

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
STEPHEN F. WELCH, M.D., :
RESPONDENT. :

00038 19

Division of Legal Services and Compliance Case No. 14 MED 014

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

Stephen F. Welch, M.D.
3002 Wheatland Terrace
Freeport, IL 61032

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 Stephen Francis Welch, M.D. (dob June 30, 1958), is licensed in the state of Wisconsin to practice medicine and surgery, having license number 47453-20, first issued on September 24, 2004, 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 3002 Wheatland Terrace, Freeport, Illinois 61032. Respondent is also licensed in Illinois. Respondent is certified by the American Board of Family Practice.

2. Between 2013 and March 2014, Respondent engaged in repeated disruptive interactions with staff and patients at the urgent care clinic where he was employed. As a result,

on March 21, 2014, his employer terminated his employment. The interactions included but were not limited to:

- a. Hospital interpreters reported that Respondent told Hispanic patients that they needed to “learn the language” and that Respondent instructed interpreters not to translate his comments for the non-English-speaking parents of minor patients if the minor patient could speak English. Respondent asserts that he told non-English-speaking patients that they should “learn English” to empower and educate themselves, which he believed to be in the best interest of the patient. He denies instructing translators not to translate as represented above.
- b. Multiple staff indicated that Respondent was belittling, rude and arrogant to medical assistants and others.
- c. When discussing a health issue with a patient, Respondent compared the patient’s canker sores to vaginal sores, which made the patient uncomfortable. Respondent asserts that his intent was to educate the patient about the differences between the two.
- d. Respondent lectured patients about their weight and/or smoking habits in a manner that resulted in numerous patient complaints.

3. Respondent admits treating staff inappropriately and represents to the Board that he regrets his actions. Respondent further represents to the Board that he intended his remarks as statements which he believed were in the best interest of the patient, however inappropriately expressed.

4. Pending the investigation of this matter, Respondent successfully completed the following continuing medical education: *Managing Difficult Communications in Medical Practice: Controlling Anger, Avoiding Outbursts, Communicating Appropriately*, Case Western Reserve University School of Medicine, Cleveland, Ohio (attended February 18-20, 2015 for up to 21.0 AMA PRA Category 1 Credits).

5. Respondent agrees to resolve this matter through stipulated agreement, and consents to the entry of the following Conclusions of Law and Order.

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. By the conduct described in the Findings of Fact which occurred before October 1, 2013, Respondent Stephen F. Welch, M.D., engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.02(2)(h) (Nov. 2002).

3. By the conduct described in the Findings of Fact which occurred after October 1, 2013, Respondent Stephen F. Welch, M.D., engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(3)(h) (Oct. 2013).

4. As a result of the above conduct, Stephen F. Welch, M.D., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Stephen F. Welch, M.D., is REPRIMANDED.

3. The Board recognizes and accepts the CME credits referenced in the Findings of Fact as the equivalent of the education the Board would have otherwise required of Respondent. None of the education completed pursuant to this requirement may be used to satisfy any other continuing education requirements that have been or may be instituted by the Board or Department.

4. Within 120 days from the date of this Order, Stephen F. Welch, M.D., shall pay COSTS of this matter in the amount of \$900.00.

5. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and 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

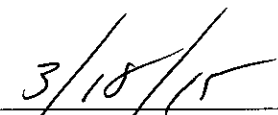
6. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of costs as ordered Respondent's license (no. 47453-20) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied.

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

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

STEPHEN F. WELCH, M.D.,
RESPONDENT.

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:
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:
:

STIPULATION

00038 19

Division of Legal Services and Compliance Case No. 14 MED 014

Respondent Stephen F. Welch, 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 Lawton & Cates SC.

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 the matter of disciplinary proceedings against
Stephen F. Welch, M.D., Case No. 14 MED 014

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.

Stephen F. Welch MD

Stephen F. Welch, M.D., Respondent
3002 Wheatland Terrace
Freeport, IL 61032
License no. 47453-20

3/3/15
Date

Kathryn Harrell

Kathryn A. Harrell, Attorney for Respondent
Lawton & Cates SC
345 W Washington Ave, Ste. 201
PO Box 2965
Madison, WI 53701-2965

3/3/15
Date

Yolanda M. McGowan

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

3/4/15
Date