

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN

BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY

PROCEEDINGS AGAINST:

NEIL P. CONNOR, M.D.,

FINAL DECISION AND ORDER

RESPONDENT

LS0201291MED

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

Neil P. Connor, M.D.

799 Timber Ridge Dr.

Oregon, WI 53575

Wisconsin Medical Examining Board

1400 E. Washington Ave.

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 entered into between Neil P. Connor, M.D., and Gilbert C. Lubcke, 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. Neil P. Connor, M.D., 799 Timber Ridge Drive, Oregon, Wisconsin, 53575, was born on 4/26/1965 and has been licensed and currently registered to practice medicine and surgery in the State of Wisconsin since 7/1/1994, license #35550.
2. Dr. Connor specializes in the practice of pediatric medicine.
3. On August 31, 1997, an eight month old male infant with a history of Hirschsprung's disease and post cecostomy with a temporary ileostomy presented with dehydration and vomiting. Respondent was responsible for managing the medical care of this infant. A diagnosis of 15 percent dehydration was made and IV fluid of 60 cc's half-normal saline an hour was started.
4. On September 1, 1997, the IV fluids were increased to 80 cc's an hour. During a period of 14 hours, the eight-

month-old infant received a total of 1,763 cc's of fluid with an output of only 493 cc's.

5. The patient developed respiratory distress. Oxygen therapy was initiated. The patient developed pulmonary edema. The patient was intubated three times unsuccessfully, but was eventually successfully intubated when a smaller sized tube was used. The patient suffered cardiopulmonary arrest and hypoxia that resulted in severe and permanent brain damage.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction in this proceeding pursuant to Wis. Stats. sec. 448.02.
2. The Wisconsin Medical Examining Board has the authority to resolve this proceeding by Stipulation without an evidentiary hearing pursuant to Wis. Stats. sec. 227.44(5).
3. Dr. Connor's conduct as set forth in the Findings of Fact violated Wis. Stats. sec. 448.02(3) and Wis. Admin. Code sec. MED 10.02(2)(h) in that he failed to properly manage the patient's fluids and electrolytes leading to respiratory insufficiency due to fluid overload and that he mismanaged an attempted intubation resulting in cardiopulmonary arrest, hypoxia, and brain damage.

ORDER

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

IT IS FURTHER ORDERED that Neil P. Connor, MD is REPRIMANDED.

IT IS FURTHER ORDERED that Neil P. Connor, MD's licensed to practice medicine be LIMITED in the following respect:

1. Neil P. Connor, MD shall, within one year from the date of this order, participate in and satisfactorily complete a total of ten (10) hours of continuing medical education in the area of pediatric fluid and electrolyte management.

a. Dr. Connor will be responsible for locating courses satisfactory to the Wisconsin Medical Examining Board or its designee and for obtaining pre-approval of the courses from the Wisconsin Medical Examining Board or its designee prior to taking the courses.

b. For each course that Dr. Connor nominates for approval in satisfaction of this requirement, Dr. Connor shall provide a detailed description of the course content to the Wisconsin Medical Examining Board or its designee.

c. The Wisconsin Medical Examining Board or its designee may reject in whole or in part any course nominated by Dr. Connor when in the Board's or the Board designee's judgment, the course is insufficient to fulfill the objectives of this medical education requirement by reasoning of the scope, content, method of instruction or degree of participation required of Dr. Connor. If the Board or the Board's designee approves a course in part, the Board or the Board's designee shall determine at the time the course is approved the number of credits that can be applied toward satisfaction of the requirements of this order.

d. Every course approved in whole or in part by the Wisconsin Medical Examining Board or its designee that Dr. Connor elects to attend in satisfaction of the requirements of this Order shall be attended in its entirety irrespective of the number of credits that can be applied toward satisfaction of the requirements of this order.

e. Within 60 days after the courses are concluded, Neil P. Connor, M.D. will file with the Wisconsin Medical Examining Board certifications from the sponsoring organization of his attendance at the required courses and his personal written affidavit that he has attended each course in its entirety.

f. Any continuing medical education credits obtained in satisfaction of this Order shall not be applied towards satisfaction of the continuing medical education requirements imposed by Wis. Stats. sec. 448.13(1).

2. Neil P. Connor, M.D. shall, within one year from the date of this order, participate in and satisfactorily complete the following airway management training program under the direction and supervision of a mentor appointed by the Wisconsin Medical Examining Board.

a. The airway management training program will require Dr. Connor to perform, intubation procedures

on ten (10) patients under the direction and supervision of a mentor appointed by the Wisconsin Medical Examining Board. A minimum of five (5) intubations must be performed on infants one year of age or younger. The other five intubations can be performed on patients of any age. The airway management training program will include instruction in the techniques for performing intubations.

b. The mentor appointed by the Wisconsin Medical Examining Board will have the responsibility for coordinating the mentor program and for filing all of the required reports with the Board.

c. The mentor appointed by the Wisconsin Medical Examining Board will file reports every three months following the date of the Order with the Board describing Dr. Connor's progress and performance in the mentor program.

d. At the conclusion of the airway management training program, the mentor appointed by the Wisconsin Medical Examining Board will certify to the Wisconsin Medical Examining Board that Dr. Connor has satisfactorily completed all of the requirements of the airway management training program.

IT IS FURTHER ORDERED that requests for course approvals, certifications, affidavits or other documents required to be filed with the Wisconsin Medical Examining Board or its designee be filed with:

Department Monitor

Department of Regulation and Licensing

Division of Enforcement

P.O. Box 8935

1400 E. Washington Ave.

Madison, WI 53708-8935

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

IT IS FURTHER ORDERED that Dr. Connor will be responsible for all of the costs of attending the educational programs and all of the costs of developing and administering the airway management training program including the professional fees of the mentor. All costs and professional fees will be paid to the mentor within 30 days of the date in which the mentor submit a statement of costs and fees to Dr. Connor.

IT IS FURTHER ORDERED that Neil P. Connor, M.D., will appear before the Wisconsin Medical Examining Board, if an appearance is requested by the Board, at the conclusion of the education program and the airway management training program to establish that he has complied with all of the terms of this Final Decision and Order.

IT IS FURTHER ORDERED that upon satisfaction of all the terms of this Final Decision and Order, Neil P. Connor, M.D. will receive a full and unrestricted license.

IT IS FURTHER ORDERED that pursuant to sec. 448.02(4), Stats., if the Wisconsin Medical Examining Board determines that there is probable cause to believe that Dr. Connor has violated the terms of this Final Decision and Order of the Wisconsin Medical Examining Board, the Board may order that the license of Dr. Connor 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".

Dated at Madison, Wisconsin, this 29th day of January, 2002.

STATE OF WISCONSIN

MEDICAL EXAMINING BOARD

Virginia Heinemann

Secretary