

BEFORE THE MEDICAL LICENSING BOARD OF INDIANA

STATE OF INDIANA,)

Petitioner,)

v.)

JEFFREY P. BOLDUAN, M.D.,)
License Number 01030767)

Respondent.)

CAUSE NO. 97 MLB 0026

FILED

JUL 18 2001

HEALTH PROFESSIONS
BUREAU

FINDINGS OF FACT AND ORDER

The Board held an administrative hearing on June 28, 2001 at the Indiana Government Center 302 W. Washington St., Indianapolis, Indiana, concerning a complaint filed by the State of Indiana against respondent Jeffrey Bolduan, M.D., on December 29, 1997.

The State of Indiana was represented by Deputy Attorney General Richard G. McDermott. The Respondent was represented by Jan M. Carroll.

Barbara Malone presided over the settlement conference and recommended that the Board accept the settlement proposal as the final order of the Board.

The Board, being duly advised, and taking official notice of its file in this case, by a vote of 2-1-2, hereby issues the following Findings of Fact and Order.

FINDING OF FACT

1. Respondent is a duly licensed medical doctor holding Indiana license number 10030767. He has been licensed to practice medicine in the State of Indiana since 1981. He is engaged in the practice of urology and genitourinary surgery. His address on file with the Board is 1615 Winsted, Suite 4, Goshen, Indiana.

2. Respondent holds unrestricted privileges at Goshen General Hospital in Goshen, Indiana, and Kosciusko Community Hospital in Warsaw, Indiana.

3. In 1993, twelve-month-old patient MJ was referred by MJ's family physician to Respondent for symptoms of labial fusion, including irritation and infections. On November 4, 1993, MJ's mother took her to see Respondent.

4. Respondent's course of treatment was to schedule MJ for a physical examination and separation of the labial adhesions under general anesthetic. Respondent relied on the referring physician's assessment that such a procedure was indicated. However, Respondent scheduled MJ for the procedure, with the associated risks of a general anesthetic, without first having personally performed a physical examination of the patient.

5. The child's mother elected to pursue the more conservative treatment (application of estrogen cream), and no surgery was performed. After applications of the estrogen cream, no adhesions were found to be present upon later examination by another physician.

ULTIMATE FINDINGS OF FACT

1. Respondent's conduct constitutes a violation of Ind. Code §25-1-9-4(a)(1)(B), in that it represented a failure to exercise reasonable care in the treatment of this patient, based on generally accepted scientific principles, methods, treatments, and current professional theory and practice, under 844 IAC 5-2-5.

ORDER

Based on the above findings of fact, the Board issues the following Order:

1. A Letter of Reprimand in the form attached as *Exhibit A* shall be issued to respondent, and a copy thereof shall be placed in the file maintained in his name by the Medical Licensing Board of Indiana.

2. Respondent shall not treat, but refer pediatric patients requiring hypospadias repair.

3. Respondent shall attend the week-long Intensive Communication Skills Program in Clinician-Patient Communication offered by the Bayer Institute for Health Care Communication, 400 Morgan Lane, West Haven, Connecticut, 06516, within one year of the date of this Order, and shall provide evidence of such attendance to the Board.

4. The failure of Respondent to comply with the terms of this Order may subject the Respondent to a show-cause hearing and the imposition of further sanctions.

SO ORDERED this 18th day of July, 2001.

STATE OF INDIANA
MEDICAL LICENSING BOARD

By: 

Beth A. Compton, Executive Director
Health Professions Bureau

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