

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
RICHARD M. ROACH, M.D., :
RESPONDENT. : ORDER 0002146

Division of Legal Services and Compliance¹ Case No. 12 MED 149

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

Richard M. Roach, M.D.
Marshfield Clinic - Minocqua Center
9601 Townline Road
P.O. Box 1390
Minocqua, WI 54548

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

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Medical Examining Board (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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Richard M. Roach, M.D. (dob March 15, 1954), is licensed in the State of Wisconsin to practice medicine and surgery, having license number 20-25519, first issued on September 2, 1983, with registration current through October 31, 2013. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services

¹ The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

(Department) is Marshfield Clinic - Minocqua Center, 9601 Townline Road, P.O. Box 1390, Minocqua, WI 54548.

2. On September 21, 2009, Patient A underwent an upper abdomen ultrasound for epigastric right upper quadrant pain ordered by her internal medicine doctor. The ultrasound showed bilateral hydronephrosis. Patient A was referred to Respondent in the Department of Urology for consultation.

3. On September 29, 2009, Patient A presented to Respondent for consultation in regard to her bilateral hydronephrosis. Respondent's Plan indicated the following:

"We discussed the definitive workup for this and she desires to proceed with a cystoscopy and bilateral retrograde pyelograms under local with MAC in ASC. The procedure was described in detail. Potential complications, including but not exclusive of burning with urination, postoperative pain, infection, bleeding, DVTs, PEs, Mis [sic], CVAs, intraoperative or postoperative death. Despite the above, she desires to proceed. It is explained to the patient if there is correctable etiology found, such as a stricture, this would be high-pressure balloon-dilated and a stent placed. She understands stents can cause significant discomfort to outright pain until they are removed. Greater than 50% of today's face-to-face 30 minute visit was spent in counseling the patient in regard to above and arranging care.

At no time did Respondent obtain and/or document informed consent from Patient A regarding the use of contrast dye during his consultation with her even though it was noted in Patient A's *Allergies and Alerts* as follows:

- *Contrast media: Allergic reaction/ anaphylaxis (CT dye)*
- *Ivp dye, iodine containing: Allergic reaction/ anaphylaxis, history of (CT dye)*

4. On October 19, 2009, Patient A presented to Respondent for a cystoscopy with retrograde pyelogram, high grade pressure balloon dilation of right UPJ stricture and right double J stent placement. Respondent used contrast dye for the high-pressure balloon dilation. During the procedure, Patient A experienced an "anaphylactic reaction secondary to extravasated contrast at high-pressure balloon dilated UPJ stricture site." Respondent's notes indicate the following:

". . . On recognition of the extravasation, I immediately ordered IV Solu-Medrol which was administered by Anesthesia. Despite this, within 3-5 minutes of the extravasation, the patient's systolic blood pressures dropped into the 50 range and O2 sats dropped into the 70% range and resuscitation efforts were immediately began with intubation of the patient and administration of IV epinephrine. This restored her blood pressures to normal. . ."

The anaphylactic reaction could have been prevented with appropriate pre-medicating prior to the procedure. Respondent's use of Solu-Medrol was inappropriate as it takes hours for Solu-Medrol to reach the intracellular level in order to help the patient.

5. Respondent's conduct as set forth above created the unacceptable risk of an adverse reaction to the contrast dye by failing to properly obtain and/or document informed consent from Patient A regarding the use of contrast dye, and by failing to pre-medicate Patient A prior to surgery.

6. Respondent's conduct as set forth above tended to constitute a danger to the health, welfare and safety of Patient A.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 448.02(3), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Richard M. Roach, M.D., engaged in unprofessional conduct pursuant to Wis. Admin. Code § MED 10.02(2)(h).

3. As a result of the above conduct, Richard M. Roach, M.D., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Richard M. Roach, M.D., is REPRIMANDED.

3. The medicine and surgery license issued to Richard M. Roach, M.D., (license number 20-25519) is LIMITED as follows:

a. Within four (4) months of the date of this Order, Respondent shall successfully complete two (2) hours of medical education credits in the management of allergic reactions and anaphylactic shock.

b. Respondent shall be responsible for obtaining the course(s) required under this Order, for providing adequate course(s) descriptions to the Department Monitor, and for obtaining pre-approval of the course(s) from the Wisconsin Medical Examining Board, or its designee, prior to commencement of the course(s).

c. The Board or its designee may reject any course(s) and may accept a course(s) for less than the number of hours for which Respondent seeks approval.

d. Within thirty (30) days of completion of each educational component, Respondent shall file an affidavit with the Department Monitor stating under oath that he has attended, in its entirety, the course(s) approved for satisfaction of this requirement along with

supporting documentation of attendance from the sponsoring organizations.

e. Respondent is responsible for all costs associated with compliance with this educational requirement.

f. None of the education completed pursuant to this requirement may be used to satisfy any other continuing education requirements that have been or may be instituted by the Board or Department.

4. Within 90 days from the date of this Order, Richard M. Roach, M.D., shall pay COSTS of this matter in the amount of \$950.00.

5. Proof of successful course completion and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

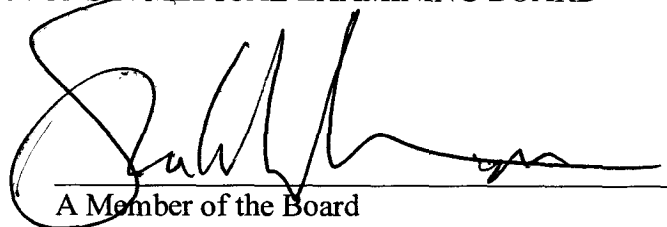
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

6. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a 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 costs as ordered or fails to submit proof of successful completion of the ordered education as set forth above, Respondent's license (no. 20-25519) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of costs and completion of the education.

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

WISCONSIN MEDICAL EXAMINING BOARD

by:


A Member of the Board

11/14/12
Date