

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

JAMAL A. ZEREIK, M.D.,
RESPONDENT.

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FINAL DECISION AND ORDER

00039 16

Division of Legal Services and Compliance Case No. 14 MED 323

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

Jamal A. Zereik, M.D.
4401 Eagles Landing Drive
Farmington, MO 63640

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 Jamal A. Zereik, M.D. (dob November 21, 1960) is licensed in the state of Wisconsin to practice medicine and surgery, having license number 41631-20, first issued on August 27, 1999, 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 4401 Eagles Landing Drive, Farmington, Missouri 63640.

2. Respondent also holds a license to practice medicine and surgery in Missouri, first issued on August 2, 1999.

3. Respondent is a primary care provider who is board certified in pediatrics by the American Board of Pediatrics.

4. On August 18, 2014, Respondent entered into a Settlement Agreement Between The Missouri State Board of Registration For The Healing Arts and Jamal A. Zereik, MD (MO Order).

5. At all times pertinent to the MO Order, Respondent was employed as a pediatric hospitalist providing coverage, as requested, to emergency departments, nurseries, and labor and delivery units.

6. The parties to the MO Order stipulated that on at least two separate occasions in 2011 and 2012, Respondent's care and treatment of critically ill neonates fell below the applicable standard of care, as follows:

a. Patient A: Respondent failed to timely and appropriately administer epinephrine; failed to timely and appropriately intubate; administered boluses of an incorrect substance which was also improperly dosed; and interrupted critical resuscitation efforts to move the patient between locations.

b. Patient B: Respondent failed to timely suction and intubate; and improperly administered epinephrine and in incorrect doses.¹

7. Based on the stipulated conduct, the MO Order imposed the following:

a. Respondent's Missouri medical license was placed on probation for a period of 5 years.

b. Respondent shall participate in the Missouri State Medical Association's Physician Health Program (MPHP) or the Missouri Association of Osteopathic Physician and Surgeons Program (MAOPS) at his own expense and to follow all recommendations of treatment and aftercare recommended.

c. Respondent shall obtain a multi-disciplinary evaluation from a board-approved facility and ensure that the report and recommendations of the evaluation are sent to the MO Board within 30 days of its completion. Respondent shall follow all recommendations of the evaluation.

d. Respondent shall submit to the MO Board on a quarterly basis, an evaluation from any recommended rehabilitation or aftercare program, which shall include an evaluation of Respondent's current status in the program, his compliance with all program recommendations, and his current prognosis.

e. If Respondent successfully completes the recommended rehabilitation or aftercare program, he shall cause the treating professional or program director to submit a letter to

¹ The Missouri Order makes reference to a third patient, but contains no stipulated facts about the child.

the MO Board confirming Respondent's successful completion of the program, any follow-up recommendations, and Respondent's compliance therewith.

f. Respondent shall execute releases allowing the MO Board to gather his medical records, including mental health care records, for the duration of his probation.

g. Respondent shall provide notice of his disciplinary status to all employers, facilities where he has privileges, individuals he supervises, and to the licensing authorities in all other jurisdictions where he is licensed to practice medicine.

h. Respondent shall maintain his Missouri medical license and inform the MO Board of all locations where he practices.

i. Respondent shall appear in person, as requested by the MO Board, and shall comply with unannounced visits from the MO Board's representatives, all for purposes of monitoring Respondent's compliance with the MO Order.

8. In resolution of this matter, Respondent 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, Respondent Jamal A. Zereik, M.D., engaged in unprofessional conduct pursuant to Wis. Admin. Code § Med 10.03(3)(c)(Oct. 2013) by having adverse action taken by another jurisdiction against his license to practice medicine and surgery.

3. As a result of the above conduct, Jamal A. Zereik, M.D., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.

2. The license to practice medicine and surgery issued to Respondent Jamal A. Zereik, M.D., is LIMITED, as follows:

a. Respondent shall maintain full and complete compliance with all terms, limitations, and conditions imposed by the MO Order.

b. For this Board's purposes, any conclusion by the MO Board that Respondent has violated the MO Order is conclusive evidence of a violation of this Order.

c. Respondent shall provide the Board with a copy of any document issued by the MO Board which alters the conditions of Respondent's continued practice of medicine and surgery in the state of Missouri, including any document advising reinstatement of full licensure.

d. In the event Respondent plans to practice medicine and surgery in the state of Wisconsin, he shall notify the Board of his intentions and practice address at least ninety (90) days prior to his return.

e. Upon Respondent providing proof sufficient to the Board, or its designee, that he has successfully complied with all terms and conditions of the MO Order, the Board shall issue an Order removing the limitation on Respondent's license.

3. Within 90 days from the date of this Order, Jamal A. Zereik, M.D., shall pay COSTS of this matter in the amount of \$291.17.

4. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent 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
DPSMonitoring@wisconsin.gov

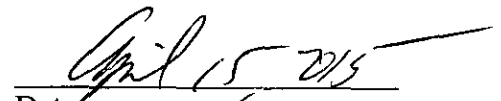
5. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline 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 (41631-20) 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.

6. 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

JAMAL A. ZEREIK, M.D.,
RESPONDENT.

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STIPULATION

00039 16

Division of Legal Services and Compliance Case No. 14 MED 323

Respondent Jamal A. Zereik, 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.

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.


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, 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.

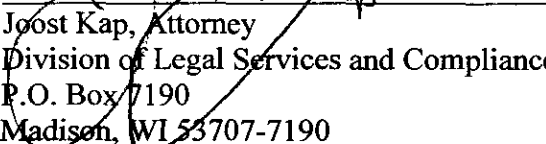
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.



Jamal A. Zereik, M.D., Respondent
4401 Eagles Landing Drive
Farmington MO 63640
License no. 41631-20

3/10/15
Date



Joost Kap, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

3/17/15
Date