

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY :  
PROCEEDINGS AGAINST :  
 : FINAL DECISION AND ORDER  
MON L. YEE, M.D., :  
RESPONDENT. : 0004210

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Division of Legal Services and Compliance Case No. 14 MED 539

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

Mon L. Yee, M.D.  
MMG - Deforest  
5729 Kilkenny Place  
Fitchburg, WI 53711

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 Mon L. Yee, M.D. (dob September 8, 1968), is licensed in the state of Wisconsin to practice medicine and surgery, having license number 37091-20, first issued on September 8, 1995, 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 MMG – Deforest, 5729 Kilkenny Place, Fitchburg, Wisconsin 53711.

2. On July 6, 2011, Patient A (a male born in 1956) presented to Respondent with reports of buttock and leg pain after working in the garden, and having a fever of 101 two days prior. Respondent noted lumbosacral spine tenderness with painful reduced range of motion, pain

upon palpation at the sciatic notch, and paralumbar muscle spasm on the right. Respondent diagnosed Patient A with right sided sciatica and a lumbar spasm and prescribed naproxen for inflammation, hydrocodone for pain, and Flexeril<sup>®</sup> as a muscle relaxant.

3. On July 11, 2011, Patient A presented to another provider at a different location reporting nausea with abdominal pain, fever, and low back pain. The provider examined Patient A, noting paraspinal tenderness and slight tachycardia, and ordered various tests including a urinalysis, CBC and an ECG. Patient A was sent home and advised to follow up if symptoms worsened and if needed based on lab results.

4. On July 13, 2011, Patient A again presented to Respondent, and reported abdominal discomfort, weakness and an inability to keep food down. He denied blood in his stool or emesis. Respondent's notes indicate Patient A was clammy and perspiring, but had no fever. Respondent reviewed the July 11 lab results which showed some elevation of the liver function tests and a viral component, as well as a slight elevation in bilirubin and a bump in creatinine levels. Respondent's impression was a viral illness consistent with some evidence of hepatitis and some hepatocellular component. Patient A had mild to moderate dehydration based on elevation of bilirubin and increased creatinine. Respondent ordered serological labs for evaluation of hepatitis and CT of the abdomen due to the elevated creatinine. Respondent considered IV fluids, but decided to wait for the results of the repeat labs. Patient A was sent home.

5. Later in the day on July 13, 2011, Patient A was taken to an emergency department complaining of decreased energy, mottling skin, hallucinations, fever and back pain. A history of his treatment since July 3 was provided and noted in the record. Medical staff diagnosed Patient A with hypovolemic shock, rhabdomyolysis, alcohol withdrawal with hallucinations, back pain, and fever. Patient A was sent home.

6. On July 14, 2011, Patient A was taken to the hospital via med flight. He was diagnosed with lactic acidosis, renal failure, possible rhabdomyolysis, late phase of ETOH withdrawal, fever, possible sepsis, and respiratory distress. Patient A died the same day.

7. An autopsy of Patient A listed the cause of death as community acquired *S. aureus* bacteria of unknown point of entry, complicated by sepsis, disseminated intravascular coagulation, and widespread septic thromboembolism.

8. Respondent failed to recognize or consider that Patient A was likely septic at the July 13, 2011 office visit as he presented with hypotension, tachycardia and an ill appearance. In addition to this, repeat lab work revealed a doubling of the creatinine level, indicating decreasing renal function.

9. At the July 13, 2011 visit, Respondent should have administered IV fluids and admitted Patient A to the hospital for further workup. Respondent's failure to consider sepsis caused a delay in diagnosis.

10. Pending the resolution of this matter, Respondent successfully completed the following continuing medical education: LAMMICO – Sepsis – Early Recognition and Treatment of Severe Sepsis and Septic Shock: A New Paradigm, on July 24, 2015 for 1.0 AMA PRA Category

1 credits<sup>™</sup> and Blackwell Futura Media Services – Early Identification and Management of Severe Sepsis, on July 14, 2015 for 2.0 AMA PRA Category 1 credits.<sup>™</sup>

11. 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 Mon L. Yee, M.D., engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.02(2)(h) (Nov. 2002) by engaging in conduct which tends to constitute a danger to the health, welfare, or safety of a patient.

3. As a result of the above conduct, Mon L. Yee, M.D., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Mon L. Yee, 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 referenced education may be used to satisfy any other continuing education requirements that have been or may be instituted by the Board or Department.

4. Within ninety (90) days from the date of this Order, Mon L. Yee, M.D., shall pay COSTS of this matter in the amount of \$935.00.

5. Proof of successful course completion and 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

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. 37091-20) 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.

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

WISCONSIN MEDICAL EXAMINING BOARD

by:   
A Member of the Board

August 19, 2015  
Date

STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

MON L. YEE, M.D.,  
RESPONDENT.

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:  
:  
:  
:

STIPULATION

0004210

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Division of Legal Services and Compliance Case No. 14 MED 539

Respondent Mon L. Yee, 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

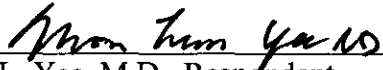
Stipulation  
In the matter of disciplinary proceedings against  
Mon L. Yee, M.D., Case No. 14 MED 539

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.

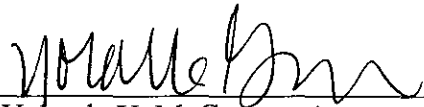
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes 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.

  
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Mon L. Yee, M.D., Respondent  
MMG - Deforest  
5729 Kilkenny Place  
Fitchburg, WI 53711  
License no. 37091-20

7-23-15  
Date

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

July 28, 2015  
Date