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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

In the Matter of Disciplinary Proceedings Against

Ghazwan Katmeh, M.D.,
Respondent

LS0304232MED

FINAL DECISION AND ORDER

The parties to this action for the purposes of Section 227.53 of the Wisconsin Statutes are:

Ghazwan Katmeh, M.D.
1727 Shawano Avenue
Green Bay, Wisconsin 54303-3273

State of Wisconsin
Medical Examining Board
P.O. Box 8935
Madison, Wisconsin 53708-8935

State of Wisconsin
Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, Wisconsin 53708-8935

A complaint commencing disciplinary proceedings was filed by the Division of Enforcement in this matter on April 23, 2003. Thereafter, the parties to this matter, Ghazwan Katmeh, M.D., personally, and through his attorneys, Bruce R. Bachhuber and Eric C. Duncan of Hanaway, Bachhuber, Woodward, Maloney, Duke & Gast, S.C., and James E. Polewski, attorney for Complainant, agreed to the terms of the attached Stipulation as the final disposition of this matter, subject to the approval of the Medical Examining Board. The Medical Examining Board has reviewed the Stipulation and considers it acceptable.

Accordingly, the Medical Examining Board adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Ghazwan Katmeh, M.D., Respondent herein, date of birth January 24, 1956, who resides at 626 Front Street, DePere, Wisconsin 54115, is duly licensed and currently registered to practice medicine and surgery in the State of Wisconsin under license number 29121, which was granted on February 24, 1988.
2. On December 8, 1997, Mazen Beshera, M.D., a physician associated with Respondent in Green Bay HeartCare, S.C., a group practice, performed a nuclear stress test on Patient B.F., a male born on November 16, 1952.
3. Patient B.F. had no pain during the stress test. Dr. Beshera stated that there was a non-specific abnormality in the EKG readings during the test, but no significant change from an EKG done on Patient B.F. on December 5, 1997 and stated an impression of "abnormal SPECT Tc99m-Sestamibi perfusion study consistent with small reversible inferior defect."
4. Dr. Beshera recommended that Patient B.F. undergo cardiac catheterization for an angiogram, to be performed either by Respondent or Peter Fergus, M.D., another physician associated in the Green Bay HeartCare, S.C. group practice.

5. On December 17, 1997, Respondent performed an angiogram on Patient B.F. Respondent stated that the left anterior descending artery showed 70% stenosis in its mid segment after the diagonal branch.
6. Respondent performed angioplasty on the left anterior descending artery on Patient B.F. on December 17, 1997, following the angiogram.
7. In his interpretation of the angiogram on December 17, 1997, Respondent overestimated the degree of stenosis of the left anterior descending artery.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction over this matter, pursuant to Section 448.02(3) of the Wisconsin Statutes.
2. The Wisconsin Medical Examining Board has the authority to resolve this matter by stipulation without an evidentiary hearing pursuant to Sections 227.44(5) and 448.02(5) of the Wisconsin Statutes.
3. By the conduct described above, Ghazwan Katmeh, M.D. is subject to disciplinary action pursuant to Section 448.02(3) of the Wisconsin Statutes and Section MED 10.02(2)(h) of the Wisconsin Administrative Code.

NOW, THEREFORE, IT IS ORDERED that:

1. The Stipulation of the parties is approved.
2. Ghazwan Katmeh, M.D., is reprimanded.
3. The following definitions shall apply to this Order:
 - (a) The phrase “**acceptable to the Board**” means pre-approved by a member (or designated agent) of the Wisconsin Medical Examining Board; provided, that the Board shall not unreasonably withhold such approval; and
 - (b) The term “**qualified cardiologist**” means a cardiologist who has been pre-approved by a member (or designated agent) of the Wisconsin Medical Examining Board; provided, that the Board shall not unreasonably withhold its approval of any cardiologist proposed by Dr. Katmeh; provided, further, that, upon Dr. Katmeh’s request, the Board shall select a “qualified cardiologist” for one or more of the purposes described in this Order; and provided, finally, that in no case shall the “qualified cardiologist” be a cardiologist from Cardiology Associates of Green Bay, Ltd. or any cardiologist with whom Dr. Katmeh shares any business or social relationship.
4. Within twelve (12) months after the effective date of this Order, Ghazwan Katmeh, M.D., shall complete a three (3) day educational program at his expense. The program shall be pre-approved by the Medical Examining Board or its designee. The program shall cover the areas of determining whether angiogram catheterization is warranted, diagnosing the degree of stenosis in coronary arteries, and determining whether angioplasties are warranted. The educational program shall be conducted by a qualified cardiologist and shall include case file reviews, one-on-one corrective discussions, and assessments of Dr. Katmeh’s knowledge and skill. A sufficiently detailed description of the proposed program shall be provided to the Board or its designee with the request for pre-approval to enable the Board to determine the scope, depth, intensity and goals of the program Dr. Katmeh proposes in compliance with this Order. At the conclusion of the program, the qualified cardiologist shall submit a report to the Board or its designee, detailing the completion of the program and indicating whether Dr. Katmeh has achieved the goals of the program.
5. Within twelve (12) months after the effective date of this Order, but after the completion of the educational program described in the preceding paragraph, Ghazwan Katmeh, M.D., shall have been proctored for a period of six (6) months by the same qualified cardiologist who provided the educational program described in the previous paragraph. During each month of the six month proctoring period, the proctor shall select at random 10% of Dr. Katmeh’s cases that involve the performance of angiograms, diagnosing the degree of stenosis in coronary arteries, and/or determining whether angioplasties

are warranted. The proctor and Dr. Katmeh shall review the files together, including all imaging, and discuss the files for the purpose of refining and reinforcing the knowledge and skills addressed in the educational program described in the previous paragraph. At the conclusion of the proctoring period, the qualified cardiologist proctor shall submit a report to the Board indicating whether Dr. Katmeh has achieved the goals of the proctoring program, and whether Dr. Katmeh has met all of his obligations to the qualified cardiologist in regard to the expenses of both the educational and proctoring programs.

6. Within thirty (30) days after receiving an accounting thereof, Ghazwan Katmeh, M.D. shall pay the assessable costs of this proceeding, pursuant to Section 440.22 of the Wisconsin Statutes.

7. Violation of any of the terms of this Order or failure to meet all obligations to the qualified cardiologist may result in the summary suspension of Respondent's license.

8. Except as otherwise expressly stated in this Final Decision and Order and the attached Stipulation, the above-entitled action shall be dismissed on the merits with prejudice.

9. The State of Wisconsin, Department of Regulation and Licensing, Division of Enforcement will take no further action against the license of Ghazwan Katmeh, M.D. based on the allegations contained in the Complaint unless Dr. Katmeh violates any material term or condition of this Final Decision and Order.

THIS ORDER shall become effective upon the date of its signing.

Wisconsin Medical Examining Board

By: Alfred Franger
A Member of the Board

5-19-04
Date