

# 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 :  
DISCIPLINARY PROCEEDINGS AGAINST : **FINAL DECISION AND ORDER**  
REBECCA L. FREER, M.D., :  
RESPONDENT. : LS0405104MED  
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The parties to this action for the purposes of § 227.53, Wis. Stats., are:

Rebecca L. Freer, MD  
3708 Jefferson St.  
Austin, TX 78731

Wisconsin Medical Examining Board  
P.O. Box 8935  
Madison, WI 53708-8935

Department of Regulation and Licensing  
Division of Enforcement  
P.O. 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

- Respondent Rebecca Lynn Freer (dob 10/19/64) is and was at the times relevant to the facts set forth herein a physician and surgeon licensed in the State of Wisconsin pursuant to license #35382, first granted on 5/27/94. Respondent is a general surgeon and is certified by the American Board of Surgery. Respondent's license was not renewed as of 11/1/01, but may be renewed at any time by respondent upon payment of fees, on or before 11/1/06.
- On July 30-31, 1997, respondent was on duty as a fourth year surgical resident and licensed physician at Froedert Hospital in Milwaukee, WI, and was the senior resident on her service. At that time, M.C., a 43 year old male, was admitted for treatment following being struck by a motor vehicle while the patient was bicycling. A CT scan of the patient's abdomen and pelvis was performed during the early hours of the morning of 7/31/97.
- Respondent wrote a note at 3:30am on 7/31/97, to the effect that the CT scan showed a small amount of free fluid around the spleen, with a spleen laceration, but that it was otherwise clear. In deposition testimony, respondent stated that she "most likely" viewed the film herself.
- In fact, the patient had an intraperitoneal bleed, large gluteal hemorrhages, a slit-like inferior vena cava, and active extravasation, all which was shown on the CT scan, but were not treated. If respondent did view the CT scan, the Board finds that her failure to detect these features was negligence in treatment. The patient died at 5:20am on 7/31/97.
- A final judgment was entered pursuant to a jury verdict in the Circuit Court for Milwaukee County, finding respondent (among others) negligent in her care and treatment of the patient.

CONCLUSIONS OF LAW

- The Wisconsin Medical Examining Board has jurisdiction to act in this matter pursuant to §448.02(3), Wis. Stats. and is authorized to enter into the attached Stipulation pursuant to §227.44(5), Wis. Stats.
- The conduct described in ¶5, above, constitutes negligence in treatment within the meaning of the statutes.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

IT IS FURTHER ORDERED, that Rebecca L. Freer, M.D., is REPRIMANDED for her unprofessional conduct in this matter.

IT IS FURTHER ORDERED, that respondent shall pay partial COSTS of investigating and prosecuting this matter of \$200 within 30 days of this Order.

IT IS FURTHER ORDERED, that pursuant to §448.02(4), Wis. Stats., if the Board determines that there is probable cause to believe that respondent has violated any term of this Final Decision and Order, the Board may order that the license and registration of respondent be summarily suspended pending investigation of the alleged violation.

Dated this May 19<sup>th</sup>, 2004.

WISCONSIN MEDICAL EXAMINING BOARD

Alfred Franger  
A Member of the Board