

## 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 THE LICENSE OF :  
 :  
 : FINAL DECISION AND ORDER  
 : FOR REMEDIAL EDUCATION  
KURTIS D. SCHEER, M.D., :  
LICENSEE. : **ORDER 0007099**

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Division of Legal Services and Compliance Case No. 20 MED 243

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

Kurtis D. Scheer, M.D.  
Sturgeon Bay, WI 54235

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 Kurtis D. Scheer, M.D. (DOB xx-xx-1966) is licensed by the state of Wisconsin to practice medicine and surgery, having license number 34566-20, first issued on July 1, 1993 with registration current through October 31, 2021. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Sturgeon Bay, Wisconsin 54235.

2. Licensee obtained his medical degree in 1992, then completed a six-year residency at the Medical College of Wisconsin in Milwaukee.

3. At all times relevant to this matter, Licensee worked as a general surgeon at a medical center in Sturgeon Bay, Wisconsin.

4. On May 29, 2020, Licensee performed robotic laparoscopic hernia repair on a 68 year-old male patient (Patient A).

5. During Licensee's initial trocar insertion, Patient A developed a decrease in end tidal CO<sub>2</sub> and bradycardia.

6. Licensee converted the laparoscopic procedure to a midline laparotomy and blood was found in the peritoneal cavity, which was caused by an aortic perforation. Licensee had not visualized the aorta prior to injury.

7. Licensee repaired the aortic perforation but Patient A's condition continued to deteriorate. Patient A was given an IV injection of epinephrine but progressed to PEA (pulseless electrical activity) requiring advanced cardiovascular life support and basic life support (ACLS/BLS) measures.

8. Attempts to resuscitate Patient A were unsuccessful and Patient A expired.

9. In resolution of this matter, Licensee consents to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS 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. Within nine (9) months of the date of this Order, Kurtis D. Scheer, M.D., shall at Licensee's own expense take and successfully complete a total of three (3) hours of education on the topics of techniques of laparoscopy to avoid complications and treatment of laparoscopic complications including vascular injury, 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 approval of the course(s) from the Board or its designee. Licensee must take and pass any exam offered for the course(s).
- 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. The following program is preapproved on the topics of techniques of laparoscopy to avoid complications and treatment of laparoscopic complications including vascular injury:

i. Fundamentals of Laparoscopic Surgery; sponsored by Society of American Gastrointestinal and Endoscopic Surgeons; more information found at [www.flsprogram.org](http://www.flsprogram.org).

3. 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](mailto:DSPSMonitoring@wisconsin.gov)

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

4. This Order is effective on the date of its signing.

WISCONSIN MEDICAL EXAMINING BOARD

By: Shelton A. Wasserman, MD  
A Member of the Board

18 November 2020  
Date

STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF THE LICENSE OF  
KURTIS D. SCHEER, M.D.,  
LICENSEE.

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:  
:  
:

STIPULATION

**ORDER 0007099**

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Division of Legal Services and Compliance Case No. 20 MED 243

Licensee Kurtis D. Scheer, 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 Mark Budzinski.

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.

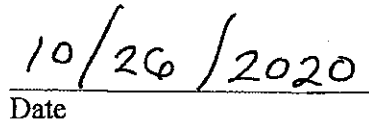
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Licensee, for purposes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

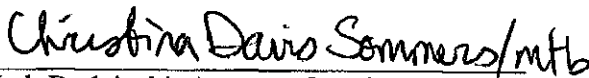
7. Licensee is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order for Remedial Education is a public record and will be published in accordance with standard Department procedure.

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.

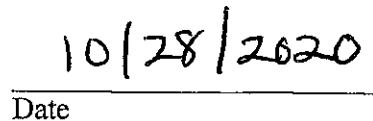


Kurtis D. Scheer, M.D., Licensee  
Sturgeon Bay, WI 54235  
License No. 34566-20

  
Date



Mark Budzinski, Attorney for Licensee  
Corneille Law Group, LLC  
615 S Monroe Ave.  
Green Bay, WI 54301

  
Date



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

10/28/2020  
Date