

Med Board Newsletter

A publication of the Wisconsin Medical Examining Board

December 2013

Wisconsin Prescription Drug Monitoring Program

Interstate Data Now Available

Since becoming operational in June, the Wisconsin Prescription Drug Monitoring Program (WI PDMP) has proven to be an empowering tool to combat the prescription drug misuse and abuse problem in Wisconsin. As a state-wide program containing information about the dispensing of certain controlled substances and Tramadol to patients in Wisconsin, the WI PDMP enables physicians, physician assistants, dentists, advanced practice nurse prescribers, pharmacists, and other healthcare professionals to access information about their patients' prescription histories.

The information in the database dates back to January 1, 2013, when the administrative rules requiring pharmacies and dispensing practitioners to collect PDMP data became effective. As of October 1, 2013, there were approximately 7,500,000 records in the database from dispensers in



Wisconsin. While the data from dispensers in Wisconsin is already helpful, additional information from other states can provide a more complete picture of patients' prescription histories. With this knowledge in mind, the Department joined the National Association of Boards of Pharmacy PMP InterConnect (PMPi) data sharing hub at the request of the Pharmacy Examining Board. The PMPi enables state prescription monitoring programs to securely exchange data with users of other states' programs.

Since October, healthcare professionals who have registered to use the WI PDMP have been able to seamlessly obtain data about their patients from the prescription monitoring programs in Illinois, Michigan, and South Dakota through their account with the WI PDMP.

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Chair's Corner

By *Kenneth Simons*



Dr. Kenneth Simons

The Wisconsin Medical Examining Board has an important and vital role to play in ensuring that the physicians licensed in Wisconsin are safely taking care of and always acting in the best interests of their patients. As such, after robust discussions and drafts of language among the Board members as well as through the solicitation of input from stakeholders such as the Wisconsin Medical Society and the Wisconsin Hospital Association, the professional conduct rules, which are located in Wisconsin Administrative Code Chapter MED 10, Unprofessional Conduct, have been approved by the Legislature.

Please see *Chair*, page 3

Medical Board Membership and Staff Assignments

The Medical Examining Board (MEB) consists of 13 members. The members are appointed by the Governor and confirmed by the Senate.

MEB Members:

Kenneth Simons, MD, Chair (Milwaukee)
Timothy Swan, MD, Vice-Chair (Marshfield)
Jude Genereaux, Secretary, Public Member (Ellison Bay/Sarona)
James Barr, Public Member (Chetek)
Mary Jo Capodice, DO (Sheboygan)
Greg Collins, Public Member (Ashwaubenon)
Rodney Erickson, MD (Tomah)
Suresh Misra, MD (Milwaukee)
Gene Musser, MD, (Madison)
Carolyn Ogland, MD (Madison)
Sridhar Vasudevan, MD (Belgium)
Timothy Westlake, MD (Hartland)
Russell Yale, MD (Fox Point)

Department of Safety and Professional Services (DSPS)

Administrative Staff:

Tom Ryan, Executive Director
Joshua Archiquette, Bureau Assistant
Shawn Leatherwood, Administrative Rules Coordinator

Executive Staff:

Dave Ross, Secretary
Bill Wendle, Deputy Secretary
Tom Engels, Assistant Deputy Secretary

The MEB meets monthly, usually the third Wednesday of the month. Dates and times are announced on the DSPS website at www.dsps.wi.gov. Meeting agendas are posted approximately one week prior to the meeting and identify open and closed session agenda items.

PDMP

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In the near future, healthcare professionals should also be able to obtain data from the prescription monitoring programs in Minnesota, Indiana, North Dakota, and Arizona through their accounts with the WI PDMP.

To register for access to the WI PDMP database

1. Go to the “Registration Site,” which is accessible from here: <http://dsps.wi.gov/pdmp/access/prescriber>
2. When prompted, enter “newacct” as your username and “welcome” as your password.

If you experience any problems or have any questions while registering, please contact the Department at PDMP@wisconsin.gov.

A great deal of gratitude is owed not only to all of the aforementioned individuals but also to the wonderful staff of the Department of Safety and Professional Services (DSPS) who provided their insight and technical assistance in bringing this project to fruition.

Aside from the Board's re-crafting of MED 10, earlier in the year a series of articles was published in the Wisconsin State Journal by reporter David Wahlberg. While some may think that the accompanying level of scrutiny begat by highlighting actions of the Board without comprehensive knowledge of the facts and thought processes that went into making the individual decisions referenced is unwarranted, I believe that one of the things that makes this country great is having a free press and the right for each of us to have differences of opinion. Rather than ignoring or dismissing the issues raised regarding board actions against physicians who fell short of the standard of care, the Board wisely chose to engage in a process of self-reflection to see whether or not improvements are necessary. We have appointed a Committee charged with completing a comprehensive assessment of past Board sanctions in an effort to determine if the Board has been consistent and effective in the application of sanctions as we strive to protect the public.

In the Wahlberg series, reference was made to the Medical Board of Ohio as ranking among the top three state Boards for serious

discipline against doctors in a study published by the Public Citizen Group. Notably, the State Medical Board of Ohio is a separate public entity, not one Board among many served by a single state umbrella agency and thus, it is able to set its own priorities. This is quite distinct from what occurs here in Wisconsin. In addition, the articles correctly stated that there have been a number of efforts by the Wisconsin Board to enhance its ability to investigate as well as to proactively prevent problems which have been stymied by some who no doubt have very good intentions. These efforts include: 1) giving the Board the statutory authority to independently launch an investigation of suspected wrongdoing without someone bringing forward a complaint; and 2) requiring criminal background checks of all license applicants, as do 36 other states, according to the Federation of State Medical Boards.

The article also reported that Ohio's board has developed guidelines imposing minimum and maximum penalties for various violations and that Wisconsin has no such guidelines. The Board's Committee reviewed the Ohio guidelines and, in fact, found that the minimums and maximums are not out of line with the range of sanctions utilized by the Wisconsin Medical Examining Board. Since the range of sanctions is similar, codifying minimums and maximums may not afford any real advantages. In our effort to better understand how the Board has performed over the years in sanctioning physicians, the Committee

will review all of the sanctions applied over a ten year period of time, from January 1, 2003 thru December 31, 2012. With this data, the board will identify the remedies that have been meted out in isolated classifications of unprofessional conduct, examine the reasons for variation, and obtain more insight on how to consistently, effectively, and fairly bring the rule of law to bear in similar cases. This is, very simply, what ought to be done and what the public and physicians should expect.

On behalf of the Board, I wish to assure physicians, patients and families that your Wisconsin Medical Examining Board will continue to work with all parties in an effort to make sure that the health care delivered by Wisconsin physicians and those they supervise, is safe and appropriate. To that end, the actions of the fourth estate has provided us with both an opportunity to learn and to improve. Michelangelo said, "Ancora imparo," which translates to "I'm still learning," and after all, this is what is expected of physicians, not only by our patients, but by each of us as members of this noble profession.

Note: The newly revised Wisconsin Administrative Code Chapter MED 10, Unprofessional Conduct, can be located here: https://docs.legis.wisconsin.gov/code/admin_code/med/10

Enforcement Actions of the Medical Examining Board

Disciplinary options available to the Board include:

Reprimand—A public warning of the licensee for a violation. This is reported to the National Practitioners Data Bank (NPDB).

Limitation of License—Imposes conditions and requirements upon the licensee, 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.

Non-disciplinary options available to the Board include:

Administrative Warning—Issued if a violation is of a minor nature, a first occurrence and the warning will adequately protect the public. Not reported to the NPDB. The content of the warning is confidential.

Remedial Education Order—Issued when there is reason to believe that the deficiency can be corrected with remedial education, while sufficiently protecting the public. This is not reported to the NPDB.

Board Orders

March 2013

Morgan Budde, Physician, Milwaukee, WI

The Medical Examining Board **reprimanded** and limited Dr. Morgan Budde's license to practice medicine and surgery for having been disciplined by the Common-

wealth of Kentucky Board of Medical Licensure. The Kentucky Board indefinitely restricted Dr. Budde's license due to his addiction to controlled substances. The following limitations have been imposed upon Dr. Budde's Wisconsin license: 1) he must maintain compliance with all terms of the Kentucky Board of Medical Licensure; and 2) he must provide to the Wisconsin Board any document which alters the conditions of his practice of medicine in the Commonwealth of Kentucky including any documentation that restores his unrestricted license. Upon providing proof that he has successfully complied with all the terms of the Kentucky Board Order and has been granted an unrestricted Kentucky license to practice medicine, his license will be fully restored in Wisconsin.

Dated: March 20, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002356-00008344.pdf>

Therese J. Gesteland, Physician, Milwaukee, WI

The Medical Examining Board **reprimanded** Dr. Therese J. Gesteland. On or about June 13, 2003, Dr. Gesteland saw her patient in the emergency room presenting with trouble speaking, left side facial weakness, problems swallowing, and dizziness. After obtaining a CT scan and performing a physical examination, Dr. Gesteland diagnosed the patient as having Bell's Palsy. She did not inform the patient of the other possible diagnoses such as a stroke or TIA nor did she instruct the patient to follow-up with other physicians or undergo tests in order to rule out the other significant conditions. The Board concluded that Dr. Gesteland failed to provide her patient with the information which a reasonable patient would need in order to make an informed decision about her health.

Dated: March 20, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002352-00008340.pdf>

Charlotte E. Hovey, Physician, Oak Park, IL

The Medical Examining Board **indefinitely suspended** Dr. Charlotte E. Hovey's license to practice medicine and surgery. The basis of the suspension was an Interim Cessation of Practice Agreement between Dr. Hovey and the Colorado Medical Board. The Agreement was based on a report from the Colorado Physician Health Program that Dr. Hovey has a physical or mental illness or conditions that rendered her unsafe to practice medicine with reasonable skill and safety to patients. Dr. Hovey was also disciplined by the State of Washington Department of Health, Medical Quality Assurance Commission due in part to Dr. Hovey's failure to respond to a Statement of Charges sent by the Commission on June 5, 2012. Should Dr. Hovey wish to reinstate her license in Wisconsin she must provide documentation of her compliance with the terms and conditions imposed against her practice of medicine in Colorado and Washington. The Board may also require a personal appearance.

Dated: March 20, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002355-00008343.pdf>

Gerard N. Kiernan, Physician, Keene, NH

The Medical Examining Board **reprimanded** Dr. Gerard N. Kiernan for having discipline taken against his license to practice medicine and surgery in another state. Dr. Kiernan and the New Hampshire Board of Medicine entered into a Settlement Agreement ordering Dr. Kiernan to take remedial education and pay a fine due to his failure in 2009 to appropriately diagnose and treat sepsis. The Board noted the remedial education completed by Dr. Kiernan in response to the New Hampshire Board Order as education which would have otherwise been ordered by the Board.

Dated: March 20, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002358-00008346.pdf>

Dorothy A. Novak, Physician, Hayward, WI

The Medical Examining Board **reprimanded** Dr. Dorothy

A. Novak for failing to appropriately diagnose an emergency room patient complaining of abdominal pain, constipation, fever, nausea and vomiting. Dr. Novak discharged the patient from emergency care and instructed the patient to drink four quarts of a polyethylene glycol solution containing electrolytes and then use another formulation of polyethylene glycol daily. Approximately 11 hours later the patient returned to the emergency room complaining of debilitating abdominal pain. The patient was examined by another physician and transferred to another hospital where it was determined that the patient had a perforated sigmoid diverticulitis with diffuse peritonitis and sepsis. A large inflammatory mass was found in the pelvis, and was identified as the sigmoid colon. The Board found that polyethylene glycol is not indicated for patients with an intestinal obstruction and that the patient should have been kept in the hospital for monitoring and a CT with contrast should have been obtained. The Board imposed a limitation requiring Dr. Novak to successfully complete a course in acute abdomen presentation and treatment.

Dated: March 20, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002363-00008351.pdf>

James Turek, Physician, Fort Dodge, IA

The Medical Examining Board **reprimanded** and limited Dr. James Turek's license to practice medicine and surgery. While conducting a total abdominal hysterectomy and left salpingo-oophorectomy procedure, Dr. Turek noticed a small incidental cystotomy on the patient's right side. Dr. Turek repaired the injury with two layers of 2-0 Chromic. In so doing, Dr. Turek failed to properly place the sutures in the trigone, failed to recognize that the stitches were obstructing both ureters and failed to call a urologist for assistance. As a result the patient had to undergo another surgery to repair the damage one day after the first surgery. Dr. Turek must successfully complete the American Urogynecologic Society Review seminar.

Dated: March 20, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002357-00008345.pdf>

Jesse J. Van Bommel, Physician, Menomonee Falls, WI

The Medical Examining Board **suspended** the license of Dr. Jesse J. Van Bommel for obtaining propofol, fentanyl and rocuronium by improperly using a patient name outside the course of legitimate professional practice. Dr. Van Bommel was also convicted of three misdemeanor counts: criminal damage to property and disorderly conduct in Waukesha County case no. 2012CF001212, and a misdemeanor battery under Waukesha County case no. 2012CF001435. Dr. Van Bommel may be granted a stay of the suspension of his license provided he petitions the Board and provides proof that he is in compliance with the terms of the Order.

Dated: March 20, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002362-00008350.pdf>

Amit Waghray, Physician, Phoenix, AZ

The Medical Examining Board **reprimanded** Dr. Amit Waghray for having discipline taken against his license to practice medicine and surgery in another state. Dr. Waghray entered into an Order for Letter of Reprimand and Consent with the Arizona Medical Board due to inappropriate billing for services rendered while working as a hospitalist at John C. Lincoln North Mountain Hospital from December 2010 through May 2011. There were no additional limitations imposed on Dr. Waghray's Wisconsin license.

Dated: March 20, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002360-00008348.pdf>

Kevin A. Weidman, Physician, Milwaukee, WI

The Medical Examining Board **imposed a limitation** on Dr. Kevin A. Weidman's license to practice medicine and surgery. In February of 2012, Dr. Weidman disrupted staff engaged in patient care and was repeatedly late in providing postoperative orders, both due to anger management issues. The Board required Dr. Weidman to successfully complete an anger management course which shall be preapproved by the Board. Dr. Weidman must

also have his therapist file quarterly reports summarizing his progress in therapy and current functioning.

Dated: March 20, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002353-00008341.pdf>

John W. Zwiacher, Physician, Wasilla, AK

The Medical Examining Board **reprimanded** Dr. John W. Zwiacher for having discipline taken against his license to practice medicine and surgery in Alaska. Dr. Zwiacher entered into a Consent Agreement and Proposed Decision and Order with the Alaska Medical Board. The Alaska Medical Board reprimanded Dr. Zwiacher for failing to send lung fluid for cytology analysis from a patient who was subsequently diagnosed with stage IIIB non-small cell lung cancer; and erroneously answering "No" to the question of whether he had been a subject of an investigation or currently under investigation by any licensing jurisdiction. The non-disclosure was not an attempt to mislead; it was an error.

Dated: March 20, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002354-00008342.pdf>

April 2013

Michael J. Panzer, Physician, Appleton, WI

The Medical Examining Board **reprimanded** Dr. Michael J. Panzer for the following conduct. From approximately September 2007 until February 2009, Dr. Panzer provided psychiatric care for his patient's severe depression. The patient was already taking Adderall, alprazolam and quetiapine which were prescribed by other doctors. Dr. Panzer added duloxetine and modafinil. Dr. Panzer did not discontinue any of his patient's prior medications, nor did he consult any of the other physicians treating the patients regarding the potential for drug interaction. Some of the medications were above the maximum recommended dosages. The Board further ordered that the practitioner shall not prescribe, administer or dispense any benzodiazepine for any patient at a daily dosage level which is more than 50% above the approved labeling for that product.

Dated: April 24, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002405-00008433.pdf>

May 2013

William B. Lyles, Physician, Green Bay, WI

The Medical Examining Board imposed a **20 day suspension** upon Dr. William B. Lyles' license to practice medicine and surgery. The Board imposed the suspension due to Dr. Lyles' inappropriate prescribing of high doses of medications to multiple patients. The medications included alprazolam, Adderall, amphetamine, and lorazepam. During the course of one client's treatment, Dr. Lyles effectively delegated the prescribing of psychotropic medications to his social worker including allowing the social worker to provide sample medications such as Invega®, Lamictal®, Lunesta®, Luvox®, Pristiq®, and Requip® to his patient. The Board also imposed limitations including but not limited to the following: Dr. Lyles is required to refrain from prescribing, ordering, dispensing, administering or otherwise possessing any controlled substances or direct or request a physician assistant or advanced practice nurse prescriber to prescribe, order, dispense or administer any controlled substance on his behalf; and Dr. Lyles must also certify that he does not have any sample prescription only medications in his place of practice.

Dated: May 15, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002437-00008490.pdf>

Michael N. Mangold, Physician, West Bend, WI

The Medical Examining Board **indefinitely suspended** Dr. Michael N. Mangold's license to practice medicine and surgery due to practicing medicine without a license during the time period from February 21, 2012 through March 22, 2012. During that time period, Dr. Mangold's license was suspended for delinquent taxes. Dr. Mangold may not apply for a stay of the suspension for at least 60 days from the date of the Order.

Dated: May 15, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002433-00008486.pdf>

Donald Stonefeld, Physician, Rhinelander WI

The Medical Examining Board **summarily suspended** Dr. Donald Stonefeld's license to practice medicine and surgery due to inappropriate boundary violations between Dr. Stonefeld and his patient. On or about May 23, 2012, Dr. Stonefeld began providing psychiatric medication management to his 36-year-old female patient. During the course of the physician-patient relationship, Dr. Stonefeld exchanged text messages with his patient. During the course of the exchange of text messages Dr. Stonefeld requested a photograph of his patient, told his patient that she was "much prettier now" and offered this patient money. The summary suspension shall remain in effect until the final decision and order is issued.

Dated: May 15, 2013

<http://ice/enforcement/orders/OrderViewDoc.aspx?orderID=8487>

David L. Werwath, Physician, Virginia Beach, VA

The Medical Examining Board **reprimanded** Dr. David L. Werwath for having been disciplined by another state. The Virginia Board of Medicine limited the license of Dr. Werwath for his prescribing practices and his addiction to controlled substances.

Dated: May 15, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002435-00008488.pdf>

June 2013

Edward P. Hagen, Physician, Amery, WI

The Medical Examining Board **reprimanded** Dr. Edward P. Hagen for prescribing OxyContin® 20-30mg, oxycodone-acetaminophen (Percocet®) 10-325mg, zolpidem (Ambien®) 10mg, and cyclobenzaprine (Flexeril®) 10mg to a neighbor without having examined the neighbor, maintaining medical records, or consulting

with the neighbor's treating physician.

Dated: June 19, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002487-00008580.pdf>

Sarbjeeet S. Sandhu, Physician, Milwaukee, WI

The Medical Examining Board **reprimanded** Dr. Sarbjeeet S. Sandhu for failing to prescribe controlled substances at a dosage appropriate for a juvenile patient's weight, increasing the dosage in unreasonable increments, and failing to refer the patient for specialized treatment. By failing to appropriately prescribe the controlled substance and failing to respond appropriately to Patient A's reaction to the medication, Dr. Sandhu created an unacceptable risk that his patient would overdose.

Dated: June 19, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002486-00008579.pdf>

July 2013

Daniel Cabot, Physician, Superior, WI

The Medical Examining Board accepted Dr. Daniel Cabot's **voluntary surrender** of his registration and the right to renew his registration to practice medicine and surgery. Dr. Cabot voluntarily surrendered his credential due to having been evaluated for a health matter substantially related to the practice of medicine. Dr. Cabot did not agree or comply with the resulting treatment recommendations.

Dated: July 17, 2013

<https://online.drl.wi.gov/decisions/2013/ORDER0002540-00008652.pdf>

Carol Haughey, Physician Assistant, Whitefish Bay, WI

The Medical Examining Board **indefinitely suspended** Mrs. Carol Haughey's license to practice as a physician assistant following a Drug Enforcement Administration execution of an Inspection Warrant at her home where she was found to have had 2,687 tablets of various controlled

substances in her possession. Of these substances, Mrs. Haughey admitted to personally consuming alprazolam, soma, hydrocodone APA, and triazolam. Mrs. Haughey did not have a valid prescription for the controlled substances in her possession.

Dated: July 17, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002310-00008653.pdf>

Bruce W. Irvin, Physician, Libertyville, IL

The Medical Examining Board accepted Dr. Bruce W. Irvin's **voluntary surrender** of his license to practice medicine and surgery for having entered into a consent order with the State of Illinois, Department of Financial and Professional Regulation, Division of Professional Regulation. Dr. Irvin agreed to the consent order due to physical illness or loss of motor skill which resulted in the inability to practice medicine and surgery with reasonable skill or safety.

Dated: July 17, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002539-00008648.pdf>

Jong W. Kim, Physician, Bladenboro, NC

The Medical Examining Board **reprimanded** Dr. Jong W. Kim for being disciplined by the North Carolina Medical Examining Board. The North Carolina Medical Examining Board reprimanded Dr. Kim for having an inappropriate relationship with a patient. The Wisconsin Medical Examining Board also imposed the following limitations: Dr. Kim must be in compliance with the North Carolina Medical Board's consent order; he must provide a copy of any document issued by the North Carolina Medical Board to the Wisconsin Medical Examining Board; and should he plan to practice again in Wisconsin, he must notify the Board at least 90 days prior to his return. Dr. Kim must inform the Board when he has completed the North Carolina Medical Board's consent order.

Dated: July 17, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002538-00008646.pdf>

August 2013

Angelo Alexander, Physician, Racine, WI

The Medical Examining Board accepted the **surrender** of Dr. Angelo Alexander's registration and the right to renew his registration required to practice medicine and surgery in Wisconsin. After conducting a hysteroscopy with endometrial ablation and resection, Dr. Alexander's patient became hypotensive requiring resuscitation and was noted to have a significant abdominal distention. A vascular surgeon was called into the operating room to evaluate the patient and found a large left iliac artery tear. The Board made a finding of fact that Dr. Alexander fell below the standard of minimal competence by failing to recognize a left iliac artery tear.

Dated: August 14, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002566-00008696.pdf>

Stephen A. Haughey, Physician, Whitefish Bay, WI

The Medical Examining Board imposed an **indefinite suspension** of Dr. Stephen A. Haughey's license to practice medicine and surgery with an immediate stay of the suspension as long as Dr. Haughey remained in compliance with certain conditions. The Board disciplined Dr. Haughey for dispensing controlled substances in a manner that was not within the course of legitimate professional practice and for failing to maintain patient health care records consistent with the requirements of ch. Med 21. The limitations imposed on Dr. Haughey include: entering into a drug and alcohol treatment program; attending AA/NA meetings; abstinence from all personal use of alcohol and all over-the-counter medications; submission to drug and alcohol screens 49 times per year; refraining from working in a setting in which he will have access to controlled substances; refraining from prescribing controlled substances for a 6 month period from the date of the order; and arranging for his supervisor to provide quarterly written reports to the Board. If Dr. Haughey does not have a supervisor he must obtain a professional mentor to provide the reports.

Dated: August 14, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002303-00008692.pdf>

Derek Heldzinger, Physician, Ooltewah, TN

The Medical Examining Board accepted the **surrender** of Dr. Derek Heldzinger's license and registration to practice medicine and surgery for an adverse action taken against him by the Georgia Composite Medical Board. The Georgia Composite Medical Board reprimanded Dr. Heldzinger and placed him on probation for two years for prescribing controlled substances to chronic pain patients who traveled from out-of-state without history and physical examinations sufficient to justify the prescriptions and without adequate training in pain management. The Board will not, at any time in the future, process or otherwise consider an application by Dr. Heldzinger for a license and registration to practice medicine and surgery in Wisconsin.

Dated: August 14, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002569-00008699.pdf>

George F. Knight, Physician, St. Petersburg, FL

The Medical Examining Board **reprimanded** Dr. George F. Knight for having a letter of admonition issued against him by Panel A of the Colorado Medical Board. The Colorado Board issued the letter of admonition due to Dr. Knight's failure to identify subdural hematomas that were visible in the initial CT studies of his patient's brain.

Dated: August 14, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002564-00008694.pdf>

Noemi A. Prieto, Physician, Milwaukee, WI

The Medical Examining Board imposed a **three year suspension** on Dr. Noemi A. Prieto's license to practice medicine and surgery. The Board suspended Dr. Prieto license for being found guilty of 16 counts of health care fraud in the United States District Court, Eastern District of Wisconsin, Case Number 11-CR-60. Dr. Prieto submitted false claims to the Wisconsin Medicaid Program for

medical services provided by an unlicensed physician from August 17, 2006 through December 26, 2006. The Board also imposed the following limitations: compliance with the terms of the judgment in 11-CR-60; provide the Board with written verification that she is in compliance with the judgment in 11-CR-60 on February 2, 2014 and every six months thereafter; and provide evidence to the Board that she has passed the Special Purpose Examination (SPEX) before returning to the practice of medicine.

Dated: August 14, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002565-00008695.pdf>

Thomas D. Spera, Physician, Tucson, AZ

The Medical Examining Board **reprimanded** Dr. Thomas D. Spera for entering into an Agreed Order with the Texas Medical Board in which he was disciplined due to a 14 day hospital administrative suspension. The Texas Medical Board disciplined Dr. Spera for his abusive conduct towards staff members and his alleged failure to seek psychological evaluation and treatment.

Dated: August 14, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002563-00008693.pdf>

September 2013

Kent G. Brockmann, Physician, Lake Elmo, MN

The Medical Examining Board accepted the **voluntary surrender** of Dr. Kent G. Brockmann's license to practice medicine and surgery. During the time period that Dr. Brockmann was engaged in providing psychiatric therapy to his patient, he is alleged to have invited the patient to sit on his lap and to have kissed the patient on her face and lips. On another occasion in approximately July of 2012, Dr. Brockmann is alleged to have sat with this patient in her car and engaged in kissing his patient, unbuttoning her shirt, and caressing her breast. Dr. Brockmann denies any unprofessional conduct.

Dated: September 18, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002627->

Fredrick E. Ekberg, Physician, Duluth, MN

The Medical Examining Board accepted the **surrender** of Dr. Frederick E. Ekberg's registration to practice medicine and surgery due to prior discipline by the Minnesota Board of Medical Practice. The Minnesota Board disciplined Dr. Ekberg after he admitted that in 2010 and 2011 he prescribed controlled substances, including opioid medications, for family members. Dr. Ekberg failed to document the prescription in a patient health care record and failed to communicate his care with each family member's treating physician or health care provider.

Dated: September 18, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002622-00008791.pdf>

Ronald Plemmons, Physician, Asheville, NC

The Medical Examining Board **suspended** Dr. Ronald Plemmons' license to practice medicine and surgery due to prior discipline by the North Carolina Medical Board. The North Carolina Board imposed discipline after Dr. Plemmons approached an individual in a pharmacy who had been denied a request to fill an out-of-state prescription for OxyContin. Dr. Plemmons proceeded to write the individual a prescription for OxyContin without having examined the individual as a patient. The Board imposed an indefinite suspension of Dr. Plemmons' license and provided that Dr. Plemmons may not petition the Board for reinstatement of his license until he can demonstrate that he possesses an unlimited license in North Carolina.

Dated: September 18, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002621-00008790.pdf>

Luann Moraski, Physician, Manitowoc, WI

The Medical Examining Board **suspended** Dr. Luann Moraski's license to practice medicine and surgery but imposed an immediate stay as long as Dr. Moraski complied with certain conditions. The Board disciplined Dr. Moraski for her conduct in December of 2012. At that time a mother of a patient had concerns about

Dr. Moraski's behavior stating that Dr. Moraski smelled strongly of alcohol, had largely dilated pupils, slurred speech, and difficulty standing on her own. Dr. Moraski was admitted to the ICU for 48 hours of acute treatment. Treatment records indicate that Dr. Moraski's blood alcohol level was 0.37. The Board imposed the following limitations on Dr. Moraski's license: she must attend individual or group therapy sessions; her treater must provide reports on a quarterly basis; she must attend AA/NA meetings; she must abstain from all personal use of alcohol, controlled substances and over-the-counter medications; she must submit to drug and alcohol screens at a rate of 48 times per year; she must report her order to all subsequent employers; and she must arrange for written reports from her employer(s) to the Board on a quarterly basis.

Dated: September 18, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002624-00008793.pdf>

Kenneth S. Raskin, Physician, Caledonia, WI

The Medical Examining Board **reprimanded** Dr. Kenneth S. Raskin. In January of 2014 Dr. Raskin saw a patient for induction of labor. Due to concerns about the fetal heart rate, Dr. Raskin attempted vacuum assisted delivery. Dr. Raskin applied a Mityvac® but suction was inadequate to further the infants' descent. Dr. Raskin attempted to use Kiwi® vacuum device, but again suction was inadequate to further the infant's decent. Over a period of approximately 46 minutes Dr. Raskin attempted a vacuum delivery nine times before deciding to proceed to a C-section. The Board found that Dr. Raskin's care fell below the standards of minimal competence because he did not recognize the need for a C-section in a timely manner. The Board imposed a limitation on Dr. Raskin's license by requiring him to successfully complete 10 hours of remedial education on the topic of working with intra-operative deliveries.

Dated: September 18, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002623-00008792.pdf>

Davinder Kaur Sidhu, Physician, Pleasant Prairie, WI

The Medical Examining Board **indefinitely suspended** Dr. Davinder Kaur Sidhu's license to practice medicine and surgery. On December 14, 2012, Dr. Sidhu removed two 100 MCG vials of fentanyl from Pyxis® for a scheduled procedure. Records indicate that this patient's procedure was cancelled and not rescheduled. The record did not account for the two 100 MCG vials of fentanyl. Dr. Sidhu repeated the same behavior several times by removing different amounts of fentanyl on several separate occasions until approximately March 20, 2013. The Board imposed the following conditions on Dr. Sidhu's license: she must enter into a drug treatment program and attend group or individual therapy sessions; she must attend AA/NA meetings; she must abstain from all personal use of alcohol and over-the-counter medications; she must report to the Board all medications and drugs she takes and who prescribed the drugs; she must submit to drug and alcohol screens at a rate of 48 times per year; and she must arrange for her employer to file quarterly work reports to the Board.

Dated: September 18, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002361-00008797.pdf>

Jerry N. Yee, Physician, Wauwatosa, WI

The Medical Examining Board accepted Dr. Jerry N. Yee's **surrender** of his license to practice medicine and surgery effective December 31, 2013 and his right to renew the license. The Board based its decision on a report that Dr. Yee had inappropriately prescribed buprenorphine, benzodiazepines, and stimulants to a patient who had a history of opiate addiction. Dr. Yee denies any misconduct in this matter. Until the license is surrendered, the Board further imposed a limitation on Dr. Yee's license prohibiting him from ordering, administering, dispensing or prescribing any controlled substance except buprenorphine. Buprenorphine may only be prescribed for patients who are established buprenorphine patients.

Dated: September 18, 2013

<http://online.drl.wi.gov/decisions/2013/ORDER0002628-00008800.pdf>

A wealth of useful information is available on the Department of Safety and Professional Services website at: www.dsps.wi.gov

Do you have a change of name or address?

Licensees can execute name or address changes on the Department website at <https://online.drl.wi.gov/UserLogin.aspx>. Please note that confirmation of change is not automatically provided. Legal notices will be sent to a licensee's address of record with the Department.

Med Board Newsletter distribution:

If you know someone who would like to receive a copy of the Med Board Newsletter, send an e-mail to: subscribe-wi-dsps-medical-newsletter@lists.wi.gov.

Telephone Directory:

Call the Department of Safety and Professional Services toll-free (877) 617-1565 or (608) 266-2112 if you are in Madison, then follow the instructions for the service you need.

On-line Verifications:

The Wisconsin Medical Examining Board is now able to officially verify licenses and exam scores electronically. By completing a Verification Request online, a licensee can request official verifications of his or her license and exam scores to be sent to state boards, employers, insurance companies and other interested parties. Upon receiving a request, the Wisconsin Medical Examining Board will send a secured link to the verification website to the recipient that the licensee designates.

The real-time information displayed on the verification website is primary source information of the Wisconsin Medical Examining Board. Further, it is consistent with JCAHO and NCQA standards for primary source verification and is as it appears in the database of the Wisconsin Medical Examining Board as of the moment it is viewed.

The fee for licensure verifications has not changed. It is still \$10.00 per verification. The verification website constitutes official certification of licensure information and should be accepted just like paper verification. However, should a recipient of online licensure verification question its authenticity, please contact the Wisconsin Medical Examining Board directly.