

1 BEFORE THE BOARD OF MEDICAL EXAMINERS

2 IN THE STATE OF ARIZONA

3  
4 In the Matter of

5 **PAUL W. KLIEWER, M.D.**

6 Holder of License No. 2914  
7 For the Practice of Medicine  
8 In the State of Arizona.

INVESTIGATION NO. 12411

FINDINGS OF FACT,  
CONCLUSIONS OF LAW,  
AND ORDER FOR LETTER  
OF REPRIMAND

9 INTRODUCTION

10 This matter was initially considered by the Arizona Board of Medical Examiners  
11 (Board) at its public meeting on September 21, 1999. Paul W. Kliewer, M.D. appeared for  
12 the purpose of the Board conducting his formal interview, pursuant to the authority vested  
13 in it by A.R.S. § 32-1451(G). The Board resumed consideration of the matter on  
14 November 17, 1999. After due consideration of the facts and law applicable to this matter,  
15 the Board voted to issue the following findings of fact, conclusions of law and order.

16 FINDINGS OF FACT

17 1. The Board is the duly constituted authority for the regulation and control of  
18 the practice of medicine in the State of Arizona.

19 2. Dr. Kliewer is the holder of License No. 2914 for the practice of medicine in  
20 the State of Arizona.

21 3. Investigation No. 12411 was initiated after information was received  
22 regarding a malpractice action alleging that Dr. Kliewer failed to adequately diagnose and  
23 treat patient J.H. for a possible myocardial infarction.

24 4. On January 25, 1999, Dr. Kliewer, a general practice physician, was on  
25 emergency room duty at Wickenburg Regional Hospital. Patient J.H., a sixty-five year old

1 woman with diabetes, was brought into the emergency room. She had suffered pain in her  
2 chest and abdomen while having a bowel movement at her home. However, her pain  
3 resolved upon arrival at the emergency room. An electrocardiogram was taken and  
4 showed no evidence of an acute myocardial infarction, but did show a left bundle branch  
5 block pattern.

6 5. Dr. Kliewer sent patient J.H. home, but within a two-hour period, paramedics  
7 were called to her home where she was found in a full arrest episode. Cardiopulmonary  
8 resuscitation was performed and patient J.H. was transported back to the emergency  
9 room. A second electrocardiogram was performed and showed an acute inferior wall  
10 myocardial infarction. Patient J.H. died in the intensive care unit a few hours later.

11 6. Dr. Kliewer should have admitted patient J.H. to the hospital when she first  
12 arrived at the emergency room. Patient J.H.'s symptoms, pain in the chest and abdomen  
13 and abnormalities in an electrocardiogram, are preceding symptoms of myocardial  
14 infarction. In addition, Dr. Kliewer should have ordered cardiac enzymes. Dr. Kliewer's  
15 work up of patient J.H., including the history, physical, and diagnostic tests was  
16 inadequate. Dr. Kliewer failed to adequately diagnose and treat patient J.H. for a possible  
17 myocardial infarction.

#### 18 CONCLUSIONS OF LAW

19 1. The Board possesses jurisdiction over the subject matter hereof and over Dr.  
20 Kliewer.

21 2. The conduct and circumstances described above in paragraphs 4 to 6  
22 constitutes unprofessional conduct pursuant to A.R.S. § 32-1401(25)(q)(any conduct or  
23 practice which is or might be harmful or dangerous to the health of the patient or the  
24 public.)

1 ORDER

2 Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby  
3 ordered that: Dr. Kliewer be issued a Letter of Reprimand for failure to adequately  
4 diagnose and treat a possible myocardial infarction.

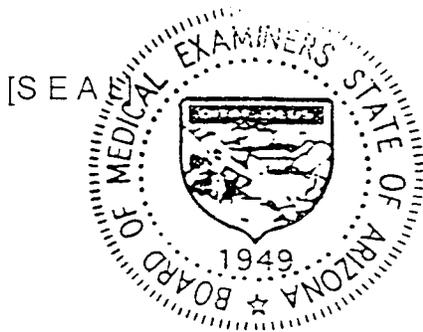
5 RIGHT TO PETITION FOR REVIEW

6 Dr. Kliewer is hereby notified that he has the right to petition for a rehearing.  
7 Pursuant to A.R.S. § 41-1092.09, as amended, the petition for rehearing must be filed with  
8 the Board's Executive Director within thirty (30) days after service of this Order and  
9 pursuant to A.A.C. R4-16-102, it must set forth legally sufficient reasons for granting a  
10 rehearing. Service of this Order is effective five (5) days after the date of mailing. If a  
11 petition for rehearing is not filed, the order becomes effective thirty-five (35) days after it  
12 has been mailed.

13 Dr. Kliewer is further notified that the filing of a petition for rehearing is required to  
14 preserve any rights of appeal to the superior court that he may wish to pursue.

15 DATED this 19<sup>th</sup> day of November, 1999.

16 BOARD OF MEDICAL EXAMINERS  
17 OF THE STATE OF ARIZONA



19 By Claudia Foutz  
20 CLAUDIA FOUTZ  
21 Executive Director

22 ORIGINAL of the foregoing filed this  
23 19 day of November, 1999, with:

24 The Arizona Board of Medical Examiners  
25 1651 East Morten, Suite 210  
Phoenix, AZ 85020

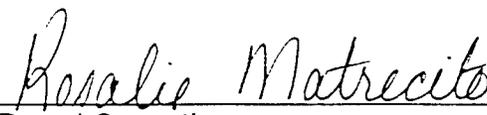
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**EXECUTED COPY** of the foregoing mailed by Certified  
Mail this 19 day of November, 1999, to:

Paul W. Kliewer, M.D.  
P.O. Box 9  
Wickenburg, AZ 85358

**COPY** of the foregoing hand delivered this  
19 day of November, 1999, to:

Gordon Bueler, Assistant Attorney General  
The Arizona Board of Medical Examiners  
1651 East Morten, Suite 210  
Phoenix, AZ 85020

  
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Board Operations