

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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BEFORE THE STATE OF WISCONSIN
MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

CHARLES A. MCKEE, M.D.,
RESPONDENT

:
:
:
:
:

AFFIDAVIT OF SERVICE

Glenda Nelson, being first duly sworn on oath deposes and states that she is in the employ of the Department of Regulation and Licensing, and that on April 23, 1991 she served the following upon the respondent:

FINAL DECISION AND ORDER dated April 18, 1991

by mailing a true and accurate copy of the above-described document, which is attached hereto, by certified mail with a return receipt requested in an envelope properly addressed to the above-named respondent at:

1523 South Madison
Appleton, WI 54911
Certified P 568 984 564

Glenda Nelson

Glenda Nelson
Department of Regulation and Licensing

Subscribed and sworn to before me
this 23rd day of April, 1991.

Donna A. Lurie

Notary Public
Dane County, Wisconsin
My Commission expires 11/06/94

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
CHARLES A. McKEE, M.D.,	:	
RESPONDENT	:	

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

Charles A. McKee, M.D.
1523 South Madison
Appleton, WI 54911

Medical Examining Board
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 parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the 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. Charles A. McKee (D.O.B. 07/28/46) is duly licensed in the state of Wisconsin to practice medicine and surgery (license # 21046). This license was first granted on July 15, 1977.
2. Dr. McKee's latest address on file with the Department of Regulation and Licensing is ~~1523 South Madison~~, Appleton, WI 54911.
2004 S. Memorial Dr.
3. On or about January 22, 1985, Dr. McKee attended a patient in the delivery of twins. Dr. McKee's provision of care on this occasion fell below the minimum standards of competence in the field of obstetrics.
4. In resolution of this matter, Dr. McKee consents to the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction over this matter, pursuant to §448.02(3), Wis. Stats.

2. The Wisconsin Medical Examining Board is authorized to enter into the attached stipulation, pursuant to §§227.44(5) and 448.02(5), Wis. Stats.

3. By the conduct described above, Charles A. McKee is subject to disciplinary action against his license to practice medicine and surgery in the state of Wisconsin, pursuant to Wis. Stats. §§ 448.02(3), and Wis. Adm. Code § MED 10.02(2)(h).

NOW, THEREFORE, IT IS HEREBY ORDERED that the Stipulation of the parties is accepted.

IT IS FURTHER ORDERED that the license of Charles A. McKee to practice medicine and surgery in the state of Wisconsin shall be LIMITED as follows:

Dr. McKee shall refrain from the practice of obstetrics, including but not limited to: prenatal care, intrapartum care and postpartum care.

The Board may in its sole discretion determine whether, and under what terms and conditions, this limitation may be modified. Denial in whole or in part of a petition for modification of this order shall not constitute denial of a license and shall not give rise to a contested case within the meaning of Wis. Stats. §§ 227.01(3) and 227.42.

IT IS FURTHER ORDERED that pursuant to the authority of Wis. Stats. §448.02(4), the Medical Examining Board may, upon a determination of probable cause that Dr. McKee has violated the terms of this order, summarily suspend the license of Dr. McKee pending investigation and resolution of the alleged violations.

This Order shall become effective upon the date of its signing.

MEDICAL EXAMINING BOARD

By: _____

Michael P. Mehr MD

4-18-91

Michael P. Mehr, M.D.

Date

Secretary

Medical Examining Board

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST

CHARLES A. MCKEE, M.D.,
RESPONDENT

STIPULATION

It is hereby stipulated between Charles A. McKee, personally on his own behalf and Steven M. Gloe, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows that:

1. This Stipulation is entered into as a result of a pending investigation of Dr. McKee's licensure by the Division of Enforcement (88 MED 322). Dr. McKee consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Dr. McKee understands that by the signing of this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, at which time the state has the burden of proving those allegations by clear, satisfactory and convincing evidence; the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.

3. Dr. McKee agrees to the adoption of the attached Final Decision and Order by the Medical Examining Board.

4. If the Board accepts the terms of this Stipulation, the parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings.

5. The parties to this stipulation agree that the attorney for the Division of Enforcement may appear before the Medical Examining Board for the purposes of speaking in support of this agreement and answering questions that the members of the Board may have in connection with their deliberations on the stipulation.

6. The parties to this stipulation further agree that the Final

Decision and Order shall be entered without costs to either party.

7 The Division of Enforcement joins Dr. McKee in recommending the Medical Examining Board adopt this Stipulation and issue the attached Final Decision and Order.

Charles A. McKee M.D.
Charles A. McKee, M.D.

4/2/91
Date

Steven M. Gloe
Steven M. Gloe, Attorney
Division of Enforcement

4.3.91
Date

NOTICE OF APPEAL INFORMATION

(Notice of Rights for Rehearing or Judicial Review,
the times allowed for each and the identification
of the party to be named as respondent)

The following notice is served on you as part of the final decision:

1. Rehearing.

Any person aggrieved by this order may petition for a rehearing within 20 days of the service of this decision, as provided in section 227.49 of the Wisconsin Statutes, a copy of which is attached. The 20 day period commences the day after personal service or mailing of this decision. (The date of mailing of this decision is shown below.) The petition for rehearing should be filed with the State of Wisconsin Medical Examining Board.

A petition for rehearing is not a prerequisite for appeal directly to circuit court through a petition for judicial review.

2. Judicial Review.

Any person aggrieved by this decision has a right to petition for judicial review of this decision as provided in section 227.53 of the Wisconsin Statutes, a copy of which is attached. The petition should be filed in circuit court and served upon the State of Wisconsin Medical Examining Board.

within 30 days of service of this decision if there has been no petition for rehearing, or within 30 days of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30 day period commences the day after personal service or mailing of the decision or order, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing of this decision is shown below.) A petition for judicial review should be served upon, and name as the respondent, the following: the State of Wisconsin Medical Examining Board.

The date of mailing of this decision is April 23, 1991.

WLD:dms
886-490