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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

FREDRIC L. HILDEBRAND JR MD,
RESPONDENT :

FINAL DECISION AND ORDER
LS0804232MED

[Division of Enforcement Case # 07 MED 215]

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

Fredric L. Hildebrand Jr., MD
157 North Park Ave
Neenah, WI 54956

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 in this matter, subject to the approval of the Wisconsin 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. Fredric L. Hildebrand Jr., MD, whose date of birth is May 28, 1959, is duly licensed to practice medicine and surgery in the State of Wisconsin under license number 34132. This license was first granted on March 25, 1993.
2. Respondent's most recent address on file with the Wisconsin Medical Examining Board is 157 N. Park Ave., Neenah, WI 54956.
3. At all times relevant to this action, Respondent was providing medical services as a physician in Neenah, Wisconsin.
4. Respondent specializes in cardiology.
5. On June 19 2003, a 68 year old male patient PJ with a history of ischemic cardiomyopathy and diabetes presented for evaluation to his primary care physician.
6. The patient's primary care physician referred patient PJ to the Respondent for evaluation of the patient's coronary artery disease, hypertension and hyperlipidemia which was performed on July 10, 2003.
7. As part of the evaluation, the Respondent ordered a chest radiograph which was taken on July 25, 2003.
8. A report of this radiograph dictated on July 28, 2003, revealed a 1.2 cm. dense irregular nodule overlying the right mid lung zone. The interpreting radiologist recommended comparison to previous films, or if none were available, further evaluation with chest CT scan. The report was copied to Respondent.
9. On July 30, 2003, Patient PJ underwent a cardiac catheterization and angioplasty which were performed by the Respondent.
10. Respondent had not reviewed the report prior to July 30th.
11. The patient was discharged on July 31st and Respondent noted the abnormal result on the radiograph report in his discharge summary which was dictated on July 31, 2003.
12. Respondent did not discuss the abnormal radiographic findings with the patient because he believed that the primary care provider had been copied with the report and would contact the patient.
13. When Respondent saw the patient on August 28, 2003 for post operative evaluation, he did not ask the patient whether there had been any follow up on the abnormal radiograph results.
14. On May 4, 2005, Patient JP presented to his primary care physician with complaints of a persistent cough. A repeat chest radiograph was ordered which revealed a change in the right mid lung nodule. A subsequent CT and further evaluation led to a diagnosis of lung cancer to which the patient eventually succumbed.
15. Respondent ordered the June 25, 2003 chest radiograph as part of the pre operative evaluation of the patient's cardiac condition and the minimum standards accepted in the medical profession required that Respondent discuss the radiographic findings with the patient and/or the primary care physician to ensure that appropriate measures were taken to follow up on the abnormal report.
16. Respondent's failure to ensure appropriate follow up with the patient and/or the primary care physician created the unacceptable risks to the patient that his condition would not be promptly evaluated and treated.

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).

2. The conduct described in paragraphs 15 and 16, above, constitutes a violation of Wisconsin Administrative Code § MED 10.02 (2) (h).

ORDER

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

IT IS FURTHER ORDERED that Fredric L. Hildebrand Jr., M.D. is hereby REPRIMANDED by the Wisconsin Medical Examining Board.

IT IS FURTHER ORDERED that:

Respondent shall, within ninety (90) days from the date of this Order, pay costs of this proceeding in the amount of Four Hundred Eighty Six (\$486.00) 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

In the event Respondent fails to timely submit any payment of the forfeiture as set forth above, the Respondent's license (#34132) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

This Order is effective on April 23, 2008.

State of Wisconsin Medical Examining Board

By: Gene Musser MD
A Member of the Board

4/23/08
Date