

**TRUE AND EXACT  
COPY OF ORIGINAL****BEFORE THE MINNESOTA  
BOARD OF MEDICAL PRACTICE**

In the Matter of the  
Medical License of  
Todd A. Leonard, M.D.  
Date of Birth: 7/30/1968  
License No.: 39,822

**STIPULATION AND ORDER**

IT IS HEREBY STIPULATED AND AGREED, by and between Todd A. Leonard, 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 has chosen to be represented by Michael J. Weber, Weber Law Office, 2801 Hennepin Avenue South, Suite 200, Minneapolis, Minnesota 55408, telephone (612) 296-8080. The Committee was represented by Kermit N. Fruechte, Assistant Attorney General, 1400 Bremer Tower, 445 Minnesota Street, St. Paul, Minnesota 55101, telephone (651) 296-7575.

**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 12, 1997. Respondent is board-certified in family medicine.

b. In January 2007 and February, 2008, the Board received complaints alleging that, between 2001 and 2006, Respondent prescribed excessive quantities of pain medications to a patient and exhibited unprofessional boundaries. The Board initiated an investigation by the Attorney General's Office into the complaints. On October 9, 2008, Respondent met with the Complaint Review Committee and discussed allegations regarding documentation, prescribing practices and procedures, and professional boundaries. The Committee decided to continue the case pending an audit of Respondent's practice by the Attorney General's Office.

c. A review of Respondent's practice revealed that, on multiple occasions, Respondent authorized narcotics, but failed to document objective clinical findings to support the need for ongoing medications; failed to document an assessment for his patients' risk of chemical dependency, toxicity, diversion, or suicide; failed to document discussions regarding potential side effects of the drugs; failed to monitor the efficacy of the medications; failed to implement narcotic contracts or conduct biological fluid screens; and failed to recognize drug seeking behavior in his patients. Respondent also failed to address collateral health concerns or routine health maintenance care.

d. A review of Respondent's practice also revealed that Respondent failed to appropriately maintain and adequately document his clinic records. Respondent's clinic notes were frequently cursory, incomplete, and illegible. Respondent often failed to document a diagnosis, adequate patient history, or a rationale for prescribed medications. On multiple occasions, Respondent prescribed controlled substances for his patients, but failed to adequately document the specific name of the medication, authorized quantity, or the strength of the medication in the clinic record.

e. On February 11, 2010, Respondent appeared before the Complaint Review Committee and discussed his patient care, prescribing practices, documentation, and professional conduct with his patients. Respondent acknowledged his failure to consistently document his patient charts in a complete and legible manner.

#### STATUTES

4. The Committee views Respondent's practices as inappropriate in such a way as to require Board action under Minn. Stat. § 147.091, subd. 1(g), (k), (o), and (s) (2008), and Respondent agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify the disciplinary action under these statutes.

#### REMEDY

5. 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 and restricting Respondent's license to practice medicine and surgery in the State of Minnesota as follows:

a. Respondent is **REPRIMANDED**.

b. Respondent shall successfully complete, within one year of the date of this Order, the following coursework, approved in advance by the Committee or its designee:

- 1) Medical records management.
- 2) Chronic pain management.
- 3) Professional boundaries.

Successful completion shall be determined by the Board or its designee

c. Upon completion of the above-mentioned coursework, Respondent shall submit to an audit of his patient charts to be conducted by a representative of the Board as directed by the Committee. After reviewing the results of the chart audit, the Committee may recommend further audits as it deems appropriate.

d. Within seven days of any change or addition to Respondent's practice setting(s), Respondent shall report the change to the Committee or its designee.

e. Respondent shall obtain a supervising physician approved in advance by the Committee or its designee. Respondent shall meet at least monthly with the supervising physician to review his patient care, documentation, and prescribing practices and procedures. The supervising physician shall submit quarterly reports to the Board regarding Respondent's overall work performance. The supervising physician shall specifically note any questions or concerns and specifically indicate the nature of any concerns. Respondent is responsible for ensuring timely submission of all required reports.

f. Respondent shall meet on a quarterly basis with a designated Board member or other Board designee. Such meetings shall take place at a time mutually convenient to Respondent and the designated Board member or Board designee. It shall be Respondent's obligation to contact the designated Board member to arrange each of the quarterly meetings. The purpose of such meetings is to review Respondent's progress under the terms of this Stipulation and Order.

g. Respondent shall pay a civil penalty of \$11,743.30 within six months of the date of this Order.

h. This Stipulation and Order shall remain in effect for a minimum of two years. At the end of this period, Respondent may petition for reinstatement of an unconditional license. Upon hearing the petition, the Board may continue, modify, or remove the conditions set out herein.

6. Within ten days of signing the Stipulation to this Order, Respondent shall provide the Board with a list of all hospitals and skilled nursing facilities at which Respondent currently has medical privileges, a list of all states in which Respondent is licensed or has applied for licensure, and the addresses and telephone numbers of Respondent's residences and all 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 Robert A. Leach, Minnesota Board of Medical Practice, University Park Plaza, 2829 University Avenue S.E., Suite 500, Minneapolis, Minnesota 55414-3246.

7. In the event Respondent resides or practices outside the State of Minnesota, Respondent shall promptly notify the Board in writing of the location of his residence and all work sites. Periods of residency or practice outside of Minnesota will not be credited toward 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.

8. If Respondent shall fail, neglect, or refuse to fully comply with each of the terms, provisions, and conditions herein, including timely submission of required reports, 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.

9. 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.

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 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: 5/1/11

Dated: 5/15/11

  
\_\_\_\_\_  
TODD A. LEONARD, M.D.  
Respondent

  
\_\_\_\_\_  
FOR THE COMMITTEE

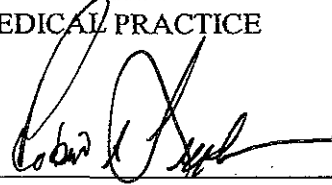
**ORDER**

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 1~~st~~ day of May, 2010.

MINNESOTA BOARD OF  
MEDICAL PRACTICE

By: \_\_\_\_\_



AG: #2592933-v1



**AFFIDAVIT OF SERVICE BY U.S. MAIL**

**Re: In the Matter of the Medical License of Todd A. Leonard, M.D.  
License No. 39,822**

STATE OF MINNESOTA    )  
  ) ss.  
COUNTY OF RAMSEY    )

KATHLEEN DAVIS, being first duly sworn, deposes and says:

That at the City of St. Paul, County of Ramsey and State of Minnesota, on May 16, 2011, s/he caused to be served the STIPULATION AND ORDER, by depositing the same in the United States mail at said city and state, true and correct copy(ies) thereof, properly enveloped with prepaid first class postage, and addressed to:

Michael J. Weber  
Weber Law Office  
2801 Hennepin Avenue South, Suite 200  
Minneapolis, MN 55408

  
KATHLEEN DAVIS

Subscribed and sworn to before me on  
May 16, 2011.

  
NOTARY PUBLIC

AG: #2823465-v1

