

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

SAMEH M. SAID, M.D.,
RESPONDENT.

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FINAL DECISION AND ORDER

ORDER 0007855

Division of Legal Services and Compliance Case No. 20 MED 501

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

Sameh M. Said, M.D.
Rochester, MN 55902

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 Sameh M. Said, M.D. (Year of Birth 1975), is licensed in the state of Wisconsin to practice medicine and surgery, having license number 53520-20, first issued on September 1, 2009, with registration current through October 31, 2021.¹ Respondent's most recent

¹ Respondent's registration of his license to practice medicine and surgery was set to expire October 31, 2021, and it does not appear Respondent attempted to renew his registration. However, due to 2021 Wisconsin Act 10, all healthcare provider credentials will not expire and will remain active until 30 days after the end of the declared emergency (which is currently extended until February 24, 2022). Therefore, Respondent's license remains active despite the fact that he has not applied for renewal. In addition, Wis. Stat. § 440.08(3) provides Respondent with a five-year right to apply for renewal of his license.

address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Rochester, Minnesota 55902.

2. At all times relevant to this proceeding, Respondent was working as a physician in the state of Minnesota.

3. On May 9, 2020, the Minnesota Board of Medical Practice (MN Board) adopted and implemented a stipulated agreement between Respondent and the Complaint Review Committee of the MN Board that provided for the following:

- a. In December 2018, the MN Board received a report stating Respondent resigned his employment prior to the conclusion of disciplinary proceedings. Specifically, Respondent resigned while the health system where Respondent worked had been investigating allegations of sexual harassment by Respondent.
- b. In December 2017, Respondent was directed by the health system human resources to cease pursuing female colleagues. In August 2018, Respondent pursued a relationship with a female colleague.
- c. A personnel committee recommended Respondent be terminated from the health system due, in part, to sexually harassing female staff and portraying unprofessional and disrespectful behaviors.
- d. On January 13, 2020, Respondent met with the Complaint Review Committee of the MN Board and acknowledged that he pursued romantic relationships with colleagues in 2016 and 2018.
- e. The MN Board found that Respondent's actions were unethical and improper and a violation of Minn. Stat. § 147.091(1)(g).
- f. The MN Board reprimanded Respondent, required Respondent to complete pre-approved coursework, assessed a civil penalty against Respondent of \$7590.00, and required Respondent to meet with a supervising physician on a monthly basis. Such restrictions were put into place for a minimum of two years.

4. As a result of the circumstances in paragraph 3, Respondent's license to practice medicine and surgery in Arizona was reprimanded and he was ordered to comply with the MN Board order; and Respondent's license to practice medicine and surgery in Florida was suspended by the Florida Board of Medicine (FL Board). The FL Board further ordered Respondent to pay a fine of \$1000 and required the suspension of Respondent's Florida license to continue until such

time as Respondent demonstrates that his license(s) to practice medicine is unencumbered and free from any restrictions or conditions in any jurisdiction where he is licensed.

5. Respondent did not report the discipline he received in Minnesota, Florida and Arizona to the Board or Department. The Board became aware of such discipline through a report received from the Federation of State Medical Boards, as well as through the investigation in this matter.

6. Respondent denies that he committed sexual harassment as outlined in paragraph 3. However, to avoid further costs and resources involved in the investigation and prosecution 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(3)(a) by failing, within 30 days, to report to the Board any final adverse action taken against Respondent's authority to practice medicine and surgery by another licensing jurisdiction concerned with the practice of medicine and surgery.

3. By the conduct described in the Findings of Fact, Respondent 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.

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. The SURRENDER by Respondent of his license to practice medicine and surgery in the state of Wisconsin (license no. 53520-20), and any right to apply for renewal of such license and registration, is accepted, effective the date of this Order.

3. If Respondent seeks any other credential under Wis. Stat. chs. 440-480, Respondent shall, as a prerequisite to application, pay COSTS of this matter in the amount of \$1,461.00.

4. In the event Respondent completes his corrective action plan related to his Minnesota license to practice medicine and surgery, and the MN Board grants Respondent's petition for an unconditional license, Respondent may apply for reinstatement of his Wisconsin

license to practice medicine and surgery. Whether to grant a license and whether to impose any limitations or restrictions on any license granted shall be in the discretion of the Board.

5. If applicable, 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) 266-2112; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

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

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

WISCONSIN MEDICAL EXAMINING BOARD

By: Stephen A. Wacker, MD
A Member of the Board

16 February 2022
Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

SAMEH M. SAID, M.D.,
RESPONDENT.

STIPULATION

ORDER 0007855

Division of Legal Services and Compliance Case No. 20 MED 501

Sameh M. Said, M.D. (Respondent) and the Division of Legal Services and Compliance, Department of Safety and Professional Services, stipulate as follows:

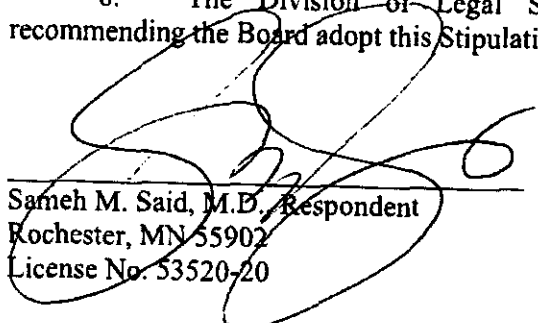
1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.
2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives 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 Lawrence Schaefer.
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.

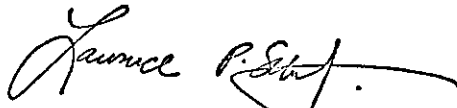
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes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


Sameh M. Said, M.D., Respondent
Rochester, MN 55902
License No. 53520-20

1/17/2022
Date


Lawrence Schaefer, Attorney for Respondent
Schaefer, Halleen, LLC
412 South Fourth Street, Suite 1050
Minneapolis, MN 55415

1/18/22
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

1/18/2022
Date