

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

LEVI LEONG, M.D.,
RESPONDENT.

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FINAL DECISION AND ORDER

0002359

Division of Legal Services and Compliance Case No. 12 MED 289

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

Levi Leong, M.D.
941 Pinethistle Avenue
Bloomfield Hills, Michigan 48302

Wisconsin Medical Examining Board
P.O. Box 8366
Madison, WI 53708-366

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. Respondent Levi Leong, M.D. (DOB December 7, 1975), is licensed in the state of Wisconsin to practice medicine and surgery, having license number 54491-20, first issued on May 12, 2010. Respondent's registration expired on October 31, 2013, and has not been renewed. Pursuant to Wis. Stat. § 440.08(3), Respondent retains the right to renew upon payment of a fee until October 30, 2018.

2. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1000 Lakeshore Drive, Moose Lake, Minnesota 55767. However, upon information and belief, Respondent's current address is 941 Pinethistle Avenue, Bloomfield Hills, Michigan 48302.

3. Respondent is certified in general psychiatry by the American Board of Psychiatry & Neurology.

4. On August 15, 2012, the Division of Legal Services and Compliance (Division) opened investigation 12 MED 289 of Respondent on behalf of the Board. The investigation is based on allegations by one of Respondent's patients, Patient X, an adult female. Patient X has alleged that during the period of time that Respondent was treating her (fall of 2011 through May of 2012), they began dating and engaged in sexual relations. These allegations are also the subject of criminal charges (third degree criminal sexual conduct, therapist and patient) against Respondent in State of Minnesota, County of Chisago, District Court, 10th Judicial District, Court File No. 13-CR-12-955.

5. On October 11, 2013, the above-referenced criminal charges resulted in Respondent's conviction by a Chisago County, Minnesota jury. Respondent was found guilty of criminal sexual conduct in the third degree, in violation of Minn. Stat. 609.344, subd. 1(h)(ii), which makes it a crime for a psychotherapist to engage in sexual penetration with a patient outside a psychotherapy session during an ongoing psychotherapist-patient relationship.

6. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

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 engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.02(2)(r)¹ by being convicted of a crime which may be related to the practice of medicine.

3. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.

2. The license and appurtenant right to renew the license to practice medicine and surgery issued to Levi Leong, M.D., license number 20-54491, is SUSPENDED indefinitely.

3. Respondent may petition the Board to stay or terminate the suspension. In the event that Respondent petitions the Board for a stay or termination of the suspension, the Board may enter an order denying such application without further notice or hearing. Whether to stay or terminate the suspension and whether to impose any limitations or restrictions on Respondent's license shall be in the discretion of the Board. The Division has the right to appear at the presentation of any petition by Respondent to stay or terminate the suspension.

¹ Wis. Admin. Code (Nov. 2002).

4. At the time of filing any petition with the Board to stay or terminate the suspension, Respondent shall pay COSTS of this matter in the amount of \$2,410.00.

5. 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:

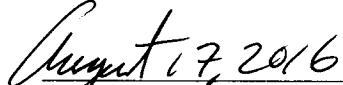
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

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

WISCONSIN MEDICAL EXAMINING BOARD

by:


A Member of the Board


Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

LEVI LEONG, M.D.,
RESPONDENT.

:
:
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:
:

STIPULATION

0002359

Division of Legal Services and Compliance Case No. 12 MED 289

Respondent Levi Leong, M.D., 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.

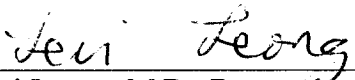
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.

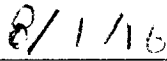
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent or Respondent's attorney, 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. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



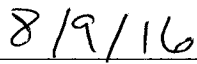
Levi Leong, M.D., Respondent
941 Pinethistle Avenue
Bloomfield Hills, MI 48302
License No. 20-54491



Date



Kim M. Kluck, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190



Date