

## 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  
ANNE M. REED, M.D., :  
RESPONDENT. :

0005399

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Division of Legal Services and Compliance Case No. 15 MED 173

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

Anne M. Reed, M.D.  
4410 Wild Horse Drive  
Cedar Falls, IA 50613

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 Anne M. Reed, M.D. (DOB November 7, 1967), is licensed in the state of Wisconsin to practice medicine and surgery, having license number 38096-20, first issued on July 26, 1996, 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 4410 Wild Horse Drive, Cedar Falls, Iowa 50613.
2. Respondent is certified in pediatrics-general by the American Board of Pediatrics.
3. At all times relevant to these matters, Respondent practiced as a pediatrician in Janesville, Wisconsin.

#### Patient A

4. On June 11, 2014, Patient A, a male born June 5, 2014, presented to Respondent, accompanied by his parents for a newborn examination and weight check. Patient A weighed 5 pounds, 5 ounces which represented a 15 percent weight loss from Patient A's birth weight.

5. Between June 20, 2014 and June 24, 2014, Patient A was seen by Respondent for newborn examinations and weight checks. On June 20, 2014, Patient A weighed 5 pounds, 1 ounce which represented a 19 percent weight loss from Patient A's birth weight. On June 23, 2014, Patient A weighed 5 pounds, 2.3 ounces and on June 24, 2014, Patient A weighed 5 pounds, 3 ounces. At the visits, Respondent instructed Patient A's mother to continue breast feeding and to consult with a lactation consultant.

6. On June 25, 2014, Patient A presented to Respondent for a weight check and weighed 5 pounds, 3.4 ounces. Patient A was diagnosed with neonatal jaundice and failure to gain weight back to the infant's birth weight. Upon Respondent's referral, Patient A was admitted to a hospital's neonatal intensive care unit under the care of a neonatologist and received IV fluids, bottle supplement, and intense phototherapy.

7. Respondent's medical charting for Patient A appropriately included a referral to a lactation consultant but did not include a more detailed plan which would appropriately address Patient A's weight loss.

8. Between June 20, 2014 and June 24, 2014, Respondent did not consult with a neonatologist, nor recommend that Patient A be hospitalized for a significant weight loss below his birth weight.

#### Patient B

9. Between July 3, 2014 and March 11, 2015, Patient B, a female born June 30, 2014, was seen and examined by Respondent at two, four and six month examinations.

10. Patient B's head circumference was recorded as 37 cm, 38 cm, and 40.5 cm at the respective two, four and six month examinations. Respondent's medical charting for Patient B documented no concerns and charted that the infant was thriving.

11. On April 16, 2015, Patient B presented to another pediatrician. Patient B's mother reported concerns about Patient B's head shape which she had previously reported to Respondent. The pediatrician noted the following, in part, on examination:

*The infant had an obviously dysmorphic face, with facial asymmetry. There was left frontal bossing, causing the appearance of a smaller left eye. Face appeared "stretched" or pulled to the left. Right cheek was fuller than the left cheek. There was a faint palpable metopic ridge (not visibly apparent), a closed anterior fontanelle and occipital flattening with anterior right ear deviation. Growth chart shows an abrupt decrease in head size at four months old from the 13<sup>th</sup> percentile to the 1<sup>st</sup> percentile; 4<sup>th</sup> percentile at six months old, and today at the 6<sup>th</sup> percentile.*

12. The pediatrician's assessment included craniosynostosis, plagiocephaly, torticollis and facial asymmetry. He referred Patient B for a pediatric neurosurgery consult and ordered physical therapy.

13. Respondent failed to recognize and/or document Patient B's facial asymmetry on examination.

### Patient C

14. On January 9, 2015, Patient C, a female born August 28, 2014, presented to Respondent for a four month examination. Patient C's head circumference was recorded as 44.5 cm (99.76%). Respondent's medical charting for Patient C documented no concerns and charted that the infant was thriving.

15. On March 9, 2015, Patient C presented to Respondent for a six month examination. Patient C's head circumference was recorded as 48 cm (100.00%). Respondent's medical charting for Patient C documented no concerns other than "pseudostrabismus," a false appearance of misaligned eye(s).

16. On April 17, 2015, Patient C was seen in urgent care by another pediatrician. Patient C's mother reported concerns that Patient C's soft spot was bulging which she had previously reported to Respondent. The pediatrician noted on examination macrocephalic features and a visually bulging anterior fontanelle, a full centimeter above the skull. The pediatrician referred the patient for emergent neurosurgical consultation. It was ultimately determined that Patient C's bulging soft spot was not due to any macrocephalic condition.

17. Respondent attended the following courses:

- a. 2017 Practical Pediatrics sponsored by the American Academy of Pediatrics, May 26-28, 2017, Hilton Head Island, South Carolina, 17.25 AMA PRA Category 1 Credits; and
- b. Reducing Diagnostic Error in Medicine on July 4, 2017, an online course, 12 AMA PRA Category 1 Credits.

18. Respondent disputes the Findings of Fact to the extent that they support or are suggestive of unprofessional conduct.

### 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 Anne M. Reed, M.D., engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(2)(b) by departing from or failing to conform to the standard of minimally competent medical practice which creates an unacceptable risk of harm to a patient or the public whether or not the act or omission resulted in actual harm to any person.

3. By the conduct described in the Findings of Fact, Respondent Anne M. Reed, M.D., engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(3)(e) by failing to establish and maintain timely patient health care records, including records of prescription orders, under s. Med 21.03, or as otherwise required by law.

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

ORDER

1. The attached Stipulation is accepted.

2. Respondent Anne M. Reed, M.D., is REPRIMANDED.

3. The Board recognizes the aforementioned continuing medical education courses as the equivalent of the education the Board would have otherwise required. The courses attended may not be used in satisfaction of the statutory continuing education requirements for licensure.

4. Within ninety (90) days from the date of this Order, Anne M. Reed, M.D., shall pay COSTS of this matter in the amount of \$4,868.05.

5. 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

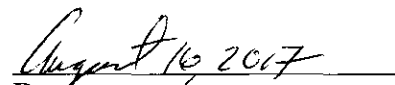
6. In the event Respondent violates any term of this Order, Respondent's license (no. 38096-20), or Respondent's right to renew her license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of the Order. The Board may, in addition and/or in the alternative refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

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

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

ANNE M. REED, M.D.,  
RESPONDENT.

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:  
:  
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:

STIPULATION

0005399

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Division of Legal Services and Compliance Case No. 15 MED 173

Respondent Anne M. Reed, 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 Mario D. Mendoza.


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 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.

  
Anne M. Reed, M.D., Respondent  
4410 Wild Horse Drive  
Cedar Falls, IA 50613  
License no. 38096-20

7/27/17  
Date

  
Mario D. Mendoza, Attorney for Respondent  
Murphy Desmond, S.C.  
33 E. Main Street, Suite 500  
Madison, WI 53701-2038

7-31-17  
Date

  
Colleen L. Meloy, Attorney  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190

8-1-17  
Date