

STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
BUREAU OF HEALTH PROFESSIONS
BOARD OF MEDICINE

In the Matter of

FRED WOOLLEY STELSON, M.D.
License Number: 43-01-056585

File Number: 43-01-99889
Docket Number: 2006-86

FINAL ORDER GRANTING REINSTATEMENT

On or about October 12, 2005, Fred Woolley Stelson, M.D., hereafter Petitioner, filed with the Michigan Board of Medicine, hereafter Board, an application for reinstatement of his license to practice medicine in the state of Michigan with supporting affidavits, in accordance with the provisions of 1996 AACRS, R 338.1635.

On December 9, 2005, the Department of Attorney General, Licensing and Regulation Division, hereafter Licensing and Regulation Division, on behalf of the Department of Community Health, Bureau of Health Professions, hereafter Department, filed The State's Response to Application for Reinstatement, which opposed Petitioner's application for reinstatement.

An administrative hearing was held in the matter before an administrative law judge who, on June 27, 2005, issued a Proposal for Decision setting forth recommended findings of fact and conclusions of law.

The Board, having reviewed the administrative record, considered the within matter at a regularly scheduled meeting held in Lansing, Michigan, on September 13, 2006, and accepted the administrative law judge's findings of fact and conclusions of law contained in the Proposal for Decision. Now therefore,

IT IS HEREBY ORDERED that Petitioner is granted a LIMITED license to practice medicine in the state of Michigan for a minimum period of one year, commencing on the effective date of this Order. Reduction of the limitation period shall occur only while Petitioner is employed as a physician. The terms of the limitation shall be as follows:

SUPERVISED PRACTICE. Petitioner's practice of medicine shall be under the **general supervision** of a supervising physician pre-approved by the Chairperson of the Board or the Chairperson's designee. Petitioner shall provide copies of this Order and the Proposal for Decision issued June 27, 2006, to Petitioner's supervising physician, who shall be knowledgeable of Petitioner's history and shall provide reports concerning Petitioner's work performance to the Department on an annual basis, as set forth below.

"General supervision" is defined as the continuous availability of direct communication between Petitioner and the supervising physician. The supervising physician shall, on a regularly scheduled basis, review the practice and records of Petitioner and provide consultation and education on Petitioner's practice and records.

Petitioner shall submit to the Department written correspondence requesting approval of the proposed supervising physician. This request shall include, at a minimum, the individual's name, employment position, telephone number, and confirmation that the proposed supervising physician has received copies of this Order and the Proposal for Decision issued June 27, 2006.

Petitioner shall ensure that the correspondence is submitted to the Department of Community Health, Bureau of Health Professions, Sanction Monitoring, P.O. Box 30670, Lansing, MI 48909, or may fax this information to (517) 241-1431.

Petitioner **shall not** commence employment in a capacity for which a physician license is required until Petitioner has received written notification from the Department confirming that the proposed supervising physician has been approved.

IT IS FURTHER ORDERED that Petitioner's limited license shall be automatically reclassified to a full and unlimited status one year from the effective date of this order, PROVIDED Petitioner has complied with the terms of this order.

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

1. SUPERVISOR REPORTS. In the event Petitioner is employed as a physician, Petitioner shall immediately provide copies of this Order and the Proposal for Decision issued June 27, 2006, to Petitioner's employer and supervising physician. Petitioner's supervising physician shall be knowledgeable of Petitioner's history and shall file an annual report with the Department, as further provided herein, advising of Petitioner's work performance.

In the event Petitioner, at any time, fails to comply with minimal standards of acceptable and prevailing practice or appears unable to practice with reasonable skill and safety, the Department shall be immediately so notified by Petitioner's employer or supervising physician.

2. SUPERVISION CHANGE. Petitioner shall report to the Department, in writing, any and all changes in Petitioner's employment or supervising physician within 15 days of such change.

Petitioner shall provide copies of this Order and the Proposal for Decision issued June 27, 2006, to each successor employer and supervising physician. The successor supervising physician shall be knowledgeable of Petitioner's history and shall continue to file reports with the Department advising of Petitioner's work performance, as set forth above.

If Petitioner's employment change requires Petitioner to have a license to practice medicine, Petitioner shall, prior to the change in employment, submit to the Department written correspondence requesting approval of the proposed successor supervising physician. This request shall be submitted to the Department of Community Health, Bureau of Health Professions, Sanction Monitoring, P.O. Box 30670, Lansing, MI 48909.

Petitioner **shall not** commence employment in the new employment setting until Petitioner has received written notification from the Department confirming that the proposed successor supervising physician has been approved.

3. 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 of returning to practice.
4. 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 sections 16192(1) and 16221(g) of the Public Health Code, supra, regarding Petitioner's duty to report name or mailing address changes to the Department.

5. COMPLIANCE WITH THE PUBLIC HEALTH CODE. Petitioner shall comply with all applicable provisions of the Public Health Code and rules promulgated thereunder.
6. REPORTING PROCEDURE. Unless requiring immediate notification as indicated above, all reports required herein shall be filed on an annual basis, until Petitioner is discharged from probation.

In addition to receiving reports as required herein, the Department or its authorized representative may periodically contact the reporting individuals or agencies to inquire of Petitioner's progress. Petitioner authorizes release of said information as specifically set forth in the stipulation made a part hereof.

Petitioner shall direct all communications required by the terms of this Order to: Department of Community Health, Bureau of Health Professions, Sanction Monitoring, P.O. Box 30670, Lansing, MI 48909.

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

7. COSTS. Petitioner shall be solely responsible for payment of all costs incurred in complying with the terms of this Order.

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

IT IS FURTHER ORDERED that in the event Petitioner violates any provision of this order, and if such violation is deemed to constitute an independent

violation of the Public Health Code or rules promulgated thereunder, the Disciplinary Subcommittee may proceed to take disciplinary action pursuant to 1996 AACRS, R 338.1632 and section 16221(h) of the Public Health Code, supra.

IT IS FURTHER ORDERED that this order shall be effective on the date signed by the Board's Chairperson or authorized representative, as set forth below.

Dated: October 11, 2006

MICHIGAN BOARD OF MEDICINE

By Melanie B. Brim
Melanie B. Brim, Director
Bureau of Health Professions

This is the last and final page of a Final Order Granting Reinstatement in the matter of Fred Woolley Stelson, M.D., File Number 43-01-99889, Docket Number 2006-86, before the Michigan Board of Medicine, consisting of six pages, this page included.

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