

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE LICENSE OF

BRUCE J. STOEHR, M.D.,
RESPONDENT.

: FINAL DECISION AND ORDER
:
: (93 MED 571)
:

The parties to this proceeding for purposes of sec. 227.53, Stats. are:

Bruce J. Stoehr, M.D.
649 Brevoort Lane
Green Bay WI 54301

Wisconsin Medical Examining Board
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

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

The Wisconsin Medical Examining Board received a Stipulation submitted by the parties to the above-captioned matter. The Stipulation, a copy of which is attached hereto, was executed by Bruce J. Stoehr, M.D., and by Gilbert C. Lubcke, attorney for the Department of Regulation and Licensing, Division of Enforcement. Based upon the Stipulation of the parties, the Wisconsin Medical Examining Board makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Bruce J. Stoehr, M.D., 649 Brevoort Lane, Green Bay, Wisconsin 54301, was born on 2/7/31 and has been licensed to practice medicine and surgery in the State of Wisconsin since 8/18/60, license #13771. Dr. Stoehr has not been registered since 11/1/95.

2. A formal investigation, 93 MED 571, is pending before the Wisconsin Medical Examining Board. The allegation which is the basis for the investigation is that in December, 1989, Dr. Stoehr failed to perform a breast biopsy on a patient who was referred to him by the patient's family physician for evaluation of lumps that the patient had identified in her right breast.

3. Dr. Stoehr has been retired from the practice of medicine for approximately 2 1/2 years.

4. Dr. Stoehr does not have a license to practice medicine and surgery in any state other than Wisconsin.

5. Dr. Stoehr, in consideration of his retirement from the practice of medicine and surgery in the State of Wisconsin, has agreed that he will not register or attempt to register to practice medicine and surgery in the State of Wisconsin at any time in the future.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction in this matter pursuant to sec. 448.02, Stats.

2. The Wisconsin Medical Examining Board has the authority to resolve this matter by stipulation without an evidentiary hearing pursuant to sec. 227.44(5), Stats.

ORDER

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

IT IS FURTHER ORDERED that Dr. Stoehr will not register or attempt to register to practice medicine and surgery in the State of Wisconsin at any time in the future.

IT IS FURTHER ORDERED that Dr. Stoehr will not practice or attempt to practice medicine and surgery in the State of Wisconsin when not currently registered.

IT IS FURTHER ORDERED that the pending investigation, 93 MED 571, shall be and hereby is closed without further proceedings.

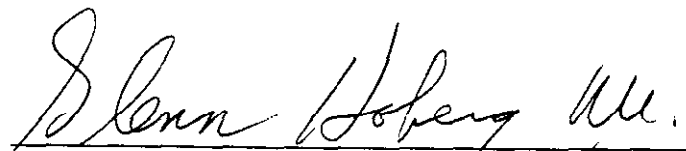
IT IS FURTHER ORDERED that pursuant to sec. 448.02(4), Stats., if the Wisconsin Medical Examining Board determines that there is probable cause to believe that Dr. Stoehr has violated any of the terms of this Final Decision And Order of the Wisconsin Medical Examining Board, the Board may order that the license of Dr. Stoehr to practice medicine and surgery in the State of Wisconsin be summarily suspended pending investigation of the alleged violation.

The rights of a party aggrieved by this Final Decision And Order to petition the Wisconsin

Medical Examining Board for rehearing and to petition for judicial review are set forth in the attached "Notice of Appeal Information".

Dated at Madison, Wisconsin, this 23 day of January, 1997

WISCONSIN MEDICAL EXAMINING BOARD


Glenn Hoberg, DO, Secretary

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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE LICENSE OF

BRUCE J. STOEHR, M.D.,
RESPONDENT.

STIPULATION
(93 MED 571)

It is hereby stipulated between Bruce J. Stoehr, M.D., and Gilbert C. Lubcke, attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. Bruce J. Stoehr, M.D., 649 Brevoort Lane, Green Bay, Wisconsin, 54301, was born on 2/7/31 and has been licensed to practice medicine and surgery in the State of Wisconsin since 8/18/60, license #13771. Dr. Stoehr has not been registered since 11/1/95.

2. A formal investigation, 93 MED 571, is pending before the Wisconsin Medical Examining Board. The allegation which is the basis for the investigation is that in December, 1989, Dr. Stoehr failed to perform a breast biopsy on a patient who was referred to him by the patient's family physician for evaluation of lumps that the patient had identified in her right breast.

3. Dr. Stoehr has been retired from the practice of medicine for approximately 2 1/2 years.

4. Dr. Stoehr does not have a license to practice medicine and surgery in any state other than Wisconsin.

5. Dr. Stoehr, in consideration of his retirement from the practice of medicine and surgery in the State of Wisconsin, agrees that he will not register or attempt to register to practice medicine and surgery in the State of Wisconsin at any time in the future.

6. The pending investigation, 93 MED 571, will be closed without further proceedings.

7. The Wisconsin Medical Examining Board may enter the Final Decision And Order, a copy of which is attached hereto and incorporated herein.

8. The parties waive all costs of this proceeding.

9. Dr. Stoehr understands that by signing this Stipulation, he freely, voluntarily and knowingly waives his rights including the right to be represented by an attorney, the right to a hearing on the allegations against him, the right to confront and cross-examine witnesses against him, the right to call witnesses on his behalf and to compel their attendance by subpoena, the right to testify on his own behalf, 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 and order, the

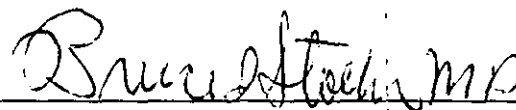
right to petition for rehearing, the right to judicial review, and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes and the Wisconsin Administrative Code.

10. The parties to this Stipulation and the Board Advisor, Walter R. Schwartz, M.D., may appear before the Wisconsin Medical Examining Board in support of this Stipulation. Any appearance by any party pursuant to this paragraph shall be preceded by proper and timely notice to all parties to this proceeding.

If any term of this Stipulation or the incorporated Final Decision And Order is not accepted by the Wisconsin Medical Examining Board, then no term of this Stipulation or the Final Decision And Order will be binding in any manner on any party, and the matter will be returned to the Division of Enforcement for further proceedings.

Dated:

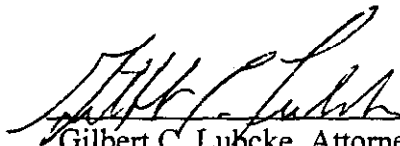
10 Jan 97



Bruce J. Stoehr, M.D.

Dated:

1/13/97



Gilbert C. Lubcke, Attorney
Department of Regulation and Licensing
Division of Enforcement

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STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING
BEFORE THE MEDICAL EXAMINING BOARD

In the Matter of the License of

Bruce J. Stoehr, M.D.,

AFFIDAVIT OF MAILING

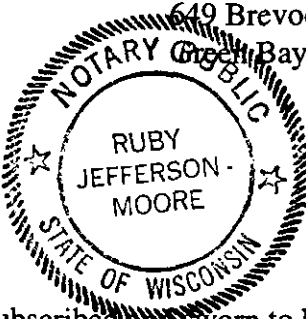
Respondent.

STATE OF WISCONSIN)
)
COUNTY OF DANE)

I, Kate Rotenberg, having been duly sworn on oath, state the following to be true and correct based on my personal knowledge:

1. I am employed by the Wisconsin Department of Regulation and Licensing.
2. On January 24, 1997, I served the Final Decision and Order dated January 23, 1997 upon the Respondent Bruce J. Stoehr, M.D. by enclosing a true and accurate copy of the above-described document in an envelope properly stamped and addressed to the above-named Respondent and placing the envelope in the State of Wisconsin mail system to be mailed by the United States Post Office by certified mail. The certified mail receipt number on the envelope is P 201 377 270.
3. The address used for mailing the Decision is the address that appears in the records of the Department as the Respondent's last-known address and is:

Bruce J. Stoehr, M.D.
649 Brevoort Lane
Green Bay WI 54301



Subscribed and sworn to before me

this 24th day of January, 1997.

Ruby Jefferson-Moore
Notary Public, State of Wisconsin
My commission is permanent.

Kate Rotenberg
Kate Rotenberg
Department of Regulation and Licensing
Office of Legal Counsel

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.

Serve Petition for Rehearing or Judicial Review on:

STATE OF WISCONSIN MEDICAL EXAMINING BOARD

1400 East Washington Avenue

P.O. Box 8935

Madison, WI 53708.

The Date of Mailing this Decision is:

January 24, 1997

1. REHEARING

Any person aggrieved by this order may file a written petition for rehearing within 20 days after service of this order, as provided in sec. 227.49 of the *Wisconsin Statutes*, a copy of which is reprinted on side two of this sheet. The 20 day period commences the day of personal service or mailing of this decision. (The date of mailing this decision is shown above.)

A petition for rehearing should name as respondent and be filed with the party identified in the box above.

A petition for rehearing is not a prerequisite for appeal or review.

2. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in sec. 227.53, *Wisconsin Statutes* a copy of which is reprinted on side two of this sheet. By law, a petition for review must be filed in circuit court and should name as the respondent the party listed in the box above. A copy of the petition for judicial review should be served upon the party listed in the box above.

A petition must be filed within 30 days after service of this decision if there is no petition for rehearing, or within 30 days after service of the order finally disposing of a petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30-day period for serving and filing a petition commences on the day after personal service or mailing of the decision by the agency, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing this decision is shown above.)