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State of Wisconsin
Before the Medical Examining Board

In the Matter of Disciplinary Proceedings Against

Cathy Ann Reeb-Alba, M.D.

Respondent

LS0307234MED

Final Decision and Order

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

Cathy Ann Reeb-Alba, M.D.

1531 S. Madison Street

Appleton WI 54915

Medical Examining Board

Department of Regulation and Licensing

P.O. Box 8935

Madison WI 53708

Division of Enforcement

Department of Regulation and Licensing

P.O. Box 8935

Madison WI 53708

The parties having agreed to the attached stipulation, the Medical Examining Board makes the following

Findings of Fact

1. Cathy Ann Reeb-Alba, M.D., ("Respondent") was born on July 13, 1956, and is licensed to practice medicine and surgery in the state of Wisconsin pursuant to license number 24604, first granted on July 1, 1982. Respondent practices obstetrics and gynecology.

2. At 7:01 a.m. on November 21, 1996, patient J.B., a woman aged 19, was admitted to St. Elizabeth Hospital, Appleton, for delivery of a term pregnancy.
3. Through the first hours of labor, the fetal heart rate occasionally increased or decreased, but the changes spontaneously resolved.
4. At 9:05 p.m., the fetal heart rate decelerated notably and did not recover.
5. The mother was moved to a squatting position to reduce pressure on the umbilical cord, and oxygen was administered to the mother to increase the oxygen supply to the fetus.
6. The fetal heart rate did not recover to a normal range, but showed variability into the 120's with continued variable decelerations as low as 74.
7. The minimally competent response to the failure of the fetal heart rate to recover from the decelerations noted at 9:05 p.m. within fifteen minutes would have been to order a C-section by 9:25 p.m.
8. Respondent ordered a C-section at 10:21 p.m., and continued attempting vaginal delivery with a vacuum extractor and forceps. The infant was delivered vaginally at 10:42 p.m., just after the fetal heart tone ceased to be recognized by the external monitor.
9. The infant had Apgar scores of 0 at delivery, 2 at 5 minutes, and 4 at 10 minutes. She was taken to a neo-natal intensive care unit and died seven days later as a result of severe birth asphyxia.
10. Respondent completed the continuing medical education courses "Monitoring Patterns: Advanced Skills in Monitoring the Laboring Patient" on April 24, 1997, and "Maternal-Fetal Assessment & Interventions" over three days, April 24-26, 2003, for a total of 22 hours of appropriate continuing medical education.

Conclusions of Law

1. The Medical Examining Board has jurisdiction in this matter pursuant to s. 448.02(3), Stats.
2. Respondent's failure to order a C-section for patient J. B. in a timely manner created an unacceptable risk of harm to the infant, and constitutes unprofessional conduct under s. MED 10.02(2)(h), Wis. Admin. Code.

Order

Now therefore the license previously granted to Cathy Ann Reeb-Alba, M.D., is suspended for one week, beginning Sunday, August 31 through Sunday, September 7, 2003.

It is further ordered that the Board accepts the continuing medical education already completed by Cathy Ann Reeb-Alba, M.D., on maternal-fetal assessment and intervention in full satisfaction of the remedial education the Board would otherwise have ordered.

It is further ordered that Respondent shall pay the costs of this proceeding in the amount of \$550.00 to the Department of Regulation and Licensing within 60 days of the date of this Order.

Dated: July 23rd, 2003

Wisconsin Medical Examining Board

Alfred Franger

By a Member of the Board