



11 MED 097

The Perinatal Center of Wisconsin, S.C.

Making Health Care Affordable

Date: March 15, 2011

To: Wisconsin Medical Board

From: Janine James, M.D.

RE: physician complaint about a hospital

I am submitting a complaint regarding the actions of Aurora Sinai to report me to the National Practitioner Data Bank and their unwillingness to remove a fraudulent report. I am aware the Wisconsin Medical Board reviewed this matter in 2000. The NPDB report has served to make it difficult for me to be employed. The Data Bank report is an adverse action report. There had been no adverse action taken against me. An investigation was initiated by my former partner, Fredrik Broekhuizen, M.D. because of a grudge he had with me. While I served as his partner for 6 years there were no reviews of my cases. When I resigned from the faculty of the University of Wisconsin, I continued on the staff at Aurora Sinai, I raised concern that Dr. Broekhuizen was allowed to function as a maternal fetal medicine specialist. He has not been trained and is not certified as a maternal fetal medicine specialist. His interest in my practice and submission of arbitrary case review should have been suspect. There were no departmental procedures violated. There were no malpractice suits and no patient complaints, no adverse outcome. I raised concern about what appeared to me to be disparate outcomes for African American mothers. My management allowed for improved outcomes. The Institute of Medicine in 2003 supported my concern about such problems. I considered such arbitrary reviews harassment which continued for more than four years. A difference of opinion does not constitute grounds for investigation to assess professional competence or conduct. He should have recused himself from such conversations because of our personal conflict. It was known we had a conflict. Unfortunately, the chief of the department, Dr. LaRoyce Chambers similarly did not disclose he had a personal relationship with my husband. These actions served to challenge that personal relationship with my husband and contributed to the eventual breakup of my marriage from Dr. Charles Cromwell. My husband and Dr. Chambers continued their relationship after the report and after the divorce. When I resigned after four years, I had no adverse outcomes at Aurora Sinai or any of the other hospitals where I was on staff. Why should I be concerned about an adverse action taken against me. It appeared I was not wanted at Sinai. After I resigned, Aurora Sinai states I left before a conclusion had been reached by the Medical Executive committee. They also state they ended the investigation when I resigned. Why end the investigation if the concern is medical competence? Aurora knew I continued to practice at many other Milwaukee hospitals. The investigation should have continued whether or not I was still on the staff of Sinai. This action supported that Aurora did not want me on staff. Instead of reviewing the problems experienced by African American mothers, I became the subject of review despite good patient outcomes. I asked Aurora Sinai as recently as January to review this matter. They declined stating they were required to report me to the NPDB. The Data Bank recognizes there are flaws in some of the report codes. They do not expect practitioners to be reported for "possible" problems.

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As Dr. Broekhuizen was unable to handle me, he improperly used his authority and Aurora Sinai to remove his competition and former partner. To suggest improper patient management or misconduct in 1994 to 2000 while there were no reviews of any of my cases while I was Dr. Broekhuizen's partner. It should have been considered suspicious and improper conduct by Dr. Broekhuizen. Aurora advises those who inquire about me to seek from me more information. What sense does that make? If I am a threat to patient safety then the investigation should have been completed. The secretarial review of NPDB reports state they do not get involved with the details that lead to the report. The NPDB urges the practitioner and the reporting entity to resolve the matter. I have attempted to do so but Aurora refuses to do so. No one has the right to keep an innocent person from earning a living. This was always a complex conflict between Dr. Broekhuizen and me. There has been a failure on the part of Aurora Sinai to act responsibly at the department level. This should never have reached the medical executive committee level. Dr. Chambers should not have allowed this himself to be used by Dr. Broekhuizen to injure me. I have obtained licenses in other cities, however, practices, and some hospitals have chosen not to pursue with me prospective positions because of this report. The category of NPDB report is termed adverse. That wording is interpreted as fact. There were no challenges or complaints or malpractice for me prior to the report and none since. If I, as an experienced subspecialist who developed an at risk pregnancy in Milwaukee cannot get anyone to listen to my plight, I attempted to address this problem. I did so successfully and this is what has happened to me. How can any other African American women expect to be heard regarding her own pregnancy and the well-being of her baby?

I am available to address further the above with the board to resolve this matter. This report must be removed. My family and I should not have to sue Aurora Healthcare in order for me to be heard regarding this injustice. I can best be reached at [perinatalcenter@aol.com](mailto:perinatalcenter@aol.com), cell phone, 414-581-1569 or my office at P.O. Box 12547, Milwaukee, WI 53212-0547.