



Med Board Newsletter

A publication of the Wisconsin Medical Examining Board

September 2011

Wisconsin to Pilot Maintenance of Licensure

By **Tom Ryan**, Bureau Director,
Medical Examining Board

At its February 17, 2011 meeting, the Medical Examining Board approved a motion requesting that the Federation of State Medical Boards (FSMB) consider Wisconsin as a pilot state for “Maintenance of Licensure” (MOL).

In 2010, the House of Delegates of the FSMB approved a policy framework for Maintenance of Licensure (MOL) recommending that all U.S. physicians, as a condition of licensure renewal, “should provide evidence of participation in a program of professional development and lifelong learning.” The MOL framework proposes three components: reflective self-assessment, assessment of knowledge and skills, and performance in practice.

The Wisconsin Board action was a result of discussions about how to encourage and support lifelong learning by licensed physicians and efforts to confirm and enhance physicians’ practice improvement

efforts. Currently when Wisconsin physicians renew their licenses, they are required to attest to completion of the current continuing education requirement of 30 credits in two years. Physicians nationally and in Wisconsin have been dedicated in their efforts to create a system that is more evidence-based, practice relevant, and capable of measuring outcomes within a practice and in relation to one’s peers. Maintenance of Licensure is intended to accomplish all three objectives. Humayan Chaudhry, President and Chief Executive Officer of the FSMB, said, “The FSMB is delighted to be working closely with the Wisconsin Medical Board to consider ways in which it can consider pilot projects to implement Maintenance of Licensure (MOL) for its physicians. It joins 11 other state medical and osteopathic boards interested in doing the same.”

Look for updates in future issues of the Med Board Newsletter.

Chair’s Corner

By **Sujatha Kailas, MD**,
Chair-Medical Examining Board

The name of the agency has changed from the Department of Regulation and Licensing (DRL) to the Department of Safety and Professional Services (DSPS), as a result of the merging of DRL and the Department of Commerce. This has brought new leadership and personnel into the combined Department.



Dr. Sujatha Kailas

Mr. Dave Ross continues as Secretary, and we appreciate his continued support for the activities of the MEB.

Our newest member of the Board is Dr. Christopher J. Magiera, a gastroenterologist from Wausau. We extend a warm welcome to him. Also please join me in welcoming Ms. Sandra Nowack, as the legal

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 approved by the Senate.

MEB Members:

Sujatha Kailas, MD, MBA, Chair (Fond du Lac)
Sandra Osborn, MD, Vice-Chair (Madison)
Sheldon Wasserman, MD, Secretary (Milwaukee)
Carolyn Bronston, Public Member (Wausau)
James Conterato, MD (Marshfield)
LaMarr Franklin, Public Member (Glendale)
Jude Genereaux, Public Member (Ellison Bay)
Azita Hamedani, MD (Verona)
Raymond Mager, DO (Bayside)
Christopher Magiera, MD (Wausau)
Suresh Misra, MD (Milwaukee)
Gene Musser, MD (Madison)
Ken Simons, MD (Milwaukee)

Department of Safety and Professional Services (DSPS)

Administrative Staff:

Tom Ryan, Bureau Director
Sandra Nowack, Legal Counsel
Karen Rude-Evans, Bureau Assistant
Shawn Leatherwood, Advanced Paralegal
David Carlson, Communications Associate

Executive Staff:

Dave Ross, Secretary
John Murray, Executive Assistant

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

Too Close For Comfort

Practical Tips to Avoid Professional Boundary Issues

By **Sandra Nowack**, Legal Counsel,
Medical Examining Board

Boundary violations occur when the best interests of patients give way to the physician's sexual, financial, emotional or political interests. Boundary cases are evaluated in context, however physicians should not assume that their motivation or the patient's conduct will absolve the physician of ethical or legal responsibility. The physician is responsible for maintaining proper boundaries in the physician-patient relationship; patients may not view the conduct as harmful to them.

Examples of boundary violations include:

- A physician loans a patient the physician's vacation home in appreciation for the long-standing professional relationship;
- A physician alters third-party billing records for the patient's financial benefit;
- A physician fails to file a court report on time and compensates the patient for the physician's lapse;
- A physician has romantic or sexual motivation for their conduct, including conduct that is not overtly sexual (without medical justification, physician intentionally brushes against the patient's intimate body parts, whether clothed or unclothed);
- During the professional relationship, a patient pursues a personal relationship with the physician, they fall in love



The Medical Examining Board gathered for a picture at its August 17, 2011 meeting. Front row (left to right): LaMarr Franklin, Sheldon Wasserman, Sujatha Kailas, Sandra Osborn and Gene Musser. Back row: Azita Hamedani, Suresh Misra, Raymond Mager, James Conterato, Christopher Magiera, Carolyn Bronston, Kenneth Simons and Jude Genereaux.

Chair

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counsel for the MEB. She has served as a prosecutor for DRL for many years and thus brings valuable insight to our discussions.

Our 2010 [Annual Report](#) was released a few months ago. I encourage you to review it if you have not already done so.

Highlights include:

- Over 2,000 new physician credentials are issued annually and 22,000 licenses are renewed biennially;
- The average time to review new documentation for license applications has been reduced from 10-15 business days to 7;
- In almost all cases, licenses are issued on the same day that all documents are received and all requirements are met;
- Processing time for license verifications has been reduced from 10-15 business days to 5;
- Over 90 percent of licenses are renewed online, which has streamlined the renewal process;
- For the year 2010 the Board closed 457 cases, 54 with formal Board Orders. An additional

significant number were closed informally with Administrative Warnings;

- The department resolved 90% of cases that were opened for investigation within 18 months.

Future and ongoing Board activities include:

- Participation in a pilot program to assess and implement Maintenance of Licensure (MOL). The Board has reviewed multiple options and will work with the Federation of State Medical Boards (FSMB) as we move forward with this important project (see article, page one);
- Updating Wis. Admin. Code Chapter MED 10, the Board's Unprofessional Conduct Rule, to make it applicable to present practice conditions;
- Updating Wis. Admin. Code Chapter MED 8, the Board's Physicians Assistants Rule. A work group is currently reviewing the possibility of increasing the Physician to Physician Assistant supervision ratio from the current limit of 1:2;
- Work on a \$500,000 American Recovery and Reinvestment (ARRA) grant that unifies application and credentialing processes across multiple states is progressing well. Discussions continue with the

states involved;

- Creation of a uniform application form that will reduce filing requirements for license applicants and eliminate redundancies when applying for licensure in other states.

Board member activities

include:

- Gene Musser – Serves on the FSMB's Physician Reentry Task Force;
- Sandra Osborn – Serves on the Editorial Board for the FSMB's *Journal of Medical Licensure* and the USMLE Item Writing and Standard Setting Committee;
- Sujatha Kailas is serving a 3 year term on the USMLE Step 3 Committee.

As a reminder, the biennial renewal is in the fall this year. Watch your mail for the yellow postcard announcing the opening of the online renewal process. Also included during this renewal time is an online survey conducted by the Department of Workforce Development. We ask that you take a moment to complete the survey, as the data collected will be valuable for ongoing workforce analysis and shortage area designation.

Sujatha Kailas, MD, MBA
Chair, Medical Examining Board

Boundaries

Continued from Page 2

and later marry;

- A physician continues to prescribe narcotic medications past the point of objective medical justification because the physician sympathizes with the patient's circumstances and in doing so the physician feels personally magnanimous.

Physicians are advised to consider practices and policies that protect physician and patients from boundary concerns. Physicians may:

- Implement and enforce a written policy prohibiting all staff from engaging in social, financial, and/or non-professional relationships with adult patients until 2 years after a treating relationship has ended, and with child patients, at least 2 years after the treating relationship ends and/or 2 years after the child reaches the age of majority (Wis. Admin. Code § 10.02(zd));
- Use chaperones liberally, implement and enforce a written policy of using chaperones liberally, and document the chaperone's presence, including the patient's signature in acknowledgment;
- As part of informed

consent discussions, carefully explain to the patient any *anticipated* procedure that may create incidental contact with a patient's intimate parts--including the nature, necessity, and purpose of the contact--document doing so, and obtain the patient's signature acknowledging that you have done so (Wis. Admin. Code §§ 10.02(u) and (za));

- Impose and enforce written policies against exchanging, giving or accepting anything of value with patients except legitimate payment for health care services actually provided (Wis. Admin. Code § 10.02(zd));
- Avoid discussions of sexual or financial matters, unless

germane to legitimate medical care;

- Never discuss sexual matters with children unless properly supervised and the discussion is necessary to a legitimate medical issue, and never refer to a child in a sexual connotation, even in jest;
- Rigorously follow professional standards in prescribing medications at risk for abuse;
- Document, document, document.

All physicians must rigorously assess their own practices and intervene at the earliest sign that boundaries may have been compromised. In many instances, consultation with a colleague may be helpful.



DSPS staff assigned to the Medical Examining Board (left to right): Sandra Nowack, Shawn Leatherwood, Karen Rude-Evans and Tom Ryan.

Enforcement Actions of the Medical Examining Board

The MEB has the following options available for discipline of a licensee:

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 National Practitioners Data Bank (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.

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, 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.

Administrative Warnings January-June 2011

During the first six months of 2011, the Board issued 5 administrative warnings. Administrative warnings are nondisciplinary and their content is confidential. In the past three years, the conduct most often underlying administrative warnings has included record-keeping violations and minor issues in prescriptive practices. Health care professionals are advised to insure timely, accurate and complete patient health care records are created for every patient contact, and particularly where a prescription order is issued.

Board Orders

January 2011

Michael N. Mangold, Physician, West Bend, WI

The Medical Examining Board reprimanded Dr. Michael N. Mangold for repeated failure to maintain patient health care records placing patients at unacceptable risk of harm. The Board limited Dr. Mangold's license by requiring a professional mentor to review randomly-selected patient health care records for two years. The records will be evaluated on a weekly, then monthly basis, for timeliness and compliance with [Wis. Admin. Code § Med 21.03](#). Dr. Mangold must also retain a billing service.

Dated: January 19, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000587-00005621.pdf>

Charles D. Morgan, Physician, Neenah, WI 54956

The Medical Examining Board accepted the surrender of Dr. Charles D. Morgan's license to practice medicine after finding Dr. Morgan had engaged in sexual contact with his psychiatric patient. If Dr. Morgan seeks to reinstate his license to practice medicine and surgery he must first provide evidence satisfactory to the Board that he does not have any psychiatric, chemical abuse or dependency condition that would interfere with his ability to safely provide professional services to patients.

Dated January 19, 2011

<http://online.drl.wi.gov/decisions/2011/LS0808206MED-00005619.pdf>

Michael J. Muise, Physician, Freeport, IL

The Medical Examining Board suspended Dr. Michael J. Muise's license to practice medicine and surgery for a 12-month period, but issued an immediate stay of the suspension contingent upon his compliance with the Board's Order. The Board found that Dr. Muise, while working in Illinois, had repeated non-forcible sexual contact with a former patient, with whom

he also had another impermissible relationship. Dr. Muise self-reported the violation to an employer and engaged in mental health assessment and treatment. The Board limited Dr. Muise's license to require that he provide a copy of the Board's order to his current supervisor and any future supervisor, participate in monthly sessions with a psychotherapist, successfully complete comprehensive remedial education on professional boundaries, and submit to monitoring by a professional mentor. Dr. Muise's supervisor, therapist, and professional mentor must submit quarterly reports to the Department Monitor.

Dated January 19, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000611-00005618.pdf>

Joel S. Stoeckeler, Physician, Hudson, WI

The Medical Examining Board reprimanded Dr. Joel S. Stoeckeler for conduct which fell below the standards of minimal competence during the time he assumed responsibility for his patient's warfarin management. The Board limited Dr. Stoeckeler's license requiring him to complete 8 hours of remedial education in warfarin management within 12 months of the Board's order.

Dated: January 19, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000612-00005620.pdf>

February 2011

John C. Egan, Physician, Phoenix, AZ

The Medical Examining Board found that Dr. John C. Egan, while practicing in another jurisdiction, failed to appropriately evaluate a patient's acute-onset post-operative pain with focal neurological deficits, and failed to obtain a timely neurosurgical consult. The Board reprimanded Dr. Egan and limited his license to require four hours of remedial education in the diagnosis and management of acute back pain, including post surgical pain.

Dated: February 16, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000660-00005707.pdf>

William S. Fitterman, Physician, Laramie, WY

The Wyoming Board of Medicine disciplined Dr. William S. Fitterman, D.O., for failing to maintain accurate and complete medical records, failing to provide records to patients upon request, and failing to timely respond to the Wyoming Board of Medicines' request for documents. The Wyoming Board placed Dr. Fitterman's license on five years' probation. The Wisconsin Medical Examining Board reprimanded Dr. Fitterman and limited his license to practice medicine and surgery. The limitation will be removed upon the Board's determination that Dr. Fitterman has successfully complied with all of the terms and conditions of the Wyoming Consent Decree.

Dated: February 16, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000655-00005702.pdf>

Theodore Galvani, Jr., Physician, Spring Grove, IL

The Medical Examining Board accepted the surrender of Dr. Theodore Galvani's license to practice medicine and surgery based on discipline imposed by the Illinois Medical Licensing Board. The Illinois Board placed Dr. Galvani on indefinite probation after he was convicted of disorderly conduct while intoxicated. Dr. Galvani may not apply for reinstatement of his Wisconsin credential unless he first obtains consent from the Board or its designee before applying for reinstatement or renewal, and pay \$1,500 in costs. His credentials may be reinstated in the future only if he first establishes to the Board's satisfaction he is professionally competent to re-enter the practice of medicine. If the Board reinstates or renews Dr. Galvani's license the Board may impose additional terms and conditions.

Dated: February 16, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000657-00005704.pdf>

Jeffrey C. Hamm, Physician, Hollywood, FL

The Medical Examining Board reprimanded Dr. Jeffrey Hamm for having his license limited by the Florida Board of Medicine, and now requires Dr. Hamm to notify the Board in advance if he ever returns to Wisconsin. The Florida Board of Medicine reprimanded Dr. Hamm

for two separate quality of care violations: (1) during a blepacoplasty and lipoplasty, Dr. Hamm continued with elective surgery despite abnormal intraoperative blood test results; and (2) in preparation for a liposuction procedure, Dr. Hamm cleared a patient for surgery after pre-operative testing indicated dangerously high blood glucose levels without any further testing. Dr. Hamm's Florida license to practice medicine and surgery was subjected to probation, supervision and other significant limitations due to the underlying violations.

Dated: February 16, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000659-00005706.pdf>

Kenneth J. Kurt, Physician, Racine, WI

The Medical Examining Board accepted the surrender of Dr. Kenneth J. Kurt's license to practice medicine and surgery due to his recent retirement. If Dr. Kurt seeks to regain his license he must provide proof sufficient to establish that he does not suffer from any condition which would interfere with his ability to practice medicine and surgery with reasonable skill and safety.

Dated: February 16, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000289-00005701.pdf>

Andrea M. Nunez, Respiratory Care Practitioner, Rockford, IL

The Medical Examining Board found that Ms. Andrea M. Nunez, R.C.P., practiced while under the influence of cocaine. Ms. Nunez' credential is currently expired. The Board ordered that Ms. Nunez may not reapply for licensure to practice respiratory care in Wisconsin and prohibited the Department from processing any future renewal application.

Dated: February 16, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000658-00005705.pdf>

Alex A. Pasquariello, Physician, Middleton, WI

The Medical Examining Board reprimanded Dr. Alex A. Pasquariello for having his credential limited in another jurisdiction. The New York State Board for Professional

Medical Conduct and the Office of Professional Medical Conduct took action against Dr. Pasquariello's license for failing to adequately diagnose and treat three patients whose respective symptoms were: right elbow pain, a history of neck swelling, and a medical history of metastatic colon cancer. Dr. Pasquariello satisfactorily completed a period of supervision and mentoring in New York.

Dated: February 16, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000656-00005703.pdf>

Ram D. Pathak, Physician, Marshfield, WI

The Medical Examining Board reprimanded Dr. Ram D. Pathak for failing to follow-up with the results of his patient's CT scan. The Board limited Dr. Pathak's license, requiring twelve hours of remedial education in responding to abnormal physical and laboratory findings and early diagnosis and management of cancers.

Dated: February 16, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000653-00005698.pdf>

Juanilito Seldera, Physician, Lake Geneva, WI

The Medical Examining Board reprimanded Dr. Juanilito Seldera for conduct which fell below the minimum standard of competence in the profession during the time he conducted his patient's Nissen fundoplication procedure. The Board recognized Dr. Seldera's completion of 4.5 hours of remedial education on advanced laparoscopy at the University of Chicago entitled, "Minimally Invasive Treatment of Esophageal Disorders."

Dated: February 16, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000654-00005700.pdf>

Paul M. Zerovec, Podiatrist, Milwaukee, WI

The Medical Examining Board reprimanded Paul M. Zerovec, D.P.M., for prescribing medications for pain in a manner which tended to constitute a danger to the health, welfare and safety of his patient, as well as having made, with fraudulent intent, false

statements in the practice of medicine. The Board imposed the following limitations on Dr. Zerovec's podiatry practice: for an indefinite period of time he may not order, prescribe, administer or dispense Schedule II controlled substances; he may possess Schedule II controlled substances only if they are prescribed by another practitioner for his personal health care; in any twelve-month period Dr. Zerovec may order, prescribe, administer or dispense to any patient no more than one non-renewable prescription or a one-month supply of a Schedule III, IV or V controlled substance to address acute pain. This limitation shall remain in effect until Dr. Zerovec provides proof to the Board that he has completed intensive remedial education on controlled substances management and medical record keeping.

Dated: February 16, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000661-00005708.pdf>

March 2011

Thomas J. Carlson, Physician, Fond Du Lac, WI

The Medical Examining Board ordered Dr. Thomas J. Carlson to refrain from reapplying for registration to practice medicine and surgery in Wisconsin at any time in the future. The Department will not process any future applications of renewal of Dr. Carlson's registration due to his retirement from the practice of medicine and surgery.

Dated: March 16, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000773-00005863.pdf>

Steven B. Greenman, Physician, Milwaukee, WI

The Medical Examining Board summarily suspended the license of Dr. Steven B. Greenman for allegedly prescribing narcotic medications for chronic pain in a manner which tended to constitute a danger to the health, welfare and safety of his patients. The suspension will remain in effect until the underlying disciplinary matter is resolved.

Dated: March 16, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000714-00005795.pdf>

Gope C. Hotchandani, Physician, Green Bay, WI

The Medical Examining Board imposed a 60-day suspension upon the license of Gope C. Hotchandani, M.D., for having his practice credential limited by the Michigan Board of Medicine Disciplinary Subcommittee. The suspension was retroactive and concurrent with the discipline imposed by the Michigan Board. It determined that Dr. Hotchandani was convicted of felony healthcare fraud, a crime which relates to the practice of medicine.

Dated: March 16, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000724-00005805.pdf>

Gerhard H. Lohaus, Physician, Venice, FL

The Medical Examining Board accepted the surrender of Dr. Gerhard H. Lohaus's registration to practice medicine and surgery and his right to renew that registration as a result of discipline imposed by the Florida Board of Medicine when Dr. Lohaus declined to undergo AODA treatment. If Dr. Lohaus seeks to reinstate or renew his registration he must first pay costs, provide proof to the Board of his competence to re-enter the practice of medicine and abide by any additional terms and conditions the Board may impose.

Dated: March 16, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000722-00005803.pdf>

John M. McKichan, Physician, Stone Lake, WI

The Medical Examining Board suspended Dr. John McKichan's license to practice medicine and surgery for thirty days for boundary violations involving a patient on parole, as well as failure to maintain accurate records of prescriptions dispensed to the patient. The Board limited Dr. McKichan's license to prohibit him from treating patients on community supervision, to provide a copy of the Board's Order to employers and to successfully complete intensive education programs in controlled substance management, medical record keeping, and medical ethics boundaries and professionalism.

Dated: March 16, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000723-00005804.pdf>

Dana R. Morton, Physician, Morgantown, WV

The Medical Examining Board ordered Dr. Dana R. Morton, whose Wisconsin credential has expired, may not reapply for registration to practice medicine and surgery in Wisconsin at any time in the future. Dr. Morton has relocated to West Virginia.

Dated: March 16, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000715-00005796.pdf>

Ollisoji O. Oyesanya, Physician, Franklin, WI

The Medical Examining Board accepted the surrender of Dr. Ollisoji O. Oyesanya's registration and right to renew his registration to practice medicine and surgery in Wisconsin due to his retirement. The Board further ordered that Dr. Oyesanya was to immediately surrender his DEA registration.

Dated: March 16, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000719-00005800.pdf>

Christian Reikersdorfer, Physician, Middleton, WI

The Medical Examining Board reprimanded Dr. Christian Reikersdorfer for having clinical privileges revoked due to verbally abusive conduct towards hospital staff. The Board limited Dr. Reikersdorfer's license to require a professional mentor, treatment, and intensive remedial education in managing difficult communications in medical practice.

Dated: March 16, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000718-00005799.pdf>

John G. Schuetz, Physician, Madison, WI

The Medical Examining Board reprimanded Dr. John G. Schuetz for providing substantial amounts of pain medications to a patient without documenting or maintaining records of narcotics agreements, documenting functional treatment goals or documenting his patient's progress towards those goals. Dr. Schuetz has retired from the practice of medicine. If Dr. Schuetz decides to return to active practice he must notify the

Board at least 30-days before commencing practice and he must complete a comprehensive course in medical record keeping. If his return to practice requires him to prescribe narcotics, he must complete remedial education on pain management or pain management in general practice.

Dated: March 16, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000717-00005798.pdf>

Eric B. Schwietering, Physician, Milwaukee, WI

The Medical Examining Board revoked Eric B. Schwietering, M.D.'s license to practice medicine and surgery after he was convicted of possession of child pornography, exposing genitalia and 4th degree sexual assault. Dr. Schwietering, whose license was suspended during the pendency of the Board's investigation, may not reapply for restoration of his license; unless he has complied with the Board's order, paid costs and fees, and obtained written recommendations for reinstatement from all health care professionals that have provided sex offender and AODA treatment to him. The Board retains sole discretion as to whether or not it will grant Dr. Schwietering licensure in the future and may impose any conditions or limitations it deems necessary.

Dated: March 16, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000720-00005801.pdf>

Mark T. Szmanda, Physician, Antigo, WI

The Medical Examining Board suspended Dr. Mark T. Szmanda's license to practice medicine and surgery for a 12-month period for having consensual sexual contact with a patient. The Board issued an immediate stay of suspension contingent upon Dr. Szmanda's compliance with the following conditions: report any change of employment, address or telephone number to the Board within a 5-day period, provide a copy of the Board's order to current and all future supervisors, attend therapy sessions on a monthly basis and complete a professional boundaries course approved by the Board.

Dated: March 16, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000716-00005797.pdf>

Jonathan W. Thomas, Physician, Green Bay, WI

The Medical Examining Board indefinitely suspended Dr. Jonathan W. Thomas' license to practice medicine and surgery for soliciting his patient to engage in sexual contact. The Board stayed the suspension contingent upon Dr. Thomas' compliance with the following conditions: continue in drug and alcohol treatment, attend NA or AA meetings, abstain from all personal use of alcohol or controlled substances, submit to drug and alcohol screens, provide quarterly therapy reports to the Department Monitor, complete a program in professional boundaries, and submit to monitoring by a professional mentor.

Dated: March 16, 2011

<http://online.drl.wi.gov/decisions/2011/LS09052010MED-00005806.pdf>

April 2011

Dale Thomas Bertram, Physician, Cross Plains, WI

The Medical Examining Board indefinitely suspended Dr. Dale Thomas Bertram's license to practice medicine and surgery for attempting to obtain zolpidem, with help from a staff member, in violation of Wis. Stat. [§ 961.38\(3\) Stats.](#), which prohibits physicians from prescribing such controlled substances for personal use. The Board stayed the suspension contingent upon Dr. Bertram's compliance with the following conditions: enter and continue drug and alcohol treatment, attend NA or AA meetings, abstain from all personal use of alcohol or controlled substances, submit to alcohol and drug screens, and provide all reports to the Department Monitor.

Dated: April 20, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000804-00005916.pdf>

Stephen Richard Dannewitz, Physician, Key Largo, FL

The Medical Examining Board reprimanded Dr. Stephen Dannewitz for failing to properly interpret a chest x-ray and failing to recognize that a patient presenting with fever, tachycardia and chest pain may have been

suffering from an infection. The Board limited Dr. Dannewitz' license by requiring him to obtain remedial education in practice guidelines, assessment and diagnosis of community acquired pneumococcal disease, interpretation of chest x-rays and radiology.

Dated: April 20, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000805-00005917.pdf>

Tracy M. Lewis, Physician, Waukesha, WI

The Medical Examining Board reprimanded Dr. Tracy M. Lewis for failing to adequately investigate the cause of continuing and increased intrauterine bleeding in her postmenopausal patient. During March of 2011, Dr. Lewis completed remedial education entitled "Menopausal Medicine Care for the Mature Female."

Dated: April 20, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000800-00005909.pdf>

Fred H. Walbrun, Physician, Oneida, WI

The Medical Examining Board, without a finding of wrong-doing, ordered Dr. Fred H. Walbrun to obtain twelve credit hours of remedial education related to geriatric mental health in response to his conduct during the time he was responsible for evaluating whether to activate a patient's medical power of attorney. Dr. Walbrun was ordered to complete remedial education in capacity for medical decision-making, dementia and difficult behaviors and assessment of impaired decision making capacity in long term care.

Dated: April 20, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000806-00005918.pdf>

May 2011

Roman Berezovski, Physician, Mequon, WI

The Medical Examining Board found that Dr. Roman Berezovski had obtained controlled substances outside the legitimate practice of medicine. The Board suspended Dr. Berezovski's license to practice medicine

and surgery and stayed the suspension as long as Dr. Berezovski complies with the limitations and conditions of the Board's Order which include: refraining from the practice of chronic pain management for a period of 6 months, continuing in treatment, attending NA/AA meetings as directed by his therapist and submitting to drug and alcohol screens.

Dated: May 18, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000861-00006041.pdf>

Dennis Glawe, Physician, Winona, MN

The Medical Examining Board accepted the surrender of Dr. Dennis D. Glawe's license to practice medicine and surgery and right to renew his license, after Dr. Glawe, while practicing in another jurisdiction, twice engaged in sexual contact with patients. Dr. Glawe has retired from the practice of medicine. The Board retains sole discretion of whether and under what terms it may grant or refuse to grant Dr. Glawe credentials in the future.

Dated: May 18, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000862-00006042.pdf>

Franklin Graziano, Physician, Oregon, WI

The Medical Examining Board prohibited Dr. Franklin M. Graziano from engaging in the practice of medicine and reapplying for registration to practice medicine and surgery in Wisconsin after finding he hugged, kissed and made sexual comments to a patient during an office visit. The Board also prohibited the Department from processing any future application for renewal of the registration of Dr. Graziano's license. Dr. Graziano retired from the practice of medicine and surgery as of September of 2010. His registration will expire on October 31, 2011.

Dated: May 18, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000858-00006038.pdf>

Donald J. Hennesy, Physician, Menomonee Falls, WI

The Medical Examining Board reprimanded and limited the license to practice medicine and surgery

of Donald J. Hennesy, Jr., M.D., for prescribing pain medications outside of the course of legitimate professional medical practice and in a manner which tended to constitute a danger to his patient. The Board limited Dr. Hennesy's license to prohibit him from prescribing narcotics. Dr. Hennesy may petition the Board to modify these restrictions by successfully completing an intensive course on opiate maintenance treatment and by appearing before the Board to establish that he is able to competently resume the prescribing of narcotic substances.

Dated: May 18, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000864-00006044.pdf>

Naeem Ulla Khan, Physician, Amarillo, TX

The Medical Examining Board reprimanded Dr. Naeem Ulla Khan based on out-of-state discipline related to quality of care. The Texas Medical Board reprimanded Dr. Khan and barred him from performing conscious sedation unless he completed a formal education program in conscious sedation. Dr. Khan was also required to complete remedial education in orthopedic emergencies and pain management.

Dated: May 18, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000857-00006037.pdf>

Marvin D. Klingler, Physician, Baldwin, WI

The Medical Examining Board reprimanded Dr. Marvin D. Klingler for failing to adequately consider alternative differential diagnoses or treatment options for his patient before performing a dilation and curettage procedure. Consequently, the Board found his treatment fell below professional standards and created an unacceptable risk that his patient would experience complications of unnecessary surgery.

Dated: May 18, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000859-00006039.pdf>

Thomas P. Wentland, Physician, Loves Park, IL

The Medical Examining Board reprimanded Dr. Thomas

P. Wentland for having been disciplined in another jurisdiction. The Illinois Department of Financial and Professional Regulation imposed two years of probation and a forfeiture after determining that Dr. Wentland had permitted an unlicensed person to write prescriptions for anabolic steroids and failing to maintain medical records for the five persons for whom the prescriptions were written. Dr. Wentland has satisfied the requirements of the Illinois order.

Dated: May 18, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000860-00006040.pdf>

June 2011

David S. Almasy, Physician Dodgeville WI

The Medical Examining Board reprimanded and limited the license to practice medicine and surgery of Dr. David S. Almasy. The Board found Dr. Almasy engaged in conduct which tends to constitute a danger to the health, welfare and safety of his patient while undertaking a loop electrosurgical excision procedure. The Board imposed a limitation requiring remedial education.

Dated: June 15, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000900-00006114.pdf>

Rudy V. Byron, Physician, Racine, WI

The Medical Examining Board reprimanded Dr. Rudy V. Byron, Jr. for prescribing medications to his patient after relying solely on an online questionnaire and without an established physician-patient relationship. The Board limited Dr. Byron's license by ordering he shall not attempt to prescribe medications over the internet and he shall successfully complete intensive remedial education on controlled substance management, including proctoring.

Dated: June 15, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000899-00006113.pdf>

David M. Israelstam, Physician, Madison, WI

The Medical Examining Board reprimanded Dr. David M. Israelstam for violating professional boundaries by asking his patient whether she was interested in meeting a young man who was looking for a sexual relationship. Dr. Israelstam completed an intensive course on professional boundaries offered by Physicians Assessment and Clinical Education (PACE) at the University of California-San Diego.

Dated: June 15, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000903-00006118.pdf>

Narendar K. Jain, Physician, South Sioux City, NE

The Medical Examining Board imposed a 15-day suspension and limitations upon Dr. Narendar K. Jain's license to practice medicine and surgery after Dr. Jain ordered excessive morphine to treat his patient's acute pain, and for abandoning his patient due to personal conflicts with hospital staff. The Board further ordered remedial education in communication, medication management and ethics.

Dated: June 15, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000554-00006112.pdf>

Stefan Joseph Konasiewicz, Physician, Corpus Christi, TX

The Medical Examining Board reprimanded Dr. Stefan Konasiewicz after the Minnesota Board of Medical Practice disciplined Dr. Konasiewicz for his conduct in performing several neurological procedures. The Minnesota Board imposed limitations and conditions including supervision by a physician specializing in neurological surgery, quarterly reports, and conference with a Minnesota Board member. Dr. Konasiewicz may practice in Wisconsin if he provides proof sufficient to the Board that all limitations and conditions have been removed from his Minnesota license.

Dated: June 15, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000902-00006117.pdf>

Robert J. Wetzler, Physician, Oconomowoc, WI

The Medical Examining Board accepted the voluntary surrender of Dr. Robert J. Wetzler's license to practice medicine and surgery and his right to renew the registration of his license due to his retirement. Should Dr. Wetzler ever seek to regain his license he must provide proof sufficient to the Board that he can practice with reasonable skill and safety and pay costs.

Dated: June 15, 2011

<http://online.drl.wi.gov/decisions/2011/LS0812112MED-00006116.pdf>

July 2011

John L. Diels, Physical Therapist, McFarland, WI

The Physical Therapy Examining Board limited John L. Diels' license to practice physical therapy for his failure to create and maintain patient health care records. Mr. Diels must complete 6 hours of remedial education in medical record keeping and obtain a professional mentor who will review his patient charts for one year.

Dated: July 7, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000949-00006198.pdf>

Barbara A.E. Flaherty, Physical Therapist, Oshkosh, WI

The Physical Therapy Examining Board, without a finding of misconduct, ordered Barbara A.E. Flaherty, P.T., to complete 6 hours of remedial education on record keeping practices.

Dated: July 7, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000948-00006197.pdf>

Luis A. Rivera Jr., Physical Therapist, Mequon, WI

The Physical Therapy Examining Board reprimanded Luis A. Rivera, Jr. P.T., for being disciplined in another jurisdiction. The Board found the Arizona State Board of Physical Therapy accepted the voluntary surrender of Mr. Rivera's license after it was alleged that Mr. Rivera had failed to adhere to the recognized standards of the physical therapy profession, charged unreasonable or fraudulent fees and failed to maintain adequate patient

records. Mr. Rivera has relocated to Wisconsin and elected not to contest the Arizona order.

Dated: July 7, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000950-00006199.pdf>

Todd M. Bradshaw, Physician, Berlin, WI

The Medical Examining Board reprimanded Dr. Todd Bradshaw for failing to inform his patient of alternative modes of diagnosis while undertaking the care of his patient's hypertension. The Board accepted 10 hours remedial coursework entitled "Cardiology Review for Primary Care Medicine."

Dated: July 20, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000965-00006221.pdf>

William I. Braunstein, Physician, Saint Louis Park, MN

The Medical Examining Board revoked Dr. William I. Braunstein's license to practice medicine and surgery due to failure to cooperate with the Board's investigation and for having discipline imposed by the Minnesota Board of Medical Practice. The Minnesota Board of Medical Practice suspended but stayed Dr. Braunstein's license pursuant to his self-report of a mental health impairment that compromised his ability to practice medicine and surgery.

Dated: July 20, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0001002-00006258.pdf>

Joseph Hillel Graboyes, Physician, Milwaukee, WI

The Medical Examining Board reprimanded Dr. Joseph Hillel Graboyes for failing to properly conduct his patient's septorhinoplasty, creating an unacceptable risk that his patient would have difficulty breathing and require additional surgeries. Dr. Graboyes will complete a 30 credit Mayo Clinic comprehensive course in endoscopic sinus surgery and rhinoplasty.

Dated: July 20, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000963-00006219.pdf>

Diana Kruse, Physician, Sauk City, WI

The Medical Examining Board reprimanded Dr. Kruse for prescribing controlled substances for chronic pain patients without sufficient documentation of informed consent concerning chronic pain management. The Board imposed the following limitations: (1) completion of a 12-module pain management course, (2) completion of a course on opioid management (3) supervision by a professional mentor who will review, on a bi-weekly basis, five of Dr. Kruse's files for compliance with the Board's Order and state and federal laws, and (4) after a period of time in which to transition her practice, Dr. Kruse must refrain from prescribing controlled substances or tramadol to any patient for more than thirty days in any 365 day period.

Dated: July 20, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000964-00006220.pdf>

Ross E. Levatter, Physician, Phoenix, AZ

The Medical Examining Board accepted the voluntary surrender of Dr. Ross E. Levatter's license to practice medicine and surgery and his right to renew his credential without prior Board approval for having his credential disciplined by the Arizona Medical Board due to criminal activities for which Dr. Levatter is incarcerated. If Dr. Levatter seeks to regain his license to practice medicine and surgery he must provide evidence sufficient to satisfy the Board that he is competent and does not have a mental or cognitive condition that would interfere with his ability to safely provide professional services to patients.

Dated: July 20, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000962-00006218.pdf>

Neal A. Melby, Physician, New Richmond, WI

The Medical Examining Board reprimanded Dr. Neal Melby for performing a dilation and curettage ("D&C") procedure on his patient before allowing more time to investigate ultrasound reports of retained products of conception. The Board found that professional standards required more than ultrasonic evidence of retained products of conception after spontaneous delivery, due to high false-positive rates caused by an abundance

of decidual material and blood clots. Consequently, failure to allow more time for additional investigation created an unacceptable risk that Dr. Melby's patient faced an unnecessary procedure and potential resultant complications. The Board limited Dr. Melby's license by requiring him to complete six hours of remedial education in management of postpartum complications.

Dated: July 20, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000957-00006212.pdf>

David D. Springer, Physician, La Crosse, WI

The Medical Examining Board ordered Dr. David D. Springer to refrain from reapplying for registration to practice medicine and surgery in Wisconsin at any time in the future due to his retirement from practice with pending but unproven allegations of misconduct. Should Dr. Springer seek to resume his practice he must appear before the Board to request the right to reregister and provide evidence of his competence to resume the practice of medicine and surgery.

Dated: July 20, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000960-00006215.pdf>

Chandra S. Reddy, Physician, Baraboo, WI

The State of Washington Department of Health Medical Quality Assurance Commission disciplined Dr. Chandra S. Reddy for conducting physical examinations of female patients that were not in compliance with the accepted standard of care for heart and lung examinations. The Wisconsin Medical Examining Board reprimanded Dr. Reddy based on the out-of-state violation and limited his license by requiring reports to the Board concerning the Washington order.

Dated: July 20, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000958-00006213.pdf>

Lawrence J. Williamson, Physician, Windsor, CA

The Medical Examining Board accepted the voluntary surrender of Dr. Lawrence J. Williamson's license to practice medicine and surgery. The Board found that Dr. Williamson had committed unprofessional conduct

for having had disciplinary action taken against his California license to practice medicine and surgery by the Medical Board of California. The California discipline was related to Dr. Williamson's ability to safely and reliably practice medicine. Should Dr. Williamson seek reinstatement of his credential in Wisconsin he must provide proof to the Board that he can practice medicine and surgery with reasonable safety and skill.



Dated: July 20, 2011

<http://online.drl.wi.gov/decisions/2011/ORDER0000966-00006222.pdf>

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

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