

# 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 LICENSE OF :  
 :  
 : FINAL DECISION & ORDER  
 : FOR REMEDIAL EDUCATION  
 ROGER V. BRANHAM JR., M.D. :  
 : OR MONITORING  
 : Case #LS0603152MED  
 :  
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Division of Enforcement Case # 05 MED 003

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

Roger V. Branhan Jr., M.D.  
1035 N. Main Street  
Rice Lake, WI 54868

Wisconsin Medical Examining Board  
1400 East Washington Ave.  
P.O. Box 8935  
Madison, WI 53708-8935

Department of Regulation and Licensing  
Division of Enforcement  
1400 East Washington Ave.  
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 Wisconsin Medical Examining Board (“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. Roger V. Branham, Jr., M.D., (DOB June 6, 1945) is duly licensed to practice medicine and surgery in the state of Wisconsin under license # 18971. This license was first granted on July 17, 1974.
2. Dr. Branham’s most recent address on file with the Wisconsin Medical Examining Board is 1035 N. Main St., Rice Lake, Wisconsin 54868.
3. At all times relevant to this action, Dr. Branham, was working as a physician at Lakeview Medical Center in Rice Lake, Wisconsin.

4. An investigation is pending before the Medical Examining Board which involves allegations that Dr. Branham failed to properly place repair hardware during an open reduction and internal fixation surgery on the left hip of a 79 year old female patient which allegedly caused the screw to migrate through the femoral head into the joint. Dr. Branham disputes these

allegations.

### CONCLUSIONS OF LAW

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

### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Roger V. Branham Jr., M.D. will, within 15 days of the date of this Order, obtain the services of a board certified orthopedic surgeon for the purpose of monitoring ten (10) open reduction and internal fixation procedures performed by Respondent within six months commencing April 16, 2006. Five (5) of the patients for whom these procedures are performed shall be over the age of sixty five (65). If ten procedures cannot be scheduled within the six month, Dr. Branham shall petition the Board for additional time to complete the monitoring period. In no event shall the monitoring exceed one year from April 16, 2006.

2. The monitoring physician shall be approved by the Board or its designee prior to initiating the monitoring period.

3. After each procedure has been completed, the monitoring physician shall review each patient's history, clinical presentation, diagnosis and treatment recommendations and shall review all preoperative, intraoperative and post operative x-rays of the patients for the purpose of determining if the procedures were properly performed and the repair hardware and screws were appropriately placed. The monitoring physician shall prepare a written review of his/her observations. The monitoring physician shall identify any concerns with Dr. Branham's diagnosis and treatment recommendation and performance of the operative procedure in his reviews. Dr. Branham shall provide any information requested to the monitoring physician to assist that individual with his/her review. Copies of each review shall be provided to the Board and Dr. Branham on a monthly basis until the monitoring period is completed.

4. Dr. Branham agrees that in each of the 10 procedures he will take intraoperative C-arm x-rays and that he will preserve the films from those x-rays for review as described in paragraphs 1 - 3.

5. It is Dr. Branham's responsibility to ensure that all reviews are received by the Board. The reviews shall be filed with the Department Monitor at the address listed below. All reviews or other documents required to be filed with the Board will be deemed filed upon receipt by the Department Monitor.

6. All costs of this review shall be the responsibility of Respondent or his insurer and shall be paid within thirty days of receipt by Respondent of any bill from the monitoring physician. The terms of the monitoring period contained in paragraphs 1 through 6 shall not be construed as a fine imposed on Dr. Branham.

IT IS FURTHER ORDERED that:

Respondent shall, within ninety days from the date of this Order, pay costs of this proceeding in the amount of four thousand four hundred (\$4400) 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

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 submit the name of a monitoring physician within 15 days of the date of the Board Order or fails to pay costs as ordered, the Respondent's license (#18971) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

This Order is effective on March 15, 2006.

WISCONSIN MEDICAL EXAMINING BOARD

By: Bhupinder Saini  
A Member of the Board

3/15/06  
Date