

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
: FINAL DECISION AND ORDER
KAREN L. BUTLER, M.D., :
RESPONDENT. :
0003758

Division of Legal Services and Compliance Case No. 13 MED 161

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

Karen L. Butler, M.D.
3589 Zirbel Rd.
Sturgeon Bay, WI 54235

Wisconsin Medical Examining Board
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Medical Examining Board (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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Karen L. Butler, M.D., (dob November 25, 1956), is licensed in the state of Wisconsin to practice medicine and surgery, having license number 43732 - 020, first issued on August 23, 2001, with registration current through October 31, 2015. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 3589 Zirbel Rd., Sturgeon Bay, WI 54235.

2. At all times pertinent to this matter, Karen L. Butler, M.D., served as the Regional Medical Director for Advanced Correctional Healthcare and has provided services for that private entity at several jails, including the Rock County (Wisconsin) Jail.

3. The medical intake process at the Rock County Jail in July 2012 involved initial evaluation by a jail nurse, who would relay her findings and pertinent information to Respondent. Respondent would, when necessary, issue orders and directives to the nursing staff until such time as she could personally see and evaluate the new inmate.

4. In her capacity as a physician providing services for the Rock County Jail, Respondent was available by telephone in July 2012 for consultation pertaining to medical issues involving inmates, including Patient A.

5. Patient A was admitted to the Rock County Jail on or about July 4, 2012. Prior to his incarceration, he had ingested 30-40 aspirin and indicated that he was suffering from withdrawal symptoms related to his use of Clonazepam. Patient A reported no symptoms or history of a thyroid condition to the nursing staff, nor did he report that he was taking medications related to a thyroid condition.

6. On or about July 10, 2012, a concern was raised by jail staff that Patient A may have been noncompliant with directions regarding his medications. Respondent was notified and ordered various lab studies to investigate the effect of Patient A's noncompliance, including a "Free T3, T4" test.

7. The lab results pertaining to Patient A were reported to Respondent by a Rock County Jail nurse via telephone on July 16, 2012. A miscommunication occurred and the nurse mistakenly reported the T4 level of 13.61 as the TSH level. A TSH level of 13.61 is consistent with hypothyroidism. A T4 level of 13.61 would be consistent with hyperthyroidism. Based on her mistaken understanding of the TSH level as demonstrating hypothyroidism, Respondent ordered Levothyroxine/Synthroid (150 mcg) for Patient A.

8. Respondent was subsequently provided an electronic copy of the lab results. The lab results were as follows: T3 Free- 5.8 *HIGH* with a reference range of 2.3-4.2 pg/ml and T4 - 13.61 *HIGH* with a reference range of 5.53-11.00 ug/dl.

9. A repeat lab study was done on Patient A on September 4, 2012. The September 4, 2012 lab report states as follows: T3 Free- 9.5 *HIGH* Reference range 2.3-4.2 pg/ml and FT4- 4.21 *HIGH* Reference range 0.79-2.19 ng/dl. A handwritten notation on the report reads, "1 month check TSH ↑ Synthroid to 200 mcg OD." The report is signed by Dr. Butler.

10. Respondent has acknowledged that the written lab report supports a diagnosis of hyperthyroidism and that she erred.

11. Respondent agrees that Patient A was given the wrong medication. Subsequent to these events, Respondent instituted changes at the Rock County Jail to improve practices relevant to telephone reporting of lab values. Specifically, all lab reports are provided to Respondent immediately so she has them to review when she speaks with the nursing staff.

12. Without admitting to any wrong-doing, Respondent consents to the Conclusions of Law and Order below.

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 pursuant to Wis. Stat. § 227.44(5).

2. As a result of the above conduct, Karen Butler, M.D., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.

2. Respondent, Karen L. Butler, M.D. (license number 43732-020), is REPRIMANDED.

3. Within ninety (90) days of the date of this Order, Karen L. Butler, M.D., shall pay COSTS of this matter in the amount of \$899.17.

4. Payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

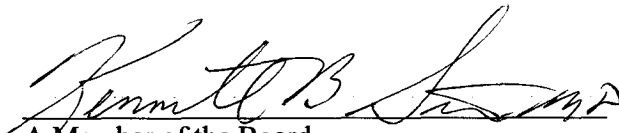
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

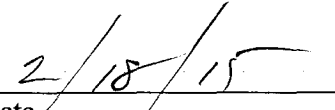
5. Violation of any of the terms of this Order, including failure to pay costs as ordered, may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions 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 costs as ordered, Respondent's license (no. 43732-020) 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.

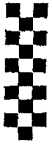
6. This Order is effective on the date of its signing.

Final Decision and Order
In the matter of disciplinary proceedings against
Karen L. Butler, M.D. Case no. 13 MED 161

WISCONSIN MEDICAL EXAMINING BOARD

by: 
A Member of the Board


Date



STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

KAREN L. BUTLER, M.D.,
RESPONDENT.

STIPULATION

0003758

Division of Legal Services and Compliance Case No. 13 MED 161

Respondent Karen L. Butler, M.D., and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.
2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:
 - the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
 - the right to confront and cross-examine the witnesses against Respondent;
 - the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
 - the right to testify on Respondent's own behalf;
 - the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
 - the right to petition for rehearing; and
 - all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.
3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation. Respondent is represented by Attorney Douglas S. Knott.
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Medical Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.


Stipulation
In re the Disciplinary Proceedings Against
Karen L. Butler, M.D., Case No. 13 MED 161

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent or Respondent's attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.


7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



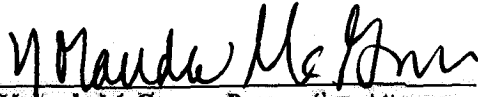
Karen Butler, M.D., Respondent
3589 Zirbel Rd.
Sturgeon Bay, WI 54235
License No. 43732-20

2/12/15
Date



Douglas S. Knott, Attorney
Wilson Elsner Moskowitz Edelman & Dicker LLP
740 N. Plankinton Ave., Suite 600
Milwaukee, WI 53203

2/16/15
Date



Yolanda McGowan, Prosecuting Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

2/17/15
Date