

**BEFORE THE MINNESOTA
BOARD OF MEDICAL PRACTICE**

In the Matter of the
Medical License of
Ann M. Kooiker, M.D.

Date of Birth: 9/5/54
License Number: 30,772

**STIPULATION
AND ORDER**

IT IS HEREBY STIPULATED AND AGREED, by and between Ann M. Kooiker, M.D. ("Respondent"), and 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;

FACTS

2. For the purpose of this stipulation, the Board may consider the following facts as true:

a. Respondent is a psychiatrist who began smoking marijuana at the age of 17 and has continued on a regular basis since she was in her second year of medical school and residency. From 1982 through 1987, Respondent received psychoanalysis. Respondent indicated that her father, her mother, both maternal grandparents, maternal uncle and her sister have all had chemical dependency issues;

b. From May 11, 1988 through June 4, 1988, Respondent underwent outpatient chemical dependency treatment at St. Cloud Hospital, St. Cloud, Minnesota. Respondent's aftercare program included abstaining from any further use of marijuana and alcohol and attending and participating in AA or NA a minimum of one time per week. Respondent was abstinent until May 1989, but relapsed thereafter;

c. In August, 1992, St. Cloud Hospital received a report stating that Respondent was using drugs, suffering from mood swings, confusion, and neglecting her children at the time;

d. On August 26, 1992, an intervention was held with Respondent by the St. Cloud Hospital Well-Being Committee. As a result of the intervention, Respondent was referred to Physicians Serving Physicians in Minneapolis, Minnesota and it was also recommended that she attend Narcotic Anonymous meetings regularly. On September 28, 1992, Respondent met with Diane Naas, Executive Director of Physicians Serving Physicians, during which time it was decided that Respondent enter inpatient chemical dependency treatment;

e. On September 29, 1992, Respondent underwent a month long inpatient chemical dependency treatment at Hazeldon, Center City, Minnesota. At this time, Respondent was diagnosed as chemically dependent to alcohol, continuous pattern; chemically dependent to cannabis sativa, continuous pattern; nondependent abuse of hallucinogens; nondependent abuse of amphetamines and other psychostimulants; nondependent abuse of cocaine. Respondent was discharged on October 28, 1992 in "stable physical health on no medication." Respondent's progress was "slow but satisfactory" and "her attitude towards treatment and recovery was positive";

f. Upon discharge from Hazeldon, it was recommended that Respondent abstain totally from the use of all mood-altering chemicals including alcohol, that she become actively involved in AA, and that she involve herself in an aftercare support group;

g. From December 3, 1992 through February 4, 1993, Respondent participated in the aftercare program at Gateway Center, Elk River, Minnesota. In addition, she is currently receiving individual psychotherapy on a weekly basis, attends AA on almost a daily basis, and has consented to random urine and blood screens.

STATUTES

3. The Board views Respondent's practices as inappropriate in such a way as to require Board action under Minn. Stat. § 147.091, subd. 1 (l), and (r) (1992) and Respondent agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify the disciplinary action;

REMEDY

4. Upon this stipulation and all of the files, records, and proceedings herein, and without any further notice or hearing herein, Respondent does hereby consent that until further order of the Board, made after notice and hearing upon application by Respondent or upon the Board's own motion, the Board may make and enter an order conditioning Respondent's license to practice medicine and surgery in the State of Minnesota as follows:

a. Respondent shall obtain a treating physician, approved in advance by the Complaint Review Committee or its designee, to monitor and/or manage all medical or other care provided to Respondent by all health care professionals. Respondent shall provide all necessary records releases to enable Respondent's health care professionals to communicate with the treating physician pursuant to this paragraph. The treating physician shall provide quarterly reports to the Board summarizing medical or other care provided to Respondent and addressing Respondent's progress under any terms of this Stipulation and Order relating to Respondent's health status;

b. Respondent shall abstain completely from alcohol and all mood-altering chemicals unless they are prescribed by a physician or dentist who has been informed of Respondent's drug use history;

c. Respondent shall not prescribe or self-administer any legend drug for Respondent's own use or for Respondent's family members' use;

d. Respondent shall be subject, without notice, to unannounced blood and urine tests at the request of her treating physician, Board staff or other Board designee at least nine (9) times per quarter. Blood and urine screens may be requested at any time.

Respondent shall provide the requested sample within the time frame directed. The blood and urine screens shall be:

- 1) Collected and tested consistent with protocols established by a Board-designated laboratory;
- 2) Handled through legal chain of custody methods;
- 3) Paid for by Respondent.

The biological fluid collection and testing shall take place at a Board-approved laboratory. Testing shall screen for opiates, cocaine, barbiturates, amphetamines, benzodiazepines, marijuana, and other drugs of abuse, including alcohol. The laboratory will provide test results directly to the Board and Respondent's treating physician. Ingestion of poppyseeds will not be accepted as a reason for a positive drug screen;

e. Respondent shall attend meetings of a self-help program such as AA or NA in support of abstinence at least six (6) times per month. Quarterly reports shall be submitted to the Board from Respondent's designated sponsor(s) regarding attendance, participation, and progress;

f. Respondent shall join a professional support group approved in advance by the Board or its designee and attend its meetings on at least a monthly basis. Quarterly reports shall be submitted to the Board from Respondent's designated sponsor(s) regarding Respondent's attendance, participation, and progress;

g. Respondent shall continue in psychotherapy, as recommended by her therapist. Therapy may be terminated at the recommendation of both her treating therapist and primary treating physician, and must be reported in writing to the Board;

h. Upon request from the Board, Respondent shall sign releases authorizing the Board to obtain Respondent's medical, mental health or chemical dependency records from any treating professional or facility;

i. Respondent and a designated Board member or designee shall meet on a quarterly basis. It shall be Respondent's obligation to contact the designated Board

substances from the Urgent Care Clinic physicians without first informing them of his HPSP Monitoring Plan.

g. In early October 2007, Respondent attended meetings of his outpatient substance abuse program while under the influence of narcotic pain medications. Respondent was asked to refrain from returning to the meetings until he had achieved sobriety.

h. On October 10, 2007 and October 24, 2007, Respondent submitted biological fluid screens to HPSP that tested positive for unauthorized oxycodone.

i. On October 29, 2007, Respondent submitted a biological fluid screen to HPSP that tested positive for alcohol. When confronted by HPSP about his positive screen, Respondent admitted attending a football game and taking "a swig of liquor" on that day.

j. In November 2007, Respondent was interviewed by an investigator from the Attorney General's Office and admitted relapsing to alcohol usage, including the consumption of alcoholic beverages after August 30, 2007, in violation of his HPSP Monitoring Plan. Respondent also admitted writing prescriptions, in his wife's name, to obtain narcotics for his own usage.

k. A review of pharmacy records revealed that, although Respondent's HPSP Monitoring Plan included a provision requiring him to refrain from practicing, Respondent authorized 12 new prescriptions, for multiple patients, following August 30, 2007, in violation of his HPSP Monitoring Plan.

l. On November 15, 2007, Respondent admitted to HPSP that he had authorized renewals of prescriptions for several of his patients, during the week of November 12, 2007, in violation of his Monitoring Plan. Respondent stated that he did not personally see these patients at the time of the renewals and that it had not occurred to him that renewing

and all work sites. Within seven (7) days of any change, Respondent shall provide the Board with new address and telephone number information.

5. Within ten days of the date of this order, Respondent shall provide the Board with a list of all hospitals at which Respondent currently has medical privileges and a list of all states in which Respondent is licensed or has applied for licensure. The information shall be sent to the Board of Medical Practice, Suite 106, 2700 University Avenue West, St. Paul, Minnesota 55114;

6. It is Respondent's responsibility to ensure that all reports required to be filed with the Board pursuant to this Stipulation and Order are timely filed by those preparing the reports. If Respondent shall fail, neglect, or refuse to fully comply with each of the terms, provisions, and conditions herein, the license of Respondent to practice medicine and surgery in the State of Minnesota shall be suspended immediately upon written notice by the Board to Respondent. The suspension shall remain in full force and effect until the Board terminates the suspension following a hearing on Respondent's petition to terminate. Nothing contained herein shall prevent the Board from revoking or suspending Respondent's license to practice medicine and surgery in the State of Minnesota after any such hearing;

7. 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;

8. In the event Respondent should leave Minnesota to reside or practice outside the state, Respondent shall promptly notify the Board in writing of the new location as well as the dates of departure and return. Periods of residency or practice outside of Minnesota will not apply to the reduction of any period of Respondent's suspended, limited, or

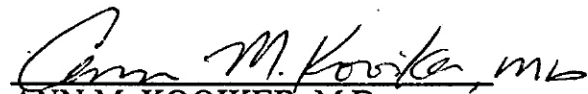
conditioned license in Minnesota unless Respondent demonstrates that practice in another state conforms completely with Respondent's Minnesota license to practice medicine;

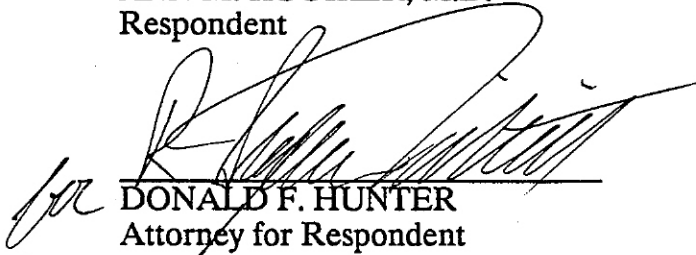
9. Respondent was represented by legal counsel in this matter;

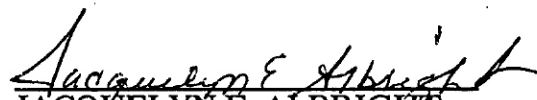
10. Respondent waives any further hearings on this matter before the Board to which Respondent may be entitled by Minnesota or United States constitutions, statutes, or rules and agrees that the order to be entered pursuant to the stipulation shall be the final order herein;

11. Respondent hereby acknowledges that she 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: July 13, 1993


ANN M. KOOIKER, M.D.
Respondent


DONALD F. HUNTER
Attorney for Respondent


JACQUELYN E. ALBRIGHT
Attorney for Board

Post Office Box 5297
Minnetonka, Minnesota 55343

500 Capitol Office Building
525 Park Street
St. Paul, Minnesota 55103
Telephone: (612) 297-2040

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 11 day of Sept, 1993.

MINNESOTA BOARD OF
MEDICAL PRACTICE

By: H. Edward Lohr

AFFIDAVIT OF SERVICE BY MAIL

Re: **In the Matter of the Medical License of Ann M. Hooiker, M.D.
License No. 30,772**

STATE OF MINNESOTA }
COUNTY OF RAMSEY } ss.

Cynthia Ransom, being first duly sworn, deposes and says:

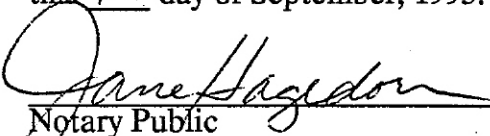
That at the City of St. Paul, County of Ramsey and State of Minnesota, on September 14, 1993, she served the attached **STIPULATION AND ORDER** by depositing in the United States mail at said city and state, a true and correct copy thereof, properly enveloped, with first class postage prepaid, and addressed to:

Donald F. Hunter
Attorney at Law
PO Box 5297
Minnetonka MN 55343

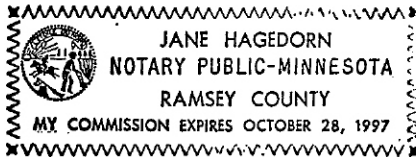


CYNTHIA O. RANSOM

Subscribed and sworn to before me
this 14th day of September, 1993.



Notary Public



**BEFORE THE MINNESOTA
BOARD OF MEDICAL PRACTICE**



In the Matter of the
Medical License of
Ann M. Kooiker, M.D.
Date of Birth: 9-5-54
License Number: 30,772

**ORDER OF
UNCONDITIONAL LICENSE**

The Minnesota Board of Medical Practice ("Board") having convened on November 23, 1996, to review the petition of Ann M. Kooiker, M.D. ("Respondent"), for reinstatement of an unconditional license to practice medicine and surgery makes the following:

FINDINGS OF FACT

Respondent has a history of chemical dependency to alcohol and marijuana. Her sobriety date is September 1992. Respondent has been subject to Board monitoring in support of her recovery by Order dated September 11, 1993. The Board has received periodic reports from Respondent's therapist, work quality assessor, AA/PSP sponsor, treating physician and designated Board member. All reports confirm Respondent's compliance with the terms of her Order. The reports support the conclusion that Respondent has successfully maintained uninterrupted recovery since September 1992.

Based on the foregoing, the Board concludes that Respondent has complied with and fulfilled the Order issued by the Board on September 11, 1993, and hereby issues the following:

ORDER

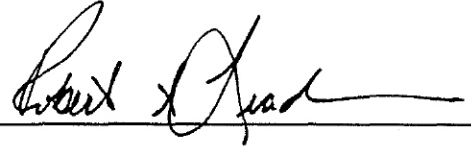
IT IS HEREBY ORDERED that an unconditional license to practice medicine and surgery in the State of Minnesota be conferred upon Respondent, such license to carry all

duties, benefits, responsibilities, and privileges inherent therein through Minnesota statute and rule.

Dated: November 23, 1996

STATE OF MINNESOTA

BOARD OF MEDICAL PRACTICE



AFFIDAVIT OF SERVICE BY MAIL

**RE: In the Matter of the Medical License of Ann M. Kooiker, M.D.
License No. 30,772**


STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Jeffrey S. Nelson, being first duly sworn, deposes and says:

That at the City of St. Paul, County of Ramsey and State of Minnesota, on November 26, 1996, he served the attached **Order of Unconditional License** by depositing in the United States mail at said city and state, a true and correct copy thereof, properly enveloped, with first class postage prepaid, and addressed to:


PERSONAL AND CONFIDENTIAL

Ann M. Kooiker, M.D.
1107 Hart Boulevard, Suite 10-4
Post Office Box 978
Monticello, Minnesota 55362



JEFFREY S. NELSON

Subscribed and sworn to before me
this 26th day of November, 1996.



Notary Public

