

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

ROBERT J. STEVENS, M.D.,
RESPONDENT.

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:
:
:
:

FINAL DECISION AND ORDER

ORDER 0007386

Division of Legal Services and Compliance Case No. 20 MED 437

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

Robert J. Stevens, M.D.
Suamico, WI 54173

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. Robert J. Stevens, M.D. (Respondent), (Year of Birth 1957), is licensed in the state of Wisconsin to practice medicine and surgery, having license number 27090-20, first issued on July 2, 1985, with registration current through October 31, 2021. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is located in Suamico, Wisconsin 54173.

2. At all times relevant to this matter, Respondent worked as a physician practicing family medicine at a health care facility in Suamico, Wisconsin (Facility).

3. Patient M.X., a female born in 1953, was a patient of Respondent and the Facility. Patient M.X.'s past medical history included chronic kidney disease and adult-onset diabetes. As

of October 17, 2017, Patient M.X.'s chronic kidney disease was treated with hemodialysis and her estimated glomerular filtration rate (eGFR) was 6.

4. On October 17, 2017, Respondent saw Patient M.X. for a routine office visit. Patient M.X.'s Hemoglobin A1c was 7.8. Respondent prescribed Metformin XL, 500 mg, once daily.

5. Metformin is contraindicated in patients with chronic kidney disease whose eGFR is less than 30 due to the risk of Metformin toxicity and lactic acidosis.

6. Patient M.X. took the Metformin for approximately one month, until November 26, 2017, at which time she was hospitalized.

7. Patient M.X. expired on December 19, 2017. The Original Certificate of Death notes that the conditions leading to the cause of death were:

- a. Immediate Cause—Acute Respiratory Failure.
- b. Due to consequence of—Metabolic Acidosis & Acute Renal Failure
- c. Due to consequence of—Metformin Toxicity

8. 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 engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(2)(b), by departing from or failing to conform to the standard of minimally competent medical practice which creates an unacceptable risk of harm to a patient or the public whether or not the act or omission resulted in actual harm to any person.

3. By the conduct described in the Findings of Fact, Respondent engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(2)(c), by prescribing, ordering, dispensing, administering, supplying, selling, giving, or obtaining any prescription medication in any manner that is inconsistent with the standard of minimal competence.

4. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.

2. Respondent is REPRIMANDED.
3. Respondent's license to practice medicine and surgery in the state of Wisconsin, (license number 27090-20), is LIMITED as follows:
 - a. Within ninety (90) days of the date of this Order, Respondent shall at his own expense successfully complete three (3) hours of education on the topic of managing patients with end stage renal disease (ESRD), including appropriate renal dosing of medications.
 - i. Each course attended in satisfaction of this Order must be preapproved by the Board or its designee. Respondent shall be responsible for locating the course(s) satisfactory to the Board and for obtaining the required approval of the course(s) from the Board or its designee. Respondent must take and pass any exam offered for the course(s).
 - ii. Within thirty (30) days of completion of each course, Respondent shall submit proof of successful completion of the education in the form of verification from the institution providing the education to the Department Monitor.
 - iii. None of the education completed pursuant to this Order may be used to satisfy any continuing education requirements that have been or may be instituted by the Board or Department.
 - iv. The Board or its designee may change the number of credit hours and/or education topics in response to a request from Respondent. The Board or its designee may consider the topic availability and/or hours of education when determining if a change to the ordered education should occur.
4. Within ninety (90) days from the date of this Order, Respondent, shall pay the COSTS of this matter in the amount of \$1,078.00.
5. Requests for course approval, proof of successful course completion, and payment of costs (made payable to the Department of Safety and Professional Services) shall be submitted to

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

Respondent may also submit this information online at: <https://dspsmonitoring.wi.gov/>

6. In the event Respondent violates any term of this Order, Respondent's license (no. 27090-20), or Respondent's right to renew his registration and 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: Sheldon A. Wasserman, MD
A Member of the Board

19 May 2021
Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ROBERT J. STEVENS, M.D.,
RESPONDENT.

STIPULATION

ORDER 0007386

Division of Legal Services and Compliance Case No. 20 MED 437

Respondent Robert J. Stevens, 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 Peter Hickey.

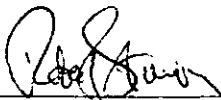
4. Respondent agrees to the adoption of the attached Final Decision and Order by
the Wisconsin Medical Examining Board (Board). The parties to the Stipulation consent to the
entry of the attached Final Decision and Order without further notice, pleading, appearance or
consent of the parties. Respondent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



Robert J. Stevens, M.D., Respondent
Suamico, WI 54173
License no. 27090-20

4/19/2021

Date



Peter Hickey, Attorney for Respondent
Everson, Whitney, Everson & Brehm, SC
414 S. Jefferson St.
P.O. Box 22248
Green Bay, WI 54305

4/23/21

Date



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

4/27/2021

Date