

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 :
 : **FINAL DECISION AND ORDER**
EDWARD P. HAGEN, D.O., :
RESPONDENT. : **0002487**

Division of Legal Services and Compliance¹ Case No. 12 MED 254

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

Edward P. Hagen, D.O.
927 Wallace Drive
Amery, WI 54001

Wisconsin Medical Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935
Madison, WI 53708-8935

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 Edward P. Hagen, D.O., (dob April 26, 1961), is licensed in the State of Wisconsin to practice medicine and surgery, having license number 54529-21, first issued on May 20, 2010, with registration current through February 28, 2014. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 927 Wallace Drive, Amery, Wisconsin 54001.

2. Beginning in December 2010 and continuing on through June 2012, Respondent prescribed OxyContin[®] 20-30mg, oxycodone-acetaminophen (Percocet[®]) 10-325mg, zolpidem (Ambien[®]) 10mg, and cyclobenzaprine (Flexeril[®]) 10mg to a disabled neighbor as a favor, as

¹ The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

the neighbor initially stated he had run out of medications and needed a refill. Respondent admits that he refilled the prescriptions and continued to do so, as he had watched the neighbor struggle with his condition over the years.

3. Respondent also admits that he never performed an exam on the neighbor prior to prescribing the medications nor did he keep any medical records on him, or consult with the neighbor's treating physician(s).

4. Respondent ceased writing prescriptions for the neighbor when he learned that he was receiving medications from other physicians at the same time.

5. Respondent represents to the Board that this was an isolated incident, and he will never write another prescription for anyone without having seen them in a clinic or hospital, completing an appropriate history and physical examination, developing an assessment, and completing a plan.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining 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 Edward P. Hagen, D.O., engaged in unprofessional conduct pursuant to Wis. Admin. Code § Med 10.02(2)(h) by prescribing medication to a neighbor without performing an exam.

3. By the conduct described in the Findings of Fact, Respondent Edward P. Hagen, D.O., violated Wis. Admin. Code § Med 21.03(1) by failing to meet the minimum standards for patient health care records.

4. As a result of the above conduct, Edward P. Hagen, D.O., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Edward P. Hagen, D.O., is REPRIMANDED.

3. Within 90 days from the date of this Order, Edward P. Hagen, D.O., shall pay COSTS of this matter in the amount of \$400.00.

4. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address below:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935

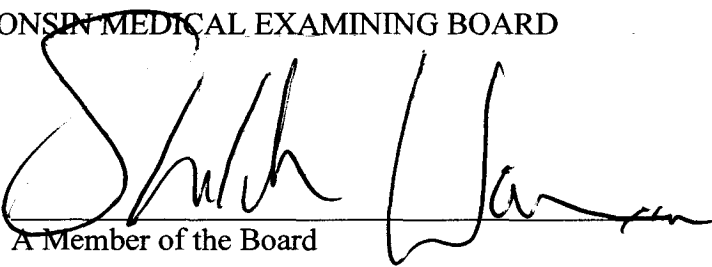
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

5. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of costs as set forth above, Respondent's license (no. 54529-21) may, in the discretion of the Board or its designee, be **SUSPENDED**, without further notice or hearing, until Respondent has complied with payment of costs.

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

WISCONSIN MEDICAL EXAMINING BOARD

by:


A Member of the Board

6/19/13

Date

akt/bc