

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE CHIROPRACTIC EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

ANTHONY J. OTTO, D.C.,  
RESPONDENT.

FINAL DECISION AND ORDER

**ORDER 0008837**

Division of Legal Services and Compliance Case No. 23 CHI 002

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

Anthony J. Otto, D.C.  
West Allis, WI 53227

Wisconsin Chiropractic 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 Chiropractic 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 Anthony J. Otto, D.C., (Year of Birth 1974) is licensed in the state of Wisconsin as a chiropractor, having license number 4315-12, first issued on May 21, 2007, and current through December 14, 2024. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in West Allis, Wisconsin 53227.

2. At all times relevant to this proceeding, Respondent worked as a chiropractor at a clinic located in Homer Glen, Illinois (Clinic).

3. On June 29, 2022, the Illinois Department of Financial and Professional Regulation issued a Consent Order (Illinois Order) which reprimanded Respondent's Illinois chiropractic physician license (number 038.012052), imposed a fine of \$2,500, and ordered Respondent to

complete 30 hours of continuing education within 24 months (five hours on medical recordkeeping, five hours on spinal radiology interpretation, and 20 hours on orthopedic and neurologic exam / clinical case management).

4. The Illinois Order was based on the following stipulated allegations:

- a. During the course of care from April to May 2013, Respondent improperly manipulated a patient's neck and spine multiple times, causing injury and exacerbating a pre-existing degenerative disc disease.
- b. Respondent's acts and/or omissions caused or contributed materially to the patient's injuries which required two spinal fusion surgeries to remediate.
- c. Respondent's documentation of the treatment was substandard.

5. Respondent did not admit to the allegations but agreed to the terms of the Illinois Order to resolve the matter.

6. 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. § 446.03 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 having a license granted by another jurisdiction to practice as a chiropractor limited, suspended or revoked, or subject to any other disciplinary action, pursuant to Wis. Admin. Code § Chir 6.02(22).

3. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 446.03(5).

#### ORDER

1. The attached Stipulation is accepted.

2. Respondent is REPRIMANDED.

3. Respondent's license to practice as a chiropractor in the state of Wisconsin (license number 4315-12) is LIMITED as follows:

- a. Respondent shall comply with all terms of the Illinois Order.
- b. Respondent shall report any modifications to the Illinois Order to the Department Monitor within 48 hours.

- c. Respondent shall report any violations of the Illinois Order to the Department Monitor within 48 hours. A violation of the Illinois Order shall be considered a violation of this Order.

4. Respondent may petition the Board for reinstatement of full licensure after providing the Board the following:

- a. Written documentation from the Illinois Department of Financial and Professional Regulation that Respondent holds a full and unencumbered license to practice chiropractic in the state of Illinois. Respondent shall be responsible for ensuring the written verification is transmitted to the Department.

5. The decision to grant Respondent's petition for reinstatement of full licensure or not, or to apply any further limitations to Respondent's license, is solely within the discretion of the Board or its designee.

6. Within 90 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$354.00.

7. 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:

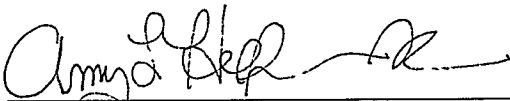
Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 266-2112; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

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

8. In the event Respondent violates any term of this Order, Respondent's license (number 4315-12) 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.

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

WISCONSIN CHIROPRACTIC EXAMINING BOARD

By:   
A Member of the Board

11/02/2023  
Date

STATE OF WISCONSIN  
BEFORE THE CHIROPRACTIC EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

ANTHONY J. OTTO, D.C.,  
RESPONDENT.

STIPULATION

**ORDER 0008837**

Division of Legal Services and Compliance Case No. 23 CHI 002

Respondent Anthony J. Otto, D.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 Chiropractic 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

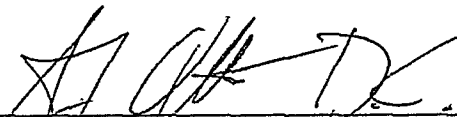
of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

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, 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.

  
\_\_\_\_\_  
Anthony J. Otto, D.C., Respondent  
West Allis, WI 53227  
License No. 4315-12

8/30/23  
\_\_\_\_\_  
Date

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

September 6, 2023  
\_\_\_\_\_  
Date