

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF THE LICENSE OF	:	
	:	
ELISSA R. HELLMAN, M.D.,	:	FINAL DECISION AND ORDER
LICENSEE.	:	FOR REMEDIAL EDUCATION

**ORDER 0008870**

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Division of Legal Services and Compliance Case No. 22 MED 348

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

Elissa R. Hellman, M.D.  
Milwaukee, WI 53209

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. Licensee Elissa R. Hellman, M.D., (Year of Birth 1980) is licensed in the state of Wisconsin to practice medicine and surgery, having license number 54821-20, first issued on August 5, 2010, with registration current through October 31, 2023. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Milwaukee, Wisconsin 53209.

2. At all times relevant to this proceeding, Licensee practiced as an OB-GYN at a hospital in Milwaukee, Wisconsin (Facility).

3. On January 15, 2020, Patient A, a primigravida female born in 1991, was admitted to the Facility for elective induction. Licensee ordered Pitocin at 9:28 p.m.

4. At 7:53 a.m. on January 16, 2020, Patient A was 2 cm dilated and 70% effaced. Her membranes were artificially ruptured with clear fluid return.

5. At 3:41 p.m., Licensee charted that Patient A was comfortable with an epidural. Electronic fetal monitoring showed the fetal heart rate in the 120s, reactive, with moderate variability and no decelerations.

6. At 5:40 p.m., a nurse noted the fetal heart rate was baseline 115, with moderate variability and prolonged intermittent deceleration.

7. At 6:45 p.m., Patient A was 10 cm dilated and started to push.

8. At 7:03 p.m., the fetal heart recovery rate between pushes was increasing to 150.

9. By 7:20 p.m., there had been non-reassuring Category II fetal heart tracings for at least 30 minutes. The electronic fetal monitoring showed deep decelerations to the 60s and the fetal heart recovery rate had increased to 175. Licensee disagrees with the categorization of the Category II fetal heart tracings as non-reassuring and asserts the proper categorization is indeterminate.

10. Licensee discussed the possibility and risks of vacuum assistance with Patient A if decelerations did not resolve “as they have been after the push is over,” but did not expedite delivery using vacuum assistance or other means.

11. At 7:51 p.m., electronic fetal monitoring showed minimal variability, which in conjunction with the deep decelerations was concerning for fetal acidemia.

12. At 8:12 p.m., Patient A had a spontaneous vaginal delivery with the head in occiput posterior position. The infant’s one minute Apgar score was 3, and five minute Apgar score was 8. The infant was transferred to the NICU due to low arterial blood gases and transient tachypnea. The infant was subsequently diagnosed with cerebral palsy; however, there is no way to prove the delay in delivery caused the infant’s outcome.

13. This Final Decision and Order for Remedial Education does not constitute professional discipline and the Board has made no finding that Licensee engaged in unprofessional conduct.

14. Licensee denies any unprofessional conduct or deviation in the Standard of Care, but to resolve this matter, Licensee consents to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

ORDER

1. The attached Stipulation is accepted.
2. Within six (6) months of the date of this Order, Licensee shall at her own expense take and successfully complete four (4) hours of education on the topic of interpreting fetal heart tracings as follows:
  - a. Each course attended in satisfaction of this Order must be pre-approved by the Board or its designee. Licensee 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. Licensee must take and pass any exam offered for the course(s).
  - b. Licensee 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.
  - c. The Board's monitoring liaison may change the number of credit hours and/or education topics in response to a request from Licensee. The monitoring liaison may consider the topic availability and/or hours of education when determining if a change to the ordered education should occur.
3. Requests for course approval and proof of successful course completion shall be sent by Licensee 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

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

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

WISCONSIN MEDICAL EXAMINING BOARD

By: Clarence Chau (M.D.)  
A Member of the Board

11/15/2023  
Date

STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF THE LICENSE OF

ELISSA R. HELLMAN, M.D.,  
LICENSEE.

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:  
:

STIPULATION

**ORDER 0008870**

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Division of Legal Services and Compliance Case No. 22 MED 348

Licensee Elissa R. Hellman, 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. Licensee consents to the resolution of this investigation by Stipulation.

2. Licensee understands that by signing this Stipulation, Licensee voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Licensee, 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 Licensee;
- the right to call witnesses on Licensee's behalf and to compel their attendance by subpoena;
- the right to testify on Licensee'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 Licensee under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Licensee is aware of Licensee's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation. Licensee is represented by Attorney Randall Guse.

4. Licensee agrees to the adoption of the attached Final Decision and Order for Remedial Education by the Wisconsin Medical Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order for Remedial Education without further notice, pleading, appearance or consent of the parties. Licensee waives all rights to any appeal of the Board's order, if adopted in the form as attached.

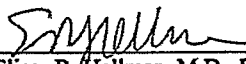
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by 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 Licensee or Licensee'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 for Remedial Education.

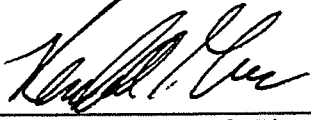
7. Licensee is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order for Remedial Education is a public record and will be published in accordance with standard Department procedure.

8. Licensee is further informed that should the Board adopt this Stipulation, the Board's Final Decision and Order for Remedial Education 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.

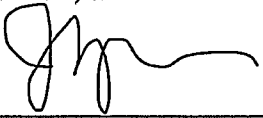
9. The Division of Legal Services and Compliance joins Licensee in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order for Remedial Education.

  
Elissa R. Hellman, M.D., Licensee  
Milwaukee, WI 53209  
License No. 54821-20

10/24/2023  
Date

  
Randall Guse, Attorney for Licensee  
Otjen Law Firm, S.C.  
20935 Swenson Dr., Suite 310  
Waukesha, WI 53186

10/24/23  
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

10/24/2023  
Date