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State of Wisconsin
Before the Medical Examining Board

In the Matter of Disciplinary Proceedings Against
Richard Clasen, M.D.
Respondent

Final Decision and Order
LS0404071MED

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

Richard Clasen, M.D.
315 1st Street
Nekoosa WI 54457

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 to this proceeding having agreed to the attached stipulation, the Medical Examining Board makes the following:

Findings of Fact

1. Richard Clasen, M.D. ("Respondent") was born on May 13, 1948, and is licensed to practice medicine and surgery in the state of Wisconsin pursuant to license number 22783, first granted on January 18, 1980. Respondent practices internal medicine.
2. Patient SW was a female, born on October 9, 1934.
3. Beginning in March, 1981, Respondent was primary care physician to Patient SW.
4. Respondent's efforts at screening Patient SW for evidence of colorectal cancer included hemoccult stool tests done in his office and digital rectal examinations. This included, but was not limited to, testing on March 16, 1995.
5. On October 22, 1996, Patient SW presented to Respondent in preparation for a carpal tunnel repair operation. Respondent noted a family history of cancer, performed an in-office hemoccult stool examination and a rectal examination, and noted a negative result to the hemoccult test and a normal rectal examination.
6. On January 29, 1998, Patient SW presented to Respondent with complaints of bleeding from the rectum and known hemorrhoids. Respondent performed an in-office hemoccult stool test that returned a strongly positive result. Respondent performed a digital rectal examination, which he determined to be negative.
7. Respondent documented in his records telling Patient SW to wait until she was on Medicare to have a colonoscopy or sigmoidoscopy.

8. Respondent scheduled a follow-up visit with Patient SW for February 25, 1998, but this visit was cancelled.
9. Respondent did recommend that Patient SW schedule a mammogram, and she had the mammogram performed on March 3, 1998.
10. On March 5, 1998, Patient SW received a telephone call from Respondent's office, to schedule additional mammography views for March 10, 1998. On March 9, 1998, Respondent referred Patient SW for a gastroenterology workup to be done April 3, 1998.
11. On March 13, 1998, on her own initiative, Patient SW went to Dr. William Henry for evaluation of her abnormal mammogram. Dr. Henry was not associated with Respondent's clinic.
12. During his examination of Patient SW, Dr. Henry detected a mass that he described as large and easily palpated, approximately 4cm. x 6 cm. just inside the anal verge, covering approximately one-third of the circumference of the rectal wall.
13. Dr. Henry recorded an "impression" of rectal tumor, and recommended an urgent colonoscopy which led to a diagnosis of cancer of the colon and total resection of Patient SW's colon with an ileostomy. On follow up care, metastases were discovered in both of Patient SW's lungs.
14. At the time Respondent was caring for Patient SW, there was debate in the medical profession with regard to the type, amount, and frequency of colorectal cancer screening required by the standards of reasonable medical care.
15. Patient SW died on July 6, 2001, as a result of the metastatic cancer in her lungs.

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 offer or order a colonoscopy or sigmoidoscopy for Patient SW no later than January 29, 1998, was conduct which constituted negligence in the practice of medicine.

Order

Now, therefore, Richard W. Clasen, M.D., shall complete 24 hours of continuing medical education in assessment of gastro-intestinal blood loss and indications of and screening for gastro-intestinal cancers within nine months of the date of this Order.

Dr. Clasen shall be responsible for finding the course or courses to comply with this order, and shall obtain approval from the Board or its designee for any course he intends to complete in compliance with this order, before he takes the course.

For purposes of this order, the Board's designee is:

Department Monitor
Division of Enforcement
P.O. Box 8935
Madison WI 53708
Fax 608/266-2264

It is further ordered that Dr. Clasen shall pay the costs of this proceeding in the amount of \$3,000.00 to the Department of Regulation and Licensing within ninety days after the date of this Order.

It is further ordered that any violation of this Order may result in the summary suspension of the Respondent's license.

Dated: May 19th, 2004.

Alfred Franger
A Member of the Board