

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 :
 : FINAL DECISION AND ORDER
MICHAEL D. SCHNEIDER, M.D., :
RESPONDENT. : **ORDER 0007939**

Division of Legal Services and Compliance Case No. 20 MED 427

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

Michael D. Schneider, M.D.
Brookfield, WI 53045

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. Michael D. Schneider, M.D. (Respondent), (Year of Birth 1969) is licensed in the state of Wisconsin to practice medicine and surgery, having license number 39684-20, first issued on March 27, 1998, with registration current through October 31, 2023. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Brookfield, Wisconsin 53045.

2. At all times relevant to this proceeding, Respondent practiced as a physician specializing in internal medicine at a medical center in Brookfield, Wisconsin (Facility).

3. In 2011, Respondent began providing treatment to Patient A (a female born in 1979). Patient A's medical records document treatment and office visits with Respondent through

September 2014, and occasional prescription authorizations and telephone encounters with Respondent from July 2015 through July 2019.

4. After September 2014, Respondent and Patient A discontinued their primary care provider/patient relationship. Patient A then located another primary care provider situated within Respondent's practice group. Post 2014, Respondent would occasionally engage in a telephone encounter with and/or authorize a prescription medication for Patient A when covering for a colleague in his practice group.

5. Respondent and Patient A met socially in 2012 or 2013. On one occasion in July 2015, Respondent and Patient A kissed.

6. Aside from the kiss in 2015, Respondent denies a romantic relationship with Patient A prior to 2018. Respondent admits that he and Patient A began dating in 2019, moved in together in 2020, and are currently married.

7. Respondent denies that he engaged in unprofessional conduct, but in order to resolve this matter and avoid the expense and uncertainty of litigation, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The 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 pursuant to Wis. Admin. Code § Med 10.03(2)(f).
3. As a result of the above violations, 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 and registration to practice medicine and surgery in the state of Wisconsin (license no. 39684-20), is LIMITED as follows:
 - a. Within six (6) months from the date of this Order, Respondent shall at his own expense take and successfully complete the *Medical Ethics, Boundaries, and Professionalism* course offered by Case Western Reserve University School of Medicine for a total of 15.75 AMA PRA Category 1 Credits.
 - b. 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. 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. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully completed the ordered education.

4. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$1,193.00.

5. Any requests, petitions, payments of costs (made payable to Department of Safety and Professional Services), and other information required by this Order 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) 266-2112; 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 and registration (no. 39684-20) or Respondent's right to renew his license and registration, 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:  Date 4/20/2022
A Member of the Board

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

MICHAEL D. SCHNEIDER, M.D.,
RESPONDENT.

:
:
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:
:
:

STIPULATION

ORDER UUU7939

Division of Legal Services and Compliance Case No. 20 MED 427

Michael D. Schneider, 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 Michael Johnson.

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.

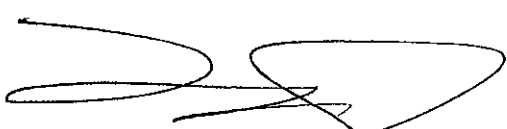
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent or Respondent's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


Michael D. Schneider, M.D., Respondent
Brookfield, WI 53045
License No. 39684-20

4/8/22
Date


Michael Johnson, Attorney for Respondent
Otjen Law Firm, S.C.
20935 Swenson Dr., Ste 310
Waukesha, WI 53186-2057

4/11/22
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

April 11, 2022
Date