

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 :
MICHAEL J. PANZER, M.D., : **FINAL DECISION AND ORDER**
RESPONDENT. :
0002405

Division of Legal Services and Compliance² Case No. 11 MED 312

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

Michael J. Panzer, M.D.
3301 N. Ballard Road, Suite C
Appleton, WI 54911

Wisconsin Medical Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Division of Legal Services and Compliance
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

A disciplinary proceeding was commenced in this matter by the filing of a Notice of Hearing and Complaint with the Board on November 5, 2012. Prior to the hearing on the Complaint, the parties in this matter agreed to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the 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 Michael Joseph Panzer, M.D. (dob: June 6, 1961) is licensed in the State of Wisconsin as a physician and surgeon, having license no. 20-32908, granted on January 23, 1992, and registered through October 31, 2013. Respondent is a psychiatrist and is certified by the American Board of Psychiatry & Neurology. Michael J. Panzer's most recent address on file

² The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

with the Wisconsin Department of Safety and Professional Services (Department) is 3301 N. Ballard Road, Suite C, Appleton, WI 54911.

2. On and between September 26, 2007 and February 19, 2009, Respondent provided psychiatric care and treatment to a woman born in 1968. The patient had been a patient of several psychiatrists before to being referred to Respondent by her therapist for anxiety, severe depression and unremitting thoughts of suicide. She also had a history of being an inpatient for her mental health issues before seeing Respondent on September 26, 2007.

3. When Respondent assumed the patient's care he diagnosed her with major depression and noted she had several medical problems which included fibromyalgia for which she was chronically prescribed opiates and pregabalin. She also had sleep apnea for which she was using a CPAP. At the time of a serious auto accident (6 months before her death from bronchopneumonia), she was also using carisoprodol, and melatonin 5mg qhs. She had a gastric bypass in 2003 which unfortunately failed; at the time of her death she was 67" tall and weighed 345 pounds.

4. Before seeing Respondent, at least four different psychiatrists had prescribed Adderall®, alprazolam, and quetiapine to the patient over several years. She reported that she had tolerated the medications well and benefited from them. After discussion with her, Respondent restarted duloxetine which she reported as helpful for depression. Respondent prescribed a new medication, modafinil, for sleep apnea. Respondent did not discontinue any medications the patient was on when he first took over her care. Some of the medication dosages were above their maximum FDA recommended dosages.

Medication	Usual Dosage	Prescribed at time of accident
alprazolam	4mg total a day	12mg per day - later 6mg a day
modafinil	200mg per day	800mg per day
Adderall®	30mg per day	60mg per day
duloxetine	60mg per day	120mg per day
quetiapine	400 to 800mg per day	600mg per day - later 300mg a day

5. Respondent's progress notes do not routinely document what medications the patient was taking and at what dosage although that is noted elsewhere in his chart; however, Respondent did not communicate with any other contemporaneous treating physicians to verify the accuracy of the patient's report of other medications she was taking and their dosages. The medications prescribed by Respondent could have produced sedation particularly in conjunction with other medications prescribed by the patient's other treating physicians. Respondent did not consult with the patient's other treating physicians regarding the potential drug interaction risks.

6. An examination of several more recent charts demonstrated improved record keeping.

7. Respondent successfully completed 15 hours of Category I Continuing Medical Education on the topic of psychopharmacology by attending *Winter Seminar: Essential Psychopharmacology 2013*, offered by the Harvard Medical School, Department of Continuing Education, February 25-March 1, 2013.

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, Michael J. Panzer, M.D., was negligent in treatment within the meaning of Wis. Stat. § 448.02(3).
3. As a result of the above, Michael J. Panzer, M.D., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.
2. Michael Panzer, M.D., is REPRIMANDED.
3. Respondent may not use the continuing medical education described in the findings of fact, above, to satisfy his biennial continuing education requirement under Wis. Stat. § 448.13.
4. Michael J. Panzer, M.D. (license number 20-32908) shall comply with the following order: Respondent shall not prescribe, order, administer, or dispense any benzodiazepine for any patient at a daily dosage level which is more than 50% above the approved labeling for that product. If a new patient seeks treatment from Respondent and is already taking such a dosage, Respondent shall reduce the patient's dosage by no less than 10% per month, until the dosage is no greater than 50% above the approved labeling for that product.
5. No later than September 5, 2013, Respondent shall pay the COSTS of investigating and prosecuting this matter in the amount of \$4,000.
6. Payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

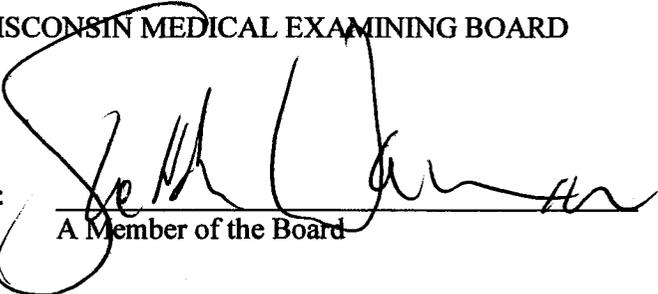
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

7. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of the costs as ordered, Respondent's license (no. 20-

32908) may, in the discretion of the board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has paid the costs in full, including any accrued interest.

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

WISCONSIN MEDICAL EXAMINING BOARD

by: 
akt. A Member of the Board


~~March 20, 2013~~
Date

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