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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 : Case No. LS0812112MED
ROBERT J. WETZLER, M.D., :
RESPONDENT. :

ORDER OF SUMMARY SUSPENSION

[Division of Enforcement Case # 08 MED 381]

The Amended Motion/Petition for Summary Suspension of December 9, 2008 was noticed to be presented at 8:30 a.m. on December 10, 2008. At that time, attorney John R. Zwieg appeared for the Complainant, Department of Regulation and Licensing, Division of Enforcement. No one appeared on behalf of Respondent.

Counsel for Complainant represented to the Board that on December 8, 2008, he spoke with Respondent. At that time, Respondent said that he had received the December 1, 2008 Notice of Motion and Motion for suspension which was scheduled to be heard at the above date and time. Counsel also represented during that conversation that he advised Respondent an Amended Motion/Petition for Summary Suspension would be filed on December 9 and the Board would hear it at the above time.

The Wisconsin Medical Examining Board, having considered the sworn December 9, 2008 Amended Motion/Petition for Summary Suspension, the December 10, 2008 Affidavit of Service of Notice of Presentation and Amended Motion/Petition for Summary Suspension of Jan Johnson, and the December 9, 2008 Affidavit in Support of Amended Motion/Petition for Summary Suspension of John R. Zwieg, having heard the arguments of counsel, hereby makes the following:

FINDINGS OF FACT

1. Robert J. Wetzler, M.D., Respondent, date of birth March 23, 1933, is licensed and currently registered by the Wisconsin Medical Examining Board to practice medicine and surgery in the state of Wisconsin pursuant to license number 16857, which was first granted July 9, 1969.
2. Respondent's last address reported to the Department of Regulation and Licensing is 6766 Lancelot Drive Oconomowoc, WI 53066.
3. On December 9, 2008, Respondent received copies of the December 9, 2008 Notice of Presentation and Amended Motion/Petition for Summary Suspension.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction over this matter pursuant to Wis. Stat. § 448.02(3) and has authority to summarily suspend Respondent's license to practice medicine and surgery in the State of Wisconsin, pursuant to Wis. Stats. §§ 227.53(3) and 448.02(4) and Wis. Adm. Code § RL 6.
2. There is probable cause to believe that Respondent violated Wis. Stat. § 448.02(3) and Wis. Adm. Code § Med 10.02(2)(b), by violating the December 12, 2007 Final Decision and Order of the Board by:
 - a. Failing to submit within 30 days of the Order the name and resume of a proposed Professional Mentor for the Board to approve.
 - b. Practicing medicine from December 13, 2007 to present while not under the supervision of an approved Professional Mentor.
 - c. Failing to complete one of the three specified educational programs, which are not offered again this year, by December 31, 2008.

3. The Board's Final Decision and Order of December 12, 2007 provides that the Board can summarily suspend Respondent's license for violating that Final Decision and Order.

4. There is probable cause to believe that Respondent violated Wis. Stat. § 448.02(3) and Wis. Adm. Code § Med 10.02(2)(i), by practicing or attempting to practice when unable to do so with reasonable skill and safety to patients because of lack of competence in family medicine and general practice the area in which he practiced.

5. It is imperatively required and necessary to suspend Respondent's license to practice medicine and surgery immediately to protect the public health, safety and welfare.

ORDER

NOW THEREFORE IT IS HEREBY ORDERED that the license of Robert J. Wetzler, M.D., to practice medicine and surgery in the state of Wisconsin be and is summarily suspended for 30 days, effective immediately.

IT IS FURTHER ORDERED that the Administrative Law Judge assigned to the matter may continue the suspension for 30 days while the hearing in the disciplinary proceeding is in progress.

IT IS FURTHER ORDERED that if Respondent causes a delay in the hearing process of the disciplinary proceeding against Respondent, the Administrative Law Judge assigned to the matter may continue the suspension from the time the hearing is commenced until a final decision is issued by the Board.

IT IS FURTHER ORDERED that Respondent is hereby notified of his right, pursuant to Wis. Adm. Code § RL 6.09, to request a hearing to show cause why this summary suspension order should not be continued and is further notified that any request for a hearing to show cause should be filed with the Wisconsin Medical Examining Board, 1400 East Washington Avenue, P.O. Box 8935, Madison, WI 53708.

IT IS FURTHER ORDERED that in the event that Respondent requests a hearing to show cause why the summary suspension should not be continued, that hearing shall be scheduled to be heard on a date within 20 days of receipt by the Board of Respondent's request for hearing, unless Respondent requests or agrees to a later time for the hearing.

Wisconsin Medical Examining Board

By: S Kailas MD
A Member of the Board

12/10/08
Date