

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

NEBOJSA STEVANOVIC, M.D.,
RESPONDENT.

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:
:

FINAL DECISION AND ORDER

ORDER 0008774

Division of Legal Services and Compliance Case No. 22 MED 171

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

Nebojsa Stevanovic, M.D.
Brookfield, WI 53005

Wisconsin Medical Examining Board
P.O. Box 8366
Madison, WI 53708-f8366

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 Nebojsa Stevanovic, M.D., (Year of Birth 1956) is licensed in the state of Wisconsin to practice medicine and surgery, having license number 39372-20, first issued on September 19, 1997, 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 53005.

2. At all times relevant to this proceeding, Respondent practiced as a preventative medicine and family practice physician at his own clinic located in Brookfield, Wisconsin (Clinic).

Prior Board Action

3. On April 21, 2021, the Board issued Final Decision and Order No. 0007332 reprimanding Respondent and ordering him to complete education in ethics and the safe prescribing of controlled substances. The Order was based on allegations that Respondent signed blank prescription forms to provide controlled substances and documented care to patients while he was out of the country. On July 9, 2021, the Board fully reinstated Respondent's license.

Current Case

4. On March 29, 2022, the Controlled Substances Board referred Respondent to the Board after Prescription Drug Monitoring Program (PDMP) data identified Respondent as a top opioid prescriber by volume among Wisconsin physicians during the fourth quarter of 2021.

5. Respondent is board certified in both family medicine and addiction medicine and the majority of the opiates prescribed by Respondent during the time frame at issue were suboxone (buprenorphine and naloxone, an opiate agonist) for treatment of opiate addiction.

6. The Department's investigation on behalf of the Board involved reviewing PDMP data involving the patients treated and prescribed opioids by Respondent from January 1 through December 31, 2021, and reviewing medical records for a sample of six of those patients.

7. The Board's Opioid Prescribing Guidelines advise that there is no evidence base to support efficacy of opioid doses over 90 morphine milligram equivalent (MME) and there are dramatically increased risks with such dosing; therefore, dosing above this level is strongly discouraged, and appropriate documentation to support such dosing should be present in the chart.

8. The records reviewed by the Department reflect that Respondent prescribed doses of opioids (morphine sulfate and oxycodone) to a patient (a female born in 1944) which totaled 180 MME and exceeded the maximum amount recommended by the Board's Opioid Prescribing Guidelines. The standard of minimal competence requires that a physician who prescribes opioid doses over 90 MME document sufficient information in the patient's chart to justify such dosing. Respondent failed to consistently document pain scores, percentage of pain relief, or quantifiable functional benefit of opioids, sufficient to warrant continued prescribing of such doses to the patient.

9. Respondent prescribed opioids (hydrocodone/acetaminophen or Norco) to a patient (a female born in 1977) throughout 2021, despite the fact that most monthly urine drug screens during that year were negative for opioids. The standard of minimal competence required that Respondent stop prescribing opioids to the patient given the lack of use reflected by the urine drug screens. Respondent's records reflect that the patient reported only taking Norco when she had migraines; however, opioids are not indicated for migraines.

10. For five of the six patients' records that were reviewed, Respondent regularly prescribed opioids but did not use an opioid risk tool or risk assessment prior to prescribing opioids, failed to document pain scores, percentage of pain relief, or quantifiable functional benefit of opioids, and failed to document screening for side effects of opioids.

11. 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 as defined in 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.

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. Respondent's license and registration to practice medicine and surgery in the state of Wisconsin (license no. 39372-20) is LIMITED as follows:

b. Within ninety (90) days from the date of this Order, Respondent shall at his own expense take and successfully complete the *Intensive Course in Controlled Substance Prescribing* Continuing Medical Education course offered by Case Western Reserve University School of Medicine for a total of 23.50 AMA PRA Category 1 Credits.

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. 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.

d. 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 \$1,317.00.

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. 39372-20), 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: Stephen A. Wacker, MD
A Member of the Board

9/20/23
Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

NEBOJSA STEVANOVIC, M.D.,
RESPONDENT.

STIPULATION

ORDER 0008774

Division of Legal Services and Compliance Case No. 22 MED 171

Respondent Nebojsa Stevanovic, 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 Matthew Mahoney.

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.

Nebojsa Stevanovic, M.D., Respondent
Brookfield, WI 53005
License No. 39372-20

8-8-23
Date

Matthew Mahoney, Attorney for Respondent
Law Offices of Matthew L. Mahoney
6055 Village Park Dr.
Plover, WI 54467-0008

8-8-23
Date

Carley J. Kiesling

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

8/14/2023

Date