

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

NORMAN H. RECHSTEINER, M.D.,
RESPONDENT.

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:
:

FINAL DECISION AND ORDER

ORDER 0008181

Division of Legal Services and Compliance Case No. 22 MED 297

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

Norman H. Rechsteiner, M.D.
Spooner, WI 54801

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 Norman H. Rechsteiner, M.D., (Year of Birth 1952) is licensed in the state of Wisconsin to practice medicine and surgery, having license number 21817-20, first issued on July 14, 1978, 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 Spooner, Wisconsin 54801.

2. At all times relevant to this proceeding, Respondent practiced general surgery at a medical center in Grantsburg, Wisconsin.

3. On January 25, 2022, Patient A, a male born in 1958 with a history of malignant melanoma on his left shoulder, presented to Respondent for a mass on his left shoulder after a referral from his primary care physician.
4. Respondent examined Patient A and charted "he has a rather firm 4 cm subcutaneous mass in the posterior left shoulder which is mildly tender." His impression was either a sebaceous cyst or a lipoma and scheduled Patient A for an excision.
5. Respondent admits that he did not conduct a complete medical history or review Patient A's medical records prior to surgery and was unaware of Patient A's history of melanoma.
6. On February 1, 2022, Respondent performed an excision of the mass on Patient A's left shoulder. His operative note indicates the "mass does not look like a sebaceous cyst once it it [sic] out, it looks somewhat like a solid tumor."
7. On February 4, 2022, the pathologist diagnosed a malignant melanoma measuring 4.6 cm at its greatest dimension. The pathologist noted "the tumor nodule abuts deep dermis and transected at soft tissue surgical margin," and that it was unclear if this lesion "represents a recurrence from a potential prior melanoma or a metastasis from another primary site." The pathologist recommended correlating the findings with all clinical history.
8. On February 8, 2022, Patient A saw Respondent for a post-operative visit. Respondent then asked Patient A about his history and charted "history includes an excision from the anterior left shoulder about two years ago for melanoma and a Sentinel node biopsy which was negative at the same time so it is a disappointment that his sebaceous cyst turned out to be a solid mass which was read as melanoma by the Pathologist." Respondent referred Patient A to an oncologist.
9. Respondent admits that had he reviewed Patient A's medical records prior to surgery and known about Patient A's history of melanoma, he would have referred Patient A to an oncologist as surgery required a wider excision and possibly a sentinel lymph node biopsy.
10. In resolution of this matter, 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. Based on the Findings of Fact, Respondent engaged in unprofessional conduct 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, pursuant to Wis. Admin. Code § Med 10.03(2)(b).
3. 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. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$502.00.
4. 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:

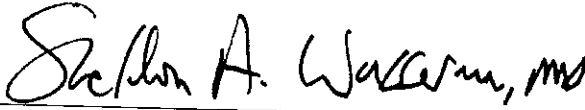
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 266-2112; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

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

5. In the event Respondent violates any term of this Order, Respondent's license and registration (no. 21817-20), 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.

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

WISCONSIN MEDICAL EXAMINING BOARD

By: 
A Member of the Board

9/21/2022
Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

NORMAN H. RECHSTEINER, M.D.,
RESPONDENT.

STIPULATION

ORDER 0008181

Division of Legal Services and Compliance Case No. 22 MED 297

Respondent Norman H. Rechsteiner, 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.
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

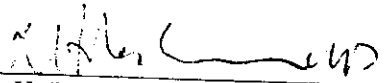
of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

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. Respondent is further informed that should the Board adopt this Stipulation, the Board's Final Decision and Order will be reported as required by the National Practitioner Databank (NPDB) Guidebook and as otherwise required by any licensure compact or any other state or federal law.

9. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Norman H. Rechsteiner, M.D., Respondent
Spooner, WI 54801
License No. 21817-20

8/25/22
Date



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

8/29/2022
Date