



Jim Doyle
Governor

**A Newsletter of the
MEDICAL EXAMINING BOARD**

February 2010

MESSAGE FROM THE BOARD

The Wisconsin Medical Examining Board is pleased to inform its credential holders of the formation of the Medical Examining Board Bureau. This Bureau was approved by the Governor and Legislature in the 2009-2011 state budget. The new bureau will continue to operate within the Department of Regulation and Licensing (DRL), and will have dedicated staff to handle all administrative, credentialing and enforcement demands of the Board. A total of 17 positions consisting of five Attorneys, four Investigators, three and a half Paralegals, three License Permit Associates, one Bureau Director and a one half time equivalent Bureau Assistant were approved for the Bureau. The goal is to investigate and resolve cases more timely as well as issue licenses more efficiently. Dr. Gene Musser, immediate past Chair of the Board, was instrumental in the creation of the new Bureau. The Board thanks him.

The Board meets once a month. The dates and times of the meetings are announced on the DRL website at drl.wi.gov. Meeting agendas are posted about one week prior to each meeting and indicate which portions will be held in open session and which will be held in closed session.

The Medical Examining Board consists of 13 members and one non-voting member. The members are appointed by the Governor and approved by the Senate. Each member serves a 4-year term that can be renewed once.

- Sujatha Kailas, MD, Chair (Fond du Lac)
- Sandra Osborn, MD, Vice-Chair (Madison)
- Ian Munro, MD, Secretary (Green Bay)
- Carolyn Bronston, Public Member (Wausau)
- LaMarr Franklin, Public Member (Glendale)
- Jude Genereaux, Public Member (Ellison Bay)
- Jerold Harter, MD (Stevens Point)
- Jack Lockhart, MD (La Crosse)
- Raymond Mager, DO (Bayside)
- Suresh Misra, MD (Milwaukee)
- Gene Musser, MD (Madison)
- Bhupinder Saini, MD (Greenfield)
- Sheldon Wasserman, MD (Milwaukee)

Administrative Staff:

- Tom Ryan, Administrative Policy Advisor
- Michael Berndt, Legal Counsel
- Shawn Leatherwood, Advanced Paralegal
- Karen Rude-Evans, Bureau Assistant

Executive Staff

- Celia Jackson, Secretary
- Barbara Wyatt Sibley, Deputy Secretary
- Hector Colon, Executive Assistant

Biographical Information:

Go to: <http://drl.wi.gov/dept/bio.htm>

Message from the Board.....	1
Chair's Corner	2
Secretary's Message.....	2-3
IPP changes	3-4
Update on online renewals.....	4
Clinical Questions: PA Supervision.....	4
Explanation of Board Orders	5
Disciplines	5-11
DRL Information	12

CHAIR'S CORNER

As 2010 rolls around and the New Year begins, the MEB is entering a new era. With the formation of the new Medical Examining Board Bureau, the Board is poised to make changes to better meet the needs of the public and our licensees. The staff in the new Bureau is well experienced and appears to be a team that can get the job done. I am very excited about this new opportunity and will work with the Bureau diligently to serve our mission of protection of the public and rehabilitation of the licensee, where possible. We will keep you posted on our progress.

One of the initiatives of the Board is to be more visible and available to the licensees and public. As part of this, the November Board meeting was held at the Marshfield Clinic. The response from the public and the community of medical professionals was encouraging. DRL and Marshfield Clinic staff did a great job coordinating the event and facilitating the meeting. We convey our thanks to everyone at Marshfield Clinic who helped to make it a success. **If any other clinic or hospital is interested in having the MEB visit, please contact the Bureau at 608-261-2378.**

In the last few months, we have expedited the process of obtaining a Wisconsin license for physicians already licensed in Minnesota. This was designed to help physicians that work near the Wisconsin-Minnesota border by streamlining licensing requirements.

Some issues the Board is presently working on are:

- Assessing the present process to identify applicants who are not current in medical knowledge or practice;
- Updating the Impaired Professionals Procedure (IPP) – see IPP update, page 3;
- Reviewing the current Graduate Medical Education (GME) requirements for licensure;
- Participating in an American Recovery and Reinvestment Act of

2009 (ARRA) grant program relating to reducing or eliminating barriers to physician licensing and telemedicine practice.

If there are other issues that you would like the Board to consider, please contact the Bureau at 608-261-2378. We will do our best to find the answers to your questions.

Sujatha Kailas, MD, MBA
Board Chair

SECRETARY'S MESSAGE

As Dr. Kailas pointed out, 2010 marks the beginning of a new era for the MEB. Not only do we have a new dedicated Medical Examining Board Bureau, we have a new leader for the Board. Please join me in welcoming Dr. Kailas as Chair and thanking Dr. Gene Musser for his service as Chair of the Board the past few years. Service on the Board is a significant commitment for all members, but especially for the Chair.

The Board's November 18th meeting at Marshfield Clinic provided a great opportunity for the public and licensees to observe the work of the Board. I provided a presentation on the work the Department of Regulation and Licensing (DRL) and the Board do issuing credentials in the Medical, Affiliated Board and Council professions and taking disciplinary actions where appropriate. Some highlights from that presentation include the following facts:

- More than 23,500 physicians and 1,700 physicians' assistants currently hold credentials in Wisconsin;
- The Board receives around 500 complaints each year. These come from a variety of sources. About 50% come from patients and/or their families, 10% from the National Practitioners Databank (NPDB) and 10% are self-reported or reported by another licensee. The remainder of

complaints come from a variety of sources;

- Approximately 70% of those complaints are resolved during a screening process which generally involves a review of the complaint, the response by the physician and medical records by a panel of Board members and an attorney from DRL's Division of Enforcement;
- More than 26% of the cases that are opened for investigation involve negligent or incompetent practice. About 20% involve drug use or drug diversion. A small percentage are because of "boundary violations," i.e., sexual in nature.
- Currently there are 214 open medical cases that DRL is investigating or prosecuting.

DRL has set a goal of closing 90% of medical cases within 18 months of when a case is opened. Our new Medical Board Bureau and the additional staff that comes with it will be instrumental in meeting this goal. We hope to have the hiring done shortly. The new Medical Board Bureau will look closely at previous cases to determine ways to streamline the disciplinary process and identify "best practices" that they can use. The Medical Board Bureau will also conduct training for case advisors and public members of the Board and develop an annual report to share information about the work of the Board with key stakeholders as well as the public.

Last year, we began preparing and distributing press releases on individual disciplinary cases where a physician loses the ability to practice. We think these press releases help the public as well as licensees to better understand what actions are not acceptable and to show that there is accountability for those who violate the professional standards associated with this profession.

As I'm sure you are aware, our disciplinary process in the medical field is complaint driven.

If we don't know about a problem, we can't deal with it. This is why it is critical that medical facilities ALWAYS report any disciplinary actions taken against any physician to DRL. Situations where there is harm or potential harm to the public should be reported whether or not disciplinary action is taken.

As we begin a new year, I think it's appropriate to underscore the mission of DRL and the Medical Board which is "to protect the citizens of Wisconsin by ensuring the safe and competent practice of licensed professionals." I want to extend my heartfelt thanks to all of our Board members, DRL staff and the many professionals in the medical community who help us to achieve this goal every day.

Celia M. Jackson
Department Secretary

IMPAIRED PROFESSIONAL PROCEDURE (IPP) CHANGES

The Impaired Professionals Procedure (IPP) is a non-disciplinary monitoring program that may be offered to credential holders when alcohol and/or drug abuse allegations have been made. The goal of the Impaired Professionals Procedure (IPP) is to protect the public from professionals who practice while impaired by alcohol or other drugs. IPP promotes early identification of chemically dependent professionals and encourages their rehabilitation. IPP offers participants an opportunity to obtain treatment for chemical dependency while ensuring that immediate action can be taken should a participant relapse or drop out of treatment.

In 2008 as part of the DRL strategic planning initiative, a review of the present Impaired Professional Procedure was felt to be needed. The Strategic Planning Meeting was attended by members of many Boards under the DRL umbrella. Secretary Jackson convened a Task Force Advisory Committee to review and improve IPP. The IPP Task Force was composed of members of Health Boards. The Task Force met six times in 2009, once a month from January to June. In addition to the Orders/Monitoring and current IPP, the now

discontinued Wisconsin Medical Society (WMS) State Physician's Health Program (SPHP) was discussed. As a result of these meetings, a list of recommendations was forwarded to Secretary Jackson, who invited volunteers from the Task Force to form a committee to help her create a modernized IPP. The committee met in November 2009 and the recommendations are now moving through the state's rulemaking process to alter Regulation and Licensing Administrative Code Chapter RL 7. The first draft of the new Rule will be ready for committee review very soon. The rulemaking process includes a public hearing and comment period, in addition to legislative review. An ambitious target for final new rules is September 2010. During this interval of change, a physician can continue to enter the IPP voluntarily for help with alcohol and drug abuse. This voluntary program is completely confidential. Contact Sharon Henes, the IPP Monitor, at 608-267-3817, to discuss details about admission to the program.

UPDATE ON ONLINE RENEWALS

In 2003, the Department of Regulation and Licensing began accepting online license renewals. The increase in the number of credential holders renewing online since then has been remarkable. In 2005, less than two percent of physicians in Wisconsin renewed their license online. In the last renewal period, that figure rose to almost 94 percent.

One of the benefits of online renewal is that it facilitates the Department's ability to collect e-mail addresses of credential holders, which improves our ability to communicate with you. If you have an e-mail address on file with the Department, we are able to electronically send copies of the Regulatory Digest as well as periodic, timely updates on changes that impact your practice.

Note: If you have a change to your email address, go to "contact DRL" on the website (drl.wi.gov) and select the Renewal Unit. Or, you can go to "Change License Name and Address" and change only the email address.

CLINICAL QUESTIONS

How Many Physician Assistants Can A Physician Supervise?

Wisconsin Administrative Code Chapter MED 8 defines the PA / supervising physician ratio.

Med 8.10 Employment requirements; supervising physician responsibilities.

(1) No physician may concurrently supervise more than 2 physician assistants unless the physician submits a written plan for the supervision of more than 2 physician assistants and the board approves the plan. A physician assistant may be supervised by more than one physician.

The physician or physician group can employ as many PAs as they would like, however a single physician can only supervise 2 PAs at one point in time. The supervising physician does not need to be on site.

As an example: Dr A has a family medicine practice. He employs three PAs – PA X, Y and Z. Dr A is in the office 5 days per week and takes call every 3rd weekend. PA X is also in the office 5 days per week. PA Y works Monday through Wednesday. PA Z works Thursday, Friday and the call weekend with Dr. A. As there are only two PAs working with Dr. A at any one point in time, this arrangement is in compliance with Wisconsin Administrative Code Chapter MED 8.

Another example: Drs. P and Q have a cardiology practice. They employ 6 PAs. However, there are only four PAs in the office at any given time. As long as both physicians are available for active supervision, this arrangement is in compliance with Wisconsin Administrative Code Chapter MED 8.

Many clinics and practices are composed of many physicians and PAs. For groups with more than one physician and more than one PA, all physicians actively involved in supervising PAs should be listed as supervisors for all the PAs in the group.

BOARD ORDERS

Explanation of the Board's options for remediation:

Administrative Warning – Issued if a violation is of a minor nature and a first occurrence and the warning will adequately protect the public. Not reported to the National Practitioners Data Bank (NPDB). The content of the warning is not public information.

Remedial Education Order - Issued when the violation is minor and there is reason to believe that the deficiency can be corrected with remedial education and that would sufficiently protect the public. This is not reported to the NPDB.

Reprimand – A public warning of the Licensee for a violation. This is reported to the NPDB.

Limitation of License – Imposes conditions and requirements upon the licensee in the practice or imposes restrictions on the scope of the practice or both. This is reported to the NPDB.

Suspension – Completely and absolutely withdraws and withholds for a period of time all rights, privileges and authority previously conferred by the credential. This is reported to the NPDB.

Revocation - To completely and absolutely terminate the credential and all rights, privileges and authority previously conferred by the credential. This is reported to the NPDB.

DISCIPLINES

March 2009

Karl M. Hoffmann – Physician, Reedsburg, WI.

The Medical Examining Board reprimanded Karl M. Hoffmann, M.D., and placed limitations on his license for improper charting, inappropriate prescribing of medication, and failing to properly advise patients. The Board ordered Dr. Hoffmann to pay \$4,100 in costs, obtain (63) sixty-three hours of Category 1

continuing medical education, practice under the supervision of a Board-approved mentor, refrain from prescribing any opiate (controlled substance) for more than (30) thirty days in any (12) twelve month period for any patient, and submit quarterly mentor progress reports to the Department Monitor.

Dated: March 18, 2009.

Thomas Mitchell – Physician, Columbia, WI.
The Medical Examining Board reprimanded Thomas Mitchell, M.D., and ordered him to pay costs of \$1,100. Dr. Mitchell's license to practice medicine and surgery is limited in that he must successfully complete at least 18 hours of Category I continuing medical education in appropriate prescribing of controlled substances. Dr. Mitchell failed to counsel his patient on how to restart her methadone medication regime and failed to consider whether the dosage he had prescribed was appropriate for a patient who had not taken methadone for at least two weeks.
Dated: March 18, 2009.

Jerry N. Yee – Physician, Wauwatosa, WI
The Medical Examining Board reprimanded Jerry N. Yee, D.O., and ordered him to pay costs of \$2,400, for signing approximately 50 blank prescription orders and giving them to a doctor whose license to practice medicine was suspended. The Medical Examining Board limited Dr. Yee's license to practice medicine by prohibiting him from ordering, prescribing, or administering any opiate (controlled substance) for more than (30) thirty days in any (12) twelve month period for any patient, until he completes a continuing medical education course in appropriate prescribing of controlled substances; and by requiring him to practice medicine under the supervision of a Board approved mentor, or in a work setting pre-approved by the Board.
Dated: March 18, 2009.

Victor A. Toney – Physician Assistant, Horicon.
The Medical Examining Board reprimanded Victor A. Toney and ordered him to pay costs of \$950 for providing medical care, on two occasions, to a patient with whom he'd had an inappropriate sexual relationship.
Dated: March 18, 2009.

April 2009

Frederick J. Bartizal – Physician, Neenah, WI
The Medical Examining Board further limited the license of Frederick J. Bartizal by prohibiting him from practicing obstetrics or any activity related to the practice of obstetrics. His license to practice medicine and surgery had initially been limited to prohibit him from performing any surgical procedure on March 19, 2008. Dr. Bartizal may provide necessary emergency assistance to a pregnant patient, provided he immediately refers the patient to another physician who is qualified to practice obstetrics. The Board also ordered Dr. Bartizal to pay costs of \$560.
Dated: April 15, 2009.

Charles E. Nelson – Physician, Sturgeon Bay, WI

The Medical Examining Board indefinitely suspended the license of Charles E. Nelson, M.D., for doctor-shopping, self-prescribing controlled substances, obtaining controlled substances outside of a legitimate practice, practicing while impaired, and practice constituting a danger. The Board imposed a stay on the suspension of Dr. Nelson's license permitting him to continue practicing medicine under certain conditions. The conditions include, but are not limited to, attending weekly therapy sessions, and submitting quarterly therapy reports, attending weekly AA/NA meetings and submitting monthly attendance reports, as well as submitting to random urine screens for alcohol and controlled substances. The Board also ordered Dr. Nelson to pay costs in the amount of \$1,300.
Dated: April 15, 2009.

May 2009

Francine L. Cosner – Physician, Port Washington, WI

The Medical Examining Board reprimanded Francine L. Cosner, M.D., and ordered her to pay costs of \$955 for inadequate monitoring of a patient with a potential surgical complication, after conducting a hysteroscopy with biopsy/D&C. The Board accepted Dr. Cosner's completion of 18.25 AMA PRA Category I

continuing education credits offered by the Mayo Clinic School of Continuing Medical Education and 6 hours of continuing education offered during the 2009 American College of Obstetricians and Gynecologists Annual Clinical Meeting and ordered no further continuing education.
Dated: May 20, 2009.

Victoria Fetter – Physician, Milwaukee, WI
The Medical Examining Board reprimanded Victoria Fetter, M.D., and ordered her to pay costs in the amount of \$2,188 for improper handling and disposal of confidential patient records. The Board limited Dr. Fetter's license to practice medicine by requiring her to complete 12 hours of continuing medical education in the areas of doctor-patient confidentiality, confidentiality of mental health treatment records, and HIPAA standards.
Dated: May 20, 2009

Jonathan W. Thomas – Physician, DePere, WI
The Medical Examining Board summarily suspended Dr. Jonathan Thomas' license to practice medicine and surgery for (30) thirty days. The Board found that probable cause was established to believe that Dr. Thomas had sexual contact with patients, failed to cooperate with the Board's investigation, and failed to maintain patient health care records.
Dated: May 20, 2009

Jung-Nan Tsai – Physician, Marinette, WI
The Medical Examining Board accepted Dr. Jung-Nan Tsai's offer to allow his license to practice medicine and surgery lapse effective October 31, 2009. The Board also ordered the Department to refrain from processing any application for renewal of Dr. Tsai's license to practice medicine for any period after the lapse date.
Dated: May 20, 2009

June 2009

Peri L. Aldrich – Physician, Oneida, WI
The Medical Examining Board ordered Peri L. Aldrich, M.D., to refrain from dispensing or prescribing any opiate (controlled substance) for more than (30) thirty days in any (12) twelve month period for any patient until she completes

a continuing education course pre-approved by the Board due to complaints alleging over prescribing opiates for chronic pain and failure to implement adequate precautions to prevent patient abuse or diversion of opiates. Dr. Aldrich's license was initially reprimanded on February 18, 2004. The Board also ordered Dr. Aldrich to pay costs in the amount of \$2,500.

Dated: June 17, 2009

Steven A. Erlemeier—Physician, Duluth, MN. The Medical Examining Board indefinitely suspended the license of Steven A. Erlemeier, M.D., based on an Order issued by the Minnesota Board of Medical Practice. The Minnesota Board of Medical Practice's Order was based on allegations that Dr. Erlemeier suffered from a mental health condition/psychotic disorder that affected his ability to provide patient care. Dr. Erlemeier may petition the Board for reinstatement of full licensure upon a showing that he is fit and competent to resume the practice of medicine with reasonable skill and safety to patients.

Dated: June 20, 2009

Nedal S. Mejalli—Physician, Racine, WI The Medical Examining Board reprimanded Dr. Nedal S. Mejalli and ordered him to pay \$2,350 in costs for failure to verify the source of his patient's methadone prescription and continuing that prescription without adequate follow through on contractual precautions in place to prevent patient abuse and/or diversion of methadone. The Board accepted Dr. Mejalli's completion of (2) two pre-approved Category I continuing education courses and ordered no additional continuing education.

Dated: June 20, 2009

Susan E. Pattis—Physician, Shorewood, WI The Medical Examining Board imposed a one-year suspension on the license of Susan E. Pattis, M.D., commencing on January 21, 2009, the date of the Board's prior summary suspension. The Board imposed the one-year suspension, and imposed an indefinite term of suspension thereafter, having found Dr. Pattis engaged in the practice of medicine while suffering from uncontrolled bipolar disorder, which affected her ability to provide patient care with reasonable skill and safety, prescribed and

used controlled substances outside of a legitimate practice, and had sexual contact with a patient within two years of professional service. Dr. Pattis may petition the Board for a stay of the suspension, after the one-year suspension date has elapsed, under certain terms and conditions, including but not limited to: passing the Special Purpose Examination (SPEX) and paying costs in the amount of \$1,950.

Dated: June 20, 2009

Alejandro Vinluan—Physician, Milwaukee, WI The Medical Examining Board reached an agreement with Alejandro M. Vinluan, M.D., that he shall not register for an active license to practice medicine and surgery after October 31, 2009 due to his current serious medical condition.

Dated: June 20, 2009

July 2009

Richard P. Day—Physician, Madison, WI The Medical Examining Board reached an agreement with Richard P. Day, M.D., that he shall not register or attempt to register for an active license to practice medicine and surgery after October 31, 2009, closing a pending investigation into allegations of prescribing four patients opiates for chronic pain without proper documentation or monitoring.

Dated: July 15, 2009

Bruce E. Greenfield—Physician, Beloit, WI The Medical Examining Board revoked the license of Bruce E. Greenfield, M.D., for violating the Board's prior Order, dated September 20, 2006, in which his license was suspended. During the time his license was suspended, Dr. Greenfield could not legally order, possess, prescribe, or dispense controlled substances. However, the Board found that during the suspension period Dr. Greenfield ordered and received controlled substances, wrote prescriptions for Schedule II controlled substances, and failed to make and retain required inventories and records of dispensing controlled substances. The Board also ordered Dr. Greenfield to pay costs of \$12,964.31.

Dated: July 15, 2009

Randall W. Jennings – Physician, Beloit, WI
The Medical Examining Board suspended the license of Randall W. Jennings, M.D. for having inappropriate sexual contact within two years of terminating professional services with two of his former patients. The Board imposed a stay of the suspension allowing Dr. Jennings to continue practicing medicine as long as he complies with certain terms and conditions stated in the Order. The specific terms and conditions include, but are not limited to; Dr. Jennings must provide a copy of the Board's Order to his current supervisor and arrange for his supervisor to provide quarterly reports documenting his work performance and/or any complaints by patients. The Board also ordered Dr. Jennings to pay costs in the amount of \$3,200 dollars.
Dated: July 15, 2009

June R. Lewandoski – Physician, Mauston, WI
The Medical Examining Board ordered limitations on the license of June R. Lewandoski, M.D., after a finding of negligent treatment of a patient. Dr. Lewandoski may not perform bone marrow aspirations or biopsies until she provides sufficient proof to the Board that she has acquired training and experience necessary to perform such procedures with reasonable skill and safety to patients. The Board also ordered Dr. Lewandoski to pay costs in the amount of \$940 dollars.
Dated: July 15, 2009

James Joseph Logan – Physician, Mauston, WI
The Medical Examining Board ordered limitations on the license of James Joseph Logan, M.D., after a finding of negligent treatment of a patient. Dr. Logan may not supervise or perform bone marrow aspirations or biopsies until he provides sufficient proof to the Board that he has obtained training and experience necessary to supervise and perform such procedures with reasonable skill and safety to patients. The Board also ordered Dr. Logan to pay costs in the amount of \$940.
Dated: July 15, 2009

James A. Shapiro – Physician, Kenosha, WI
The Medical Examining Board reprimanded James A. Shapiro, M.D., due to performing a total hip arthroplasty and failing to order a

postoperative radiograph of his patient's hip after her continued complaints of pain and discomfort. The Board accepted Dr. Shapiro's completion of 38 hours of continuing education related to the treatment of dislocations and total hip arthroplasty and ordered him to pay \$1,555 in costs.
Dated: July 15, 2009

August 2009

David Coffman – Physician, Auburn, ME.
The Medical Examining Board reprimanded and imposed limitations on the license of David L. Coffman, D.O., for departing from standard breast cancer treatment, recognized by experts, and performing total mastectomies on several patients who were candidates for lumpectomies or partial mastectomies. The Board also found inconsistencies in Dr. Coffman's dictated accounts of procedures and information in patient's charts. Dr. Coffman may not perform any breast surgeries until he submits proof to the Board that he has completed 30 hours of continuing education in breast surgeries and medical recordkeeping. The Board also ordered Dr. Coffman to pay \$300 in costs.
Dated: August 19, 2009

William B. Hobbins – Physician, Madison, WI
The Medical Examining Board summarily suspended the license of William B. Hobbins, M.D., for (30) thirty days. After receiving a neuropsychological evaluation of Dr. Hobbins, the Board found probable cause to believe that Dr. Hobbins has cognitive deficits that prevent him from practicing medicine with reasonable safety to patients.
Dated: August 21, 2009

William B. Lyles – Physician, Green Bay, WI
The Medical Examining Board reprimanded William B. Lyles, M.D., and ordered him to pay \$6,100 dollars in costs as well as comply with certain conditions. The Board found Dr. Lyles, in preparing for a medical leave from his practice, gave his practice partners, social workers, three blank prescription orders that were signed by him, for patients needing refills of Schedule II stimulants; even though arrangements had been made for a covering physician.

Dated: August 19, 2009

Prasad V. Yalavarthi - Physician, Minot, ND.
The Medical Examining Board revoked the license of Prasad V. Yalavarthi, M.D. due to his failure to respond to the complaint in this matter and based on an Order issued by the North Dakota State Board of Medical Examiners. The North Dakota State Board of Medical Examiners revoked Dr. Yalavarthi's license to practice medicine after finding he had a mental disability, depression, that materially affected his ability to render care to patients; and that he habitually used alcohol.

Dated: August 19, 2009

September 2009

William B. Hobbins – Physician, Madison, WI
The Medical Examining Board accepted the surrender of the license to practice medicine and surgery of William B. Hobbins, M.D., effective September 16, 2009, and ordered him to pay costs in the amount of \$4,500 dollars. The Board further ordered that Dr. Hobbins shall never apply or reapply for any credential from the Board.

Dated: September 16, 2009

Thomas C. Johnson – Physician, Isle of Palms, SC.

The Medical Examining Board ordered Thomas C. Johnson, M.D., to refrain from practicing medicine and surgery under his Wisconsin license and pay \$225 dollars in costs after he was disciplined by the State of Georgia Composite State Board of Medical Examiners for chemical dependency. Dr. Johnson's license to practice medicine remains on probation in Georgia.

Dated: September 16, 2009

Ashok K.V. Kumar – Physician, Milwaukee, WI

The Medical Examining Board ordered Ashok K.V. Kumar, M.D., to complete continuing education and pay \$9,500 dollars in costs based on allegations of failure to properly evaluate his patient's airway or seek consultation with an anesthesiologist or intensivist prior to allowing his patient to be extubated after an endarterectomy. The Board did not make a

determination as to wrongdoing regarding the allegations.

Dated: September 16, 2009

Patrick J. Murphy – Physician, Sheboygan, WI
The Medical Examining Board imposed an eighteen-month suspension of the license of Patrick J. Murphy, M.D., based on his self-report of having inappropriate sexual contact with four of his former patients within two years of terminating professional services. The Board imposed a stay of the suspension permitting Dr. Murphy to continue practicing as long as he complies with certain terms and conditions of the Order. Those conditions include, but are not limited to, providing a copy of the Board's Order to his current supervisor, submitting quarterly reports from his psychotherapist to the Department Monitor, and notifying the Department Monitor within (5) five days of any change in employment status, residence, address, or telephone number.

Dated: September 16, 2009

Jeffrey C. Thomas – Physician, Janesville, WI
The Medical Examining Board accepted the surrender of the license to practice medicine and surgery of Jeffrey C. Thomas, M.D., effective September 16, 2009.

Dated: September 16, 2009

October 2009

Kevin A. Lang – Physician, Marshfield, WI
The Medical Examining Board summarily suspended Dr. Kevin Lang's license to practice medicine and surgery for (30) thirty days. The Board found probable cause to believe that Dr. Lang had sexual contact with a patient after performing an endoscopic exam and while the patient was going in and out of consciousness.

Dated: October 22, 2009

November 2009

Ellis D. Avner – Physician, Milwaukee, WI
The Medical Examining Board reprimanded Ellis D. Avner, M.D., for unprofessional conduct and ordered him to pay \$425 dollars in costs, after he was disciplined by the State Medical Board of Ohio for failing to complete and maintain accurate medical records to reflect

his examination, evaluation, and treatment of a co-worker, to whom he prescribed controlled substances.

Dated: November 19, 2009

Joseph A. Besso – Physician, Beloit, WI

The Medical Examining Board summarily suspended the license to practice medicine and surgery of Joseph A. Besso, Jr., M.D., for (30) thirty days and ordered him to provide proof that he has successfully completed an AODA treatment program. The Board found probable cause to believe that Dr. Besso reported to work, on at least two occasions, under the influence of alcohol, with a blood alcohol concentration in excess of the legal limit for driving.

Dated: November 2, 2009

Azam M. Bhatti – Physician, Brookfield, WI

The Medical Examining Board accepted the surrender of Dr. Azam M. Bhatti's license to practice medicine and surgery, effective November 19, 2009, closing a pending investigation. Dr. Bhatti may petition the Board, at any point in the future, for reinstatement of his license; however the investigation into the pending allegations will be re-opened at that time. If, in the future, Dr. Bhatti is found to have committed unprofessional conduct or engaged in negligent treatment, with respect to the allegations, he may be required to pay all of the costs incurred during the investigation and prosecution of this matter, totaling to date \$10,200.00 dollars, as well as any additional costs incurred after the filing of a petition for reinstatement.

Dated: November 18, 2009

John E. McVey – Physician, Hartland, WI

The Medical Examining Board indefinitely suspended the license of John E. McVey, M.D., due to reporting to work intoxicated by alcohol, to the extent that he was unable to perform his scheduled duties. The Board will impose a stay on the suspension of Dr. McVey's license, permitting him to practice medicine; if he provides proof that he is in compliance with the provisions found in sections C and D of his order. Those conditions include but are not limited to alcohol and drug treatment that includes weekly individual or group sessions, submitting quarterly therapy reports, attending

weekly AA/NA meetings and submitting monthly attendance reports, as well as submitting to random urine screens for alcohol and controlled substances. The Board also ordered Dr. McVey to pay \$350 dollars in costs.

Dated: November 18, 2009

Walter I. Melnyczenko – Physician, Oak Creek, WI

The Medical Examining Board reprimanded Dr. Walter I. Melnyczenko for improperly performing a bilateral salpingo-oophorectomy. The Board imposed limitations on Dr. Melnyczenko's license; requiring him to: (1) provide a DVD or videotape of five laparoscopic gynecological procedures that he performs, two of which must be salpingo-oophorectomies, that have been certified by the assisting anesthesiologist of his chief of staff, (2) complete at least eight hours of advance courses in gynecological surgical procedures and their complications, and (3) pay costs in the amount of \$1,500 dollars. Once the conditions have been successfully met, Dr. Melnyczenko may petition the Board for an unlimited license.

Dated: November 18, 2009

Richard E. Simpson, III – Physician, Plover, WI

The Medical Examining Board reprimanded Dr. Richard E. Simpson III, M.D., and ordered him to obtain four hours of continuing education in mammography-based interventions or interventional radiology for breast disease for improperly placing a drain to reduce fluid buildup post breast reconstruction. The Board found Dr. Simpson misidentified the gel implant as the pocket of fluid that needed to be drained and inserted the drain into the implant. The Board also ordered Dr. Simpson to pay \$1,600 dollars in costs.

Dated November 18, 2009

Charles P. Vaclavik – Physician, Platteville, WI

The Medical Examining Board reached an agreement with Dr. Charles P. Vaclavik, D.O., that in the event he seeks to re-register for an active license to practice medicine and surgery after October 31, 2009, when his current license expires, the Board may require him to appear before it and provide proof of his competence to

practice. The Board also ordered Dr. Vaclavik to pay \$2,100 dollars in costs prior to re-registering for an active license.

Dated: November 19, 2009

Thomas Hugh Williams – Physician, Waupun, WI

The Medical Examining Board reprimanded Dr. Thomas Hugh Williams and ordered him to pay \$2,100 dollars in cost for failing to properly assess and treat his diabetic patient's left upper arm wound during a six day period. The Board recognized Dr. Williams' completion of (7) seven hours of Category I continuing medical education in the area of wound assessment and care and ordered no additional continuing education.

Dated: November 18, 2009

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WIS. STATS. S. 440.11 ALLOWS FOR A \$50 PENALTY TO BE IMPOSED WHEN CHANGES ARE NOT REPORTED WITHIN 30 DAYS.

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- For continuing education, say 'education'
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