

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 :
 : INTERIM ORDER
FRANCIS F. JOSEPH, M.D., :
RESPONDENT. : ORDER 0007551

Division of Legal Services and Compliance Case No. 21 MED 191

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

Francis F. Joseph, M.D.
Highlands Ranch, CO 80130

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 agree to the terms and conditions of the attached Stipulation as an Interim Order in 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 Francis F. Joseph, M.D., (Year of Birth 1965) is licensed in the state of Wisconsin to practice medicine and surgery, having license number 39627-20, first issued on February 27, 1998, with registration current through October 31, 2023. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Highlands Ranch, Colorado 80130.

2. On March 17, 2021, Respondent was indicted in the United States District Court for the District of Colorado, Case No. 21-cr-00083-RM, on one (1) count of Theft or Embezzlement in Connection with Health Care, in violation of 18 U.S. Code § 669; one (1) count of Theft or Embezzlement of Public Money, Property or Records, in violation of 18 U.S. Code § 641; one (1) count of Fraud by Wire, Radio or Television, in violation of 18 U.S. Code § 1343;

and one (1) count of Concealment of Assets, False Oaths and Claims, in violation of 18 U.S. Code § 152(3). The aforementioned indictment is based on allegations that Respondent fraudulently obtained and/or stole COVID relief funds and paycheck protection funds from Spring Medical Associates (SMA) and submitted fraudulent information in a bankruptcy matter involving SMA. The federal case is pending.

3. The allegations underlying the federal indictment do not include claims that Respondent is incompetent or unsafe to provide medical care to patients.

4. On April 21, 2021, Respondent entered into an interim agreement not to practice medicine in the state of Colorado pending an investigation by the Colorado Medical Board.

5. The Board has not made a final determination as to the validity of the allegations underlying the federal indictment.

6. Respondent's consent to the entry of this order does not constitute an admission of guilt of the allegations referenced in paragraph 2 or of any act of professional misconduct.

7. Respondent has voluntarily agreed to certain limitations on his license to practice medicine and surgery in Wisconsin, pending the final resolution of the federal litigation and this disciplinary matter.

8. An Interim Order was entered by the Board on August 18, 2021, which limited Respondent's ability to practice medicine and surgery in Wisconsin, pending final resolution of the federal litigation. Respondent and the Board agree that the terms of this Interim Order supersede the terms of the Interim Order dated August 18, 2021.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 448.02(3), and has authority to enter into this stipulation for an Interim Order pursuant to Wis. Stat. § 227.44(5).

ORDER

1. The Stipulation of the parties is accepted.
2. Respondent's license and registration to practice medicine and surgery in the state of Wisconsin (license no. 39627-20) is LIMITED during the pendency of this disciplinary matter as follows:
 - a. Respondent is permitted to practice medicine and surgery in Wisconsin but only in the capacity of an employee working for a health care facility or health care entity, or as an independent contractor providing health care services for a health care facility, health care entity, or other organization or entity.

- b. Respondent is prohibited from the practice of medicine and surgery in Wisconsin that in any way whatsoever includes the ownership, leadership or management of any medical practice, healthcare facility or healthcare entity in Wisconsin.
- c. Respondent is prohibited from the practice of medicine and surgery in Wisconsin in any position or role that involves financial oversight or financial transactions on behalf of a medical practice, healthcare facility or healthcare entity in Wisconsin.
- d. These limitations shall remain in effect until the Board issues a Final Decision and Order in, or otherwise finally resolves, this disciplinary matter.

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

WISCONSIN MEDICAL EXAMINING BOARD

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

12/21/22
Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
: STIPULATION
: FOR INTERIM ORDER
FRANCIS F. JOSEPH, M.D., :
RESPONDENT. : ORDER 20007551

Division of Legal Services and Compliance Case No. 21 MED 191

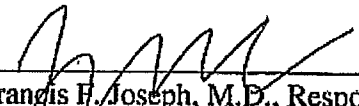
Respondent Francis F. Joseph, M.D., and the Division of Legal Services and Compliance, Department of Safety and Professional Services, stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance.
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 neither admits nor denies the allegations in this matter, but agrees to the adoption of the attached Interim Order by the Medical Examining Board (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 Board's 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 that 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 assigned as a case advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent or Respondent's attorney, if any, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with the Board's deliberations on the Stipulation. Additionally, any such case 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 and Interim Order, the Board's Interim Order is a public record and will be published in accordance with standard Department procedure.



7. Respondent is further informed that should the Board adopt this Stipulation, the Board's Interim Order will be reported as required by the National Practitioner Databank (NPDB) Guidebook and as otherwise required by any licensure compact or any other state or federal law.


8. The Division of Legal Services and Compliance joins Respondent in recommending that the Board adopt this Stipulation and issue the attached Interim Order.



Francis H. Joseph, M.D., Respondent
Highlands Ranch, CO 80130
License No. 39627-20



Date



Carley J. Peich Kiesling, Prosecuting Attorney
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

12/15/2022

Date