

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF THE DISCIPLINARY :  
PROCEEDINGS AGAINST :  
 : FINAL DECISION AND ORDER  
KEVIN A. LANG, M.D., :  
RESPONDENT. : *ORDER 0000 305*

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[Division of Enforcement Case No. 09 MED 102]

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

Kevin A. Lang, M.D.  
M 207 Marsh Lane  
Marshfield, WI 54449

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

Wisconsin Medical Examining Board  
Department of Regulation and Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

PROCEDURAL HISTORY

The Notice of Hearing and Complaint were filed in this matter on October 9, 2009. On October 22, 2010, the Medical Examining Board (MEB) granted the Division's Petition for Summary Suspension. Respondent has since consented to continuation of the Summary Suspension until the final disposition of this matter. Prior to the hearing on the formal complaint, the parties in this matter agreed to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Medical Examining Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Kevin A. Lang, M.D., Respondent, date of birth July 4, 1962, is licensed and currently registered by the Wisconsin Medical Examining Board to practice medicine and surgery in the State of Wisconsin pursuant to license number 32020, which was first granted April 18, 1991.

2. Respondent's address of record with the Wisconsin Medical Examining Board is M 207 Marsh Lane, Marshfield, Wisconsin 54449.

3. Respondent is a gastroenterologist.

4. At the time of the events set out below, Respondent was employed as a physician at Marshfield Clinic, 1000 N. Oak Avenue, Marshfield, Wisconsin.

5. On Friday, March 13, 2009, Respondent had inappropriate sexual contact with Patient A. The sexual contact consisted of Respondent placing Patient A's hand on his penis and moving Patient A's hand over her breast. The conduct occurred while Respondent was treating Patient A at St. Joseph's Hospital in Marshfield. At the time the conduct occurred, Patient A had recently been sedated with midazolam ("Versed") and fentanyl.

6. On March 19, 2009, when confronted, Respondent acknowledged the incidents, said he needed help, and voluntarily surrendered his hospital privileges. Respondent has not practiced since March 20, 2009.

7. On April 6, 2009, Respondent, through counsel, voluntarily reported his conduct to the Medical Examining Board.

8. Between March 25-27, 2009, Respondent voluntarily underwent an assessment at the Behavioral Medicine Institute of Atlanta (BMI) and immediately commenced an intensive eight-week outpatient treatment program. Respondent has continued in treatment and his therapist reports satisfactory progress.

9. While in treatment at BMI, Respondent disclosed that, between 2003 and 2007, he committed additional acts of sexual misconduct while treating patients. As in the case of Patient A, the sexual contact consisted of Respondent placing the hand of a patient who had recently been sedated on his penis. Respondent was confronted by administration regarding the first such incident, which occurred in the Fall of 2003. Respondent denied the allegation. The facility took no action.

#### CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction over this matter pursuant to Wis. Stat. § 448.02(3) and authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. § 227.44(5).

2. Respondent's conduct as set forth in paragraphs 5-9 constitutes unprofessional conduct as defined by Wis. Admin. Code § MED 10.02(2)(zd), and he is subject to discipline pursuant to Wis. Stat. § 448.02(3).

#### ORDER

IT IS HEREBY ORDERED that the attached Stipulation is accepted.

IT IS FURTHER ORDERED that:

1. The SURRENDER by Kevin A. Lang, M.D., Respondent, of his license as a physician in the state of Wisconsin and his right to renew that license is hereby ACCEPTED.

2. If Respondent ever seeks to regain this or any other credential from the Board:

a. Respondent shall provide evidence sufficient to satisfy the Board that he does not have any psychiatric or chemical abuse or dependency condition that could interfere with his ability to safely provide professional services to patients or the public.

b. The Board retains sole discretion to determine whether or not to grant any credential to Respondent in the future, and whether to impose limitations, including indefinite monitoring, on any credential the Board may decide to grant.

IT IS FURTHER ORDERED that:

3. Respondent shall, within 90 days, pay to the Department of Regulation and Licensing costs of this proceeding in the amount of \$1,800.00 pursuant to Wis. Stat. § 440.22(2).

4. Payment of costs shall be mailed or delivered to:

Department Monitor  
Department of Regulation and Licensing  
Division of Enforcement  
1400 East Washington Ave.  
P.O. Box 8935  
Madison, WI 53708-8935  
Telephone: (608) 267-3817  
Fax: (608) 266-2264

5. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of the costs as set forth above, the Respondent's license (No. 32020) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs.

6. This Order is effective on the date of its signing.

Wisconsin Medical Examining Board

By:

  
A Member of the Board

7/24/20  
Date