

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
ANTON I. KIDESS, M.D., :
RESPONDENT. : **ORDER 0008692**

Division of Legal Services and Compliance Case No. 20 MED 302

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

Anton I. Kidess, M.D.
Eau Claire, WI 54701

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 Anton I. Kidess, M.D., (Year of Birth 1963), is licensed in the state of Wisconsin to practice medicine and surgery, having license number 31660-20, first issued on September 19, 1990 and 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 Eau Claire, Wisconsin 54701.

2. At all times relevant to this proceeding, Respondent worked as a physician at a medical clinic in Eau Claire, Wisconsin (Clinic).

3. In June 2020, Respondent made several inappropriate sexual comments and initiated several inappropriate contacts with a Clinic scribe. This behavior included texting the Clinic scribe and calling her via Facetime to discuss personal matters outside of work hours.

4. The Clinic concluded that Respondent engaged in inappropriate conduct in violation of Clinic policy.

5. The Clinic issued a written reprimand to Respondent, placed him on a corrective action plan of progressive discipline for any further violations, required workplace oversight of Respondent's behavior by another physician, required Respondent to complete sexual harassment training, and informed the Clinic's Board of Directors.

6. 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 violated Wis. Admin. Code § Med 10.03(2)(h) by engaging in repeated or significant disruptive behavior or interaction with physicians, hospital personnel, patients, family members, or others that interferes with patient care or could reasonably be expected to adversely impact the quality of care rendered.

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 to practice medicine and surgery (license no. 31660-20) is LIMITED as follows:

a. Respondent shall provide a copy of this Order, and any subsequent order modifying this original Order, immediately to supervisory personnel at all settings where Respondent works as a physician currently or in the future during the pendency of this order. Within 14 days from the date of this Order, including any subsequent order modifying this original Order, Respondent shall provide the Department Monitor with written acknowledgement from supervisory personnel and/or his employer that a copy of this Order, and any subsequent order modifying this original Order, have been received and that the restrictions will be accommodated. This limitation is intended to apply to both employment and independent

contractor relationships where Respondent performs services as a physician.

b. It is Respondent's responsibility to arrange for quarterly written reports for one year to be submitted to the Department Monitor from his or her supervisor in which Respondent practiced medicine and surgery in the previous quarter. These reports shall be submitted as directed by the Department Monitor, and shall assess Respondent's propriety with others, and shall include the number of hours of active medicine and surgery practice worked during that quarter. If a report indicates less than satisfactory compliance, the Board may institute appropriate corrective limitations in its discretion.

c. Respondent shall report to the Board any change of employment status, residence, mailing address, email address, or telephone number within five days of the date of a change. This report shall not be considered formal change of address notification pursuant to Wis. Stat. § 440.11.

4. Respondent's license to practice medicine and surgery (license number 31660-20) is further LIMITED as follows:

a. Within six months of the date of this Order, Respondent shall at his own expense, successfully complete six hours of education on the topic of workplace boundaries.

b. Each course attended in satisfaction of this Order must be pre-approved by the Board or its designee. Respondent 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. Respondent must take and pass any exam offered for the course(s).

c. 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 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 and may not be used in any future attempt to upgrade a credential.

d. The Board's monitoring liaison may change the number of credit hours and/or education topics in response to a request from Respondent. The monitoring liaison may consider the topic availability and/or hours of education when determining if a change to the ordered education should occur.

5. Within 90 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$1,611.00.

6. 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>.

7. In the event Respondent violates any term of this Order, Respondent's license (31660-20) or Respondent's right to renew his 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.

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

WISCONSIN MEDICAL EXAMINING BOARD

By: Shelton A. Wasserman, MD Date 8/16/2023
A Member of the Board

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ANTON I. KIDESS, M.D.,
RESPONDENT.

:
:
:
:
:

STIPULATION

ORDER 0008692

Division of Legal Services and Compliance Case No. 20 MED 302

Anton I. Kidess, 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 Adam Fitzpatrick.

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. 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.

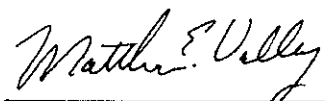
9. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.


Anton I. Kidess, M.D., Respondent
Eau Claire, WI 54701
License No. 31660-20

8/9/23
Date


Adam Fitzpatrick, Attorney for Respondent
Corneille Law Group LLC
7618 Westward Way
Suite 100
Madison, WI 53717

8/9/23
Date


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

8/9/2023
Date