

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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FILE COPY

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

WILLIAM B. HOBBS, M.D., :
RESPONDENT. :

FINAL DECISION AND ORDER
(91 MED 265)

LS 9710222 MED

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

William B. Hobbins, M.D.
5510 Medical Circle
Madison, WI 53711

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

Department of Regulation and Licensing
Division of Enforcement
1400 E. 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 William B. Hobbins, M.D., and by Pamela M. Stach, Attorney for the Department of Regulation and Licensing, Division of Enforcement. The Medical Examining Board has reviewed the Stipulation and finds it acceptable. Based upon the Stipulation, the Board makes the following:

FINDINGS OF FACT

1. William B. Hobbins, M.D., 5510 Medical Circle, Madison, WI 53711, was born on August 16, 1924 and has been licensed and registered to practice medicine and surgery in the State of Wisconsin since January 15, 1948, under license number 10149.
2. Dr. Hobbins is a Board Certified surgeon who specializes in the area of general practice.
3. From approximately 1962 through her death in 1991, Dr. Hobbins provided medical care and treatment to a female patient whose date of birth was October 3, 1922.
4. In July, 1980, Dr. Hobbins diagnosed a carcinoma of the right breast of this patient and performed a lumpectomy followed by radiation therapy.
5. Radiographs, taken subsequent to the radiation therapy, revealed infiltrates in the lungs which were originally ascribed to the radiation treatment. Developing nodules in the right lung were also noted.

6. Comparisons of radiographs, performed and interpreted by Board Certified radiologists, which were made at yearly intervals between 1981 and 1991, revealed gradually enlarging nodules in the right lung consistent with extremely slow growing metastases.

7. Respondent noted the findings, believed the patient to be clinically stable, and therefore, did not obtain pulmonary oncology consultations regarding the radiographic findings.

8. Dr. Hobbins has cooperated fully throughout the investigation and wishes to resolve this matter by a stipulated agreement.

CONCLUSIONS OF LAW

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

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

3. Dr. Hobbins' conduct as set forth in paragraph 7 of the Findings of Fact constitutes a violation of Wis. Stats. sec. 448.02(3) and Wis. Adm. Code 10.02(2)(h).

ORDER

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

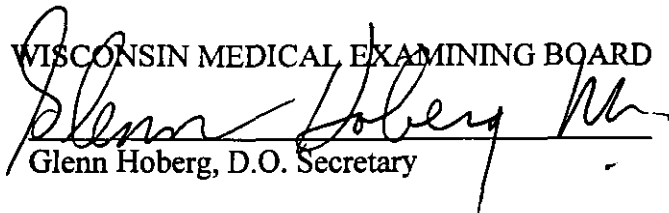
IT IS FURTHER ORDERED that the license of William Hobbins, M.D. to practice medicine and surgery in the State of Wisconsin is hereby limited as follows:

Within eighteen months of the effective date of this Order, Dr. Hobbins shall participate in and successfully complete twenty hours of continuing medical education in the area of treatment of breast cancer. The continuing medical education shall be preapproved by the Medical Examining Board or its designee and Dr. Hobbins shall be responsible for all costs of the programs.

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. Hobbins has violated the terms of this Final Decision and Order, the Board may order that the license of Dr. Hobbins, to practice medicine and surgery in the State of Wisconsin be summarily suspended pending investigation of the alleged violation.

IT IS FURTHER ORDERED that investigative file 91 MED 265 is hereby closed.

Dated at Madison, Wisconsin this 22 day of October, 1997.

WISCONSIN MEDICAL EXAMINING BOARD

Glenn Hoberg, D.O. Secretary

PMS:daw

ATY:FLG2967

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

STIPULATION
(91 MED 265)

WILLIAM B. HOBBS, M.D., :
RESPONDENT :

It is hereby stipulated between William B. Hobbs, M.D. and Pamela M. Stach, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. William B. Hobbs, M.D., 5510 Medical Circle, Madison, WI 53711, was born on August 16, 1924 and is duly licensed and currently registered to practice medicine and surgery in the State of Wisconsin under license number 10149, which was granted on January 15, 1948

2. There is a pending investigative file regarding Dr. Hobbs, entitled 91 MED 265, which involves allegations of Dr. Hobbs' improper treatment and clinical follow-up of a breast cancer patient.

3. Dr. Hobbs is aware of and understands each of the Respondent's rights including the right to a hearing on the allegations against him at which time the state has the burden of proving these allegations by preponderance of the evidence; the right to confront and cross-examine witnesses against him; the right to call witnesses in his behalf and to compel their attendance by subpoena; the right to testify himself; the right to file objections to any proposed decisions 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 of the rights afforded the Respondent under the United States Constitution, the Wisconsin Constitution and the Wisconsin Administrative Code.

4. Dr. Hobbs freely, voluntarily and knowingly waives each and every one of the rights set forth in paragraph 3 above.

5. While neither admitting nor denying the allegations in the investigative file, Dr. Hobbs voluntarily agrees to entry of the attached Final Decision and Order by the Medical Examining Board.

6. The Division of Enforcement recommends that the Wisconsin Medical Examining Board adopt this Stipulation and issue the attached Final Decision and Order in resolution of this matter.

7. Violation of the terms and conditions specified in this Stipulation and Final Decision and Order shall constitute a basis for disciplinary action by the Medical Examining Board.

8. The parties to this Stipulation understand that the Department of Regulation and Licensing, Division of Enforcement will take no further action against Respondent's license based on allegations contained in the pending investigative file.

9. This agreement in no way prohibits the Medical Examining Board from any further action against Respondent based on acts not alleged in the pending investigative file which might be violative of Wisconsin Medical Board statutes and rules.

10. All parties agree that the parties and the Board Advisor assigned to this case, may appear before the Board in open session to argue on behalf of acceptance of this Stipulation.

11. This Stipulation and Final Decision and Order, if adopted and entered by the Medical Examining Board, shall become effective on the date of signing.

12. All costs of these proceedings incurred by either party are hereby waived.

13. In the event any term or condition of this Stipulation and Final Decision and Order is not accepted or entered by the Medical Examining Board, then no term of this Stipulation; and Final Decision and Order shall be binding in any manner on any party to this Stipulation.

Dated: 7 Oct 97

William B. Hobbins
William B. Hobbins, M.D.
Respondent

Dated: October 7, 1997

Pamela M. Stach
Pamela M. Stach, Attorney
Department of Regulation and Licensing

PMS:daw
ATY-FLG2968

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

In the Matter of the Disciplinary Proceedings Against

William B. Hobbins, M.D.,

AFFIDAVIT OF MAILING

Respondent.

STATE OF WISCONSIN)
)
COUNTY OF DANE)

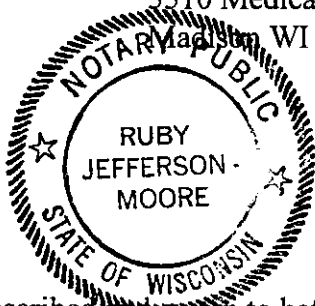
I, Kate Rotenberg, having been duly sworn on oath, state the following to be true and correct based on my personal knowledge:


1. I am employed by the Wisconsin Department of Regulation and Licensing.

2. On October 24, 1997, I served the Final Decision and Order dated October 22, 1997, LS9710222MED, upon the Respondent William B. Hobbins, 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 221 158 258.

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:

William B. Hobbins, M.D.
5510 Medical Circle
Madison, WI 53711

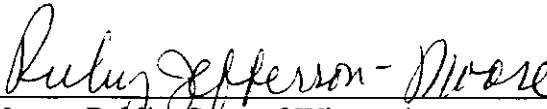




Kate Rotenberg
Department of Regulation and Licensing
Office of Legal Counsel

Subscribed and sworn to before me

this 24th day of October, 1997.



Notary Public, State of Wisconsin
My commission is permanent.

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:

October 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.)