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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS AGAINST :
FREEMAN MOORE, M.D., : FINAL DECISION AND ORDER
RESPONDENT. : LS # 0507204MED

Division of Enforcement Case # 04 MED 253

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

Freeman Moore, M.D.
1501 S. Lutz Dr.
Appleton, WI 54914

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

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. Freeman Moore, M.D., (DOB 09/29/1942) is duly licensed as a physician in the state of Wisconsin (license # 18406). This license was first granted on July 11, 1973.
2. Respondent's most recent address on file with the Wisconsin Medical Examining Board is 1501 S. Lutz Drive, Appleton, Wisconsin.
3. At all times relevant to this action, Respondent was working as a physician in Wisconsin.

4. Three year old patient M.B. had a congenital duodenal stenosis with malrotation of the GI tract and short gut syndrome. She had a central line and had a history of infections of her central line.

5. On April 22, 2003 and continuing to April 23, 2003, Respondent was working the night shift at the emergency room at St. Elizabeth Hospital in Appleton, Wisconsin. That night, patient M.B. was taken to St. Elizabeth's emergency room at approximately 11:30 p.m. for a suspected infection of her central line.

6. Respondent evaluated patient M.B. She had a temperature of 102.2, pulse was 199, respirations were 28, her O2 saturation was 96% and she was lethargic. Respondent was unable to view her entire history as St. Elizabeth's Hospital was experiencing computer problems that night. Patient M.B.'s physician was on-call, but Respondent did not attempt to reach him for information about M.B.

7. The Respondent took blood for cultures and treated the suspected central line infection with an infusion of Amphotericin-B and a Tylenol suppository. He did not prescribe broad spectrum antibiotics. Although he suggested that patient M.B. be admitted to the hospital, when her parents said they would prefer to take her home he acquiesced. Patient M.B. was discharged at 3:12 a.m. on April 23, 2003.

8. At approximately 5:33 a.m., patient M.B.'s parents found her breathing very slowly and without air exchange. She was taken by ambulance to another emergency room. Attempts at resuscitation failed, and she was pronounced dead at 6:17 a.m.

9. The blood culture ordered by Respondent later came back positive for Escherichia Coli.

10. On January 12 through January 16, 2004, Respondent attended a 50-hour continuing education course entitled Pediatric Emergency Medicine Mini-Fellowship at the Medical College of Wisconsin. This course addressed the identification and interpretation of pediatric infections and antibiotic therapy.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. § 448.02,[\[smg1\]](#) and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. The conduct described in paragraphs 4 - 9 above constitutes a violation of Wis. Admin. Code MED § 10.02(2)(h).

ORDER

IT IS ORDERED:

1. Respondent Freeman Moore, M.D., is REPRIMANDED.

IT IS FURTHER ORDERED:

2. Respondent's license is LIMITED as follows:

(a) Respondent shall complete at least 8 hours of continuing medical education in identifying and treating central line infections.

(b) Respondent shall certify to the Board the successful completion of this continuing medical education course within 9 months of the date of this order.

(c) All courses taken in satisfaction of the above requirements must be pre-approved by the board. Prior to attending any such course, Respondent shall submit to the Board Monitor at the address listed below an outline of the required t

for approval, which shall contain the name of the institution providing the instruction, the name of the instructor, and the course content. Respondent is responsible for ensuring that such course information submissions reach the Board Monitor in a timely manner such that the board is able to consider the courses for approval in the usual course of business at its regularly scheduled board meetings in sufficient time for the Respondent to complete the courses prior to the expiration of the 9 month deadline discussed

(d) The training required by this Order may not be used by Respondent to satisfy the requirements of Wis. Stat. 448.13 or Wis. Adm. Code Ch. Med 13.

(e) Respondent shall be responsible for the cost of compliance with the terms of this Order.

3. Respondent shall, within ninety (90) days from the date of this Order, pay costs of this proceeding in the amount of One Thousand, Two Hundred Dollars (\$1,200.00) 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

4. 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 pay costs as ordered or fails to comply with the ordered continuing education, the Respondent's license(#18406) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order. [\[smg2\]](#)

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

Wisconsin Medical Examining Board

By: Alfred Franger, MD
Board

Date

July 20, 2005

A Member of the

[\[smg1\]](#)This should be deleted/ changed to a blank

[\[smg2\]](#)This section should be the standard summary suspension provision: **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.** Where the terms of discipline consist of a forfeiture, costs or continuing education, alternative "self-effectuating" language should be utilized. E.g.: **In the event Respondent fails to timely submit any payment of the forfeiture as set forth above, the Respondent's license(#1550) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.**