

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."
The status of an appeal may be found on court access websites at:
<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscqa>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
: **FINAL DECISION AND ORDER**
JAMES J. YOUNG, M.D., :
RESPONDENT. :
: **ORDER 0002307**

Division of Legal Services and Compliance¹ Case No. 12 MED 166

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

James J. Young, M.D.
Marshfield Clinic-Wittenberg Center
201 Liberty Drive
Wittenberg, WI 54499

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 James J. Young, M.D., (dob April 7, 1952), is licensed in the State of Wisconsin to practice medicine and surgery, having license number 20-26903, first issued on July 1, 1985, with registration current through October 31, 2013. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is Marshfield Clinic-Wittenberg Center, 201 Liberty Drive, Wittenberg, Wisconsin 54499. Respondent is certified by the American Board of Family Medicine.

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

2. On January 31, 2010, a 38-year-old woman presented to Respondent at an urgent care clinic complaining of persistent sinusitis following a two week course of Augmentin®, resulting in no improvement. Her blood pressure was 180/100, pulse 135, temperature 98.9. No respiratory rate was charted. Respondent was the sixth health care provider the patient had consulted for this complaint, in the previous seven days.

3. Respondent's examination note states: "Extraocular motions were intact without pain. Conjunctiva are clear. Tympanic membranes are clear. She has some erythema and swelling below the right eye and maybe some mild tenderness in that area. There is no crepitation or fluctuance. Nasal mucosa appears normal. Oropharynx appears normal. Neck: supple. There is no adenopathy. Lungs: clear." Respondent did not order a blood glucose or any laboratory tests; the patient was given samples and a prescription for moxifloxacin, and prescriptions for prednisone and hydrocodone 5/500. No comment was made on the patient's abnormal vital signs.

4. During the investigation of this matter, Respondent represented to the Board that he offered hospitalization including an ENT consult and a CT scan, which the patient declined in favor of outpatient pharmaceutical care. There is no documentation to this effect, in the chart.

5. Less than 50 minutes after departing Respondent's care, the patient presented to the emergency department at a nearby community hospital. Her respirations were noted to be 26-28 and deep, blood pressure 150/105, pulse 76, and temperature 97.5. The examining nurse practitioner noted: "oropharyngeal inspection revealing what appears to be findings consistent with ANUG. She has necrotic-appearing tissue as well as some punched out lesions along the buccal gingiva and the papillae are necrotic in appearance." And: "respirations are deep and certainly suggesting the possibility of a Kussmaul's type respiration pattern." The patient had a bicarb of 6 and a blood glucose of 592 was diagnosed with severe metabolic acidosis from diabetic ketoacidosis, maxillary sinusitis, and acute necrotizing ulcerative gingivostomatitis, was flown to a tertiary care hospital on an emergent basis, and admitted to the intensive care unit, where she recovered.

6. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

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, Respondent violated Wis. Admin. Code § Med 10.02(2)(h), in that he failed to conduct a competent examination and evaluation of the patient, and failed to detect an obvious sign (necrotic tissue), resulting in his failure to diagnose the patient's condition.

3. As a result of the above violations, James J. Young, M.D., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.
2. Respondent James J. Young, M.D., is REPRIMANDED.
3. Within 90 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$800.
4. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address below:

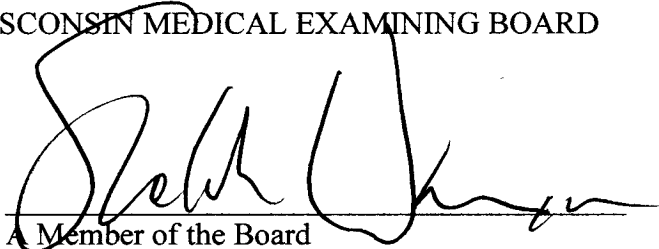
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

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 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 the costs as ordered, Respondent's license (20-26903) 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.

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

WISCONSIN MEDICAL EXAMINING BOARD

by:


A Member of the Board

akt

February 20, 2013

Date