

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

CLARENCE D. ENGSTROM, M.D.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER

: **ORDER 0007446**
:

Division of Legal Services and Compliance Case No. 20 MED 348

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

Clarence D. Engstrom, M.D.
Zion, IL 60099

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 Clarence D. Engstrom, M.D., (DOB XX/XX/1940), is licensed in the state of Wisconsin to practice medicine and surgery, having license number 56330-20, first issued on September 23, 2011, 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 Zion, Illinois 60099.

2. Respondent is also licensed to practice medicine and surgery in Illinois.

3. On September 3, 2020, the Department received a report that the Illinois Department of Financial and Professional Regulation (IDFPR) issued an Order against

Respondent's license on August 25, 2020, related to Respondent's prescribing to a patient at Respondent's clinical practice in Illinois (Illinois Order).

4. The Illinois Order placed Respondent's license on an indefinite probation for a minimum of three (3) years and requires Respondent to, *inter alia*:
 - a. Submit quarterly reports to the IDFPR on January 10th, April 10th, July 10th and October 10th of every year of the probationary period;
 - b. Complete fifteen (15) credits of continuing medical education on professional responsibility and fifteen (15) credits on addiction medicine;
 - c. Obtain an Illinois-licensed physician and surgeon practice monitor who will perform chart reviews during the probationary period;
 - d. Not prescribe controlled substances or engage in any long-term pain management for new patients during the period of probation, defined as prescribing controlled substances for longer than twelve weeks duration; and
 - e. Pay a \$5000 fine.
5. Respondent failed to report the Illinois Order to the Board.

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(3)(a) by failing, within 30 days, to report to the board any final adverse action taken against the licensee's authority to practice medicine and surgery by another licensing jurisdiction concerned with the practice of medicine and surgery.

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)(c) by having any credential pertaining to the practice of medicine and surgery or any act constituting the practice of medicine and surgery become subject to adverse determination by any agency of this or another state, or by any federal agency or authority.

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's license to practice medicine and surgery in the state of Wisconsin (number 56330-20) is limited as follows:

- a. Respondent is to maintain full and complete compliance with all terms, limitations, and conditions imposed by the Illinois Order.
- b. Respondent shall not prescribe controlled substances or engage in long-term pain management for any new patients as set forth in the Illinois Order.
- c. Respondent shall submit all reports required under the Illinois Order to the Department Monitor within one week of providing the report to the IDFPR.
- d. Respondent shall provide the Board with a copy of any document issued by the IDFPR which alters the conditions of Respondent's continued practice of medicine in the Illinois, including any document advising reinstatement of full licensure.
- e. A determination by the IDFPR that Respondent has violated the Illinois Order is deemed a violation for the purposes of the Board.
- f. Upon Respondent providing proof sufficient to the Board, or its designee, that he has successfully complied with all terms and conditions of the Illinois Order and his Illinois medical license has been restored to full, unrestricted status, the Board or its designee shall issue an Order removing the limitation on Respondent's Wisconsin license.

3. Within ninety (90) days from the date of this Order, Respondent, shall pay COSTS of this matter in the amount of \$722.00.

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

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. 56330-20), 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. Wacker, MD
A Member of the Board

16 June 2021
Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : STIPULATION
CLARENCE D. ENGSTROM, M.D., :
RESPONDENT. : **ORDER 0007446**

Division of Legal Services and Compliance Case No. 20 MED 348

Respondent Clarence D. Engstrom, 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. Respondent is represented by Attorney Michael Slovis.


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.




Clarence D. Engstrom, M.D., Respondent
Zion, IL 60099
License no. 56330-20

5-19-2021
Date



Michael Slovis, Attorney for Respondent
Cunningham, Meyer & Vedrine
1 East Wacker, Suite 200
Chicago, Illinois 60601

5/15/2021
Date



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

May 25, 2021
Date