

**TRUE AND EXACT
COPY OF ORIGINAL**

**BEFORE THE MINNESOTA
BOARD OF MEDICAL PRACTICE**

In the Matter of the
Medical License of
Jonathan G. Peterson, M.D.
Year of Birth: 1950
License Number: 33,320

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between Jonathan G. Peterson, M.D. ("Respondent"), and the Complaint Review Committee ("Committee") of the Minnesota Board of Medical Practice ("Board") as follows:

1. During all times herein, Respondent has been and now is subject to the jurisdiction of the Board from which he holds a license to practice medicine and surgery in the State of Minnesota.

2. Respondent has been advised by Board representatives that he may choose to be represented by legal counsel in this matter. Respondent has chosen to be represented by Charles A. Horowitz, 400 South Fourth Street, Suite 506M, Minneapolis Minnesota 55415. The Committee was represented by Jennifer R. Coates, Assistant Attorney General, 1400 Bremer Tower, 445 Minnesota Street, St. Paul, Minnesota 55101, (651) 296-7575.

FACTS

3. For the purpose of this Stipulation, the Board may consider the following facts as true:

a. Respondent was licensed by the Board to practice medicine and surgery in the State of Minnesota on January 20, 1990. Respondent is board-certified in general psychiatry.

b. In November 2011, the Board received complaints alleging that Respondent engaged in an inappropriate personal relationship with three patients, who were identified as an adult and two minor children from the same family unit.

c. The Board initiated an investigation by the Attorney General's Office, based upon which the Committee concluded that Respondent had engaged in the following actions: (1) provided care for the patients outside of an office setting, (2) acted in a parental role, including disciplinary actions for the minor children, (3) paid the patients to run personal errands for him, (4) made social visits to the family home, (5) took the patients on excursions, including trips out-of-town and out-of-state, (6) delivered medications to the family home, (7) employed the patients at Respondent's personal non-profit entity operating at his residence, (8) purchased personal items for the patients, including clothing and electronic devices, and (9) assisted the family with moving into a new residence.

d. Based upon a review of Respondent's records, the Committee concluded that Respondent's treatment notes were primarily handwritten, often on an untitled encounter form without titles designating his evaluation, assessment, diagnoses, treatment plan, treatment goals, or discharge summary.

e. On October 31, 2012, Respondent met with the Complaint Review Committee and acknowledged that he had provided care to the patients outside of the office setting, paid the patients to run personal errands for him, employed the patients at his personal non-profit entity, assisted the patients with a move to a new residence, purchased personal items for the patients, and included the patients on an out-of-state excursion with his family that lasted several days and included educational and social activities. Respondent admitted that he engaged in similar conduct with other patients in his practice during previous periods of time.

STATUTES

4. The Committee views Respondent's practices as inappropriate in such a way as to require Board action under Minn. Stat. § 147.091, subd. 1(g) (unethical conduct), (k) (unprofessional conduct), and (o) (failure to maintain adequate medical records) (2012).

REMEDY

5. In the interest of settling this matter and avoiding the necessity of further proceedings, Respondent and the Board hereby agree that until further Order of the Board, made after notice and hearing upon application by Respondent or upon the Board's own motion, and upon this stipulation and all files, records, and proceedings herein, and without any further notice of hearing herein, Respondent does hereby consent and the Board may make and enter an Order conditioning and restricting Respondent's license to practice medicine and surgery in the State of Minnesota as follows:

- a. Respondent is REPRIMANDED.
- b. Respondent shall successfully complete the following courses, approved in advance by the Complaint Review Committee or its designee, within one year of the date of this Order:
 - i. Professional boundaries
 - ii. Medical records management.

Successful completion shall be determined by the Board or its designee.

- c. Following completion of the above-referenced coursework, Respondent shall write and submit for approval by the Committee a paper, not to exceed five pages in length, reporting on how what he learned could be implemented to improve his care of patients.

d. Respondent shall not engage in relationships with patients outside of the clinical setting that, by their nature, lack an objective focus on community purpose or benefit to a group, rather than of benefit to the individuals.

e. Respondent shall provide clinical services only at places and times appropriate to the standards of the profession.

f. Respondent shall not employ anyone who has been a patient within the previous twelve (12) months. Respondent may treat current employees in urgent or emergent situations, but must comply with the following conditions:

1. Respondent must refer the patient to another provider within 48 hours;
2. Respondent may continue to treat the patient until care is assumed by another provider, or as long as the patient remains in an urgent or emergent situation; and
3. Respondent must report treatment of the patient to the supervising physician (see Paragraph 5(h)) within 48 hours of beginning treatment, and every 72 hours until patient is transferred to another provider's care or treatment is discontinued.

g. Respondent shall not provide gifts to any of his patients and Respondent shall not accept gifts from any of his patients.

h. Respondent shall meet monthly with a supervising physician for the duration of the first 12 months after this Order is executed and approved by the Board, and quarterly for the duration of this Order. The supervising physician shall be approved in advance by the Board or its designee. The supervising physician shall submit quarterly reports to the Board or its designee regarding Respondent's overall work performance and any reports or information generated by paragraph 5(f). Respondent is responsible for ensuring timely submission of all required reports.

i. Respondent shall meet on a quarterly basis with a designated Board member or other Board designee. Such meetings shall take place at a time mutually convenient to Respondent and the designated Board member. It shall be Respondent's obligation to contact the designated Board member to arrange each of the meetings. The purpose of such meetings shall be to review Respondent's progress under the terms and conditions of this Stipulation and Order.

j. Respondent shall pay to the Board, within six months of the date of this Order, a civil penalty in the amount of \$1,000.

k. This Stipulation and Order shall remain in effect for a minimum of two years. At the end of this period, Respondent may petition for reinstatement of an unconditional license. Upon hearing Respondent's petition, the Committee may recommend that the Board continue, modify, remove or impose conditions and restrictions as deemed necessary.

6. Within ten days of signing the Stipulation to this Order, Respondent shall provide the Board with a list of all hospitals and skilled nursing facilities at which Respondent currently has medical privileges, a list of all states in which Respondent is licensed or has applied for licensure, and the addresses and telephone numbers of Respondent's residences and all work sites. Within seven days of any change, Respondent shall provide the Board with the new address and telephone information. The information shall be sent to Robert A. Leach, Minnesota Board of Medical Practice, University Park Plaza, 2829 University Avenue S.E., Suite 500, Minneapolis, Minnesota 55414-3246.

7. In the event Respondent resides or practices outside the State of Minnesota, Respondent shall promptly notify the Board in writing of the location of his residence and all work sites. Periods of residency or practice outside of Minnesota will not be credited toward any

period of Respondent's suspended, limited, or conditioned license in Minnesota unless Respondent demonstrates that practice in another state conforms completely with Respondent's Minnesota license to practice medicine.

8. Upon receiving an allegation of a violation of this Order, Respondent shall be given notice of the nature and substance of the allegations and the opportunity to respond. If Respondent shall fail, neglect, or refuse to fully comply with each of the terms, provisions, and conditions herein, including timely submission of required reports, the Committee shall schedule a hearing before the Board. The Committee shall mail Respondent a notice of the violation alleged by the Committee and of the time and place of the hearing. Respondent shall submit a response to the allegations at least three days prior to the hearing. If Respondent does not submit a timely response to the Board, the allegations may be deemed admitted.

At the hearing before the Board, the Committee and Respondent may submit affidavits made on personal knowledge and argument based on the record in support of their positions. The evidentiary record before the Board shall be limited to such affidavits and this Stipulation and Order. Respondent waives a hearing before an administrative law judge and waives discovery, cross-examination of adverse witnesses, and other procedures governing administrative hearings or civil trials.

At the hearing, the Board will determine whether to impose additional disciplinary action, including additional conditions or limitations on Respondent's practice, or suspension or revocation of Respondent's license.

9. In the event the Board in its discretion does not approve this settlement, this Stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced in any disciplinary action by either party hereto except that Respondent agrees that

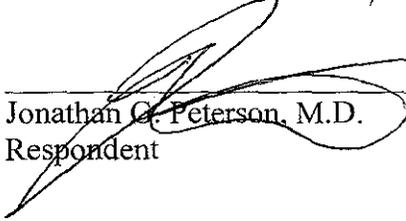
should the Board reject this Stipulation and if this case proceeds to hearing, Respondent will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation or of any records relating hereto.

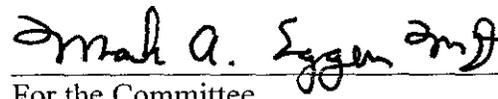
10. Respondent waives any further hearings on this matter before the Board to which Respondent may be entitled by Minnesota or United States constitutions, statutes, or rules and agrees that the Order to be entered pursuant to the Stipulation shall be the final Order herein.

11. Respondent hereby acknowledges that he has read and understands this Stipulation and has voluntarily entered into the Stipulation without threat or promise by the Board or any of its members, employees, or agents. This Stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Stipulation.

Dated: DEC. 6, 2013

Dated: 1-11-14


Jonathan G. Peterson, M.D.
Respondent


For the Committee

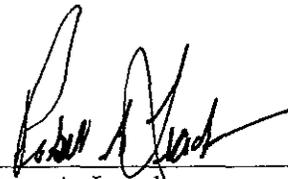
ORDER

Upon consideration of this Stipulation and all the files, records, and proceedings herein,

IT IS HEREBY ORDERED that the terms of this Stipulation are adopted and implemented by the Board this 11th day of January, 2014.

MINNESOTA BOARD OF
MEDICAL PRACTICE

By:



Robert A. Leach
Executive Director

AFFIDAVIT OF SERVICE BY U.S. MAIL

**Re: In the Matter of the Medical License of Jonathan G. Peterson, M.D.
License No: 33,320**

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

KATHLEEN DAVIS, being first duly sworn, deposes and says:

That at the City of St. Paul, County of Ramsey and State of Minnesota, on January 13, 2014, s/he caused to be served the STIPULATION AND ORDER, by depositing the same in the United States mail at said city and state, true and correct copy(ies) thereof, properly enveloped with prepaid first class postage, and addressed to:

Charles A. Horowitz, Esq.
400 South Fourth Street, Suite 200
Minneapolis MN 55415



KATHLEEN DAVIS

Subscribed and sworn to before me on
January 13, 2014.


NOTARY PUBLIC

