

# 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 DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	FINAL DECISION AND ORDER
	:	
SUMIT SINHA, M.D.,	:	
RESPONDENT.	:	ORDER 0000149

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Division of Enforcement Case No. 09 MED 424

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

Sumit Sinha, M.D.  
1229 S. Lake Dr.  
Shell Lake, WI 54871-7849

Wisconsin Medical Examining Board  
P.O. Box 8935  
Madison, WI 53708-8935

Wisconsin Department of Regulation and Licensing  
Division of Enforcement  
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 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

1. Sumit Sinha, M.D. (DOB November 17, 1970) is duly licensed to practice medicine and surgery in the state of Wisconsin (license No. 52113-20). This license was first granted on August 27, 2008.
2. Respondent's address on record with the Wisconsin Medical Examining Board is 1229 S. Lake Dr., Shell Lake, WI 54871-7849.

3. On December 16, 2009, Respondent and his wife knowingly and intentionally stole more than \$1,500 worth of goods from a shopping mall department store. Video surveillance recordings depict Respondent and his wife accompanied by two small children. As Respondent hid unpaid items within his children's stroller, Respondent's wife acted as a "look-out" and vice versa. After hiding the stolen items, Respondent and his wife repeatedly walked past cashier stations and left the premises without paying for the items.

4. When police questioned Respondent, he admitted the thefts. He explained that he and his wife were at the mall, intending to do their Christmas shopping. When they arrived at the mall, Respondent's wife told him they were going to steal items. He said she thought it was like a game and assured him they would not get caught because the store was busy. Respondent admitted that he took items off the rack. While they were in the elevator his wife concealed the items in her purse and in plastic bags she had brought along for that purpose. Respondent had agreed they were not going to pay for the items.

5. Police issued Respondent a municipal citation for retail theft with a bail amount of \$2,581.

6. Mall security banned Respondent and his wife from the mall for 5 years.

7. Respondent's wife had a record of one prior retail theft in 2007. Respondent had no record of prior thefts and claimed to be unaware of his wife's prior theft.

8. The acts of retail theft are evidence of dishonesty.

9. Patients and other practitioners rely on honesty in physicians' medical record-keeping, in billing practices, and in prescribing and dispensing narcotic and other medications.

10. The welfare of patients and the general public is compromised when physicians are dishonest. Any physician's dishonesty potentially undermines the public confidence in the medical profession.

11. The serious nature of the incidents described above was exacerbated by the presence of Respondent's minor children when he committed the thefts.

#### 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. Respondent's acts of dishonesty constitute unprofessional conduct as set forth in Wis. Admin. Code § MED 10.02(2). Respondent is therefore subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

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

IT IS FURTHER ORDERED that Sumit Sinha, M.D., is hereby REPRIMANDED.

IT IS FURTHER ORDERED that Sumit Sinha, M.D., is LIMITED as follows:

1. Within 6 months of the date of this Final Decision and Order, Respondent shall take and complete a 4 credit course in ethics. Any course must be pre-approved by 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 its entirety the course approved for satisfaction of this requirement along with supporting documentation of attendance from the sponsoring organization. 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 this course. 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 TWO HUNDRED dollars (\$200.00). Payment shall be made payable to the Wisconsin Department of Regulation and Licensing and mailed to the Department Monitor at the address provided above.

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 timely submit payment of the costs or fails to comply with the ordered continuing education as set forth above, the Respondent's license (No. 52113-20) may, in the discretion of the board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs and completion of the continuing education.

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

MEDICAL EXAMINING BOARD

By:

Shaila W. M.B.A.  
A Member of the Board

4/21/10  
Date