

## 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 :  
 :  
MICHAEL A. UMLAND, M.D., : FINAL DECISION AND ORDER  
RESPONDENT. :

0004878

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Division of Legal Services and Compliance Case No. 15 MED 385

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

Michael A. Umland, M.D.  
19829 53<sup>rd</sup> Avenue  
Chippewa Falls, WI 54729

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 Michael A. Umland, M.D. (DOB October 5, 1966), is licensed in the State of Wisconsin to practice medicine and surgery, having license number 50784-20, first issued on August 8, 2007, with registration current through October 31, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 19829 53<sup>rd</sup> Avenue, Chippewa Falls, Wisconsin 54729. Respondent is board certified by the American Board of Family Medicine.

2. At all times relevant to this proceeding, Respondent was employed as a physician at the Emergency Department (ED) of a medical hospital located at Antigo, Wisconsin.

3. On July 2, 2015, Patient A, a male born in 1951, presented to Respondent with complaints of disorientation, difficulty holding his head up or moving, severe headaches for two days, vomiting, and loss of appetite.

4. Respondent noted Patient A's complaints as "nausea, vomiting, and migraine for the last two days."

5. Respondent charted that Patient A had never had a migraine before; he was sensitive to light and loud noises; and that he was experiencing auras. Respondent diagnosed Patient A with classic migraine and provided him IV fluids and pain medication.

6. After Patient A reported feeling comfortable, Respondent discharged the patient from the ED with a prescription for 4mg of Zofran and with instructions to follow up with his primary care doctor. Return for further evaluation if symptoms worsen or fail to improve.

7. Respondent did not check Patient A's INR to rule out coagulopathy, did not order any imaging studies, and did not perform a neurologic exam.

8. Respondent failed to order the appropriate imaging study.

9. Respondent failed to perform and/ or document neurologic exam.

10. On July 3, 2015, Patient A was contacted by hospital staff with instructions to come in to undergo CT Scan, as the Hospital suspected Patient A had had a stroke.

11. Patient A was diagnosed with hemorrhage/ homonymous hemianopia and was hospitalized for 18 days.

12. 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 Michael A. Umland, M.D., engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(2)(b) (Oct. 2013) by departing from or failing to conform to the standard of minimally competent medical practice which creates an unacceptable risk of harm to Patient A.

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

#### ORDER

1. The attached Stipulation is accepted.

2. Respondent Michael A. Umland, M.D., is REPRIMANDED.

3. Within 90 days from the date of this Order, Michael A. Umland, M.D., shall pay COSTS of this matter in the amount of \$386.00.

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  
DSPSMonitoring@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 (50784-20) 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

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IN THE MATTER OF DISCIPLINARY :  
PROCEEDINGS AGAINST :  
 : STIPULATION  
MICHAEL A. UMLAND, M.D., :  
RESPONDENT. :  
 : 0004878

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Division of Legal Services and Compliance Case No. 15 MED 385

Respondent Michael A. Umland, 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  
Michael A. Umland, M.D., Case No. 15 MED 385

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.



Michael A. Umland, M.D., Respondent  
19829 53<sup>rd</sup> Avenue  
Chippewa Falls, WI 54729  
License no. 50784-20

7/20/16  
Date



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

7/25/16  
Date