

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

KELLY HEDLUND KANTER, M.D.,
RESPONDENT.

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FINAL DECISION AND ORDER

0006023

Division of Legal Services and Compliance Case No. 18 MED 242

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

Kelly Hedlund Kanter, M.D.
2688 Summit Dr.
Glenview, IL 60025

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 Kelly Hedlund Kanter, M.D. (DOB: 12/13/1976), is licensed in the state of Wisconsin to practice medicine and surgery, having license number 49503-20, first issued on July 19, 2006 with registration current through October 31, 2019. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 2688 Summit Drive Glenview, Illinois 60025.

2. Respondent has not practiced medicine in Wisconsin since October 2015 and does not currently intend to practice in Wisconsin in the future.

3. Respondent timely self-reported a probationary order issued by the Illinois Department of Financial and Professional Regulation (IDFPR) on June 28, 2018 (IL Order).

4. The IL Order does not impose a reprimand, require education, or assess a fine, but imposes certain conditions and limitations on Respondent's ability to practice medicine in Illinois which shall remain in effect until at least June 28, 2022.

5. The IL Order stems from Respondent's self-report to the IDFPR that she developed an addiction to Ambien®, which she then self-prescribed. In 2016, Respondent successfully completed an inpatient treatment program and subsequently entered an outpatient treatment program under the direction of her treating physician.

6. The IL Order does not state that Respondent engaged in substandard care or other patient endangerment.

7. The IL Order imposes, *inter alia*, the following conditions and limitations on Respondent's Illinois medical license:

- a. quarterly reporting of residential and practice address and contact information, including supervisors, job description and duties, any incident reports, and any civil, criminal or regulatory investigations or actions;
- b. reporting of any change of employment or residential address within ten days of the change;
- c. successful participation in the corollary of the Wisconsin Professional Assistance Procedure with quarterly reporting reflecting full compliance;
- d. abstention from alcohol and illegal drugs, and consuming mood altering and/or psychoactive drugs only as prescribed by a treating physician;
- e. ongoing treatment with her personal physician for all medical illnesses, complaints and/or symptoms with annual reporting at minimum or more frequently, as appropriate;
- f. ongoing treatment with her psychiatrist with quarterly reporting;
- g. no solo practice of medicine and practice limit of twenty hours per week for the first two years of probation, to be increased thereafter only with supporting letters from her treating physicians; and
- h. disclosing the IL Order to every medical facility where she practices medicine with quarterly reporting by the facility medical director, department chairperson and/or practice managing partner regarding Respondent's clinical performance, attendance and any other issues, and immediate notification by those individuals of any evidence of

inappropriate behavior, professional misconduct, or any violation of the IL Order.

8. Respondent consents to 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 Kelly Hedlund Kanter, M.D. engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(3)(c) by having any credential pertaining to the practice of medicine and surgery or any act constituting the practice of medicine and surgery become subject to adverse determination by any agency of this or another state, or by any federal agency or authority.

3. As a result of the above conduct, Kelly Hedlund Kanter, M.D., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.
2. The license of Kelly Hedlund Kanter, M.D., to practice medicine and surgery in the state of Wisconsin (license no. 49503-20) is LIMITED as follows:
 - a. Respondent is to maintain full and complete compliance with all terms, limitations, and conditions imposed under the IL Order and any subsequent or related order issued by the IDFPR.
 - b. Respondent shall, within forty-eight (48) hours of receipt, provide the Board with a copy of any document issued by the IDFPR which alters the conditions of Respondent's license to practice medicine in the State of Illinois, including any document reinstating full licensure.
 - c. Any violation of the IL Order constitutes a violation of this Order.
 - d. Upon Respondent providing proof sufficient to the Board or its designee that she has successfully complied with all terms and conditions imposed by the IDFPR, and that her Illinois license has been restored to full, unrestricted status, the Board or its designee shall issue an Order removing the limitation on Respondent's Wisconsin license.
 - e. In the event Respondent wishes to practice medicine in Wisconsin, she shall inform the Board or its designee thereof at least sixty (60) days prior to the projected start date by identifying the facility, the nature and

scope of her proposed practice there, and the name and contact information of the facility medical director.

f. In the event Respondent wishes to practice medicine in Wisconsin while the IL Order remains in effect, she agrees the Board may condition her license by imposing the same or similar terms as the IL Order, as deemed appropriate in the sole discretion of the Board or its designee.

3. Within ninety (90) days from the date of this Order, Kelly Hedlund Kanter, M.D., shall pay COSTS of this matter in the amount of \$360.00.

4. Any required submissions and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be 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

They may also be submitted online via the Department's Monitoring Case Management System at <https://app.wi.gov/DSPSMonitoring>

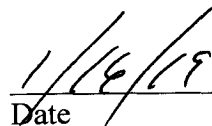
5. In the event Respondent violates any term of this Order, Respondent's license (no. 49503-20), or Respondent's right to renew her license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of the Order. 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.

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

KELLY HEDLUND KANTER, M.D.,
RESPONDENT.

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STIPULATION

0006023

Division of Legal Services and Compliance Case No. 18 MED 242

Respondent Kelly Hedlund Kanter, 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 Tom Luetkemeyer.

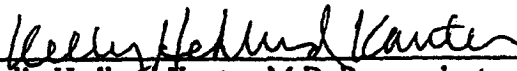
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Medical Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent 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.

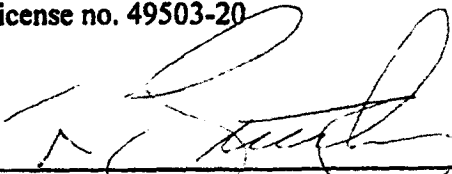
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes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

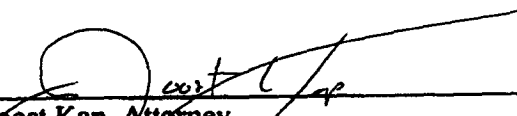
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.


Kelly Hedlund Kanter, M.D. Respondent
2688 Summit Dr.
Glenview, IL 60025
License no. 49503-20

12/26/18
Date


Tom H. Luetkemeyer, Attorney for Respondent
Hinshaw & Culbertson LLP
151 North Franklin St., Suite 2500
Chicago, IL 60606

12/29/18
Date


Joost Kap, Attorney
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

12/28/18
Date