335**

Division of Legal Services and Compliance Case No. 18 MED 189

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

Trung T. Tran, D.O.
Greensboro, NC 27455

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 Trung T. Tran, D.O., (DOB xx/xx/1976), is licensed in the state of Wisconsin to practice medicine and surgery, having license number 64281-21, first issued on June 24, 2015, with registration current through October 31, 2021. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is located in Greensboro, North Carolina 27455.

2. In 2015, a woman who worked with Respondent told him she left a prescription for Lortab at her former home and was afraid to retrieve it because the home was still occupied by her abusive ex-boyfriend. Respondent wrote a prescription for Lortab for the woman without establishing a doctor-patient relationship, performing a medical examination, or any medical record-keeping.

3. Respondent and the woman were not romantically involved at the time he prescribed Lortab for her, but they later got married and the woman moved to Rhinelander, Wisconsin, where Respondent was working.

4. Upon moving, the woman had not yet established with a new medical provider. She was on a long-term regimen of Adderall and to continue that, Respondent prescribed Adderall 20mg #30 to the woman on one occasion, again without establishing a doctor-patient relationship, performing a medical examination, or any medical record-keeping.

5. Respondent and the woman subsequently divorced and Respondent moved to North Carolina.

6. Respondent applied for a North Carolina medical license in 2019 and was rejected because of this pending investigation and Respondent's failure to report it on his application. Respondent claims he was unaware that this matter was still pending at the time he applied for North Carolina licensure, and it did not affect the renewal of his Wisconsin license in 2019.

7. Respondent appealed and was granted a formal hearing before the North Carolina Medical Board, which reversed its denial and agreed to grant Respondent a North Carolina medical license subject to a reprimand, a stayed 3-year suspension, and a \$3,000 fine. Although not a condition imposed by the Board or the North Carolina Medical Board, Respondent also enrolled in a 3-day course on ethics and boundaries sponsored by the Center for Personalized Education for Professionals.

8. The initial denial of Respondent's application for North Carolina medical licensure and the subsequent conditional grant of said licensure were related solely to this matter and Respondent's failure to report it on his North Carolina medical license application.

9. In resolution of this matter, 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 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 engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(2)(c) by prescribing, ordering, dispensing, administering, supplying, selling, giving, or obtaining any prescription medication in any manner that is inconsistent with the standard of minimal competence.

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)(e) by failing to establish and maintain timely patient health care records, including records of prescription orders, under s. Med 21.03, or as otherwise required by law

4. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.
2. Respondent Trung T. Tran, D.O., is REPRIMANDED.
3. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$1,395.00.
4. Payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

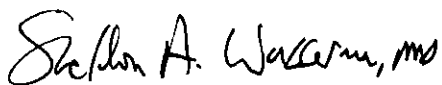
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

Respondent may also submit this information online via DSPS' Monitoring Case Management System, here: <https://dpsmonitoring.wi.gov/>

5. In the event Respondent violates any term of this Order, Respondent's license (no. 64281-21), 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: 
A Member of the Board

21 April 2021
Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

TRUNG T. TRAN, D.O.,
RESPONDENT.

:
:
:
:
:
:

STIPULATION

ORDER 0007335

Division of Legal Services and Compliance Case No. 18 MED 189

Respondent Trung T. Tran, D.O., 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 Attorney Patrick Knight.

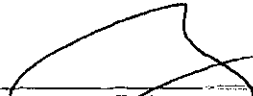
4. Respondent agrees to the adoption of the attached Final Decision and Order by
the Wisconsin Medical Examining Board (Board). The parties to the Stipulation consent to the
entry of the attached Final Decision and Order without further notice, pleading, appearance or
consent of the parties. Respondent 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 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.

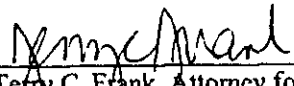
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.




Trung T. Tran, D.O., Respondent
Greensboro, NC 27455
License No. 64281-21

3/8/2021
Date



Terry C. Frank, Attorney for Respondent
Radiant Legal & Consulting, PLLC
2920 W. Broad Street, #11
Richmond, VA 23230

3/8/2021
Date



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

3/11/2021
Date