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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF
THE INVESTIGATION OF

ROBERT J. SWOBODA, M.D.,
Licensee

ORDER ADOPTING STIPULATION

Robert J. Swoboda, M.D. (Dr. Swoboda), and the Medical Examining Board (board), having reached agreement on disposition of the informal complaint identified as 99 MED 62, and

Dr. Swoboda and the board having reached a Stipulation resolving the matter, a copy of which is attached hereto and made a part hereof,

NOW THEREFORE, the board makes the following Findings and Order.

1. Dr. Swoboda is licensed to practice medicine and surgery in Wisconsin by license #25870, issued on April 13, 1984, and his address of record is 317 Highridge Road, Burlington, WI 53105. Dr. Swoboda specializes in radiology.
2. Patient J.M. had a history of back pain and radicular symptoms. On May 12, 1994 patient J.M. had a lumbar myelogram performed. A post myelogram lumbar CT scan revealed a block to intrathecal contrast on the myelogram, and an intradural mass at the L3 level.
3. On May 15, 1994 patient J.M. was admitted to St. Catherine's Hospital with a diagnosis of intradural mass, lumbar spine for a neurological evaluation and lumbar laminectomy and resection of lumbar tumor surgery.
4. On May 18, 1994 a neurosurgeon ordered a CT scan of the abdomen and pelvis with oral and IV contrast agents to search for additional tumors and to attempt to differentiate possible neurofibroma from meningioma. A separate CT scan of the abdomen was not ordered. Dr. Swoboda reviewed the films and dictated the CT scan report.
5. Dr. Swoboda identified a ventral hernia, but he did not mention the ventral hernia in his CT scan report, and did not contact the patient's attending physician to report the existence of the ventral hernia. Dr. Swoboda found no evidence of bowel obstruction and no evidence of any abnormality in the ventral hernia. He believed that the ventral hernia did not need to be included in his CT scan report because the CT scan had been ordered to delineate a mass in the dural space of the lumbar spine and he assumed it was a known or repetitive finding to that which had been reported in CT scan on 2/11/1991.
6. Dr. Swoboda's current practice is to report all significant abnormal findings regardless of whether the existence of the abnormality is known or assumed to be known by the physicians ordering the radiographic studies and/or the treating physicians.

ORDER

NOW, THEREFORE, IT IS ORDERED that in resolution of this matter, Dr. Swoboda shall attend a risk management course which shall be approved by the board or its agent. The course shall be completed no more than nine months from the effective date of this Order.

Dated this 24th day of April, 2002

STATE OF WISCONSIN
MEDICAL EXAMINING BOARD

Virginia Heinemann
Secretary