

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

In the Matter of
FRED WOOLLEY STELSON, M.D.
License No. 43-01-056585

Complaint No. 43-20-002490

CONSENT ORDER AND STIPULATION

CONSENT ORDER

An administrative complaint was filed with the Disciplinary Subcommittee of the Board of Medicine on October 26, 2020, charging Fred Woolley Stelson, M.D. (Respondent) with having violated section 16221(h) of the Public Health Code, MCL 333.1101 *et seq.* and Mich Admin Code, R 338.1632.

The parties have stipulated that the Disciplinary Subcommittee may enter this consent order. The Disciplinary Subcommittee has reviewed the stipulation contained in this document and agrees that the public interest is best served by resolution of the outstanding complaint. Therefore, the Disciplinary Subcommittee finds that the allegations of fact contained in the complaint are true and that Respondent has violated section 16221(h) of the Public Health Code and Mich Admin Code, R 338.1632.

Accordingly, for this violation, IT IS ORDERED;

Respondent is FINED \$300.00 to be paid by check, money order, or cashier's check made payable to the State of Michigan (with complaint number 43-20-002490 clearly indicated on the check or money order) and shall be payable within 90 days

of the effective date of this order. The timely payment of the fine shall be Respondent's responsibility. Respondent shall mail the fine to: Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, Enforcement Division, Compliance Section, P.O. Box 30189, Lansing, Michigan 48909.

If Respondent fails to timely pay the fine, his license shall be suspended a minimum of 1 day until payment of fine. If Respondent's license remains suspended for more than six months, reinstatement of the license shall not be automatic, and Respondent will have to petition for reinstatement of the license. If Respondent petitions for reinstatement of his license, the petition shall be in accordance with sections 16245 and 16247 of the Public Health Code and Mich Admin Code, R 792.10711. Under these provisions, Respondent must demonstrate the following by clear and convincing evidence: (1) good moral character; (2) the ability to practice the profession with reasonable skill and safety; (3) satisfaction of the guidelines on reinstatement adopted by the Department; and (4) that it is in the public interest for the license to be reinstated.

Respondent shall be responsible for all costs and expenses incurred in complying with the terms and conditions of this consent order.

Respondent shall be responsible for the timely compliance with the terms of this consent order, including the timely filing of any documentation. Failure to comply within the time limitations provided will constitute a violation of this order.


If Respondent violates any term or condition set forth in this order, Respondent will be in violation of Mich Admin Code, R 338.1632, and section 16221(h) of the Public Health Code.

Respondent is currently subject to the terms of a Final Order (complaint number 43-18-151222) entered by the Disciplinary Subcommittee of the Board of Medicine on January 15, 2020. Respondent paid the fine and has successfully completed the continuing education credits as required by that order. The remaining terms of the January 15, 2020 Order have been incorporated into this agreement.

This order shall be effective 30 days from the date signed by the Chairperson of the Disciplinary Subcommittee or the Disciplinary Subcommittee's authorized representative, as set forth below.

Signed on July 21, 2021

MICHIGAN BOARD OF MEDICINE

By  for
Chairperson, Disciplinary
Subcommittee

STIPULATION

The parties stipulate as follows:

1. The facts alleged in the complaint are true and constitute a violation of the Public Health Code.

2. Respondent understands and intends that, by signing this stipulation, he is waiving the right under the Public Health Code, rules promulgated under the Public Health Code, and the Administrative Procedures Act of 1969, MCL 24.201 *et seq.*, to require the Department to prove the charges set forth in the complaint by presentation of evidence and legal authority, and to present a defense to the charges before the Disciplinary Subcommittee or its authorized representative. Should the Disciplinary Subcommittee reject the proposed consent order, the parties reserve the right to proceed to hearing.

3. The Disciplinary Subcommittee may enter the above consent order, supported by Board conferee Michael Chafy, M.D., J.D. Dr. Chafy or an attorney from the Licensing and Regulation Division may discuss this matter with the Disciplinary Subcommittee in order to recommend acceptance of this resolution.

4. Dr. Chafy and the parties considered the following factors in reaching this agreement:

A. Respondent paid the fine from his January 15, 2020 consent order on April 20, 2020 and he completed the required continuing education credits on October 22, 2020.

B. Respondent advises that the reason he failed to complete his continuing education credits by the required deadline is because the availability of his course was affected by Covid-19. Respondent acknowledges that he failed to maintain

communication with the Department about his issues complying with the consent order terms.

C. Respondent wishes to resolve this matter without expending the time and expense of an administrative hearing.

D. The conferee felt the fine was commensurate with the conduct at issue.

By signing this stipulation, the parties confirm that they have read, understand, and agree with the terms of the consent order.

AGREED TO BY:

/s/ DeAnthony D. Shaw
DeAnthony D. Shaw (P82292)
Assistant Attorney General
Attorney for Complainant
Dated: May 27, 2021

AGREED TO BY:

Fred W. Stelson, M.D.
Fred Woolley Stelson, M.D.
Respondent
Dated: 5/27/2021

LF: 2021-0312808-A/ Stelson, Fred Woolley, M.D., 002490/ Consent Order and Stipulation 2021-04-21

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In the Matter of

FRED WOOLLEY STELSON, M.D.
License No. 43-01-056585,
Respondent.

File No. 43-20-002490

ADMINISTRATIVE COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs, by Forrest Pasanski, Enforcement Division Director, Bureau of Professional Licensing, complains against Respondent as follows:

1. The Michigan Board of Medicine is an administrative agency established by the Public Health Code, MCL 333.1101 *et seq.* Pursuant to MCL 333.16226, the Board's Disciplinary Subcommittee is empowered to discipline persons for violations of the Public Health Code.

2. Respondent is currently licensed to practice medicine in the state of Michigan and has an active controlled substance license.

3. On January 15, 2020, the Board's Disciplinary Subcommittee executed a Consent Order and Stipulation (Order)¹, which placed Respondent on probation for a minimum of one (1) day, not to exceed one (1) year. A term of probation

¹ The Order incorrectly states on page 4, paragraph 4(a) that Respondent has "not" been previously disciplined by the Board. Respondent has been previously disciplined by the Board.

required that Respondent complete specified continuing education courses within 90 days of the effective date of the Order. The disciplinary action was in resolution of a March 4, 2019 Administrative Complaint executed under file number 43-18-151222 against Respondent, based on Respondent's poor documentation and controlled substance prescribing practices. A copy of the Order, marked Exhibit A, is attached and incorporated.

4. Contrary to the terms of the Order, Respondent failed to provide evidence of successful completion of continuing education due by May 14, 2020.

COUNT I

Respondent's conduct, as set forth above, constitutes a violation of a final order executed by the Board's Disciplinary Subcommittee, contrary to Mich Admin Code, R 338.1632, in violation of MCL 333.16221(h).

RESPONDENT IS NOTIFIED that, pursuant to MCL 333.16231(8), Respondent has 30 days from the date of receipt of this Complaint to submit a written response to the allegations contained in it. Pursuant to section 16192(2) of the Code, Respondent is deemed to be in receipt of the complaint 3 days after the date of mailing listed in the attached proof of service. The written response shall be submitted by email to the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing to LARA-BPL-RegulationSection@michigan.gov. If unable to submit a response by email, Respondent may submit by regular mail to the **Department of Licensing and**

Regulatory Affairs, Bureau of Professional Licensing, P.O. Box 30670, Lansing, MI 48909.

Respondent's failure to submit an answer within 30 days is an admission of the allegations in this Complaint. If Respondent fails to answer, the Department shall transmit this Complaint directly to the Board's Disciplinary Subcommittee to impose a sanction, pursuant to MCL 333.16231(9).

Dated: 10-26-2020



Forrest Pasanski, Director
Enforcement Division
Bureau of Professional Licensing

Attachment

mfw