

**TRUE AND EXACT
COPY OF ORIGINAL**

**BEFORE THE MINNESOTA
BOARD OF MEDICAL PRACTICE**

In the Matter of
the Medical License of
Timothy R. Rasmussen, M.D.
Year of Birth: 1959
License Number: 30993

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between Timothy Richard Rasmussen, 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 represented himself. The Committee was represented by Daniel Schueppert, Assistant Attorney General, 445 Minnesota Street, Suite 1400, St. Paul, Minnesota 55101.

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 July 1, 1987. Respondent is board certified in psychiatry.
 - b. In August 2020, the Board received a complaint alleging that Respondent's prescribing to a patient with a reported history of substance use disorder was unsafe.

c. In October 2020, Respondent submitted a written response to the Board responding to the allegations. Respondent stated the patient has been under Respondent's care since 2017 and summarized the patient's mental health diagnoses, history, and treatment.

d. The Board initiated an investigation into the allegations. The investigation included a review of the Minnesota Prescription Monitoring Program ("PMP") report of controlled substances prescribed by Respondent and Respondent's medical records for several patients. The investigation revealed:

i. Respondent's medical records reflect possible incidents of patients experiencing oversedation or other adverse effects of controlled substance medications.

ii. Respondent's medical records lacked information pertinent to his care of individual patients. The review identified Respondent's documentation lacked information regarding vital signs, drug screens, medication agreements, or whether the PMP or other prescription records were checked, and that some progress notes were brief with little or no record of discussing the risks/benefits of medications or the possibility of substance abuse issues.

e. On August 25, 2023, Respondent met with the Committee to discuss the allegations pursuant to a Notice of Conference. Respondent went through his clinical reasoning for prescribing medications to each patient and stated that some of them had been on larger doses than was typical for his practice due to their symptoms. Respondent acknowledged that his recordkeeping was insufficient, in part, because he was late to adopt regular use of the PMP. Respondent reported that he now has a system for utilizing the PMP and identified what he will do in the future if he suspects a patient is misusing medications. The Committee discussed the matter and decided to offer Respondent this Stipulation and Order.

STATUTES

4. The Committee views Respondent's practices as inappropriate in such a way as to require Board action under Minnesota Statutes section 147.091, subd. 1 (k) (engaged in conduct that departs from or fails to conform to the minimal standards of acceptable and prevailing medical practice) and (o) (improper management of medical records, including failure to maintain adequate medical records) (2022). Respondent agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify the disciplinary action under this statute.

REMEDY

5. Upon this Stipulation and all of the files, records, and proceedings herein, and without any further notice or hearing herein, the Board may make and enter an order disciplining and conditioning Respondent's license to practice medicine and surgery in the State of Minnesota as follows:

- a. Respondent is **REPRIMANDED**;
- b. Within nine months of the date of this Order, Respondent shall successfully complete the following pre-approved coursework:
 - i. Controlled Substance Prescribing;
 - ii. Minnesota Prescription Monitoring Program Education, including Narx scores; and
 - iii. Medical Records Management.
- c. Within three months of successful completion of the above-referenced coursework and within one year of this Order, Respondent shall write and submit, for Committee approval, a paper discussing what he has learned from the coursework and how he will implement this knowledge into his practice; and

d. Six months following completion and approval of his paper submission, Respondent shall submit to a practice audit of his patient charts to be conducted by a representative of the Board as directed by the Committee.

e. Respondent may petition for reinstatement of an unconditional license upon successful completion of the terms and conditions of this Order.

6. Within ten days of signing the Stipulation to this Order, Respondent shall provide the Board with a list of all of Respondent's residences and 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 Executive Director, Minnesota Board of Medical Practice, 335 Randolph Avenue, Suite 140, St. Paul, Minnesota 55102.

7. If Respondent shall fail, neglect, or refuse to fully comply with each of the terms, provisions, and conditions herein, 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.

8. 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.

9. 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.

10. 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: 9/20/2023

- eno CB -
Dated: 11/18/23


TIMOTHY R. RASMUSSEN, 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 19th day of November, 2023.

MINNESOTA BOARD OF
MEDICAL PRACTICE

By:  _____