

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
PAUL G. DUPONT, M.D., :
RESPONDENT. :

0005270

Division of Legal Services and Compliance Case No. 16 MED 319

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

Paul G. Dupont, M.D.
Virtual Radiologic
11995 Singletree Lane, Suite 500
Eden Prairie, MN 55344

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 Paul G. Dupont, M.D., is licensed in the state of Wisconsin to practice medicine and surgery, having license number 60997-20, first issued on June 25, 2013, 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 Virtual Radiologic, 11995 Singletree Lane, Suite 500, Eden Prairie, Minnesota 55344. Respondent is certified in Diagnostic Radiology by the American Board of Radiology.

2. At all times relevant to this proceeding, Respondent was employed as a hospital-based radiologist for a radiology practice in New York.

3. On May 30, 2012, Patient A, a male born in 1974, presented to a hospital emergency department (ED) with complaints of a headache of four days. The headache was described as a throbbing, intermittent, non-radiating frontal headache. The patient was diagnosed with headache and hypertension, and discharged home. No radiologic studies were performed.

4. On May 31, 2012, Patient A returned to the ED with complaints of a headache “sharp pain” radiating to his eyes, nausea, vomiting, and lower back pain radiating bilaterally to his knees. On examination, limited range of motion of the neck was noted. Patient A was diagnosed with “cervical strain, acute,” and again, discharged home without the benefit of radiologic study.

5. On June 2, 2012, Patient A returned to the ED with complaints of a headache described as diffuse in location, and dull. He reported a weeklong history of “frontal pressure” headaches associated with lower back pain. An unenhanced head CT scan was performed, and the patient history provided was “headache.”

6. Respondent reviewed and interpreted Patient A’s June 2, 2012 CT scan and submitted his interpretations in a report. Respondent had not been provided patient history from the May 30th and May 31st hospital visits when he performed his interpretation on June 2, 2012.

7. Respondent did not report detection of an aneurysm in his report findings, and as a result of the patient history consisting solely of “headache,” he did not include follow-up recommendations (further diagnostic or clinical studies) for the referring doctor to consider.

8. Patient A was diagnosed by the ED physician with musculoskeletal pain and “mastoiditis, acute, without complications.” He was discharged home with prescriptions for medications and instructions to return to the ED if his condition worsened.

9. On June 8, 2012, Patient A was taken to the hospital by ambulance following reports of “seizure-like” activities. A head CT scan was performed and subsequently interpreted by another radiologist, who compared it to the June 2nd scan Respondent interpreted.

10. Following interpretation of the June 8, 2012 CT scan, Patient A was diagnosed with acute respiratory failure and non-traumatic subarachnoid hemorrhage. Patient A never recovered, and subsequently expired.

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 Paul G. Dupont, M.D., engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.02(2)(h)

(Nov. 2002) by engaging in any practice or conduct which tends to constitute a danger to the health, welfare, or safety of patient or public.

3. As a result of the above conduct, Paul G. Dupont, M.D., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Paul G. Dupont, M.D., is REPRIMANDED.

3. Within 90 days from the date of this Order, Paul G. Dupont, M.D., shall pay COSTS of this matter in the amount of \$778.00.

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

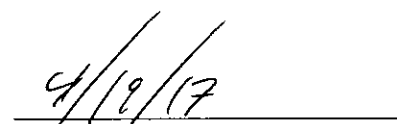
5. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline 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 (no. 60997-20) 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

PAUL G. DUPONT, M.D.,
RESPONDENT.

:
:
:
:
:

STIPULATION

0005270

Division of Legal Services and Compliance Case No. 16 MED 319

Respondent Paul G. Dupont, 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 Ryan Check.
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

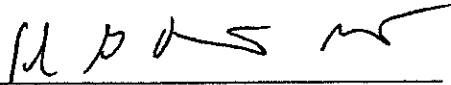
In the matter of disciplinary proceedings against
Paul G. Dupont, M.D., Case No. 16 MED 319

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.

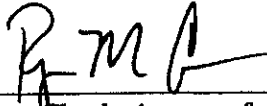
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Paul G. Dupont, M.D., Respondent
Virtual Radiologic
11995 Singletree Lane, Suite 500
Eden Prairie, MN 55344
License no. 60997-20

3/30/17

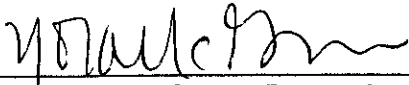
Date



Ryan Check, Attorney for Respondent
Virtual Radiologic
11995 Singletree Lane, Suite 500
Eden Prairie, MN 55344

03/30/17

Date



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

3/31/17

Date