

## 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  
YASHDIP S. PANNU, M.D., :  
RESPONDENT. : **ORDER 0006444**

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Division of Legal Services and Compliance Case No. 16 MED 390

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

Yashdip S. Pannu, M.D.  
4600 W. Loomis Rd., Ste. 101  
Greenfield, WI 53220

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 Yashdip S. Pannu, M.D. (DOB November 9, 1968), is licensed in the State of Wisconsin to practice medicine and surgery, having license 45579-20, first issued on May 1, 2003, 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 4600 W. Loomis Road, Suite 101, Greenfield, Wisconsin 53220.
2. At all times relevant to this matter, Respondent practiced neurosurgery.
3. On November 12, 2010, Respondent saw Patient A, a female born in 1957, for evaluation of neck and back pain and consideration of surgical intervention. On December 9,

2010, Respondent recommended that Patient A undergo a L4-S1 posterior lumbar interbody fusion which he performed on January 11, 2011.

4. On March 3, 2011, Respondent saw Patient A in follow-up at which time she reported lower back pain rated at 9-10/10 with radiation to bilateral lower extremities. Respondent recommended x-rays, an MRI of the lumbar spine, and follow up in four to six weeks.

5. On March 31, 2011, Respondent saw Patient A in follow-up at which time she reported continued lower back pain. Respondent noted that Patient A's MRI from March 21, 2011, demonstrated:

“Posterior displacement of the left-sided disc spacer at L4-5 with significant encroachment on the left L4 nerve root. Posterior extension of both disc spacers at LS-S 1 with significant encroachment on the L5 nerve roots bilaterally.”

Respondent recommended the patient undergo physical therapy and follow up with him in four to six weeks.

6. On June 9, 2011, Respondent saw Patient A who reported continued lower back pain which radiated into her bilateral lower extremities. Respondent recommended a CT of the lumbar spine and a L4-S1 posterior lumbar interbody fusion revision surgery if the CT demonstrated the disk spacers had moved.

7. On June 14, 2011, Patient A's lumbar spine CT confirmed:

“[p]osterior displacement of the left-sided disc spacer at L4-5 with significant encroachment on the left L4 nerve root. Posterior extension of both disc spaces at L5-S1 with significant encroachment on the L5 nerve roots bilaterally.”

8. On June 28, 2011, Respondent performed a L4-S1 posterior lumbar interbody fusion revision on Patient A.

9. On September 14, 2011, an x-ray of Patient A's lumbar spine showed malalignment of hardware including the right-sided pedicle screw at L4 extending into the L3-L4 disc and the L5 and S1 disc spacer devices protruding into the spinal canal.

10. On September 15, 2011, Respondent saw Patient A who reported increased low back pain but denied leg pain. Respondent recommended physical therapy three times per week for four weeks, and a possible epidural steroid injection if her pain persisted in the future.

11. On December 14, 2011, Respondent performed a third surgery on Patient A, an L3-S1 posterior lumbar interbody fusion revision during which he incorporated an additional vertebral level.

12. On December 19, 2011, an x-ray of Patient A's lumbar spine showed interbody fusion at L3-4, L4-5 and LS-S1, laminectomy and posterior fusion at these levels as well, and grade 1 spondylolisthesis of L4 an L5 and L5 and S1.

13. On January 5, 2012, Respondent saw Patient A who reported numbness in her right lower extremity which Respondent noted as being in the L4-S1 distribution.

14. On February 9, 2012, Respondent saw Patient A who reported intermittent numbness in her lower extremities in the L4-S1 distribution as well as difficulty dragging her right leg. Respondent recommended follow up in four to six weeks.

15. On April 26, 2012, Respondent saw Patient A who reported low back pain rated at 9/10 which radiated to her right lower extremity in the L5-S1 distribution. Patient A also reported continued weakness, numbness and tingling in her right lower extremity and that her right leg felt heavy and was dragging. Respondent referred Patient A to a pain management physician to undergo a right SI joint injection and follow up four to six weeks thereafter.

16. On July 5, 2012, Respondent saw Patient A who reported continued significant low back pain and continued significant weakness, numbness and tingling in her right lower extremity including a new finding of right foot drop. Respondent recommended x-rays and MRI of the lumbar spine, referral to neurology for an EMG of the right lower extremity and follow up in four to six weeks thereafter.

17. Patient A cancelled an August 30, 2012, appointment with Respondent. Respondent had no further contact with Patient A.

18. In August 2012, Patient A sought treatment with another neurosurgeon who did not recommend further surgical treatment.

19. Respondent engaged in practice or conduct which tended to constitute a danger to the health, welfare, or safety of Patient A on March 31, 2011, by failing to recommend surgery or earlier intervention, and by recommending that Patient A undergo physical therapy, in light of Patient A's complaints and deficits and the displacement of hardware shown on imaging done on March 21, 2011.

20. Respondent engaged in practice or conduct which tended to constitute a danger to the health, welfare, or safety of Patient A between January 5 and April 26, 2012, by failing to timely address displacement of instrumentation as a possible cause of Patient A's complaints of right extremity numbness and dragging after the December 14, 2011, surgery, including the failure to order repeat imaging.

21. 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 Yashdip S. Pannu, M.D., engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.02(2)(h)

(Nov. 2002) by engaging in 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, Yashdip S. Pannu, M.D., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.
2. Respondent Yashdip S. Pannu, M.D., is REPRIMANDED.
3. The medicine and surgery license issued to Yashdip S. Pannu, M.D., (license number 45579-20) is LIMITED as follows:
  - a. Within nine (9) months of the date of this Order, Respondent shall successfully complete six (6) hours of education on the topic of complications of spinal surgery or spinal hardware or a comparable course to be approved by the Board or its designee.
  - b. Respondent shall be responsible for obtaining the course(s) required under this Order, for providing adequate course(s) descriptions to the Department Monitor, and for obtaining pre-approval of the course(s) from the Board, or its designee, prior to commencement of the course(s).
  - c. The Board or its designee may reject any course(s) and may accept a course(s) for less than the number of hours for which Respondent seeks approval.
  - d. Within thirty (30) days of completion of each educational component, Respondent shall submit proof of successful completion of the ordered education in the form of verification from the institution providing the education to the Department Monitor at the address stated below.
  - e. Respondent is responsible for all costs associated with compliance with this educational requirement.
  - f. None of the education completed pursuant to this requirement may be used to satisfy any other continuing education requirements that have been or may be instituted by the Board or Department.
  - g. The following course is preapproved on the topic of complications of spinal surgery or spinal hardware:

- i. Congress of Neurological Surgeons; 2020 Spine Complications Course; February 7-9, 2020; Park City, Utah.

4. Within 90 days from the date of this Order, Yashdip S. Pannu, M.D., shall pay COSTS of this matter in the amount of \$3,089.00.

5. Proof of successful course completion and 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](mailto:DSPSMonitoring@wisconsin.gov)

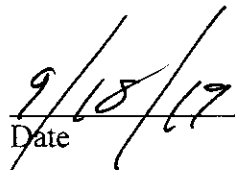
You may also submit this information online via DSPS' Monitoring Case Management System, here: <https://app.wi.gov/DSPSMonitoring>

6. In the event Respondent violates any term of this Order, Respondent's license (no. 45579-20), or Respondent's right to renew his 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

YASHDIP S. PANNU, M.D.,  
RESPONDENT.

:  
:  
:  
:  
:

STIPULATION

**ORDER 0006444**

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Division of Legal Services and Compliance Case No. 16 MED 390

Respondent Yashdip S. Pannu, 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 Michael Malone.


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.

  
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Yashdip S. Pannu, M.D., Respondent  
4600 W. Loomis Rd., Ste. 101  
Greenfield, WI 53220  
License no. 45579-20

9/6/2019.  
Date

  
\_\_\_\_\_  
Michael Malone, Attorney for Respondent  
Hinshaw & Culbertson  
100 E. Wisconsin Ave., Ste 2600  
Milwaukee, WI 53202

9/7/19  
Date

  
\_\_\_\_\_  
Carley Peich Kiesling, Attorney  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190

9/10/19  
Date