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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 : INTERIM ORDER
EVAN K. SAUNDERS, M.D., :
RESPONDENT. : ORDER 0000856

Division of Enforcement Case Nos. 08MED315 and 11MED124

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

Evan K. Saunders, M.D.
6330 N. Lake Drive
Milwaukee, WI 53217

Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935

Wisconsin Medical Examining Board
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

The Division of Enforcement filed and served a Notice of Presentation of Petition for Summary Suspension of Respondent's license which was scheduled before the Board at its May 18, 2011 meeting. The parties have agreed to the terms and conditions of the attached Stipulation as an Interim Order in this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Evan K. Saunders, M.D., Respondent, date of birth February 25, 1964, 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 14968, which was first granted August 26, 1994.

2. Respondent's practice specialty is obstetrics and gynecology and his most recent address on file with the Wisconsin Medical Examining Board is 6330 N. Lake Drive, Milwaukee, WI 53217.

3. On May 5, 2011, the Division opened investigation 11MED124 of Respondent on behalf of the Board. The investigation is based on allegations by one of Respondent's patients. The patient alleges that when she was 19 years old she saw Respondent for professional services the first time on February 18, 2011, when she had an appointment for an annual Pap smear and examination. The patient has alleged that during the examination no one else was present in the room and Respondent touched her breasts, labia and clitoris in a sexually stimulating manner while telling her this was what her boyfriend should do with her. She alleges she made no complaints or statements that she had difficulty reaching orgasm.

4. Investigation 08MED315 was opened by the Division on behalf of the Board based on the allegations of another patient of Respondent. This patient alleges that on September 19, 2008 while she was 23 years old she returned to see Respondent and had complaints of pelvic pain, bloating and vaginal discharge. She alleges that during the examination no one else was present in the room. She alleges she made no complaints or statements that she had difficulty reaching orgasm. She says Respondent asked her if she had trouble reaching orgasm and she replied she was not currently sexually active. He asked her if she had trouble when pleasuring herself and she denied doing that. The patient alleges that Respondent touched her vagina and clitoris in a sexually stimulating manner and told her that should result in her climaxing. She also alleges that while he was performing an ultrasound examination with the probe in her vagina that he touched her clitoris with something that gave her a zapping feeling. She alleges that later in the appointment he said he could not believe that she had not climaxed because his other patients would have climaxed twice in 10 minutes.

5. The two patients do not know one other and neither knew of the other's allegations before telling her own allegations to authorities.

6. If the allegation of either patient is true, Respondent had no medical reason to touch that patient in that manner or to make those statements to the patient. If that conduct occurred, Respondent engaged in conduct that tends to constitute a danger to a patient, which is unprofessional conduct as defined by Wis. Admin. Code § Med 10.02(2)(h).

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 enter into this stipulated resolution of this matter pursuant to Wis. Stat. § 227.44(5).

ORDER

1. The license to practice medicine and surgery in the state of Wisconsin of Respondent, Evan K. Saunders, M.D., is hereby SUSPENDED, during the pendency of this disciplinary matter.

2. The suspension shall end in 10 days unless within that time a Notice of Hearing and Complaint alleging the above conduct has been filed and served in compliance with Wis. Admin. Code §§ RL 2.04 and RL 2.08.

3. The suspension shall continue until one of the following occurs:

a. The Board issues a Final Decision and Order in this disciplinary matter.

b. The assigned administrative law judge or the Board determines, pursuant to Wis. Admin. Code § RL 6.10(2) & (3), that the disciplinary proceeding is not advancing with reasonable promptness and the appropriate remedy is to end the suspension.

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

Wisconsin Medical Examining Board

By: Skailap
A Member of the Board

5/18/11
Date