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State Of Wisconsin

Before The Medical Examining Board

In The Matter Of Disciplinary Proceedings Against

RICHARD L. LONDON, M.D.,

FINAL DECISION AND ORDER

Respondent

LS0102211MED

The parties to this action for the purposes of Wis. Stats. §. 227.53 are:

Richard L. London, M.D.

9721 North Lake Drive

Bayside, WI 53217

Wisconsin Medical Examining Board

P. O. Box 8935

Madison, WI 53708-8935

Department of Regulation and Licensing

Division of Enforcement

P. O. Box 8935

Madison, WI 53708-8935

The Wisconsin Medical Examining 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 Richard L. London, M.D., personally on his own behalf, and by Claudia Berry Miran, attorney for the Department of Regulation and Licensing, Division of Enforcement. Based upon the Stipulation of the parties, the Wisconsin Medical Examining Board makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Richard L. London, M.D., was born February 18, 1948. Dr. London's latest address on file with the Department of Regulation and Licensing is 9721 North Lake Drive, Bayside, WI 53217.
2. Dr. London is licensed to practice in the state of Wisconsin as a physician and surgeon pursuant to license #26420. This license was first granted on October 26, 1984. Dr. London is in family practice.
3. On November 6, 1995, patient SO presented with complaints of continuing gastrointestinal problems. Previously prescribed Tagamet relieved the burning sensation and pain in the epigastrium, and eating did not seem to bother him. Dr. London found no epigastric tenderness or mass, and ordered an upper GI series.
4. The upper GI series revealed a questionable narrowing and edema of the gastric antral folds and questionable displacement of the stomach and duodenum. Dr. London referred the patient to a gastroenterologist, who diagnosed symptomatic gastroesophageal reflux disease and ordered a CT scan of the abdomen to evaluate the possible displacement of the stomach and duodenum.
5. The CT scan on 12/6/95 revealed a soft tissue density within the region of the cecum, and the radiologist recommended further evaluation. The gastroenterologist and Dr. London each received a copy of the report. Dr. London sent another copy to the gastroenterologist, who did not follow up with the patient

or communicate with Dr. London. Dr. London did not follow up with either the gastroenterologist or SO regarding further evaluation.

6. On February 17, 1997, SO presented with a complaint of continuing pain in the right lower quadrant of the abdomen and frequent loose bowel movements. After reviewing previous x-ray studies, Dr. London ordered a barium enema. That procedure took place on February 26, 1997, and revealed a 4 x 5 cm lobulated mass in the cecum. Dr. London again referred SO to the gastroenterologist for a colonoscopy. The gastroenterologist performed the colonoscopy and diagnosed a cecal carcinoma on March 6, 1997.

CONCLUSIONS OF LAW

1. The Medical Examining Board has jurisdiction in this matter pursuant to § 448.02 (3) (c), Stats.
2. The Medical Examining Board has authority to enter into this stipulated resolution without an evidentiary hearing pursuant to § 227.44 (5), Stats.
3. The failure to follow up regarding further evaluation of the December 1995 CT scan was negligence in treatment, in violation of §448.02 (3), Stats.
4. The Medical Examining Board has the authority pursuant to § 440.22, Stats., to assess the costs of this proceeding against Dr. London.

ORDER

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

IT IS FURTHER ORDERED, pursuant to the Stipulation of the parties, that Richard L. London, M.D., will participate in and satisfactorily complete the following risk management program:

1. The risk management educational program will be developed by and administered through the University of Wisconsin School of Medicine, Continuing Education Department.
2. There will be an initial on-site assessment of the physician's office practices and procedures (and those of the hospital, in the discretion of the assessors), to include the office's layout, personnel issues, procedures, medical records, informed consent procedures, follow-up systems, drug and prescription policies, and such other relevant practices and procedures as the assessors may determine are appropriate for review, in their professional judgment and discretion. Dr. London and his staff will cooperate fully with the assessors in this process, and Dr. London will request that his colleagues cooperate fully in this process.
3. The initial on-site assessment will be commenced within 30 days of this Final Decision and Order.
4. A report of the assessment will be written by the assessors, including a proposed educational program which will include a review of the objectives, educational requirements, expected behavior changes for both physician and staff, timeline and budget. The University of Wisconsin School of Medicine, Continuing Medical Education Program will submit the proposed educational program to the Wisconsin Medical Examining Board for approval.
5. Dr. London will commence the educational program within 30 days of the Wisconsin Medical Examining Board's approval of the program, subject to the availability of faculty and staff to initiate the educational program.
6. Dr. London will comply with the timeline of the program and will respond within 14 days to the written follow-up questionnaires to be sent to him approximately 3 and 6 months following the initial site visit. Dr. London will cooperate fully with a final site visit that will be conducted within 30 days of completion of the educational program.
7. Dr. London will complete the educational program and the final site visit within fifteen (15) months of the commencement of the educational program.
8. Following the final site visit, the assessors will prepare a final assessment report that sets forth Dr. London's compliance with the objectives of the program. The report shall include evidence that he has implemented all recommended changes in office procedures and practices, and describe the extent that he has reduced the risks in his practice to a level consistent with the standards of practice of the profession.
9. Within 30 days of the conclusion of the educational program and the final site visit, if they have been satisfactorily completed by Dr. London, the University of Wisconsin School of Medicine, Continuing Medical Education Program, will certify to the Wisconsin Medical Examining Board that the educational program and the final site visit have been completed and that he has met the objectives of the program.
10. Dr. London will pay the costs of the assessment, educational program and site visits, including the

professional fees and expenses of the assessors and faculty, within 30 days of the dates on which statements for professional services and expenses are submitted to him.

IT IS FURTHER ORDERED that certifications, affidavits or other documents required to be filed with the Wisconsin Medical Examining Board be filed with:

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

All certifications, affidavits or other documents required to be filed with the Wisconsin Medical Examining Board will be deemed filed with the Wisconsin Medical Examining Board upon receipt by the Department Monitor.

IT IS FURTHER ORDERED that Dr. London will appear before the Wisconsin Medical Examining Board, if an appearance is requested by the Board, at the conclusion of the risk management program, to establish that he has complied with all of the terms of this Final Decision and Order.

IT IS FURTHER ORDERED that Dr. London is responsible for compliance with all of the terms and conditions of this Final Decision and Order. He will promptly notify the Department Monitor of any suspected violations of any of the terms and conditions of this Order or of any failure of the University of Wisconsin School of Medicine, Continuing Medical Education Program, to timely fulfill responsibilities under the terms of this Order.

IT IS FURTHER ORDERED that Richard L. London, M.D., will pay \$200.00 toward the costs of this investigation. Dr. London shall make payment to the Department of Regulation and Licensing, 1400 East Washington Avenue, P. O. Box 8935, Madison, WI 53708-8935, within thirty (30) days of the date of this Final Decision and Order. Prepayment will be deposited upon receipt. The deposit of prepaid funds does not constitute acceptance of the Order by the Board.

IT IS FURTHER ORDERED that the pending investigation, 99 MED 356, shall be, and hereby is, closed without further proceedings.

IT IS FURTHER ORDERED that pursuant to § 448.02 (4), Stats., if the Wisconsin Medical Examining Board determines that there is probable cause to believe that Dr. London has violated the terms of this Final Decision and Order, the Board may order that the license of Dr. London to practice medicine and surgery in the State of Wisconsin be summarily suspended pending investigation of the alleged violation.

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

This Order shall become effective on the date of its signing.

By: Sidney E. Johnson, M.D.,
Secretary

2-21-01
Date