

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE LICENSE OF :
 :
 : FINAL DECISION AND ORDER
 : FOR REMEDIAL EDUCATION
ARTHUR A. ARENA, M.D., :
 LICENSEE. :
ORDER 0006250

Division of Legal Services and Compliance Case No. 18 MED 156

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

Arthur A. Arena, M.D.
3267 S 16th St., Ste. #206
Milwaukee, WI 53215

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, Conclusion of Law and Order.

FINDINGS OF FACT

1. Licensee Arthur A. Arena, M.D., (DOB February 1, 1953) is licensed by the state of Wisconsin to practice medicine and surgery, having license number 32710-20, first issued on October 24, 1991, with registration current through October 31, 2019. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 3267 South 16th Street, Suite # 206, Milwaukee, Wisconsin 53215.

2. Licensee is an obstetrician/gynecologist who practices at a facility in Milwaukee, Wisconsin (Facility).

ORDER 008520

3. In January of 2018, the Facility conducted an investigation related to an allegation from Facility staff that Licensee performed unnecessary pelvic examinations and engaged in inappropriate interactions with patients, families and co-workers. At the conclusion of the investigation, the Facility found no evidence of wrongdoing with patient interactions; however, the Facility requested that Licensee complete education on the topics of anger management, professional boundaries, record keeping, and communication.

4. Licensee regularly utilizes nurses or medical assistants as chaperones when performing breast or pelvic examinations. Since the Facility's investigation, Licensee has the healthcare chaperone identify themselves in the patient healthcare record.

5. Licensee has successfully completed the following courses:

a. *Maintaining Proper Boundaries* sponsored by the Center of Professional Health at Vanderbilt University Medical Center on March 7 - 9, 2018.

b. *Improving Inter-Professional Communication: Working Effectively in Medical Teams* sponsored by the Center for Personalized Education for Physicians on August 23 – 25, 2018, earning 20 AMA PRA Category 1 credits.

c. *Medical Record Keeping Seminar* sponsored by the Center for Personalized Education for Physicians on December 14, 2018, earning 10 AMA PRA Category 1 credits.

d. *Anger Management for Healthcare Professionals Program* sponsored by the University of California-San Diego on January 9 – 11, 2019, earning 31.25 AMA PRA Category 1 credits.

6. Licensee denies that he has engaged in unprofessional conduct, but in resolution of this matter, consents to the entry of the following Conclusion of Law and Order.

CONCLUSION OF LAW

1. The Wisconsin Medical Examining Board is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

ORDER

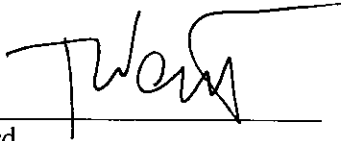
1. The attached Stipulation is accepted.

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

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 :
 :
ARTHUR A. ARENA, M.D., : STIPULATION
LICENSEE. :
 : **ORDER 0006250**

Division of Legal Services and Compliance Case No. 18 MED 156

Licensee Arthur A. Arena, 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 Patrick Knight.

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


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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.

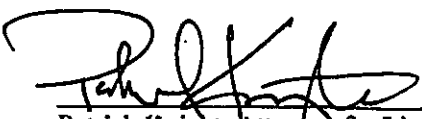
7. Licensee is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order for Remedial Education is a public record and will be published in accordance with standard Department procedure.

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.



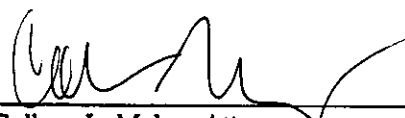
Arthur A. Arena, M.D., Licensee
3267 S. 16th St., Ste # 206
Milwaukee, WI 53215
License No. 32710-20

5/15/19
Date



Patrick Knight, Attorney for Licensee
Gimbel Reilly Guerin & Brown LLP
Two Plaza E, Ste 1170
330 E Kilbourn Ave.
Milwaukee, WI 53202

5/15/19
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

05/15/2019
Date