



**A Newsletter of the  
MEDICAL EXAMINING BOARD**

**July 2010**

**MEB Membership**

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

- Sujatha Kailas, MD, MBA, Chair (Fond du Lac)
- Sandra Osborn, MD, Vice-Chair (Madison)
- Ian Munro, MD, Secretary (Green Bay)
- Carolyn Bronston, Public Member (Wausau)
- James P. Conterato, MD (Marshfield)
- 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)
- Sheldon Wasserman, MD (Milwaukee)

**Administrative Staff**

- Tom Ryan, Bureau Director
- 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

The MEB meets monthly, usually on the third Wednesday of each month. The dates and times are announced on the DRL website at

[www.drl.wi.gov](http://www.drl.wi.gov). Meeting agendas are posted about one week prior to the meeting and indicate a list of open and closed session agenda items.

**CHAIR’S CORNER**

The Examining Board has continued to be busy this year. In my last communication, I informed you of the creation of MEBB (Medical Examination Board Bureau), an independent Bureau within DRL with a total of 17 staff members designated to work only for the activities of the MEB. Since then, we have accomplished the following:



- Worked with the legislature and assisted in the passage of certain bills, the most important being ACT 382. Information about this bill was shared with you via e-mail in early June. We received a variety of concerns and questions. This bill is discussed later in this newsletter.
- We streamlined and improved efficiencies within the Department and are consistently meeting the goal of resolving 90% of cases within 18 months.
- 5 members from the Board and Bureau Director Tom Ryan attended a 3 day seminar of the FSMB (Federation of the State Medical Boards) in Chicago. The focus of the seminar was “Connect and Lead”. Our involvement included the following:

- Dr. Musser – member of the Education Committee and Moderator of the session – Elements of Effective State Medical Boards
- Dr. Osborn – member of Editorial Committee that is responsible in the selection of articles to the publication – Journal of Medical Regulation – [www.journalonline.org](http://www.journalonline.org)
- Tom Ryan – Facilitator of Regional Board Forums.

- Dr. Kailas served a 2 year elected position of the Nominating Committee of the FSMB with the role of vetting candidates running for leadership roles within FSMB.
- Dr. Musser has been appointed to the FSMB’s Committee on Re-Entry to Practice.

Our future initiatives at the MEB include:

➤ Evaluation of criteria for “Maintenance of Licensure.” As this can be done by rule, rather than statute, the MEB will have an opportunity to look at this in more depth, both at the content and the implementation aspects of such requirements.

➤ Continued liaison with the legislature to improve the ability of MEB to protect the public.

➤ Outreach Activities to educate the public, practitioners and other medical entities such as hospitals and clinics about the activities of the MEB and to receive feedback on what the MEB can do to meet your needs.

**➤ The October meeting of the Board will be held at the Medical College of Wisconsin in Milwaukee on October 20, 2010. We are thrilled at this opportunity to share the work of the Board with students, residents, fellows and faculty of the college. Please plan to attend and observe the Board in action.**

➤ Changes in IPP (Impaired Professionals Procedure)

➤ As part of the creation of MEB, we will be publishing the Board’s first Annual Report at the conclusion of this year.

I thank everyone on the Board and at the Department of Regulation and Licensing for

stepping up to the task and working with me in this rapidly changing environment with the single goal of protecting the public by making the practice of medicine in Wisconsin one of the safest in the country.

**Sujatha Kailas, MD, MBA**

**Board Committees, Work Groups and Liaisons**

1. Maintenance of Licensure and Continuing Medical Education (CME) Work Group – Drs. Harter, Mager, Munro and Musser
2. Legislative Liaison Work Group – Drs. Musser and Wasserman
3. IPP Liaison – Dr. Osborn
4. Liaison with Division of Enforcement – Dr. Osborn and Ms. Bronston
5. Outreach Committee – Ms. Genereaux, Drs. Kailas, Musser and Osborn
6. Evaluation Committee – Mr. Franklin, Drs. Harter and Musser
7. Application Screening Liaisons – Drs. Lockhart and Munro
8. FAQ Section Workgroup – Ms. Bronston, Drs. Conterato and Misra
9. MEB Web Page Workgroup – Mr. Franklin, Drs. Kailas and Wasserman

**SECRETARY’S MESSAGE**

On behalf of the Department of Regulation and Licensing (DRL), I am pleased to contribute to this edition of the Medical Examining Board (MEB) Regulatory Digest. I have had the privilege of serving as Secretary of the DRL for the past five years and in all of my outreach efforts, the one issue raised consistently by our licensees, across all professions, is the return of the digest. This is one of the most important ways for us to remain connected. There are constantly new rules, new bills in the legislature and new practices within your profession, and it is important to keep you updated.



In the summer of 2008, DRL staff interfaced with members of our boards to explore how we

could improve our customer service to our various constituencies. The Regulatory Digest was one of the top priorities identified to reach out to licensees. With the challenges in the state budget and the economic downturn, we have concluded that the most prudent way for us to be in communication is by distributing the digest electronically. The costs of hard copies and mailing put a tremendous strain on our resources, resulting in the digest being one of the services that was cut. We hope that you will keep us current on your e-mail address so that you can receive your digest timely.

Technology has opened the door for many new ways of improving services. You can now print your license with our e-credential system; we have purchased equipment that allows us to do remote live meetings for our board members; our website has recently been redesigned to be more user friendly and our integration of credentialing and enforcement systems is complete.

We have been working diligently to hire new staff dedicated to work on MEB matters in both the Division of Enforcement (DOE) and Professional Credentialing. These new hires are pursuant to proactive measures of board leadership in conjunction with DRL staff. We have a net gain of eight new positions for the new MEB team. These positions include attorneys, investigators, paralegals in DOE, an office associate in Credentialing, an Administrative Policy Advisor and an advanced paralegal in Board Services. We are almost complete with the process. Staff has been working vigorously to accomplish our goal of resolving cases in 18 months, and our application processing targets are being met in a timely manner.

Our revamping of the Impaired Professionals Procedure program is in its final stages. A small group of task force members worked with our General Counsel to draft rule amendment language consistent with the recommendations. The next step is a public hearing on August 6, 2010. That will be followed by a report to the legislative standing committee. If there are no objections, it will become law no later than November 1, 2010. This will enable us to begin

actively informing licensees about the program. We are also working on a position description for new staff who will oversee this program and the monitoring of enrollees.

We are excited about what the future holds with your profession. While we recognize that we have a ways to go, we have turned a corner. We welcome your ideas, suggestions and comments on how to be in better communication with you as we continue to move forward.

**Best regards,  
Celia M. Jackson  
Department Secretary**

### **GOVERNOR SIGNS BILL REQUIRING PHYSICIANS TO REPORT UNSAFE PRACTICE**

In our communication of June 2, 2010 we described 2009 Wisconsin Act 382 of the recently-completed legislative session which among other things creates a legal duty upon all licensed physicians to report colleagues under circumstances defined in the law. The law requires that individual licensed physicians report to the MEB if they have knowledge of a colleague who engages in a pattern of unprofessional conduct, creates an immediate or continuing danger to one or more patients or to the public, may be medically incompetent or may be mentally or physically unable to safely engage in the practice of medicine or surgery. Readers may wish to review the above-mentioned communication as well as the act itself. They can be accessed by clicking [here](#).

The importance of this law is highlighted by the recent JAMA contribution entitled “Physicians’ Perceptions, Preparedness for Reporting and Experiences Related to Impaired and Incompetent colleagues”, JAMA, 7/14/10, pages 187-193. The JAMA article can be found on-line at the [JAMA website](#).

The Medical Examining Board (MEB) has as its legislated mandate investigating complaints of alleged unprofessional conduct and from the courts the role of protecting the public, rehabilitation of physicians and deterrence. Act 382 is intended improve the MEB’s ability to identify physicians who may be a danger to the

public. As we have noted elsewhere, physicians are in the best position to be aware of these problem physicians.

Questions have appropriately arisen about how Act 382 is to be interpreted as it relates to physicians participating in various peer review processes or who are in the role of treating other physicians, especially for psychiatric and substance abuse conditions. It's important to note that this law was initiated by an MEB all of whose physician members participate in peer review in their own institutions and who have no intent to weaken local peer review. The MEB acknowledges the critical importance of local peer review and encourages physicians to remain active participants in it. The MEB expects the act to strengthen statewide peer review, which is the function of the MEB.

The goal of the MEB is improved identification of physicians who by their practice or other circumstances are a danger to their patients, a goal which should be shared by all physicians. The potential discipline of physicians who fail to report such problem physicians is not the goal of the MEB but rather is the means of establishing the seriousness of the duty to report. The MEB expects that discipline of physicians working in good faith in local peer review would rarely if ever occur.

The MEB has been asked to provide clarification of how it might interpret the duty to report portions of the law. What follows is how the current MEB would expect to enforce the terms of the act. It's important to note that no such statement can modify the language of the act nor bind any future MEB in its interpretation of the act.

As to how the MEB might interpret the reporting obligations of individual physicians working within the context of local peer review, if a report is required under the terms of Act 382, the obligation would be met if the peer review panel reported to the MEB. Additionally, if a majority of the panel concludes that Act 382 conditions are not met, members in the minority would have no obligation to report but would be free to do so should they think that action appropriate.

Questions have also arisen with respect to the peer review process as to the meaning of the words "reason to believe" and "promptly submit". It's the view of the MEB that reporting may be at the conclusion of the review process. Earlier reporting would not be precluded if supported by available facts. The goal of the new law is the protection of the public. This consideration should always be paramount in decision-making.

Act 382 clearly has the potential to create a conflict for physicians who are treating other physicians, particularly for psychiatric and/or substance abuse conditions. The MEB view is that the critical reporting requirement applies to the presence of a current danger to the public. The physician-patient in an appropriately monitored recovery program need not be reported. By "appropriately monitored" the MEB means consistent with guidelines of the American Society of Addiction Medicine, Federation of Health Plans or its member organizations, or the Wisconsin Impaired Professionals Procedure.

Act 382 also creates a duty to report a physician who ". . . has engaged [the reader should note the past tense] in an act that creates an immediate or continuing danger to one or more patients or to the public", terminology which has created concerns about what past acts the treating physician would be obligated to report and has created concerns that this reporting requirement might lead impaired physicians to avoid seeking treatment. The MEB is of the opinion that the mere presence of the condition under treatment would not create the duty to report. Past actions such as working while impaired may be of such seriousness that they should be reported, but the treating physicians' reporting requirement would be met if the impaired physician self-reported to the Impaired Professionals Procedure, soon to be revised and renamed the Professional Assistance Procedure.

While no set of guiding principles can address every possible question which might arise, the MEB is committed to administering the new law in a fair and responsible manner, keeping in

mind the ultimate goals of addressing problem physicians and protecting the public.



*Seen in the picture, Dr. Gene Musser, immediate past-chair of MEB, Tom Ryan, DRL Administrative Policy Advisor, and Senator Fred Risser as Governor Doyle signs 2009 Wisconsin ACT 382 into Law.*

## **ENFORCEMENT**

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**

**January 2010**

**Gregory J. Estlund** – Physician, River Falls, WI.

The Medical Examining Board accepted the **surrender** of Dr. Gregory J. Estlund's license to practice medicine and surgery effective January 20, 2010, due to reporting to work and providing professional services to patients while impaired by alcohol. If, in the future, Dr. Estlund seeks to reinstate his license he must provide sufficient proof to the Board that he is not impaired by either a psychiatric condition or chemical dependency that would interfere with his ability to provide professional services to patients. The Board also ordered Dr. Estlund to **pay \$450 in costs**.

Dated: January 20, 2010

<http://online.drl.wi.gov/decisions/2010/ls0912172med-00004760.pdf>

**Sheila F. Hockman** – Physician, Chapmanville, WV.

The Medical Examining Board issued an amended order granting Sheila F. Hockman, D.O., the **right to reapply** for a license to practice medicine and surgery in Wisconsin. Previously on March 19, 2008, the Board accepted the **surrender** of Dr. Hockman's license to practice medicine and surgery. That surrender remains in effect.

Dated: January 20, 2010

<http://online.drl.wi.gov/decisions/2010/ls0803191med-00004109.pdf>

**Diana L. Kruse** – Physician, Sauk City, WI.

The Medical Examining Board **suspended** the license to practice medicine and surgery of Diana L. Kruse, M.D., for one week, effective January 24, 2010, and ordered her to **pay \$2,300 in costs**, due to disregarding her patient's request for medical records, made via her attorney, for a period of nine months. The Board also imposed a limitation on Dr. Kruse's license to practice medicine and surgery for a

one-year period requiring her to continue to employ a healthcare practice management consulting firm and comply with or refuse all patient requests for medical records within thirty calendar days. On January 25, 2006, the Board reprimanded Dr. Kruse for two prior incidents of failing to respond to her patients' requests for medical records.

Dated: January 20, 2010

<http://online.drl.wi.gov/decisions/2010/order000010-00004106.pdf>

**Kenneth J. Kurt** – Physician, Racine, WI.

The Medical Examining Board **imposed a (90) ninety-day suspension with limitations** on the license to practice medicine and surgery of Kenneth J. Kurt, D.O., for violating a prior Board Order, of inappropriate prescribing of controlled substances and inadequate record keeping. The limitations on Dr. Kurt's license to practice medicine and surgery include, but are not limited to, (1) a prohibition from ordering, prescribing, possessing, or administering any controlled substance except as expressly permitted by the Board or as a patient with a legitimate medical need, (2) practice under the supervision of a Board approved professional mentor, and (3) completion of one of the three Board approved continuing education courses stated in the Order. The Board also ordered Dr. Kurt to **pay \$3,600 in costs.**

Dated: January 20, 2010

<http://online.drl.wi.gov/decisions/2010/order000009-00004105.pdf>

### February 2010

**John P. Kiser** – Physician, Green Bay, WI.

The Medical Examining Board **reprimanded Dr. John P. Kiser** and ordered him to **pay \$5,000 in costs** for failing to properly record information related to prescriptions for pain relief while treating a patient with a history of chronic pain and mental illness. The Board accepted Dr. Kiser's completion of (40) forty hours of Category 1 continuing education course credits in Controlled Substance Management offered by Case Western Reserve University School of Medicine.

Dated: February 17, 2010

<http://online.drl.wi.gov/decisions/2010/ORDER0000060-00004176.pdf>

**Lale D. Cowgill** – Physician, Madison, WI.

The Medical Examining Board **imposed limitations on the license** to practice medicine and surgery of Dr. Lale D. Cowgill and ordered him to **pay \$1,814 in costs.** The Board found that Dr. Cowgill failed to promptly diagnose a compartment syndrome of the arm after performing a radial artery endoscopic harvest from a patient's forearm. The Board also ordered Dr. Cowgill to complete (6) six hours of continuing education in the diagnosis and treatment of post operative complications of vascular surgery, including the diagnosis and treatment of compartment syndrome.

Dated: February 17, 2010

<http://online.drl.wi.gov/decisions/2010/ORDER0000062-00004178.pdf>

**Pastor Colon** – Physician, Minneapolis, MN.

The Medical Examining Board **accepted the surrender** of Dr. Pastor Colon's license and right to renew his registration to practice medicine and surgery in Wisconsin, effective February 17, 2010. The Board further ordered that should Dr. Colon ever seek to renew his registration to practice medicine and surgery he must **pay \$1,400 in costs.**

Dated: February 17, 2010

<http://online.drl.wi.gov/decisions/2010/ORDER0000061-00004177.pdf>

### March 2010

**Joseph A. Besso** – Physician, St. Michaels, MD.

The Medical Examining Board indefinitely **suspended the license** to practice medicine and surgery of Joseph A. Besso, Jr., M.D., for reporting to work on two occasions under the influence of alcohol with a blood alcohol concentration in excess of the legal driving limit. On November 2, 2009, the Board summarily suspended Dr. Besso's license based on the same facts. Dr. Besso may petition the Board for a stay of the suspension by providing proof that he has complied with the conditions stated in the Order. The conditions include, but are not limited to, abstaining from all personal use of alcohol and controlled substances, attending therapy sessions, submitting quarterly reports, attending 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. Besso to **pay costs in the amount of \$1,100.**

Dated: March 17, 2010

<http://online.drl.wi.gov/decisions/2010/LS0911023MED-00004227.pdf>

**Brian J. Bohlmann** – Physician, Madison, WI. The Medical Examining Board **accepted the surrender** of Dr. Brian J. Bohlmann’s license to practice medicine and surgery, effective March 17, 2010. Dr. Bohlmann may not apply for reinstatement of his license for a period of (3) three years. The Board disciplined Dr. Bohlmann for being convicted of criminal offenses substantially related to the practice of medicine and surgery including, but not limited to, a misdemeanor count of practitioner prescribing drugs for his own use and six misdemeanor counts of abuse or neglect of a patient not likely to cause bodily harm. Dr. Bohlmann was sentenced to six consecutive one-month periods of incarceration for his criminal offenses. Should Dr. Bohlmann seek reinstatement of his license he must provide sufficient proof to the Board that he is not impaired by either a psychological, alcohol, or drug condition that would prevent him from practicing medicine with reasonable skill and safety to patients.

Dated: March 17, 2010

<http://online.drl.wi.gov/decisions/2010/ORDER0000097-00004228.pdf>

**Alberta M. Stetter** - Respiratory Care Practitioner, Winona, MN.

The Medical Examining Board **reprimanded Alberta Stetter, R.C.P.**, and ordered her to **pay costs in the amount of \$150** due to disciplinary action taken against her Minnesota registration as a respiratory care practitioner by the Minnesota Board of Medical Practices. The Minnesota Board of Medical Practices found that for seven years prior to becoming registered in Minnesota, Ms. Stetter used the titles “Respiratory Therapist,” and “Respiratory Care Practitioner,” while providing respiratory care services to patients in Minnesota.

Dated: March 17, 2010

<http://online.drl.wi.gov/decisions/2010/ORDER0000095-00004225.pdf>

**Jacqueline W. Walter** – Physician, Albuquerque, NM.

The Medical Examining Board **reprimanded** Dr. Jacqueline Walter due to the voluntary surrender of her license to practice medicine in Alaska as a resolution of a disciplinary action involving her failure to report two malpractice settlements to the Alaska Medical Board. The Board did not order costs.

Dated: March 17, 2010

<http://online.drl.wi.gov/decisions/2010/ORDER0000096-00004226.pdf>

**Bradley R. Wolf** – Physician, Cincinnati, OH.

The Medical Examining Board **accepted the surrender** of Dr. Bradley Wolf’s license to practice medicine and surgery, effective March 17, 2010, due to disciplinary action taken by the Medical Board of Ohio against his license to practice medicine and surgery. Should Dr. Wolf seek reinstatement of his license to practice medicine and surgery, or any other credential in Wisconsin, he must provide the Board with sufficient proof that he is not impaired by either a psychological, alcohol, or drug condition that would prevent him from practicing medicine with reasonable skill and safety to patients.

Dated: March 17, 2010

<http://online.drl.wi.gov/decisions/2010/ORDER0000094-00004224.pdf>

#### April 2010

**Hal Blake Ridgway** – Physician, Lantana, FL

The Medical Examining Board **reprimanded** Dr. Hal Blake Ridgway’s license to practice medicine and surgery after finding he had committed acts that constituted unprofessional conduct. Specifically, Dr. Ridgway was disciplined by the Florida Board of Medicine by an Order dated February 15, 2007. Currently, under an amended Order by the Florida Board of Medicine, issued on June 22, 2009, Dr. Ridgway must submit to random urine screening and continued participation in the Florida impaired practitioner program. Dr. Ridgway may not practice or attempt to practice medicine or surgery in Wisconsin until he re-registers. Should Dr. Ridgway seek re-registration in

Wisconsin he must provide sufficient proof to the Board that he is not impaired by either a psychological, alcohol, or drug condition that would prevent him from practicing medicine with reasonable skill and safety to patients, that he's in compliance with the Florida Board of Medicine's Order, and that he's paid \$450 in costs.

Dated: April 21, 2010

<http://online.drl.wi.gov/decisions/2010/ORDER0000148-00004852.pdf>

**Amy Coulthard** – Physician, Neillsville, WI

The Medical Examining Board **imposed a sixty-day suspension**, retroactive to June 1, 2009, on Dr. Amy Coulthard's license to practice medicine and surgery for prescribing controlled substances without appropriate documentation and prescribing controlled substances in non-emergency situations without a physician-patient relationship. The Board limited Dr. Coulthard's license to practice medicine and surgery for a period of (2) two years with the following conditions: she shall not provide non-emergent medical care for family members or anyone that she has a personal relationship with nor shall she provide medical care outside of a clinic or hospital setting, except in emergencies. The Board ordered Dr. Coulthard to continue her monthly mental health counseling for a period of not less than one year, retroactive to August 19, 2009, and the **payment of \$3,750 in costs**.

Dated: April 21, 2010

<http://online.drl.wi.gov/decisions/2010/ORDER0000153-00004857.pdf>

**John J. Downing** – Physician, Janesville, WI

The Medical Examining Board **limited** Dr. John J. Downing's license to practice medicine and surgery by requiring him to obtain continuing education in the diagnosis and treatment of acute eye trauma emergencies within nine months and the payment of \$700 in costs sixty days from the date of the Order. The Board imposed the discipline based on its finding that Dr. Downing failed to immediately address a patient's possible posterior rupture of the globe which, being emergent in nature, required immediate further assessment and treatment.

Dated: April 21, 2010

<http://online.drl.wi.gov/decisions/2010/ORDER0000152-00004856.pdf>

**Kara J. Hamilton** – Physician Assistant, Neenah, WI

The Medical Examining Board **reprimanded** Kara J. Hamilton after a finding of unprofessional conduct for prescribing controlled substances other than in the course of a legitimate professional practice, practicing outside the scope of her license, and failure to maintain medical records. Ms. Hamilton prescribed medications to her fiancé even though he was not her patient. The Board imposed limitations on Ms. Hamilton's license requiring her to obtain continuing education in the legal aspects of prescribing including record keeping, and prescribing narcotics for pain treatment. The Board also ordered Ms. Hamilton to **pay \$600 in costs**.

Dated: April 21, 2010

<http://online.drl.wi.gov/decisions/2010/ORDER0000150-00004854.pdf>

**Noemi A. Prieto** – Physician, Milwaukee, WI

The Medical Examining Board **reprimanded** Dr. Prieto's license to practice medicine and surgery due to aiding and abetting the unlicensed practice of medicine, delegating patient services to an unlicensed physician under her supervision without directing, supervising, or inspecting the services provided by her delegate, failing to maintain health care records that accurately identified the treating practitioner, and by failing to identify her delegate as an unlicensed physician while he was performing delegated services or acts. The Board imposed limitations on Dr. Prieto's license for a period of (2) two years including but not limited to the following: Dr. Prieto shall not delegate medical acts, except in a hospital setting to licensed physicians, registered nurses, or advance practice nurse practitioners, employ physicians that are not fully credentialed to practice medicine in Wisconsin, nor permit medical residents to provide health care services or be present for educational or observation purposes without prior written consent of the Department Monitor. The Board also ordered Dr. Prieto to **pay costs and fees of \$4,800**.

Dated: April 21, 2010

<http://online.drl.wi.gov/decisions/2010/ORDER0000151-00004855.pdf>

**Sumit Sinha** – Physician, Shell Lake, WI  
The Medical Examining Board **reprimanded** Dr. Sumit Sinha due to receiving a municipal citation for retail theft. The Board found Dr. Sinha's acts of retail theft were acts of dishonesty that constituted unprofessional conduct and limited his license by requiring him to complete a (4) four credit preapproved course in ethics. The Board also ordered Dr. Sinha to **pay \$200 in costs.**

Dated: April 21, 2010

<http://online.drl.wi.gov/decisions/2010/ORDER0000149-00004853.pdf>

### May 2010

**Scott H. Conant** – Physician, Sobieski, WI  
The Medical Examining Board **suspended** Dr. Conant's license to practice medicine and surgery due to self-prescribing controlled substances, obtaining controlled substances outside of legitimate practice and violating a related law or rule. The Board shall impose a stay on the suspension of Dr. Conant's license, allowing 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 for the most recent (3) three consecutive months. Those conditions include, but are not limited to, alcohol and drug treatment including weekly individual or group sessions, submitting quarterly therapy reports, attending weekly AA/NA meetings and submitting monthly attendance reports, as well as random urine screens for alcohol and controlled substances. The Board also ordered Dr. Conant to **pay \$3,250 in costs.**

Dated: May 19, 2010

<http://online.drl.wi.gov/decisions/2010/ORDER0000212-00004951.pdf>

**John E. Downs** – Physician, Duluth, MN  
The Medical Examining Board **reprimanded** John E. Downs, M.D., and ordered him to **pay \$200 in costs**, based on a disciplinary action taken against him by the Minnesota Board of Medical Practice. The Minnesota Board of Medical Practice made a finding that Dr. Downs had engaged in improper conduct with female

patients by inappropriately touching them during physical examinations and treatment sessions. Dr. Downs has successfully completed the terms of the Minnesota Order and has been fully reinstated to practice medicine in that state.

Dated: May 19, 2010

<http://online.drl.wi.gov/decisions/2010/ORDER0000209-00004948.pdf>

**David B. Gattuso** - Physician, Stoughton, WI  
The Medical Examining Board **reprimanded** Dr. David Gattuso for acts constituting unprofessional conduct that included failing to respond in a timely manner to patients' requests for medical records, failure to notify patients that his private practice had closed, failure to keep accurate medical records as to the quantities and dosage instructions for controlled substances prescribed for patients, and overprescribing medications. The Board imposed limitations on Dr. Gattuso's license to practice medicine and surgery, specifically; Dr. Gattuso must only practice medicine under the auspices of the United States Veterans Administration unless granted express permission by the Board to practice in another setting. The Board also ordered **\$3,000 in costs.**

Dated: May 19, 2010

<http://online.drl.wi.gov/decisions/2010/ORDER0000211-00004950.pdf>

**Frederick W. Knoch III** – Physician, Eagle River, WI

The Medical Examining Board reached an agreement with Frederick W. Knoch, M.D., that he **will not register to practice medicine and surgery after October 31, 2009 or at any time in the future**, closing an investigation into allegations that Dr. Knoch failed to seek surgical consult resulting in a delayed diagnosis. The Board did not make a determination as to the issue of unprofessional conduct.

Dated: May 19, 2010

<http://online.drl.wi.gov/decisions/2010/ORDER0000210-00004949.pdf>

**DID YOU KNOW THAT A WIDE RANGE OF USEFUL INFORMATION IS AVAILABLE ON THE DEPARTMENT OF REGULATION & LICENSING WEB SITE?**

Visit the Department's Web site at:

[www.drl.wi.gov](http://www.drl.wi.gov)

Send comments and e-mail address to:

[web@drl.state.wi.us](mailto:web@drl.state.wi.us)

**CHANGE OF NAME OR ADDRESS?**

Please send changes to the Department. Confirmation of change is not automatically provided.

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

Please send any and all e-mail addresses that you would like to receive a copy of the digest to:

[web@drl.state.wi.us](mailto:web@drl.state.wi.us)

**TELEPHONE DIRECTORY**

To contact the Department of Regulation and Licensing, call toll-free (877) 617-1565 or (608) 266-2112 if you are in Madison then follow the instructions for the service you need:

- For renewal questions, say 'renewal'
- For a new license including exam and education requirements, say 'licensing'
- For complaint information, say 'complaint'
- For legal questions or interpretations, say 'legal questions'
- For exam administration, say 'exam'
- For continuing education, say 'education'
- For your pin, say 'obtain pin'
- For license verifications, say 'verify license'
- For the agency staff directory, say 'staff directory'
- For all other questions, say 'operator'

**VERIFICATIONS**

Verifications are now available online at **Look Up License. Verifications to Another State Board:**

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Please provide:

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