

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing 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 Regulation and Licensing 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 Regulation and Licensing 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 Regulation and Licensing, 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 Regulation and Licensing 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 DRL website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

FILE COPY

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

HAL B. RIDGWAY, MD.,
RESPONDENT.

FINAL DECISION
AND ORDER

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

Hal B. Ridgway, M.D.
41 Golf Parkway
Madison, WI 53704

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

Department of Regulation & Licensing
Division of Enforcement
P.O. Box 8935
Madison, Wisconsin 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 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. Hal B. Ridgway, M.D., date of birth September 9, 1950, is a physician duly licensed and currently registered to practice medicine and surgery in the State of Wisconsin pursuant to license number 20170, which was issued on July 16, 1976.
2. That at all relevant times, Dr. Ridgway practiced medicine and surgery in the State of Wisconsin, and specialized in the area of dermatology.
3. That in 1978, Respondent was charged with operating a vehicle while intoxicated and was convicted based upon his plea of no contest in 1979.
4. From September 28, 1982 through January 7, 1983, Respondent was hospitalized at DePaul Rehabilitation Hospital and Milwaukee Psychiatric Hospital at which time he was diagnosed as suffering from bipolar affective disorder and alcoholism.

5. That Respondent was hospitalized for treatment of alcoholism at Milwaukee Psychiatric Hospital from June 7, 1985 through July 6, 1985.

6. That in 1986 Respondent was convicted of operating a motor vehicle while intoxicated.

7. That from December 5, 1986 through January 13, 1987, Respondent was hospitalized at the McBride Center for the Impaired Professional in Milwaukee, Wisconsin and treated for alcoholism.

8. That following the treatment in January, 1987, Respondent made an agreement with the clinic at which he was employed that he would totally abstain from the use of alcohol and that if he failed to abide by that agreement that he would be discharged from his position at the clinic.

9. That in April of 1989, Respondent did ingest alcohol on one occasion away from the clinic and was terminated from his position as a result of that use of alcohol.

10. On May 20, 1989, Respondent was the driver of a motor vehicle which was involved in a collision with another vehicle at which time the driver of the other vehicle was killed.

11. That Respondent was hospitalized at the McBride Center for the Impaired Professional in Milwaukee from May 23, 1989 through June 8, 1989, for treatment of his alcoholism.

12. That following each of the hospitalizations set out in paragraphs 4, 5, 7 and 11 above, Respondent received out-patient care and resided in a residential halfway house.

13. The on February 12, 1990, Respondent was convicted, based upon his plea of no contest, of a violation of sec. 940.09, Wis. Stats., Homicide by Intoxicated User of Vehicle, as a result of the fatal accident occurring on May 20, 1989, and Respondent was sentenced to two years in prison.

14. Respondent was incarcerated in the Wisconsin prison system from April 5, 1990 to January 5, 1991 and then was released on a community residential confinement which continues to this date.

15. That Respondent did not practice medicine from April, 1989 to January 22, 1991.

16. That there is no evidence that Respondent has ever harmed a patient as a result of his alcoholism, or that Respondent has ever practiced in an incompetent manner.

17. There is no evidence that Respondent ever practiced medicine while intoxicated.

18. That Respondent has not ingested alcohol since May 20, 1989.

19. That Respondent has been employed at the University of Wisconsin Hospitals and Clinics as an Assistant Clinical Professor, Section of Dermatology, Department of Medicine, in Madison, Wisconsin, from January 22, 1991, to the present.

CONCLUSIONS OF LAW

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

2. The Wisconsin Medical Examining Board has authority to enter into this stipulated resolution of this matter pursuant to Wis. Stats. sec. 227.44(5).

3. That Respondent having been convicted of homicide by intoxicated user of vehicle, sec. 940.09, Wis. Stats., is the conviction of a crime substantially related to practice under his license and is unprofessional conduct as defined by Wis. Stats. sec. 448.02(3) and Wis. Adm. Code MED 10.02(2)(r).

4. That the Wisconsin Supreme Court has declared in State v. Aldrich, 71 Wis. 2d 206 (1976), that the purpose of discipline in professional licensing actions is:

- a. Protection of the public;
- b. Rehabilitation of the licensee; and
- c. Deterrence of the specific licensee and other licensees from engaging in similar misconduct.

5. The Wisconsin Supreme Court has declared in State v. McIntyre, 41 Wis. 2d 481 (1969), that punishment of a licensee is not an appropriate consideration in a professional licensing disciplinary proceeding.

ORDER

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

IT IS FURTHER ORDERED that the license to practice medicine and surgery in the State of Wisconsin of Hal B. Ridgway, M.D., is hereby SUSPENDED commencing the date of this Order and continuing until May 23, 1994, which is a period of five (5) years from the date Dr. Ridgway reentered inpatient treatment.

IT IS FURTHER ORDERED that within 90 days of the date of this Order that Hal B. Ridgway, M.D., shall pay to the Wisconsin Department of Regulation and Licensing \$750 as costs of this proceeding, pursuant to sec. 440.22, Wis. Stats.

IT IS FURTHER ORDERED that the SUSPENSION shall be STAYED conditioned upon Respondent's compliance with the following conditions during the period of the suspension:

a. The Medical Director of the McBride Center for the Impaired Professional, shall be Dr. Ridgway's supervising physician throughout the full term of these conditions. In the event that the Medical Director is unable or unwilling to serve as supervising physician, the Medical Examining Board shall, in its sole discretion, select a successor supervising physician, giving due consideration to Dr. Ridgway's geographical location.

b. Dr. Ridgway shall continue in and fully participate in all components of the McBride Center for the Impaired Professional in Milwaukee, Wisconsin or such other facilities which are under the direction and control of McBride Center and which are located within the State of Wisconsin, as his supervising physician shall determine to be appropriate for his rehabilitation. Dr. Ridgway shall comply with all recommendations of his supervising physician for inpatient or outpatient treatment or both, and shall comply with all aspects of the treatment program as recommended by his supervising physician. All costs of the recovery program shall be the responsibility of Dr. Ridgway or his health insurer.

c. That in addition to the components of the McBride program, Dr. Ridgway shall be maintained on a monitored antabuse program. Such program shall require Dr. Ridgway to ingest antabuse daily, unless it is medically contraindicated. Dr. Ridgway's taking of the antabuse shall be in a form to insure ingestion, and shall be in an observed setting Monday through Friday. At any time after six months of participation in the antabuse program, Dr. Ridgway may petition the Board to modify or eliminate this paragraph of this Order. It shall be in the Board's discretion whether to grant Dr. Ridgway's petition.

d. Dr. Ridgway shall abstain from any and all personal use of controlled substances as defined in Wis. Stats. sec. 161.01(4), except when necessitated by a legitimate medical condition and then only with the prior approval of the supervising physician.

e. Dr. Ridgway shall abstain from any and all personal use of alcohol.

f. Dr. Ridgway shall report all medications and drugs, over-the-counter or prescription (with the exception of aspirin, acetaminophen, and non-alcoholic cough medications), taken by him to his supervising physician within 24 hours of ingestion or administration and shall identify the person or persons who prescribed, dispensed, administered or ordered said medications or drugs for him. The terms of this subparagraph shall not be deemed to modify or negate Dr. Ridgway's obligations as set forth in subparagraph (d) of this Order.

g. Dr. Ridgway shall supply, on at least a bi-weekly basis, random monitored urine or blood specimens within 24 hours of a request for said specimen made by the supervising physician or his designee. The supervising physician or his designee shall determine whether the specimen shall be a urine specimen or a blood specimen or both. Collection of these specimens shall be observed and verified by persons designated by the supervising physician. Collection and all testing of specimens shall be the financial responsibility of Dr. Ridgway or his health insurer.

h. If any urine or blood specimen is positive or suspected positive for any controlled substance or alcohol, the specimen shall be re-examined using gas chromatography spectrometry as a confirmatory test.

i. If any urine or blood specimen is positive or suspected positive for any controlled substance or alcohol, Dr. Ridgway shall promptly submit to additional tests and examinations as the supervising physician or his designee shall determine as appropriate to clarify or confirm the positive or suspected positive urine or blood test results.

j. The supervising physician shall submit formal written reports to the Wisconsin Medical Examining Board every 90 days commencing 90 days after the date of this Order. The report shall assess Dr. Ridgway's progress in his rehabilitation program and set forth the results of the random urine and blood screens. Dr. Ridgway shall be responsible for the timely filing of these reports. The supervising physician and Dr. Ridgway shall report immediately to the Wisconsin Medical Examining Board any suspected violation of this Order including, but not limited to, any positive or suspected positive blood or urine screens.

k. Dr. Ridgway shall provide and keep on file, with his supervising physician and all treatment facilities and personnel, current releases which comply with state and federal laws authorizing release of all of his medical and treatment records and reports to the Wisconsin Medical Examining Board and permit his supervising physician and his treating physicians and therapists to disclose and discuss the progress of his treatment and rehabilitation with the Wisconsin Medical Examining Board. Copies of said releases shall be filed simultaneously with the Wisconsin Medical Examining Board.

l. The supervising employment physician at Dr. Ridgway's practice setting shall submit formal written reports to the Wisconsin Medical Examining Board every 90 days, commencing 90 days after the date of this Order. The reports shall address the appropriateness of Dr. Ridgway's practice of medicine and shall address whether there have been any indications of chemical abuse. Dr. Ridgway shall be responsible for the timely filing of these reports. The supervising employment physician and Dr. Ridgway shall report immediately to the Wisconsin Medical Examining Board any suspected violation of this Order.

m. Dr. Ridgway shall appear before the Wisconsin Medical Examining Board at least annually to review the progress of his treatment and rehabilitation. Dr. Ridgway may petition the Wisconsin Medical Examining Board for modification of the conditions of this Order and the Wisconsin Medical Examining Board shall consider Dr. Ridgway's petition at the time it meets with Dr. Ridgway to review the progress of his rehabilitation. Denial of the petition, in whole or in part, shall not be considered a denial of a license within the meaning of Wis. Stats. sec. 227.01(3)(a) and Dr. Ridgway shall not have a right to any further hearings or proceedings on any denial, in whole or in part, of his petition for modification.

n. Violation of any term or condition of this Order may constitute grounds for revocation of Dr. Ridgway's license to practice medicine and

surgery in the State of Wisconsin. Should the Board determine that there is probable cause to believe that Respondent has substantially violated the terms of this Order, the Board may order that Respondent's license be summarily suspended pending investigation of the alleged violation.

Dated at Madison, Wisconsin this 22nd day of May, 1991.

Michael P. Mehr M.D.

Michael P. Mehr, M.D., Secretary
Wisconsin Medical Examining Board

MPM:vec
ATY2-643

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	STIPULATION
HAL B. RIDGWAY, M.D.,	:	
RESPONDENT.	:	

It is hereby agreed and stipulated, by and between, Hal B. Ridgway, M.D., Respondent; Jenswold, Studd, Hanson, Clark & Kaufmann and W. Pharis Horton, attorneys for Respondent; John R. Zwiag, attorney for the Department of Regulation and Licensing, Division of Enforcement; and, the Wisconsin Medical Examining Board, as follows:

1. Hal B. Ridgway, M.D., Respondent, date of birth: September 9, 1950, is a physician currently licensed and registered to practice medicine and surgery in the State of Wisconsin, pursuant to license 20170, which was granted July 16, 1976; that his last address reported to the Wisconsin Department of Regulation and Licensing is 41 Golf Parkway, Madison, WI 53704.

2. The Wisconsin Department of Regulation and Licensing, Division of Enforcement, has an open investigative file, 89 MED 271 concerning Respondent. The investigative file contains allegations Respondent was convicted of homicide by intoxicated user of a motor vehicle and that Respondent suffers from alcoholism and has received treatment for alcoholism on several occasions. On August 15, 1990, the Division issued a disciplinary complaint based on those allegations.


3. That this resolution may be submitted directly to the Wisconsin Medical Examining Board and need not be submitted to the Administrative Law Judge assigned to this matter.

4. Respondent neither admits nor denies the allegations, but Respondent agrees that there is evidence from which the Board could find that the allegations are true and further agrees that the attached Findings of Fact, Conclusions of Law, and Order may be made and entered without further notice to any party.

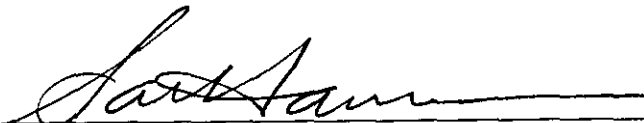
5. The attorneys for the parties may appear before the Wisconsin Medical Examining Board to argue in favor of acceptance of this Stipulation and the entry of the attached Final Decision and Order. The member of the Wisconsin Medical Examining Board, who has been appointed as the investigative advisor in this matter, may appear before the Board and argue his position regarding the Stipulation and attached Final Decision and Order.

6. In the event that the Wisconsin Medical Examining Board does not accept this resolution of this matter, the Stipulation and Final Decision and Order shall be void and of no effect and the parties agree not to contend that the Board has been biased in any manner by the submission of this proposed resolution to the Board.


Dated this 21st day of May, 1991.


Hal B. Ridgway, M.D., Respondent

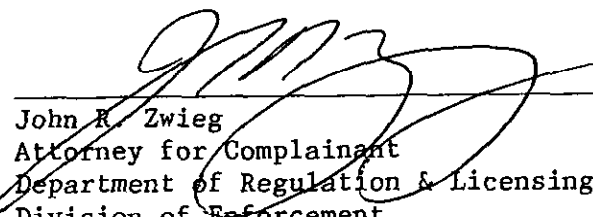
Dated this 20th day of May, 1991.


Larry I. Hanson
Jenswold, Studt, Hanson, Clark and
Kaufmann
Attorneys for Respondent


Dated this 21st day of May, 1991.


Wm. Pharis Horton
Attorney for Respondent

Dated this 20th day of May, 1991.


John R. Zwieg
Attorney for Complainant
Department of Regulation & Licensing
Division of Enforcement

Dated this 22nd day of May, 1991.


Michael P. Mehr, M.D., Secretary
Wisconsin Medical Examining Board

JRZ:vec
ATY-1446

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 May 24, 1991.

WLD:dms
886-490

227.49 Petitions for rehearing in contested cases. (1) A petition for rehearing shall not be a prerequisite for appeal or review. Any person aggrieved by a final order may, within 20 days after service of the order, file a written petition for rehearing which shall specify in detail the grounds for the relief sought and supporting authorities. An agency may order a rehearing on its own motion within 20 days after service of a final order. This subsection does not apply to s. 17.025 (3) (e). No agency is required to conduct more than one rehearing based on a petition for rehearing filed under this subsection in any contested case.

(2) The filing of a petition for rehearing shall not suspend or delay the effective date of the order, and the order shall take effect on the date fixed by the agency and shall continue in effect unless the petition is granted or until the order is superseded, modified, or set aside as provided by law.

(3) Rehearing will be granted only on the basis of:

(a) Some material error of law.

(b) Some material error of fact.

(c) The discovery of new evidence sufficiently strong to reverse or modify the order, and which could not have been previously discovered by due diligence.

(4) Copies of petitions for rehearing shall be served on all parties of record. Parties may file replies to the petition.

(5) The agency may order a rehearing or enter an order with reference to the petition without a hearing, and shall dispose of the petition within 30 days after it is filed. If the agency does not enter an order disposing of the petition within the 30-day period, the petition shall be deemed to have been denied as of the expiration of the 30-day period.

(6) Upon granting a rehearing, the agency shall set the matter for further proceedings as soon as practicable. Proceedings upon rehearing shall conform as nearly may be to the proceedings in an original hearing except as the agency may otherwise direct. If in the agency's judgment, after such rehearing it appears that the original decision, order or determination is in any respect unlawful or unreasonable, the agency may reverse, change, modify or suspend the same accordingly. Any decision, order or determination made after such rehearing reversing, changing, modifying or suspending the original determination shall have the same force and effect as an original decision, order or determination.

227.52 Judicial review; decisions reviewable. Administrative decisions which adversely affect the substantial interests of any person, whether by action or inaction, whether affirmative or negative in form, are subject to review as provided in this chapter, except for the decisions of the department of revenue other than decisions relating to alcohol beverage permits issued under ch. 125, decisions of the department of employe trust funds, the commissioner of banking, the commissioner of credit unions, the commissioner of savings and loan, the board of state canvassers and those decisions of the department of industry, labor and human relations which are subject to review, prior to any judicial review, by the labor and industry review commission, and except as otherwise provided by law.

227.53 Parties and proceedings for review. (1) Except as otherwise specifically provided by law, any person aggrieved by a decision specified in s. 227.52 shall be entitled to judicial review thereof as provided in this chapter.

(a) Proceedings for review shall be instituted by serving a petition therefor personally or by certified mail upon the agency or one of its officials, and filing the petition in the office of the clerk of the circuit court for the county where the judicial review proceedings are to be held. Unless a rehearing is requested under s. 227.49, petitions for review under this paragraph shall be served and filed within 30 days after the service of the decision of the agency upon all parties under s. 227.48. If a rehearing is requested under s. 227.49, any party desiring judicial review shall serve and file a petition for review within 30 days after service of the order finally

disposing of the application for rehearing, or within 30 days after the final disposition by operation of law of any such application for rehearing. The 30-day period for serving and filing a petition under this paragraph commences on the day after personal service or mailing of the decision by the agency. If the petitioner is a resident, the proceedings shall be held in the circuit court for the county where the petitioner resides, except that if the petitioner is an agency, the proceedings shall be in the circuit court for the county where the respondent resides and except as provided in ss. 77.59 (6) (b), 182.70 (6) and 182.71 (5) (g). The proceedings shall be in the circuit court for Dane county if the petitioner is a nonresident. If all parties stipulate and the court to which the parties desire to transfer the proceedings agrees, the proceedings may be held in the county designated by the parties. If 2 or more petitions for review of the same decision are filed in different counties, the circuit judge for the county in which a petition for review of the decision was first filed shall determine the venue for judicial review of the decision, and shall order transfer or consolidation where appropriate.

(b) The petition shall state the nature of the petitioner's interest, the facts showing that petitioner is a person aggrieved by the decision, and the grounds specified in s. 227.57 upon which petitioner contends that the decision should be reversed or modified. The petition may be amended, by leave of court, though the time for serving the same has expired. The petition shall be entitled in the name of the person serving it as petitioner and the name of the agency whose decision is sought to be reviewed as respondent, except that in petitions for review of decisions of the following agencies, the latter agency specified shall be the named respondent:

1. The tax appeals commission, the department of revenue.

2. The banking review board or the consumer credit review board, the commissioner of banking.

3. The credit union review board, the commissioner of credit unions.

4. The savings and loan review board, the commissioner of savings and loan, except if the petitioner is the commissioner of savings and loan, the prevailing parties before the savings and loan review board shall be the named respondents.

(c) Copies of the petition shall be served, personally or by certified mail, or, when service is timely admitted in writing, by first class mail, not later than 30 days after the institution of the proceeding, upon all parties who appeared before the agency in the proceeding in which the order sought to be reviewed was made.

(d) The agency (except in the case of the tax appeals commission and the banking review board, the consumer credit review board, the credit union review board, and the savings and loan review board) and all parties to the proceeding before it, shall have the right to participate in the proceedings for review. The court may permit other interested persons to intervene. Any person petitioning the court to intervene shall serve a copy of the petition on each party who appeared before the agency and any additional parties to the judicial review at least 5 days prior to the date set for hearing on the petition.

(2) Every person served with the petition for review as provided in this section and who desires to participate in the proceedings for review thereby instituted shall serve upon the petitioner, within 20 days after service of the petition upon such person, a notice of appearance clearly stating the person's position with reference to each material allegation in the petition and to the affirmance, vacation or modification of the order or decision under review. Such notice, other than by the named respondent, shall also be served on the named respondent and the attorney general, and shall be filed, together with proof of required service thereof, with the clerk of the reviewing court within 10 days after such service. Service of all subsequent papers or notices in such proceeding need be made only upon the petitioner and such other persons as have served and filed the notice as provided in this subsection or have been permitted to intervene in said proceeding, as parties thereto, by order of the reviewing court.