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IN THE MATTER OF THE INVESTIGATION OF

ROBERT R. JACOBS, D.P.M.,

RESPONDENT.

FINAL DECISION AND ORDER

LS911232POD

(99 POD 004)

The parties to this proceeding for purposes of sec. 227.53, Stats. are:

Robert R. Jacobs, D.P.M.
413 N. Main St.
Thiensville, WI 53092

Wisconsin Podiatrists Affiliated Credentialing Board
1400 E. Washington Ave.
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
1400 E. Washington Ave.
P.O. Box 8935
Madison, WI 53708-8935

The Wisconsin Podiatrists Affiliated Credentialing Board received a Stipulation submitted by the parties to the above-captioned matter. The Stipulation, a copy of which is attached hereto, was executed by Robert R. Jacobs, D.P.M., personally, and by Jonathan M. Menn, attorney for Robert R. Jacobs, D.P.M.; and by Gilbert C. Lubcke, attorney for the Department of Regulation and Licensing, Division of Enforcement, and was approved by Lisa Reinicke, D.P.M., case advisor, Wisconsin Podiatrists Affiliated Credentialing Board. Based upon the Stipulation of the parties, the Wisconsin Podiatrists Affiliated Credentialing Board makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Robert R. Jacobs, D.P.M., 413 N. Main Street, Thiensville, Wisconsin, 53092, was born on 10/30/30 and has been licensed and currently registered to practice podiatry in the state of Wisconsin since 7/24/53, license #292.
2. Dr. Jacobs specializes in the practice of podiatric medicine and surgery.
3. An investigation is pending before the Wisconsin Podiatrists Affiliated Credentialing Board based upon the allegations that Dr. Jacobs failed to respond in a timely fashion to a post-operative infection by obtaining a culture and sensitivity study of the organisms involved and failed to proceed with more aggressive antibiotic therapy to avoid or minimize the unacceptable risks that the soft tissue infection would progress to an

osteomyelitis or sepsis.

4. Dr. Jacobs denies the allegations, contends that he provided both timely and appropriate medical care for the patient, denies that a more aggressive approach was required under the circumstances, and has expert witnesses who agree with him in these regards.

5. Dr. Jacobs has attended in excess of 20 hours of continuing medical education in the diagnosis and treatment of infectious diseases since the date of the incident. These hours of continuing medical education in the diagnosis and treatment of infectious disease were in addition to the hours of continuing medical education required for the biennial renewal of his license

CONCLUSIONS OF LAW

1. The Wisconsin Podiatrists Affiliated Credentialing Board has jurisdiction in this proceeding pursuant to sec. 448.675, Stats.

2. The Wisconsin Podiatrists Affiliated Credentialing Board has the authority to resolve this proceeding by stipulation without an evidentiary hearing pursuant to sec. 227.44(5), Stats.

ORDER

NOW, THEREFORE, IT IS ORDERED that the Stipulation of the parties is approved.

IT IS FURTHER ORDERED that Robert R. Jacobs, D.P.M. will, within one year of the date of this Final Decision And Order, take and complete 20 hours of continuing medical education courses in the diagnosis and treatment of infectious diseases.

IT IS FURTHER ORDERED that the 20 hours of continuing medical education in the diagnosis and treatment of infectious diseases that Robert R. Jacobs, D.P.M. attended since the time of the incident shall be applied toward satisfaction of this continuing medical education requirement and, therefore, that this continuing medical education requirement has been fully complied with and no further action is warranted.

IT IS FURTHER ORDERED that the investigation of this matter, investigative file 99 POD 004, is hereby closed.

The rights of a party aggrieved by this Final Decision And Order to petition the Wisconsin Podiatrists Affiliated Credentialing Board for rehearing and to petition for judicial review are set forth in the attached "Notice of Appeal Information."

Dated at Madison, Wisconsin, this 23rd day of November, 1999.

WISCONSIN PODIATRISTS AFFILIATED CREDENTIALING BOARD

Lisa Garcia Reiniche, D.P.M.

Member, Wisconsin Podiatrists Affiliated Credentialing Board