

## 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

STEPHEN C. WESTCOTT, M.D.,  
LICENSEE.

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:  
:  
:  
:

FINAL DECISION AND ORDER  
FOR REMEDIAL EDUCATION

0003956

Division of Legal Services and Compliance Case No. 17 MED 273

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

Stephen C. Westcott, M.D.  
N8171 Snake Rd  
Elkhart Lake, WI 53020

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. Licensee Stephen C. Westcott, M.D., (DOB July 1, 1948) is licensed in the state of Wisconsin to practice medicine and surgery, having license number 20947-20, first issued on July 14, 1977, with registration current through October 31, 2019.
2. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is N8171 Snake Road, Elkhart Lake, WI 53020.
3. Licensee provided care and treatment to Patient A, a male born in 1947, for approximately ten years between 2004 and 2014. Patient A had a family history of prostate cancer.

4. On January 8, 2014, Licensee ordered a prostate specific antigen (PSA) test for Patient A.

5. On January 15, 2014, the testing was performed and demonstrated an elevated PSA level of 7.37 ng/ml.

6. On January 22, 2014, Licensee saw Patient A for an office visit. Per Licensee's habit and routine, he would have discussed the elevated PSA level with Patient A. Licensee's medical documentation for the office visit does not reflect any discussion of the elevated PSA level.

7. In December 2014, Licensee retired from the practice of medicine.

8. On September 29, 2015, Patient A was seen by another physician who ordered PSA testing. In October 2015, following completion of blood work, Patient A was informed that his PSA result was 7.42 ng/ml and referred to a urologist.

9. Licensee denies engaging in unprofessional conduct, but is retired, and consents to the entry of the following Conclusions of Law and Order.

#### CONCLUSION 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).

#### ORDER

1. The attached Stipulation is accepted.

2. Within six (6) months from the date of this Order, Stephen C. Wescott, M.D., shall at Licensee's own expense take and successfully complete two (2) hours of education in medical record documentation as follows:

a. Each course attended in satisfaction of this Order must be pre-approved by the Board or its designee. Licensee shall be responsible for locating course(s) satisfactory to the Board and for obtaining the required course approval from the Board or its designee. Licensee must take and pass any exam offered for the course(s). The following course has been pre-approved:

i. Risk Management Consult: Documentation, Second Edition sponsored by Medical Risk Management, Inc., 6 AMA PRA Category 1 credits.

b. Licensee shall submit proof of successful completion of the education in the form of verification from the institution providing the education to the Department Monitor at the address stated below. None of the education completed pursuant to this requirement may

be used to satisfy any continuing education requirements that have been or may be instituted by the Board or Department.

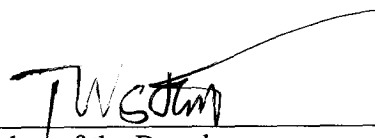
- c. Requests for course approval and proof of successful course completion shall be sent by Licensee to the Department Monitor at the address below:

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

3. 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 THE LICENSE OF :

STEPHEN C. WESTCOTT, M.D., :  
LICENSEE. :

STIPULATION

0005956

Division of Legal Services and Compliance Case No. 17 MED 273

Licensee Stephen C. Westcott, 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. Licensee consents to the resolution of this investigation by Stipulation.
2. Licensee understands that by signing this Stipulation, Licensee voluntarily and knowingly waives the following rights:
  - the right to a hearing on the allegations against Licensee, 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 Licensee;
  - the right to call witnesses on Licensee's behalf and to compel their attendance by subpoena;
  - the right to testify on Licensee'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 Licensee under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.
3. Licensee is aware of Licensee's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation. Licensee is represented by Attorney Maria Schneider.
4. Licensee agrees to the adoption of the attached Final Decision and Order for Remedial Education by the Wisconsin Medical Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order for Remedial Education without further notice, pleading, appearance or consent of the parties. Licensee 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.

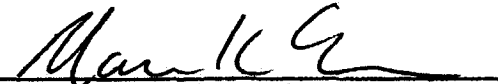
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Licensee, for purposes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

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


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

  
Stephen C. Westcott, M.D., Licensee  
N8171 Snake Rd.  
Elkhart Lake, WI 53020  
License No. 20947-20

November 6, 2018  
Date

  
Maria Schneider, Attorney for Licensee  
Gutglass, Erickson, Bonville & Larson, S.C.  
735 N. Water Street, Suite 1400  
Milwaukee, WI 53202

November 6, 2018  
Date

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

November 6, 2018  
Date