

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DRL website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS AGAINST :
 :
 : FINAL DECISION AND ORDER
YOGESH PAREEK, M.D., : LS # 0411291 MED
RESPONDENT. :

03 MED 478

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

Yogesh Pareek, M.D.
526 Ledgewood Drive
Fond du Lac WI 54935

Division of Enforcement
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Medical Examining Board
Department of Regulation & Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

This disciplinary proceeding was initiated by the filing of a formal disciplinary complaint by the Division of Enforcement against Dr. Pareek. 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 Medical Examining Board. The Board has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Yogesh Pareek, M.D., (“Respondent”) was born on October 4, 1965, and is licensed to practice medicine and surgery in the state of Wisconsin pursuant to license number 36293, first granted on January 27, 1995. Respondent is a psychiatrist.
2. Respondent’s most recent address on file with the Wisconsin Medical Examining Board is 526 Ledgewood Drive, Fond du Lac, Wisconsin 54935.
3. At all times relevant to this proceeding, Respondent was working as a psychiatrist at Waupun Correctional Institution, Waupun, Wisconsin.

4. Matthew S., a prisoner of the Wisconsin Department of Corrections, committed suicide in his cell at the Waupun Correctional Institution on July 29, 1998. Matthew S. had been one of Respondent's patients.

5. Matthew S. suffered from a persistent and severe mental illness, for which he had been treated with psychotropic medications. While he was taking his medications, his illness was in remission, but when he was not taking his medications he became psychotic.

6. Respondent permitted Matthew S. to discontinue his psychotropic medications on March 26, 1998, even though he knew that Matthew S. was likely to become psychotic as a consequence.

7. Respondent did not inform the correctional staff at Waupun Correctional Institution that Matthew S. was no longer taking the psychotropic medications, or that Matthew S. was likely to relapse to a psychotic condition.

8. Respondent's treatment plan for Matthew S. was to rely on Matthew S. to recognize that Matthew S. was becoming psychotic and to request psychiatric intervention and treatment when that happened, even though Respondent knew that Matthew S. could not be relied upon to recognize his own deteriorating condition.

9. Between March 26 and July 29, 1998, Matthew S. began to demonstrate self-destructive behaviors, including beating his head against his cell to the point that he required stitches to close the resulting wound.

10. A civil suit was filed against Respondent and others in U.S. District Court for the Eastern District of Wisconsin alleging that Respondent was responsible, in part, for the death of Matthew S.

11. The jury in the federal suit found that Respondent was negligent with respect to his care and treatment of Matthew S., and that Respondent's negligence was a substantial factor in causing the death of Matthew S. On March 11, 2003, the U.S. District Court for the Eastern District of Wisconsin entered judgment consistent with the jury verdict.

12. When Respondent was contacted by the Division of Enforcement about his care and treatment of Matthew S., Respondent asserted that he was not legally authorized to do anything but permit Matthew S. to decide whether he needed treatment, because Matthew S. had not recently shown himself to be a danger to himself or others.

13. The legal standard for involuntary treatment of mentally ill persons who are already confined in prison, as Matthew S. was, does not require that the mentally ill person have a recent history of being a danger to himself or others, but only that the person be mentally ill, a proper subject for treatment, and in need of treatment.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. s. 448.02(3), and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. s. 227.44(5).

2. Respondent's conduct with respect to the care and treatment of Matthew S. exposed Matthew S. to unreasonable risks of harm, and is unprofessional conduct under Wis. Admin. Code s. MED 10.02(2)(h).

3. Respondent's negligence in the care and treatment of Matthew S. as found by the jury and made the basis of the judgment of the U.S. District Court for the Eastern District of Wisconsin is unprofessional conduct under Wis. Stat. s. 448.02(3)(b).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Yogesh Pareek, M.D., is hereby REPRIMANDED.

IT IS FURTHER ORDERED that:

2. The license of Yogesh Pareek, M.D. to practice medicine and surgery in the state of Wisconsin is hereby LIMITED by the condition that he shall not practice in a correctional institution of any description for a period of not less than two years from the date of this Order. Yogesh Pareek, M.D., may petition the Board to lift this limitation at any time after two years from the date of this Order.

a. As used in this Order, “correctional institution” means any federal, state, or local facility that incarcerates or detains any adult or juvenile accused of, charged with, convicted of, or sentenced for any crime or juvenile offense.

3. The license of Yogesh Pareek, M.D., to practice medicine and surgery in the state of Wisconsin is hereby LIMITED by the condition that he shall, within nine months of the date of this order, complete 20 hours of continuing medical education in the practice of psychiatry in correctional institutions, with particular emphasis on the prevention of suicide by mentally ill inmates.

a. Yogesh Pareek, M.D., shall obtain approval from the Board’s designee for any course he intends to complete in compliance with this Order before he takes the course. For purposes of this requirement, the Board’s designee is:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

b. Yogesh Pareek shall be responsible for all costs associated with obtaining the continuing medical education required by this Order.

c. No part of the continuing medical education required by this Order may be credited to any other continuing medical education that Respondent may be required to complete.

IT IS FURTHER ORDERED that:

4. Respondent shall, within (180) days from the date of this Order, pay costs of this proceeding in the amount of Six Thousand (\$6,000.00) dollars. Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

5. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely pay costs as ordered or fails to comply with the ordered continuing education the Respondent's license (#36293) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

6. This Order is effective on the date of its signing.

Wisconsin Medical Examining Board

By: Alfred L. Franger MD
A Member of the Board

October 12, 2005
Date