

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



### Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

#### Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

The status of an appeal may be found on court access websites at:

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

- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DSPS website:** An individual who believes that information on the website is inaccurate may contact [DSPS@wisconsin.gov](mailto:DSPS@wisconsin.gov)

STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

---

IN THE MATTER OF DISCIPLINARY :  
PROCEEDINGS AGAINST :  
 : FINAL DECISION AND ORDER  
MATTHEW A. DAHLGREN, M.D., :  
RESPONDENT. : **ORDER 0008123**

---

Division of Legal Services and Compliance Case No. 21 MED 543

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

Matthew A. Dahlgren, M.D.  
Elkhorn, WI 53121

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 Matthew A. Dahlgren, M.D., (Year of Birth 1975) is licensed in the state of Wisconsin to practice medicine and surgery, having license number 48956-20, first issued on February 2, 2006, 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 Elkhorn, Wisconsin 53121.

2. At all times relevant to this proceeding, Respondent practiced ophthalmology at an eye clinic located in Elkhorn, Wisconsin (Facility). Respondent had an ownership interest in the Facility and shared responsibility for overseeing and supervising Facility staff with his partners.

3. Patient A, a developmentally disabled male born in 1985 with a history of squamous blepharitis of the bilateral eyelids, received routine eye examinations at the Facility since 2010.

4. On February 5, 2016, Patient A presented to Respondent for a routine eye examination, the findings of which were within normal limits. Respondent prescribed 3.5 gm of Erythromycin to treat Patient A's squamous blepharitis. This visit was the last time Respondent conducted an in-person office visit with Patient A or interacted with him in any capacity.

5. On March 4, 2016, Patient A's mother called the Facility reporting that the Erythromycin failed to adequately treat Patient A's squamous blepharitis. Respondent prescribed Maxitrol, a steroid eye drop used to treat eye infections and inflammation, to Patient A with instructions to instill one drop in each eye twice a day as directed for seven days. The prescription was written with zero refills.

6. While Respondent's one-time Maxitrol prescription comported with minimal competency standards, Respondent failed to document in Patient A's health care record symptoms reported by Patient A's mother, pertinent history, or an assessment to support the prescription.

7. Subsequent prescriptions for Maxitrol with refills were requested. Respondent disputes that the refill requests were made through the Facility's certified Electronic Health Records (EHR) system; however, Respondent acknowledges that the refill requests were authorized without Respondent's knowledge by Facility staff using Respondent's electronic signature and DEA registration number on March 31, 2016, July 21, 2016, March 20, 2017, and May 18, 2017. In total, approximately 22 separate refills of Maxitrol were dispensed to Patient A by the pharmacy before the errors were discovered.

8. Respondent delegated responsibility to unlicensed Facility staff to process prescription refills and allowed them to have access to his DEA registration number and electronic signature.

9. Patient A developed steroid-induced glaucoma with associated loss of vision in his left eye, which is a risk associated with prolonged use of Maxitrol.

10. As a result of this incident, the Facility has implemented changes to its prescription refill authorization process and staff must now sign in under their own name instead of the physician's name. The Facility has also implemented a new EHR system that is more robust and uses a more effective platform for charting and filling prescriptions to minimize the possibility of errors.

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

#### CONCLUSIONS OF LAW

1. The 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. Based on the Findings of Fact, Respondent engaged in unprofessional conduct by failing to adequately supervise delegated medical acts performed by licensed or unlicensed personnel, pursuant to Wis. Admin. Code § Med 10.03(1)(L).

3. Based on the Findings of Fact, Respondent engaged in unprofessional conduct by failing to establish and maintain timely patient health care records under s. Med 21.03, or as otherwise required by law, pursuant to Wis. Admin. Code § Med 10.03(3)(e).

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

ORDER

1. The attached Stipulation is accepted.

2. Respondent is REPRIMANDED.

3. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$1,171.00.

4. Any requests, petitions, payments of costs (made payable to Department of Safety and Professional Services), and other information required by this Order shall be submitted to:

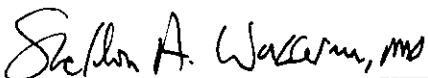
Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 266-2112; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

Respondent may also submit this information online at: <https://dpsmonitoring.wi.gov>.

5. In the event Respondent violates any term of this Order, Respondent's license and registration (number 48956-20) or Respondent's right to renew his license and registration to practice medicine and surgery in the state of Wisconsin, 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

8/17/2022  
Date

STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

---

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

MATTHEW A. DAHLGREN, M.D.,  
RESPONDENT.

:  
:  
:  
:  
:  
:

STIPULATION

**ORDER 0008123**

---

Division of Legal Services and Compliance Case No. 21 MED 543

Respondent Matthew A. Dahlgren, 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 John Healy.

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

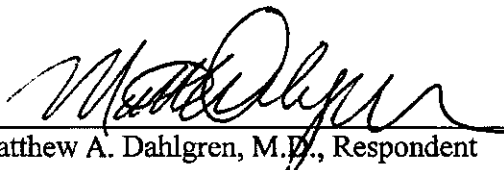
accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

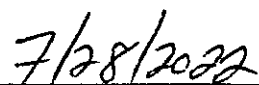
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent or Respondent's 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.

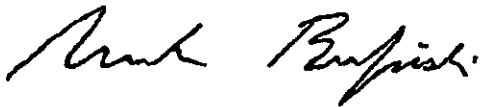
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

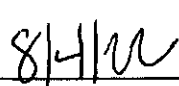
8. Respondent is further informed that should the Board adopt this Stipulation, the Board's Final Decision and Order will be reported as required by the National Practitioner Databank (NPDB) Guidebook and as otherwise required by any licensure compact or any other state or federal law.

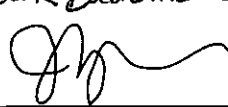
9. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

  
Matthew A. Dahlgren, M.D., Respondent  
Elkhorn, WI 53121  
License No. 48956-20

  
Date

  
~~John Healy~~, Attorney for Respondent  
Corneille Law Group, LLC  
7618 Westward Way, Suite 100  
Madison, WI 53717  
Mark Budzinski

  
Date

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

8/5/2022  
Date