

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN

BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF THE LICENSE OF

PETER J. BARTZEN, JR., M.D.

FINAL DECISION AND ORDER

RESPONDENT

LS0104181MED  
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The parties to this proceeding for purposes of § 227.53, Stats. are:

Peter J. Bartzen Jr., M.D.

829 S. Green Bay Road

Racine, WI 53406

Wisconsin Medical Examining Board

1400 East Washington Ave.

Madison, WI 53708-8935

Department of Regulation and Licensing

Division of Enforcement

1400 East Washington Ave.

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 Peter J. Bartzen, Jr., M.D., personally and by Michael J. Berndt, 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. Peter J. Bartzen, Jr., M.D., 829 S. Green Bay Road, Racine, Wisconsin 53406, was born on September 29, 1952, and has been licensed to practice medicine and surgery in the state of Wisconsin since July 22, 1980, license # 23336.
2. Dr. Bartzen specializes in general surgery.
3. An informal complaint received by the Medical Examining Board alleges on February 24, 1998, Dr. Bartzen performed a laparoscopic cholecystectomy on a 38-year-old male. Between February 27, 1998 and March 11, 1998, the patient displayed symptoms suggesting a bile leak. During this time, Dr. Bartzen ordered 2 CT Scans, 2 ERCPs and a Biliary Scan. Some of the diagnostic tests showed findings suggestive of a bile leak. In addition, he obtained gastroenterology consults. A stent was placed on March 7, 1998. On March 12, 1998, there was surgical intervention by another surgeon. The patient recovered without further incident and was discharged on March 20, 1998.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction in this proceeding pursuant to § 448.02, Stats.
2. The Wisconsin Medical Examining Board has the authority to resolve this proceeding by stipulation without an evidentiary hearing pursuant to § 227.44(5), Stats.

ORDER

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

IT IS FURTHER ORDERED that Peter Bartzen, will, within 1 year of the date of this Final Decision And Order, take and complete 40 hours of Category 1 continuing medical education course work in the recognition and management of complications of laparoscopic surgery, including complications associated with biliary surgery. Each course attended in satisfaction of this Order must be preapproved by the Wisconsin Medical Examining Board or its designee. Dr. Bartzen will be responsible for locating courses satisfactory to the Wisconsin Medical Examining Board and for obtaining the required approval of the courses from the Wisconsin Medical Examining Board or its designee. Dr. Bartzen will within 60 days of completion of this educational requirement file an affidavit with the Wisconsin Medical Examining Board stating under oath that he has attended in its entirety each of the courses approved for satisfaction of this requirement along with supporting documentation of attendance from the sponsoring organizations. This affidavit and the supporting documentation of attendance will be filed with:

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

All certifications, affidavits or other documents required to be filed with the Wisconsin Medical Examining Board will be deemed filed with the Wisconsin Medical Examining Board upon receipt by the Department Monitor.

Dr. Bartzen will be responsible for paying the full cost of attendance at these courses. Dr. Bartzen will not apply any of the continuing education credits earned in satisfaction of this Order toward satisfaction of his §448.13, Stats., biennial training requirements.

IT IS FURTHER ORDERED that Dr. Bartzen will appear before the Wisconsin Medical Examining Board, if an appearance is requested by the Board, at the conclusion of the required course work to establish that he has complied with all of the terms of this Final Decision and Order.

IT IS FURTHER ORDERED that Dr. Bartzen is responsible for compliance with all of the terms and conditions of this Final Decision and Order. Dr. Bartzen will promptly notify the Department Monitor of any suspected violations of any of the terms and conditions of this Order or of any failure of the Dr. Bartzen to timely fulfill his/her responsibilities under the terms of this Order.

IT IS FURTHER ORDERED that pursuant to § 448.02(4), Stats., if the Wisconsin Medical Examining Board determines that there is probably cause to believe that Dr. Bartzen has violated the terms of this Final Decision and Order of the Wisconsin Medical Examining Board, the Board may order that the license of Dr. Bartzen 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 18<sup>th</sup> day of April, 2001.

WISCONSIN MEDICAL EXAMINING BOARD

Sidney Johnson, MD

Secretary

