

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

CRYSTAL M. CUNNINGHAM,  
RESPONDENT.

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FINAL DECISION AND ORDER

**ORDER 0008920**

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Division of Legal Services and Compliance Case No. 23 MED 324

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

Crystal M. Cunningham  
Sedona, AZ 86351

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. Crystal M. Cunningham (Respondent), (Year of Birth 1977) is licensed in the state of Wisconsin to practice medicine and surgery, having license number 66510-20, first issued on November 8, 2016, with registration current through October 31, 2023.<sup>1</sup> Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Sedona, Arizona 86351.

2. On June 26, 2023, Respondent entered into an Interim Consent Agreement with the Arizona Medical Board (AZ Board) based on allegations that she was practicing while under the

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<sup>1</sup> Respondent applied for renewal of her license and as such, her license remains active until the Board acts on her application for renewal. See Wis. Stat. § 227.51(2).

influence of illicit substances (AZ Board Order). The AZ Board Order required Respondent to submit to drug testing and an alcohol and other drug abuse evaluation. The AZ Board Order also prohibited Respondent from engaging in the practice of medicine in Arizona until the AZ Board Executive Director finds that it is appropriate to release Respondent from the AZ Board Order.

3. The AZ Board Order noted that on June 23, 2023, Respondent underwent an Assessment with a Board-approved Assessor which resulted in a finding that Respondent was not safe to practice medicine.

4. On August 17, 2023, the Kansas Board of Healing Arts indefinitely suspended Respondent's license to practice medicine and surgery as a result of the AZ Board Order.

5. 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. By the conduct described in the Findings of Fact, Respondent engaged in unprofessional conduct as defined in 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.

3. 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's license and registration to practice medicine and surgery in Wisconsin (license number 66510-20), as well as her right to renew such license and registration, is indefinitely **SUSPENDED**.

3. The **SUSPENSION** of Respondent's license and registration to practice medicine and surgery in Wisconsin may be stayed upon Respondent petitioning the Board and providing proof, which is determined by the Board or its designee to be sufficient, that the AZ Board has granted Respondent permission to practice medicine and surgery without limitation or restriction.

4. The **SUSPENSION** of Respondent's license and registration to practice medicine and surgery in Wisconsin may be stayed, and additional restrictions or limitations imposed, upon Respondent petitioning the Board and providing proof, which is determined by the Board or its designee to be sufficient, that the AZ Board has granted Respondent permission to practice medicine and surgery subject to limitations or restrictions. The decision to stay the suspension of

Respondent's Wisconsin license to practice medicine and surgery under this paragraph lies solely within Board discretion.

5. Respondent's license and registration to practice medicine and surgery in Wisconsin (license number 66510-20), and her right to renew that license and registration, is further LIMITED as follows:

- a. Respondent is to maintain full and complete compliance with all terms, limitations, and conditions imposed against her medical license by the AZ Board Order.
- b. Respondent shall provide the Board with a copy of any document issued by the AZ Board which alters the terms and conditions of the AZ Board Order including any document providing reinstatement of full licensure, within fifteen (15) days of issuance of such document.
- c. A determination by the AZ Board that Respondent has violated any term, limitation, and/or condition imposed on her Arizona license to practice medicine and surgery by the AZ Board Order is a violation of this Order.

6. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$673.00. If costs are not paid within ninety (90) days from the date of this Order, interest shall accrue at the statutory rate of 12% per annum, pursuant to Wis. Stat. § 440.22(2).

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://dspsmonitoring.wi.gov>.

8. In the event Respondent violates any term of this Order, Respondent's license and registration (number 66510-20) or Respondent's right to renew her license and registration to practice medicine and surgery in the state of Wisconsin, may, in the discretion of the Board or its designee, be subject to additional discipline 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 MEDICAL EXAMINING BOARD

By: Clarence Chau (M.D.)  
A Member of the Board

12/20/2023  
Date

STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

CRYSTAL M. CUNNINGHAM,  
RESPONDENT.

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STIPULATION

**ORDER 0008920**

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Division of Legal Services and Compliance Case No. 23 MED 324

Crystal M. Cunningham (Respondent), 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 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

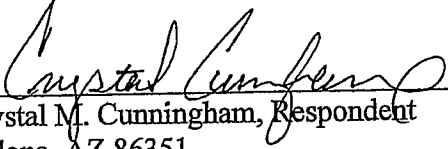
of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

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, 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.

  
Crystal M. Cunningham, Respondent  
Sedona, AZ 86351  
License No. 66510-20

11-24-23  
Date

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

12/5/23  
Date