

# 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 THE DISCIPLINARY :  
PROCEEDINGS AGAINST :  
 :  
 : FINAL DECISION AND ORDER  
JAMES C. CADWALLADER, M.D., : LS0409151MED  
RESPONDENT :

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Division of Enforcement Case No. 03 MED 432

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

James C. Cadwallader, M.D.  
44 Harborview Dr.  
Racine, WI 53403

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

PROCEDURAL HISTORY

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. James C. Cadwallader, M.D. (DOB 02/27/40) is duly licensed to practice medicine and surgery in the state of Wisconsin (license #20-34910.) This license was first granted on October 20, 1993. Dr. Cadwallader's specialty is obstetrics and gynecology.
2. Dr. Cadwallader's most recent address on file with the Wisconsin Medical Examining Board is 44 Harborview Drive, Racine, WI 53403.
3. On March 25, 2003, the West Virginia Board of Medicine issued a Consent Order that limited the license of Dr. Cadwallader to practice medicine in West Virginia. In October, 2002 Dr. Cadwallader applied for a license to practice medicine in the State of West Virginia. On this application he disclosed that he had health problems which prevented him from delivering babies or performing major gynecological surgeries as an obstetrician gynecologist. Dr. Cadwallader agreed, based upon his medical condition, to the terms and conditions imposed upon his license in West Virginia. A true and correct copy of the Consent Order is attached to this document as Exhibit A. Exhibit A is incorporated into this document by reference.
4. In resolution of this matter, Dr. Cadwallader consents to the entry of the following Conclusions of Law and Order as a reasonable accommodation, based upon the facts and circumstances of this case.

## 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 paragraphs 3 and 4, above, constitutes a violation of Wis. Admin. Code § Med 10.02(2)(q).

## ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the Wisconsin license of James C. Cadwallader (license #20-34910) is LIMITED as follows:

1. Dr. Cadwallader shall maintain full and complete compliance with all terms and conditions imposed upon his West Virginia license. Respondent shall arrange with the West Virginia Board for immediate submission of notification to the Department Monitor of any violation by Respondent of the West Virginia Order. Respondent, himself, agrees to submit notification to the Department Monitor of any violation by Respondent of the West Virginia Order.
2. Dr. Cadwallader shall provide the Board with current releases complying with state and federal laws, authorizing release and access to his records with the West Virginia Board.
3. All reports and petitions made pursuant to this Order shall be sent to the Department Monitor of the Wisconsin Department of Regulation and Licensing at the address set forth below.

Department Monitor  
Division of Enforcement  
P.O. Box 8935  
Madison, WI 53708-8935  
FAX (608) 266-2264  
TEL. (608) 267-3817

4. Dr. Cadwallader shall immediately surrender all indicia of Wisconsin registration to the Department Monitor and may not practice in Wisconsin [or elsewhere under the use of his Wisconsin license] until authorized by the Board pursuant to paragraph 5 of this Order. The Department shall reissue registration credentials to Dr. Cadwallader marked "limited."

IT IS FURTHER ORDERED that

5. Prior to resumption of the practice of medicine in the state of Wisconsin [or elsewhere under the use of his Wisconsin license] Dr. Cadwallader shall notify the Board Monitor of his desire to resume the active use of his Wisconsin licensure and petition the Board for permission to practice within this state.
  - a. In conjunction with a petition by Dr. Cadwallader, the Board shall require current documentation of the status of Dr. Cadwallader's compliance with the terms and conditions imposed against his West Virginia license to practice medicine.
  - b. In the exercise of its discretion, the Board may in addition require a personal appearance by Dr. Cadwallader to answer questions in conjunction with his petition. The Board may in addition require submission of a current assessment from a health care provider acceptable to the Board attesting to Dr. Cadwallader's ability to safely and competently practice medicine and surgery. To be considered current, the assessment shall have occurred within thirty (30) days from the date of its submission.
  - c. Upon its completion of review of a petition under this Order, the Board may grant Dr. Cadwallader permission to practice medicine in this state, subject to such terms and conditions as the Board in the exercise

of its discretion finds appropriate to safeguard the public health, safety and welfare.

d. Dr. Cadwallader may petition the Board for removal or revision of any of the terms and conditions imposed pursuant to this Order at any time.

6. Denial in whole or in part of a petition under this Order shall not constitute denial of a license and shall not give rise to a contested case within the meaning of Wis. Stats. §§ 227.01(3) and 227.42.

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

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

#### MEDICAL EXAMINING BOARD

Alfred Franger  
A Member of the Board

9-15-04  
Date