

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN

BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY

PROCEEDINGS AGAINST:

LANCE F. YEOMAN, DO,

RESPONDENT

FINAL DECISION AND ORDER

LS0105167MED

**Division of Enforcement Case No. 00 MED 444**

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Lance F. Yeoman, DO

421 South Beaumont Road

Prairie du Chien, WI 53821

Medical Examining Board

PO Box 8935

Madison, WI 53708-8935

Department of Regulation and Licensing

Division of Enforcement

PO 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. Lance F. Yeoman, DO (DOB 12/26/1951) is duly licensed to practice medicine and surgery in the state of Wisconsin (license #30823). This license was first granted on 10/26/1989. Department records show Dr. Yeoman's specialty is general surgery.

2. Dr. Yeoman's most recent address on file with the Wisconsin Medical Examining Board is 421 South Beaumont Road, Prairie du Chien, WI 53821.

3. On December 16, 1999, the Iowa Board of Medical Examiners issued an order summarily suspending the license of Respondent. The order was based upon the Board's finding that it had received allegations of harm as a result of the Respondent's medical care. A true and correct copy of the 1999 Iowa Order is attached to this document as Exhibit A.

4. On November 16, 2000, the Iowa Board of Medical Examiners issued a Settlement Agreement and Final Order regarding the license of Respondent. This order found that Respondent had submitted at his own expense to a comprehensive competency evaluation at the Colorado Physicians Education Program (CPEP).
5. The Iowa Settlement Agreement and Final Order further set out a 5-year period of probationary practice for Respondent. A true and correct copy of the 2000 Iowa Order is attached to this document as Exhibit B.
6. In resolution of this matter, Dr. Yeoman consents to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction to act in this matter, pursuant to sec. 448.02(3), Stats., and is authorized to enter into the attached Stipulation and Order, pursuant to sec. 227.44(5), Stats.
2. The conduct described in paragraph 3, above, constitutes a violation of Wisconsin Administrative Code § Med 10.02(q).

#### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the Wisconsin license of Lance F. Yeoman, DO (license #30823) is LIMITED as follows:

1. Respondent shall maintain full and complete compliance with all terms, limitations and conditions imposed against his medical license in Iowa. Respondent shall comply with all the terms of his Iowa practice monitoring plan and all recommendations of his Board-approved Practice Monitor.
2. Respondent shall demonstrate satisfactory progress towards completion of the CPEP educational plan, and shall successfully complete the CPEP educational plan within the time designated by CPEP. Respondent shall comply with all recommendations made by CPEP.
3. Respondent shall submit for Board approval a written practice-monitoring plan. The monitoring plan shall require that a monitoring physician [Practice Monitor] be responsible for monitoring the medical care Respondent provides to every patient. The Practice Monitor shall be a board-certified, general surgeon approved by the Board. Respondent shall comply with all the terms of the practice-monitoring plan.
  - a. The plan of monitoring shall provide that Respondent shall practice only in a location pre-approved by the Board. Respondent shall not practice at any site not previously approved by the Board.
  - b. The plan of monitoring shall provide that before Respondent performs any surgery, the Practice Monitor shall review the patient record, and if necessary examine the patient to determine whether the surgery is indicated, whether the plan for surgery is appropriate, and whether the location for the surgery is appropriate. The practice monitoring plan shall also provide that the Practice Monitor shall review the post-operative care of each patient. Post-operatively, the practice monitoring plan shall provide that the Practice Monitor review the surgical record and report to the Board any deviation from the original plan of surgery as well as any complications which occurred operatively or post-operatively. The Practice Monitor shall provide an opinion regarding the appropriateness of that deviation or whether the complication is acceptable.
  - c. Respondent shall submit with the practice-monitoring plan a statement from the Practice Monitor to the Board indicating that:
    - i. The Practice Monitor has reviewed this Final Decision and Order, CPEP's final report and CPEP's educational plan, the peer review committee report, as well as the following documents from the Iowa Board of Medical Examiners: the Iowa Board's complete investigative file; their Statement of Charges and Emergency Adjudicative Order;
    - ii. The Practice Monitor agrees to serve as Practice Monitor for the plan of supervision approved by the Board;
    - iii. The Practice Monitor agrees to submit quarterly reports to the Board describing Respondent's compliance with the plan of monitoring and any recommendations made to Respondent;
    - iv. The Practice Monitor agrees to immediately notify the Board of any deviation from the plan of monitoring approved by the Board;
    - v. The Practice Monitor agrees to immediately notify the Board of any inter-operative deviation from an original plan for surgery or any complication arising from any surgery; and
    - vi. The Practice Monitor agrees to immediately notify the Board of any problems in

Respondent's practice that may reasonably be construed to be a deviation from the accepted standard of care or a violation of state law, including Board rules.

4. Respondent shall comply with all the terms of the practice monitoring plan and all recommendations of the Practice Monitor. Respondent shall demonstrate throughout the monitoring period that he is practicing in accordance with accepted standards of care.
5. Respondent shall submit sworn quarterly reports, stating that there has been compliance with all the conditions of this Final Decision and Order. The reports shall be filed not later than January 10, April 10, July 10, and October 10 of each year that this Order remains in effect.
6. Respondent shall ensure that the Practice Monitor submits the reports required in paragraph 3(c)(iii), (iv), (v) and (vi) above to the Board describing Respondent's compliance with the plan of monitoring.
7. Respondent may request the Board modify the Practice Monitoring plan upon the written recommendation of the Practice Monitor, but any final decision regarding modification of the plan is in the discretion of the Board. Respondent may request, upon the recommendation of the Practice Monitor, that the Practice Monitoring plan may be terminated, but any final decision regarding termination of the plan is in the discretion of the Board.
8. Respondent shall make a personal appearance before the Board or its designee on an annual basis, or upon the Board's request in the event concerns arise regarding Respondent's practice under the terms of this Order. Respondent shall be given reasonable notice of the date, time, and place for the appearances.
9. Respondent shall obey all federal, state, and local laws, and all rules governing the practice of medicine in Wisconsin.
10. Respondent shall notify the Board of any change of employment or address within one week of said change.

#### **Department Monitor**

11. The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including receiving and coordinating all reports and petitions. The Department Monitor may be reached as follows:

Department Monitor  
Department of Regulation and Licensing  
Division of Enforcement  
PO Box 8935  
Madison, WI 53708-8935  
FAX (608) 266-2264  
TEL. (608) 261-7938

#### **Summary Suspension**

12. Violation of any of the terms of this Order shall be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license; the Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order.

13. This Order shall become effective on the date of its signing.

MEDICAL EXAMINING BOARD

By: Sidney E. Johnson

5-16-01

A Member of the Board

Date