

BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF IOWA

**IN THE MATTER OF THE COMPLAINT AND STATEMENT OF CHARGES
AGAINST**

JOHN L. DUFFY, M.D., RESPONDENT

PO-92-043

TERMINATION ORDER

NOW ON November 16, 2000 BE IT REMEMBERED:

1. That on October 11, 1993, an Order was issued by the Iowa Board of Medical Examiners placing the license to practice medicine and surgery, number 17137 issued to John L. Duffy (the Respondent) on July 6, 1965, on probation under certain terms and conditions; and,

2. That on September 20, 2000, the Respondent filed an application with the Board seeking termination of his probation, and:

3. That on November 16, 2000, the Board considered the Respondent's application and voted to authorize the termination of the probation placed upon his license to practice medicine and surgery:

IT IS HEREBY ORDERED:

That the probation placed upon the Respondent's license to practice medicine and surgery is terminated, and the license is returned to its full privileges free and clear of all restrictions.

Dale R. Holdiman MD

Dale R. Holdiman, M.D., Board Chairperson
IOWA BOARD OF MEDICAL EXAMINERS
400 SW 8th, Suite C
Des Moines, Iowa 50309-4686

BEFORE THE BOARD OF MEDICAL EXAMINERS
STATE OF IOWA

IN THE MATTER OF THE COMPLAINT AND STATEMENT OF CHARGES
AGAINST

JOHN L. DUFFY, M.D., RESPONDENT

PO-92-043

AMENDED ORDER

NOW ON May 27, 1999 BE IT REMEMBERED:

I. That on March 30, 1999, John L. Duffy, M.D., (the Respondent) filed an application with the Iowa State Board of Medical Examiners (the Board), seeking certain amendments to a medical board disciplinary Order issued in the above entitled action on October 11, 1993.

II. That on April 15, 1999, the Board considered the Respondent's application and voted to authorize amendments to the above referenced medical board Order.

THEREFORE IT IS ORDERED paragraph A of the above referenced medical board disciplinary Order dated October 11, 1993, be amended to read:

A. The Respondent agrees to have a female chaperone present at all times during examinations of female patients. The chaperone shall in all cases initial on the patient's chart that she was present throughout the examination.

IT IS FURTHER ORDERED that paragraphs B, C, D, E, G, and H of the above referenced medical board disciplinary Order dated October 11, 1993, be deleted.

Dale R. Holdiman MD
Dale R. Holdiman, M.D., Board Chairperson
IOWA STATE BOARD OF MEDICAL EXAMINERS
1209 East Court Avenue
Des Moines, Iowa 50319-0180

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF IOWA

IN THE MATTER OF THE COMPLAINT *
*
AND STATEMENT OF CHARGES AGAINST * AMENDED ORDER
*
JOHN L. DUFFY, M.D. * PO-92-043
*
RESPONDENT *

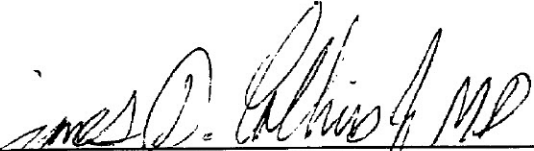
NOW ON 15 September, 19 94 BE IT REMEMBERED:

I. That on August 25, 1994, John L. Duffy, M.D., (hereafter the Respondent) filed an application with the Iowa State Board of Medical Examiners (hereafter the Board), seeking certain amendments to a medical board disciplinary Order issued in the above entitled action on October 11, 1993.

II. That on September 8, 1994, the Board considered the Respondent's application and voted to authorize amendments to the above referenced medical board Order.

THEREFORE IT IS ORDERED that paragraph H of the above referenced medical board disciplinary Order dated October 11, 1993 is hereby amended to read:

"The Respondent shall attend at least two meetings of Alcoholics Anonymous weekly. Quarterly reports submitted under subparagraph I shall include a statement by the Respondent attesting to attendance and listing the date and place of each meeting attended. In addition, the Respondent shall append to each report a statement signed or initialed by another member of the organization which confirms the Respondent's attendance."


James D. Collins, Jr., M.D., Chairperson
IOWA STATE BOARD OF MEDICAL EXAMINERS
1209 East Court Avenue
Des Moines, Iowa 50319-0180

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF IOWA

IN THE MATTER OF THE COMPLAINT) AND STATEMENT OF CHARGES AGAINST) JOHN L. DUFFY, M.D.,) RESPONDENT.)) INFORMAL SETTLEMENT)) 02-92-043)
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COME NOW the Iowa Board of Medical Examiners (the Board) and John L. Duffy, M.D. (Respondent) and, pursuant to Iowa Code §§ 17A.10 and 272C.3(4) (1993), enter into the following informal Settlement of the contested case currently on file:

1. The Respondent was issued license number 17137 to practice medicine and surgery in the state of Iowa on July 6, 1965, as recorded in the permanent records in the office of the Board.
2. A Complaint and Statement of Charges was filed against the Respondent on October 8, 1992.
3. The Board has jurisdiction of the parties and the subject matter.
4. The Respondent's license is hereby placed on probation for an indefinite period of time under the following terms and conditions:
 - A. The Respondent shall provide health care services to males only until further order of the Board.
 - B. The Respondent shall not make application for a federal or state controlled substances registration until further order of the Board. The Respondent shall not possess, prescribe, order, dispense, or administer

controlled substances, except as authorized in paragraph C, until further order of the Board.

- C. The Respondent shall not use any controlled or prescription drug in any form unless prescribed for him by another duly licensed, treating physician, or other qualified medical practitioner. The Respondent shall inform any treating physician or medical practitioner of the terms of this Informal Settlement prior to accepting any medication.
- D. The Respondent shall abstain from the use of alcohol.
- E. The Respondent shall submit to witnessed blood or urine samples on demand by a designee of the Board. The samples shall be used for alcohol and drug screening all costs of which shall be paid by the Respondent.
- F. The Respondent shall within thirty (30) days of the execution of this Informal Settlement submit to the Board for approval the names and curriculum vitae of three physicians or counselors. The Board may approve one of the three to supervise the Respondent's continued treatment or counseling.

(1) As a condition of approval the physicians or counselors shall agree to report to the Board on Respondent's continued

treatment on a quarterly basis or upon request.

(2) The Respondent shall continue treatment or counseling until discharged by the approved physician or counselor and until discharge is approved by the Board.

- G. The Respondent shall participate in a physician's recovery program at least once weekly.
- H. The Respondent shall attend at least three meetings of Alcoholics Anonymous or a similar organization weekly. Quarterly reports submitted under subparagraph I shall include a statement by the Respondent attesting to attendance and listing the date and place of each meeting attended. In addition, the Respondent shall append to each report a signed statement by another member of the organization which confirms the Respondent's attendance.
- I. The Respondent shall submit quarterly reports under penalty of perjury stating that there has been compliance with all the conditions of this Informal Settlement.
- J. The Respondent shall make appearances annually and/or upon request before the Board or a committee of the Board. The Respondent shall be

given reasonable notice of the date, time and place for the appearances.

K. The Respondent shall obey all federal, state, and local laws, and all rules governing the practice of medicine in Iowa.

6. In the event the Respondent leaves Iowa to reside or to practice outside the state, the Respondent shall notify the Board in writing of the dates of departure and return. Periods of residence or practice outside Iowa will not apply to the duration of the Informal Settlement. However, evidence that the Respondent violated paragraph 5, subparagraphs B, C, or D while outside Iowa shall constitute a violation of this Informal Settlement.

7. In the event the Respondent violates or fails to comply with any of the terms or provisions of this Informal Settlement, the Board may initiate appropriate action to revoke or suspend the Respondent's license or to impose other licensee discipline as authorized in Iowa Code §§ 148.6(1), and 272C.3(2) and 653 Iowa Admin. Code § 12.2.

8. Upon full compliance with the terms and conditions set forth in this Informal Settlement and upon termination of the probation by order of the Board, Respondent's license shall be restored to its full privileges free and clear of the terms of the probation.

9. This Informal Settlement is subject to approval of the Board. If the Board fails to approve this Informal Settlement, it shall be of no force or effect to either party.

10. This Informal Settlement is voluntarily submitted by the Respondent to the Board for consideration.

John L. Duffy, M.D.
JOHN L. DUFFY, M.D.

Signed and sworn to before me this 6th day of Sept.
1993

Jennis M. Carr
NOTARY PUBLIC IN AND FOR THE
STATE OF IOWA

11. This Informal Settlement is accepted by the Iowa Board of Medical Examiners on this 2th day of October,
1993.

Charlotte Cleavenger, D.O.
Charlotte Cleavenger, D.O.,
Chairperson
Iowa Board of Medical Examiners

Signed and sworn to before me this 7th day of Oct.
1993.

Jennis Carr
NOTARY PUBLIC IN AND FOR THE
STATE OF IOWA

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF IOWA

IN THE MATTER OF THE COMPLAINT *
*
AND STATEMENT OF CHARGES AGAINST * ORDER
*
JOHN L. DUFFY, M.D., * 02-92-043
*
RESPONDENT *
*

NOW ON October 11, 1993, BE IT REMEMBERED:

1. That John L. Duffy, M.D. (hereafter the Respondent), was issued a license to practice medicine and surgery in the state of Iowa, on July 6, 1965, as evidenced by certificate number 17137, which is recorded in the permanent records in the office of the Iowa State Board of Medical Examiners (hereafter the Board).
2. That a Complaint and Statement of Charges was filed against the Respondent, on October 8, 1992, and was scheduled to be heard before the Board.
3. That the Board has jurisdiction of the parties and the subject matter herein.
4. That the undersigned is authorized to issue an Order herein on the behalf of the Board, under the provisions of sections 148.6(1), 148.6(2), and 148.7(7), of the 1993 Code of Iowa.
5. That pursuant to the provisions of sections 17A.10 and 272C.3(4) of the 1993 Code of Iowa, the Respondent and the Board have entered into an Informal Settlement providing

that the undersigned should enter an Order relating to the Respondent's license to practice medicine and surgery in the state of Iowa.

THEREFORE IT IS ORDERED that the Respondent's license to practice medicine and surgery in the state of Iowa is hereby placed on indefinite probation under the following terms and conditions:

- A. The Respondent shall provide health care services to males only until further order of the Board.
- B. The Respondent shall not make application for a federal or state controlled substances registration until further order of the Board. The Respondent shall not possess, prescribe, order, dispense, or administer controlled substances, except as authorized in paragraph C, until further order of the Board.
- C. The Respondent shall not use any controlled or prescription drug in any form unless prescribed for him by another duly licensed, treating physician, or other qualified medical practitioner. The Respondent shall inform any treating physician or medical practitioner of the terms of this Order and the Informal Settlement prior to accepting any medication.
- D. The Respondent shall abstain from the use of alcohol.
- E. The Respondent shall submit to witnessed blood or urine samples on demand by a designee of the Board. The samples shall be used for alcohol and drug screening all costs of which shall be paid by the Respondent.
- F. The Respondent shall within thirty (30) days of the date of this Order submit to the Board for approval the names and curriculum vitae of three physicians or

counselors. The Board may approve one of the three to supervise the Respondent's continued treatment or counseling.

(1) As a condition of approval the physicians or counselors shall agree to report to the Board on Respondent's continued treatment on a quarterly basis or upon request.

(2) The Respondent shall continue treatment or counseling until discharged by the approved physician or counselor and until discharge is approved by the Board.

- G. The Respondent shall participate in a physician's recovery program at least once weekly.
- H. The Respondent shall attend at least three meetings of Alcoholics Anonymous or a similar organization weekly. Quarterly reports submitted under subparagraph I shall include a statement by the Respondent attesting to attendance and listing the date and place of each meeting attended. In addition, the Respondent shall append to each report a statement signed or initialed by another member of the organization which confirms the Respondent's attendance.
- I. The Respondent shall submit quarterly reports under penalty of perjury stating that there has been compliance with all the conditions of the Informal Settlement and this Order.
- J. The Respondent shall make appearances annually and/or upon request before the Board or a committee of the Board. The Respondent shall be given reasonable notice of the date, time and place for the appearances.

K. The Respondent shall obey all federal, state, and local laws, and all rules governing the practice of medicine in Iowa.

6. In the event the Respondent leaves Iowa to reside or to practice outside the state, the Respondent shall notify the Board in writing of the dates of departure and return. Periods of residence or practice outside Iowa will not apply to the duration of the Informal Settlement or this Order. However, evidence that the Respondent violated paragraphs B, C, or D while outside Iowa shall constitute a violation of the Informal Settlement and this Order.

7. In the event the Respondent violates or fails to comply with any of the terms or provisions of the Informal Settlement or this Order, the Board may initiate appropriate action to revoke or suspend the Respondent's license or to impose other licensee discipline as authorized in Iowa Code Chapters 272C and 148 and 653 I.A.C. 12.2.

8. Upon full compliance with the terms and conditions set forth in the Informal Settlement and this Order and upon termination of the probation by order of the Board, Respondent's license shall be restored to its full privileges free and clear of the terms of the probation.



Charlotte A. Cleavenger, D.O.
Charlotte A. Cleavenger, D.O., Chair
IOWA STATE BOARD OF MEDICAL EXAMINERS
1209 East Court Avenue
Des Moines, IA 50319-0180

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF IOWA

IN THE MATTER OF THE COMPLAINT :
AND STATEMENT OF CHARGES AGAINST : COMPLAINT AND STATEMENT
JOHN L. DUFFY, M.D. : OF CHARGES
RESPONDENT : 02-92-043

COMES NOW Dennis M. Carr, Acting, Executive Director of the Iowa State Board of Medical Examiners (hereafter the Board), on October 8, 1992, and at the direction of the Board, files this Complaint and Statement of Charges against John L. Duffy, M.D., (hereafter the Respondent), a physician licensed pursuant to Chapter 147 of the Code of Iowa and alleges:

1. That C. L. Peterson, D.O., Chairman; John W. Olds, M.D., Vice Chairman; Laura Stensrud, Secretary; Edra Broich; James Catherine, M.D.; Charlotte Cleavenger, D.O.; James D. Collins, Jr., M.D.; Mary C. Hodges; George G. Spellman, Sr., M.D.; and Johanna Whalen, M.D., are the duly appointed and qualified officers and members of the Board.

2. That the Respondent was issued license number 17137 to practice medicine and surgery in the State of Iowa on July 6, 1965, as recorded in the permanent records in the office of the Board.

3. That the Respondent's license is current until January 1, 1993.

4. That on or about June 19, 1992, an action was initiated before the Wisconsin Medical Examining Board seeking summary suspension of the Respondent's Wisconsin medical license. Copies of the Complaint and Petition filed initiating the said action are attached, marked Exhibit A and Exhibit B respectively.

5. That on or about June 25, 1992, an Order was issued by the Wisconsin Medical Examining Board summarily suspending the Respondent's Wisconsin medical license.

6. That on or about July 20, 1992, the Respondent signed a Stipulation which was later tendered to the Wisconsin Medical Examining Board agreeing to the extension of his summary suspension until such time as a final decision is issued by the Board. A copy of the said Order is attached hereto marked Exhibit C.

7. That on or about July 23, 1992, the Wisconsin Medical Examining Board accepted the Stipulation referred to in paragraph 6 herein. Based upon the said Stipulation acceptance the Wisconsin Medical Examining Board issued an Order suspending the Respondent's Wisconsin medical license pending a final decision. Copies of the said Stipulation and Order are attached hereto marked Exhibit D and Exhibit E respectively.

8. That the Board is authorized to take disciplinary action against the Respondent pursuant to the provisions of sections 148.6(1), 148.6(1)(d) and 148.12 of the 1991 Code of

Iowa as amended which state in whole or in part:

148.6(1) - "The medical examiners, after due notice and hearing in accordance with chapter 17A, may issue an order to discipline a licensee for any of the grounds set forth in section 147.55, chapter 258A, or this subsection..."

"Pursuant to this section the board of medical examiners may discipline a licensee who is guilty of any of the following acts or offenses:"

148.6(1)(d) - "Having the license to practice medicine and surgery...suspended...by a licensing authority of another state..."

148.12 - "Voluntary Agreements. The medical examiners, after due notice and hearing, may issue an order to revoke, suspend or restrict a license to practice medicine and surgery...if the medical examiners determine that a physician licensed to practice medicine and surgery...has entered into a voluntary agreement to restrict the practice of medicine and surgery...in another state..."

9. That the Board is authorized to take disciplinary action against the Respondent pursuant to the provisions of 653 I.A.C 12.4 and 12.4(28) which state in whole or in part:

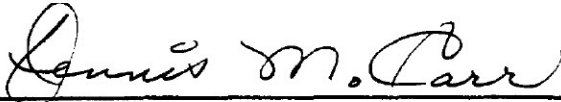
653-12.4 - "Grounds for discipline. The Board may impose any of the disciplinary sanctions set forth in rule 12.2, including civil penalties in an amount not to exceed \$10,000, when the board determines that the licensee is guilty of any of the following acts or offenses:"

653-12.4(28) - "Violating any of the grounds for revocation or suspension of a license listed in Iowa Code sections...148.6"

10. That paragraphs 8 and 9 constitute grounds for the Board to revoke, suspend or otherwise discipline the license to practice medicine and surgery issued to the Respondent on July 6, 1965.

WHEREFORE the undersigned charges that the Respondent, is subject to disciplinary action pursuant to the provisions of sections 148.6(1), 148.6(1)(d) and 148.12 of the 1991 Code of Iowa and 653 I.A.C. 12.4 and 12.4(28). The undersigned prays that the Board enter an order fixing a time and place of hearing for the Complaint and Statement of Charges. The undersigned further prays that upon final hearing, the Board enter its findings of fact and decision to revoke, suspend or otherwise discipline the license to practice medicine and surgery issued to the Respondent on July 6, 1965, and for such other relief as the Board deems just in the premises.

IOWA STATE BOARD OF MEDICAL EXAMINERS



Dennis M. Carr
Acting Executive Director
Executive Hills West
1209 East Court Avenue
Des Moines, IA 50319
Telephone: (515) 281-5171

Exhibit A

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	COMPLAINT
JOHN L. DUFFY, M.D.,	:	
RESPONDENT	:	92 MED 209
	:	

STATE OF WISCONSIN
COUNTY OF DANE

Stuart Engerman, being first duly sworn on oath, deposes and says that he is an investigator for the State of Wisconsin Department of Regulation and Licensing, Division of Enforcement; that he has read this complaint and knows the contents thereof; that he has reviewed the investigation file in this matter, and that based on that information, he believes that the allegations of this complaint are true.

1. Respondent is John L. Duffy (dob 1/20/33) and was at all times material to this complaint licensed as a physician and surgeon in the state of Wisconsin with license number 17494. Respondent's last address on file with the department of regulation and licensing is 1111 Aldrich Avenue, Boone, IA 50036. Respondent practices psychiatry.

COUNT I

2. On or about January 11, 1992, respondent violated § MED 10.02(2)(q), Wis. Adm. Code, in that his license to practice medicine and surgery was suspended in Minnesota.

COUNT II


3. On and between a date unknown (but before July 1989) and the present, respondent violated § MED 10.02(2)(h) and (i), Wis. Adm. Code, in that he has practiced or attempted to practice medicine when unable to do so with reasonable skill and safety to patients by reason of respondent's mental condition.

COUNT III

4. On and between a date unknown (but before July 1989) and the present, respondent violated § MED 10.02(2)(h) and (i) Wis. Adm. Code, in that he practiced medicine and surgery while addicted to alcohol, and while not recovering from such addiction.

Complaint
Page 2

WHEREFORE, complainant requests that the Board hear evidence relevant to the matters recited herein, and determine and impose discipline as warranted. Complainant further requests that the Board assess against the respondent all costs of the proceeding and order them paid to the Department of Regulation and Licensing, pursuant to § 440.22, Wis. Stats.



Stuart Engerman, Investigator
Wis. Dept. of Regulation and Licensing
Division of Enforcement, P.O. Box 8935
Madison, WI 53708-8935

Subscribed and sworn to before me this
June 19, 1992



Notary Public
My commission is permanent

Prosecuting Attorney:
Arthur Thexton
Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935
608-266-9814

Exhibit B

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST

JOHN L. DUFFY, M.D.,
RESPONDENT

:
:
:
:
:
:

PETITION FOR
SUMMARY SUSPENSION
92 MED 209

To: The Wisconsin Medical Examining Board

I, Arthur Thexton, a prosecuting attorney in the division of enforcement of the Wisconsin department of regulation and licensing, do hereby petition the board to summarily suspend the license to practice medicine and surgery of Jay Edgar Sather, M.D., license number 24835, as appears in the attached Complaint, and for the reasons stated therein and in the attached ~~Complaint~~ Order from the Minnesota Board of Medical Practice.

I further ask the board to find that there is probable cause to believe that the respondent has engaged in unprofessional conduct based upon the fact and content of the Minnesota Order, and that the attached complaint be issued, pursuant to §448.02(3)(b), Wis. Stats., and that a hearing be held on the complaint.

I further ask that authority to extend the period of summary suspension, if one is imposed, be delegated to the administrative law judge assigned to the matter.

Dated this June 19, 1992,



Arthur Thexton
Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935
608-266-9814

cc: John L. Duffy, M.D.

4. That the Respondent, Francis Simpson Conway was issued a license to practice medicine and surgery in the State of Iowa on January 15, 1960, as evidenced by Certificate No. 16050 recorded in Book 3 at Page 630 of the records of the Iowa State Board of Medical Examiners.

5. That the Respondent was removed from the medical staff of the Palo Alto County Hospital effective January 30, 1985.

6. That on December 27, 1984, the Respondent had patient #1 transferred from the intermediate care unit to the acute care unit, then back to the intermediate care unit and then back to the acute care unit and then ordered inappropriate medication and dosage thereof, which would have been life threatening had they been administered.

7. That on December 27, 1984, the Respondent ordered inappropriate medication and dosage thereof for patient #2.

8. That on December 27, 1984, the Respondent's professional judgement and ability to practice medicine and surgery with reasonable skill and safety was impaired due to chemical dependency.

9. That from December 31, 1984, to January 29, 1985, the Respondent was under medical treatment for chemical dependency.

10. That the Respondent is, by his own admission, addicted to alcohol and drugs.

11. That between February 1984 and December 1984, the Respondent, by his own admission, diverted patients' medication to his own use through dispensing and prescribing practices.

John L. Duffy, M.D.
Page 2

On June 24, 1992, the board met to consider whether there is probable cause to believe that the respondent has violated the provisions of Wis. Stats. ch. 448, and to believe further that it is necessary to suspend respondent's license immediately to protect the public health, safety or welfare. Mr. Thexton appeared for the Department of Regulation and Licensing. Dr. Duffy appeared without legal counsel and provided the board with oral testimony and various documentation, including a Discharge Summary of his treatment at the Talbott Recovery Center, Atlanta, Georgia.

Based upon petitioner's Petition and other information of record herein, the board makes the following Findings and Order.

FINDINGS

1. Pursuant to Wis. Stats. sec. 448.02(3), there is probable cause to believe that Dr. Duffy is guilty of unprofessional conduct.
2. Pursuant to Wis. Stats. sec. 448.02(4), there is probable cause to believe that it is necessary to suspend respondent's license immediately to protect the public health, safety or welfare.

ORDER

NOW, THEREFORE, IT IS ORDERED that petitioner's Petition for Summary Suspension be, and hereby is, granted, and the license of John L. Duffy, M.D., to practice medicine and surgery in the State of Wisconsin is hereby summarily suspended. The suspension of the license shall remain in effect for 30 days. The board may extend the period of suspension for an additional 30 days while the hearing in this matter is in progress and, if respondent has caused a delay in the hearing process, the board may, by itself or its hearing examiner, extend the period of suspension until issuance of the board's final decision in the matter

NOTICE OF RIGHT TO HEARING TO SHOW CAUSE

PLEASE TAKE NOTICE that respondent has a right under Wis. Adm. Code sec. RL 6.09 to request a hearing to show cause why this summary suspension order should not be continued during those periods set forth in this Order. The request should be filed with the State of Wisconsin Medical Examining Board, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin. If a hearing to show cause is requested, the hearing shall be scheduled to be held on a date within 20 days of the date of receipt in the board office of the request for hearing, unless a later time is requested by or agreed to by the respondent.

John L. Duffy, M.D.

Page 3

If a hearing to show cause is held, both the petitioner and the respondent may testify, may call, examine and cross-examine witnesses, and may offer other evidence. The petitioner shall have the burden to show by a preponderance of the evidence why the summary suspension order should be continued. At the conclusion of the hearing to show cause, the Medical Examining Board shall make findings and an order. If it is determined that the summary suspension order should not be continued, the suspended license shall be immediately restored.

Dated at Madison, Wisconsin this 25th day of June, 1992.

STATE OF WISCONSIN
MEDICAL EXAMINING BOARD

by B. Ann Neviasser
B. Ann Neviasser
Secretary

WRA:BDLS2:1917

Exhibit D

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST

JOHN LOUIS DUFFY, M.D.
RESPONDENT.

:
:
:
:
:

STIPULATION

92 MED 209

It is hereby stipulated between the above Respondent, personally on his own behalf, and the Department of Regulation and Licensing, Division of Enforcement by its undersigned attorney as follows:


1. Respondent is aware and understands his rights with respect to the summary suspension which is in effect. In particular, respondent knows that he has the right to a hearing within 30 days of the suspension, and that such hearing is scheduled for July 20, 1982.
2. By entering into this Stipulation, Respondent voluntarily and knowingly waives the right to a hearing within 30 days of his summary suspension.
3. Respondent is aware of his right to seek legal representation and has obtained legal advice prior to execution of this Stipulation.
4. Respondent, by entering into this agreement, requests that the Board delay the hearing so that respondent may better prepare for hearing, and may undergo further testing and whatever treatment is indicated, and further requests that the suspension extend until such time as a final decision is issued in this matter by the Board.
5. Respondent agrees that an attorney for the Division of Enforcement may appear at any deliberative meeting of the Board, in open or closed session, without the presence of Respondent or Respondent's attorney, with respect to this Stipulation but that appearance is limited to statements solely in support of this Stipulation, and to answering questions asked by the Board and its staff, and for no other purpose.

Stipulation
Page 2

6. The Division of Enforcement joins Respondent in recommending that the Board adopt this Stipulation and issue the attached Order.


John Louis Duffy, M.D., Respondent

20 July 92
Date


Jack S. Nordby, Attorney for Respondent

17 July 92
Date


Arthur Thaxton, Prosecuting Attorney
Division of Enforcement

7/22/92
Date

Exhibit E

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY PROCEEDINGS AGAINST	:	INTERIM DECISION AND ORDER
JOHN LOUIS DUFFY, M.D. RESPONDENT.	:	92 MED 209

The parties to this action for the purposes of § 227.53, Wis. Stats., are:

John Louis Duffy, M.D.
1111 Aldrich Avenue
Boone, IA 50036

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

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as an interim decision in this matter, subject to the approval of the 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

1. Respondent John Louis Duffy, is and was at all times relevant to the facts set forth herein a physician and surgeon licensed in the State of Wisconsin pursuant to license # 17494.

2. Respondent was, on June 25, 1992, summarily suspended from the practice of medicine and surgery based on a complaint which alleged that his license in the state of Minnesota had been suspended, that he is presently unable to practice with skill and safety to patients, and that he had committed unprofessional conduct. Respondent has requested that the board extend the time for hearing, and thus the period of suspension, to enable him to better prepare for hearing, and to permit him to undergo testing or evaluation and such treatment as may be appropriate.

Final Order
Page 2

CONCLUSIONS OF LAW

3. The Wisconsin Medical Examining Board has jurisdiction to act in this matter pursuant to § 448.02(2), Wis. Stats.

4. The Board is authorized to enter into the attached Stipulation pursuant to § 227.44(5), Wis. Stats.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

IT IS FURTHER ORDERED, that the license of John Louis Duffy, M.D. is hereby SUSPENDED pending a final decision and order of the Board in this matter.

Dated this 23 day of July, 1992.

WISCONSIN MEDICAL EXAMINING BOARD

by: B. Ann Nevaizer
B. Ann Nevaizer, Secretary

akt

BEFORE THE IOWA BOARD OF MEDICINE

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

JOHN L. DUFFY, M.D., RESPONDENT

FILE No. 02-11-088

**STATEMENT OF CHARGES AND SETTLEMENT AGREEMENT
(Combined)**

COMES NOW the Iowa Board of Medicine (Board), and John L. Duffy, M.D., (Respondent), on November 18, 2011, and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4), enter into this combined Statement of Charges and Settlement Agreement to resolve this matter.

STATEMENT OF CHARGES

Respondent was issued Iowa medical license no. 17137 on July 6, 1965.

2. Respondent's Iowa medical license is active and will next expire on January 1, 2013.

3. The Board has jurisdiction in this matter pursuant to Iowa Code

chapters 147, 148 and 272C.

COUNT I

4. Respondent is charged pursuant to Iowa Code sections 147.55(2), 148.6(2)(g) and 272C.10(2) and 653 IAC 23.1(2)(f) for failing to conform to the minimal standard of acceptable and prevailing practice of medicine in Iowa.

STATEMENT OF MATTERS ASSERTED

Respondent is an Iowa-licensed physician who formerly practiced psychiatry in Muscatine, Iowa.

The Board alleges that Respondent failed to conform to the minimal standard of acceptable and prevailing practice of medicine when he pre-signed more than one hundred blank prescriptions that were issued by non-physician staff at the Sunrise Enterprises mental health clinic in Muscatine, Iowa, between March 25 and November 4, 2010. Many of the prescriptions were issued for controlled substances without appropriate physician oversight or without Respondent's knowledge and consent.

SETTLEMENT AGREEMENT

7. **CITATION AND WARNING:** Respondent is hereby **CITED** for failing to conform to the minimal standard of practice of medicine in Iowa. Respondent is hereby **WARNED** that such practice in the future may result in further formal disciplinary action, including revocation of his Iowa medical license.

8. **VOLUNTARY SURRENDER:** Respondent voluntarily surrenders

his Iowa medical license.

9. Respondent may seek re-licensure from the Board in the future if he demonstrates that he is able to practice medicine with reasonable skill and safety.

10. Respondent voluntarily submits this Order to the Board for consideration.

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Respondent shall obey all federal, state and local laws, and all rules governing the practice of medicine in Iowa.

12. Respondent understands that by entering into this combined Statement of Charges and Settlement Agreement, Respondent cannot obtain a copy of the investigative file. Pursuant to Iowa Code section 272C.6(4), a copy of the investigative file may only be provided to a licensee after a Statement of Charges is filed but before the final resolution of those charges.

13. This Order constitutes the resolution of a contested case proceeding.

14. By entering into this Order, Respondent voluntarily waives any rights to a contested case hearing on the allegations in the Statement of Charges, and waives any objections to the terms of this Order.

15. Respondent agrees that the State's counsel may present this Order

to the Board.

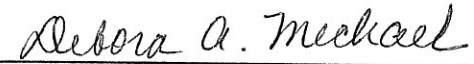
16. This Order is subject to approval of the Board. If the Board fails to approve this Order it shall be of no force or effect to either party.

17. The Board's approval of this Order shall constitute a **Final Order** of the Board.

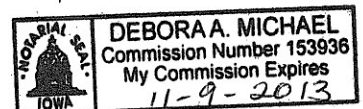

John L. Duffy, M.D., Respondent

Subscribed and sworn to before me on October 3, 2011.


Notary Public, State of IOWA
County of LINN


NOTARY PUBLIC

My commission expires Nov. 9, 2013



This Order is approved by the Board on November 18, 2011.


Siroos S. Shirazi, M.D., Chairperson
Iowa Board of Medicine
400 SW 8th Street, Suite C
Des Moines, Iowa 50309-4686