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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

| | | |
|-----------------------------------|---|--------------------------|
| IN THE MATTER OF THE DISCIPLINARY | : | |
| PROCEEDINGS AGAINST | : | |
| | : | FINAL DECISION AND ORDER |
| GEORGE J. WITTEMAN, M.D., | : | LS0507205MED |
| RESPONDENT. | : | |

Division of Enforcement Case No. 02 MED 236

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

George J. Witteman, M.D.
614 First Street
Wausau, WI 54403

Wisconsin Medical Examining Board
PO Box 8935
Madison, WI 53708-8935

Wisconsin 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

- George J. Witteman, M.D. (DOB 09/10/45) is duly licensed to practice medicine and surgery in the state of Wisconsin (license #20-20653). This license was first granted on January 21, 1977. Dr. Witteman’s specialty is ophthalmology.
- Dr. Witteman's most recent address on file with the Wisconsin Medical Examining Board is 614 First Street, Wausau, WI 54403.
- On the evening of May 15, 2002, patient A.M. arrived at the emergency room of Wausau Hospital after experiencing bleeding and a possible retinal tear in her left eye. Dr. Witteman was the on call doctor for the Eye Clinic of Wisconsin. As soon as Dr. Witteman was contacted by telephone, he spoke with the patient and instructed her that she should be seen the next morning by a retina specialist at the Eye Clinic of Wisconsin. At no time did Respondent examine the patient.
- Upon examination the next morning by a doctor in the Antigo office of the Eye Clinic of Wisconsin, patient A.M. was found to have an acute retinal tear and she was sent immediately to see a subsequent treater who performed laser surgery that same day. Dr. Witteman’s failure to examine patient A.M. on the evening of May 15, 2002, placed her at increased risk for further damage to her eye.

5. In resolution of this matter, Dr. Witteman consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. § 448.02(3), and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).
2. The conduct described in paragraphs 3 and 4, above, constitutes a basis for the imposition of discipline pursuant to Wis. Admin. Code § Med 10.02(2)(h).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the stipulation of the parties is approved.

IT IS FURTHER ORDERED that George J. Witteman, M.D., is hereby REPRIMANDED.

IT IS FURTHER ORDERED that George J. Witteman, M.D., is LIMITED as follows:

1. Within 6 months of the date of this Final Decision and Order, take and complete 20 hours of Category 1 continuing education in ocular emergencies or 20 hours in retinal disease. The courses attended in satisfaction of this Order must be pre-approved by the Medical Examining Board or its designee. Respondent will be responsible for locating courses satisfactory to the Medical Examining Board and for obtaining the required approval of the courses from the Medical Examining Board or its designee. Respondent will within 60 days of completion of this educational requirement file an affidavit with the Medical Examining Board stating under oath that he has attended in their entirety the courses approved for satisfaction of this requirement along with supporting documentation of attendance from the sponsoring organizations. This affidavit and the supporting documentation of attendance will be filed with:

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

All certifications, affidavits or other documents required to be filed with the Medical Examining Board will be deemed filed upon receipt by the Department Monitor.

2. Respondent will be responsible for paying the full cost of attendance at these courses. Respondent will not apply any of the continuing education credits earned in satisfaction of this Order toward satisfaction of the Wis. Stat. § 448.13 biennial training requirements.

IT IS FURTHER ORDERED that:

3. Respondent shall, within sixty (60) days from the date of this Order, pay costs of this proceeding in the amount of FIVE HUNDRED dollars (\$500.00). 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
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

4. In the event Respondent fails to timely pay costs as ordered or fails to comply with the ordered continuing education, Respondent's license (#20-20653) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order. The Board or its designee will remove the suspension, if provided with sufficient information that Respondent is in compliance with the Order and that it is inappropriate for the suspension to remain in effect. The Board in its discretion may impose additional conditions and limitations for a violation of any of the terms of this Order.
5. Respondent is responsible for compliance with all of the terms and conditions of this Final Decision and Order.
6. This Order is effective on the date of its signing.

MEDICAL EXAMINING BOARD

By: Alfred Franger, MD
A Member of the Board

July 20, 2005
Date