

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE PHYSICIAN ASSISTANT AFFILIATED CREDENTIALING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
DAGMARA Z. BEINE, P.A.-C., :
RESPONDENT. :

ORDER 0008416

Division of Legal Services and Compliance Case No. 21 PAB 002

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

Dagmara Z. Beine, P.A.-C.
Thiensville, WI 53092

Wisconsin Physician Assistant Affiliated Credentialing 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 the final disposition of this matter, subject to the approval of the Physician Assistant Affiliated Credentialing 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 Dagmara Z. Beine, P.A.-C., (Year of Birth 1980) is licensed in the state of Wisconsin as a physician assistant, having license number 1738-23, first issued on July 13, 2004 and current through February 29, 2024. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Thiensville, Wisconsin 53092.

2. At all times relevant to this proceeding, Respondent practiced as a physician assistant at her own clinic in Thiensville, Wisconsin (Clinic). The Clinic's website lists Respondent's credentials as also including a Ph.D. in Integrative Medicine from Quantum University, a graduate of Dr. Nasha's Physician Mastermind Program: The Metabolic Approach to Cancer, a graduate of Dr. Aviva Romm's; Women's Functional and Integrative Medicine

Professional Training Program, and a graduate of Kresser Institute Functional Medicine Practitioner Program.

3. Respondent is not a licensed physician nor has undergone medical school training.

4. Respondent refers to herself as Dr. Dagmara Beine, has posted on the Clinic's Instagram account that she has received "medical training," and has stated, "I was never rightfully taught in medical school that fevers are good," thus creating an unacceptable risk of harm that the public will misidentify her as a physician.

5. During the COVID-19 pandemic, Respondent promoted various alternative treatments to combat the virus on the Clinic's social media accounts. One of those alternative treatments was IV Ozone therapy, which Respondent advertised as being available at the Clinic to treat "post lung symptoms." Respondent posted:

Ozone is being used successfully across the world to help patients who are struggling with Covid symptoms or post Covid symptoms. It helped me and many patients who have come through our clinic.

Please share this message and tag anyone struggling from BIG struggles like trouble breathing to smaller like loss of smell and brain fog – IV Ozone can be very effective.

. . . Studies are now also supporting Ozone both in safety and effectiveness for Covid – I have links to some of those studies below....

6. Respondent linked three studies to her post but failed to accurately reflect the conclusions of the studies, which warned that any benefits from ozone therapy were based on preliminary data and needed further research, and that ozone therapy must be used in conjunction with the standard of care for treatment of COVID-19. Respondent also failed to warn that if someone has "BIG struggles like trouble breathing," they should go to the hospital.

7. On August 23, 2021, Respondent promoted the use of nebulized food grade hydrogen peroxide for the treatment of COVID-19 on the Clinic's Instagram account. The entire post read as follows:

zuzasway Nebulized food grade hydrogen peroxide.

This virus tends to go after the lungs so nebulizing some hydrogen peroxide with sterile water can help in the progression of shortness of breath and lung disease.

8. Respondent failed to link any studies supporting this treatment, explain the risks of nebulizing hydrogen peroxide, or provide an appropriate amount to use thus creating an unacceptable risk of harm to the public.

9. 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. Stats. §§ 448.02(3) and 448.978¹ 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 knowingly, negligently, or recklessly making a false statement, written or oral, in the practice of medicine and surgery which creates an unacceptable risk of harm to a patient, the public, or both, pursuant to Wis. Admin. Code § Med 10.03(1)(e).
3. Based on the Findings of Fact, Respondent engaged in unprofessional conduct by engaging in false, misleading, or deceptive advertising, pursuant to Wis. Admin. Code § Med 10.03(1)(k).
4. Based on the Findings of Fact, Respondent engaged in unprofessional conduct by departing from or failing to conform to the standard of minimally competent medical practice which creates an unacceptable risk of harm to a patient or the public whether or not the act or omission resulted in actual harm to any person, pursuant to Wis. Admin. Code § Med 10.03(2)(b).
5. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 448.02(3) and 448.978(2), and Wis. Admin. Code § Med 10.03.

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 \$853.00.
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://dspsmonitoring.wi.gov>.

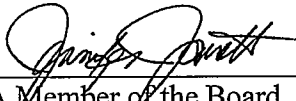
¹ Effective date for the creation of the Board was March 28, 2021. However, at the time the violations occurred, physician assistants were still subject to rules defining unprofessional conduct in Wisconsin Admin. Code Ch. Med 10.

5. In the event Respondent violates any term of this Order, Respondent's license (number 1738-23) or Respondent's right to renew her 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 PHYSICIAN ASSISTANT AFFILIATED CREDENTIALING BOARD

By:


A Member of the Board

2/23/2023

Date

STATE OF WISCONSIN
BEFORE THE PHYSICIAN ASSISTANT AFFILIATED CREDENTIALING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

DAGMARA Z. BEINE, P.A.-C.,
RESPONDENT.

STIPULATION

ORDER 0008416

Division of Legal Services and Compliance Case No. 21 PAB 002

Respondent Dagmara Z. Beine, P.A.-C., 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.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Physician Assistant Affiliated Credentialing 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, 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.

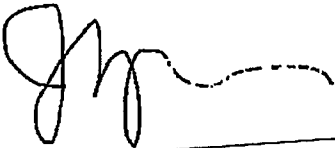
8. Respondent is further informed that should the Board adopt this Stipulation, the Board's Final Decision and Order will be reported as required by the National Practitioner Databank (NPDB) Guidebook and as otherwise required by any licensure compact or any other state or federal law.

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.



Dagmara Z. Beine, P.A.-C., Respondent
Thiensville, WI 53092
License No. 1738-23

Feb 8, 2023
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

2/9/2023
Date