STATE OF MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS BUREAU OF PROFESSIONAL LICENSING BOARD OF MEDICINE

In the Matter of

ANTHONY JOHN WOLF, M.D. License No. 43-01-085709, Petitioner.

Docket No. 19-016610 File No. 4301085709REI19061¹

FINAL ORDER GRANTING REINSTATEMENT

On or about June 10, 2019, Petitioner filed with the Michigan Board of Medicine (Board) an application for reinstatement to practice medicine in the state of Michigan with supporting documents, in accordance with the provisions of the Mich Admin Code, R 792.10711.

On July 11, 2019, the Department of the Attorney General, Licensing and Regulation Division, on behalf of the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing (Department) filed a response opposing Petitioner's application for reinstatement.

¹ The File (Case) Number in the Certification of Record and pleadings is incorrectly reflected as 43-01-085709 instead of 4301085709REI19061

An administrative hearing was held in the matter before an administrative

law judge who, on May 7, 2020, issued a Proposal for Decision (PFD) setting forth

recommended Findings of Fact and Conclusions of Law.

On May 22, 2020, Department of the Attorney General, Licensing and

Regulation Division, on behalf of the Department, filed Respondent's Exceptions to May

7, 2020, Proposal for Decision.

On June 5, 2020, Petitioner filed Petitioner's Response to Respondent's

Exceptions to May 7, 2020, Proposal for Decision.

The Board having reviewed the administrative record, considered this

matter at a regularly scheduled meeting held via Zoom on September 16, 2020, and

accepted the administrative law judge's Findings of Fact and Conclusions of Law

contained in the PFD.

Therefore, IT IS ORDERED that:

Petitioner is GRANTED a [limited] license to practice medicine in the state

of Michigan. Petitioner's license to practice medicine is lapsed. Petitioner must apply for

and meet all requirements for relicensure.

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Petitioner is GRANTED a limited license to practice medicine in the state of Michigan for five (5) years, commencing on the effective date of this Order. Reduction of the limitation period shall only occur while Petitioner is employed as a physician. The terms of limitation shall be as follows:

1. <u>SOLO PRACTICE</u>: During the limitation period Petitioner is prohibited from the solo practice of medicine.

Petitioner's limited license shall be automatically reclassified to a full and unlimited license at the end of the limitation period, PROVIDED Petitioner has complied with the terms of this Order and not violated the Public Health Code.

Petitioner shall be placed on PROBATION to run concurrent with the period of limitation, commencing on the effective date of this Order. The probationary period shall only be reduced while Petitioner is employed as a physician. The terms of probation shall be as follows:

1. MONITORING AGREEMENT: Within 45 days of the date of this order, Petitioner shall enter into and comply with a disciplinary monitoring agreement with the Health Professional Recovery Program (HPRP). This disciplinary monitoring agreement shall contain the same terms and conditions as the previously entered into non-disciplinary monitoring agreement, unless the HPRP determines that a change in terms or conditions is required. The duration of the monitoring agreement may exceed the period of probation.

All information and documentation acquired by HPRP in developing and implementing a monitoring agreement shall be made available to the Department upon request to establish Petitioner's compliance or noncompliance with the monitoring agreement and this Order.

If Petitioner fails to comply with the terms of the monitoring agreement, HPRP shall **immediately** notify the Department in writing.

Upon Petitioner's successful completion of the monitoring agreement, HPRP shall promptly notify the Department in writing.

- 2. CONTINUED TREATMENT WITH A MENTAL HEALTH PROFESSIONAL. Petitioner shall continue treatment with his current treating psychiatrist and therapists (mental health professionals). The mental health professionals shall file quarterly reports concerning Petitioner's compliance with his stated recommendations and will continue file reports for the duration of the probationary period.
- 3. <u>EMPLOYER REPORTS</u>: In the event Petitioner is employed as a physician, Petitioner shall immediately provide a copy of this Order and the PFD to Petitioner's employer and/or group practice partner(s) (group practice). Petitioner's employer or group practice shall be knowledgeable of Petitioner's history and shall file 20 quarterly reports with the Department advising of Petitioner's work performance and any allegations related to sexual misconduct. For purposes of these reports, Petitioner's group practice partner(s) shall be a licensed health professional.

If Petitioner fails to comply with minimal standards of acceptable and prevailing practice or appears unable to practice with reasonable skill and safety, Petitioner's employer or group practice shall **immediately** notify the Department.

Petitioner is responsible to ensure that the employer or group practice submits quarterly reports.

4. <u>EMPLOYMENT CHANGE</u>: Petitioner shall report to the Department, in writing, any and all changes in Petitioner's employment within 15 days of such change if Petitioner's employment change requires Petitioner to have a license to practice medicine.

Petitioner shall provide a copy of this Order and the PFD to each successor employer and group practice, if the employment requires Petitioner to have a license to practice medicine. The successor employer or group practice partner(s) shall be knowledgeable of Petitioner's history and shall file reports with the Department advising of Petitioner's work performance, as set forth above.

- 5. REPORT OF NON-EMPLOYMENT: If at any time during the period of probation Petitioner is not employed as a physician, Petitioner shall file a report of non-employment with the Department within 15 days after becoming unemployed. Petitioner shall continue to file a report of non-employment on a quarterly basis until Petitioner returns to employment as a physician, at which time Petitioner shall notify the Department of this fact within 15 days after returning to practice.
- 6. RESIDENCY AND PRACTICE OUTSIDE MICHIGAN: Periods of residency and practice outside Michigan shall not reduce the probationary period of this Order. Petitioner shall report any change of residency or practice outside Michigan no more than 15 days after the change occurs. Compliance with this provision does **not** satisfy the requirements of MCL 333.16192(1) and 333.16221(g) regarding Petitioner's duty to report name or address changes to the Department.
- 7. REPORTING PROCEDURE: Unless requiring immediate notification as indicated above, all reports required herein shall be filed on a quarterly basis, the first report to be filed at the end of the third month of probation, and subsequent reports to be filed every three (3) months thereafter until Petitioner is discharged from probation.

Petitioner authorizes the Department or its authorized representative to periodically contact the reporting

individuals or agencies to inquire of Petitioner's progress.

Petitioner shall direct all communications, except fines, required by the terms of this Order to: <u>BPL-Monitoring@michigan.gov</u>.

The timely filing of all information relating to this Order shall be Petitioner's responsibility, and failure to file the required information within the time limitations herein provided shall be deemed a violation of an order of the DSC.

8. <u>COSTS</u>: Petitioner shall be solely responsible for payment of all costs incurred in complying with the terms of this Order.

Petitioner shall be automatically discharged from probation upon reclassification of Petitioner's license from a limited status to a full and unlimited status, PROVIDED Petitioner has complied with the terms of this Order and not violated the Public Health Code.

If Petitioner violates any provision of this Order, or fails to complete any terms of the order, the DSC may take disciplinary action pursuant to Mich Admin Code, R 338.1632 and MCL 333.16221(h).

This matter is a public record required to be published and made available to the public pursuant to the Michigan Freedom of Information Act, MCL 15.231 et seq., and this action will be reported to the National Practitioner Data Bank and any other entity as required by state or federal law.

This Order shall be effective on the date signed by the Board's Chairperson or authorized representative, as set forth below.

Dated: September 23, 2020

MICHIGAN BOARD OF MEDICINE

Michael Draminski, Manager

Compliance Section

Bureau of Professional Licensing

Authorized Representative

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