

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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FILE COPY

10310
A. Greenman

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST

STEVEN B. GREENMAN, M.D.,
RESPONDENT.

FINAL DECISION AND ORDER
93 MED 59

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

Steven B. Greenman, M.D.
3900 W. Brown Deer Road
Milwaukee, WI 53209

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

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision 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

1. Respondent Steven B. Greenman (dob 6/1/47) is and was at all times relevant to the facts set forth herein a physician and surgeon licensed in the State of Wisconsin pursuant to license #18938, first granted on 7/11/74. Respondent is an internist.
2. Respondent has treated patient L.H. as her primary care physician from before 1/1/92 to after January, 1993, but the Board has examined the care of this patient only for these months. The patient has multiple medical problems, including a diagnosis of Muenchausen's Syndrome, a history of self-mutilation and abuse, drug abuse, chronic anxiety disorder, chronic depression with overt suicidality, chronic headache, and severe degenerative arthritis.
3. Respondent did, during this period, prescribe extensively for the patient, including benzodiazepines, codeine, hydrocodone, butalbital, and psychoactive drugs such as amitryptilene, Prozac, and other drugs. Respondent did not discover the extent to which the patient was also seeking and obtaining controlled substances from multiple other practitioners, and respondent's records do not show any consultation with the patient's pharmacist or other providers although he knew that the patient was receiving some controlled substances from some other practitioners.
4. Respondent's office chart fails to note, on several occasions, what if any physical or neurological examinations were performed during office visits: for example although the patient complained of migraine headaches, there is no documentation of any neurological examination,

although the patient received prescriptions for analgesics for such headaches. Respondent did not chart his knowledge that the patient did have neurological examinations by board-certified neurologists in 1991 and 1992.

5. Respondent did, in the two years before treating this patient, complete two recognized CME courses (one of 45 hours, one of 24 hours) in the proper prescribing of controlled substances. Respondent, before treating this patient, was the subject of disciplinary proceedings by the Board relating to his prescribing of controlled substances, and his license is, and was during the period of treatment of this patient after January 31, 1992, limited to the prescribing of non-schedule II controlled substances.

6. Since this matter was brought to respondent's attention, respondent has undergone at his own expense an assessment by the University of Wisconsin Continuing Medical Education program under the direction of Thomas Meyer, M.D., and has been found to meet the standards of minimum competence. Respondent has also agreed to follow completely three recommendations for continuing medical education and improvement made by Dr. Meyer. Respondent has also committed himself to not treat patient L.H. again.

CONCLUSIONS OF LAW

7. The Wisconsin Medical Examining Board has jurisdiction to act in this matter pursuant to §448.02(3), Wis. Stats. and is authorized to enter into the attached Stipulation pursuant to §227.44(5), Wis. Stats.

8. The conduct described in paragraphs 3 and 4, above, violated § Med 10.02(2)(h), Wis. Adm. Code. Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

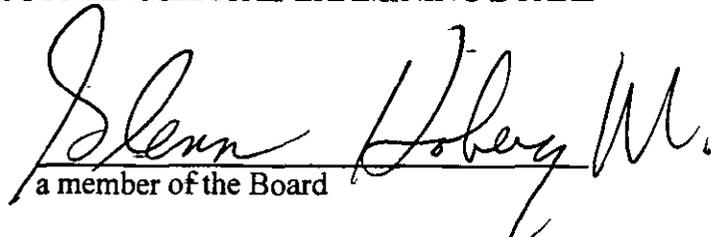
IT IS FURTHER ORDERED, that Steven B. Greenman, M.D., is REPRIMANDED for his unprofessional conduct in this matter.

IT IS FURTHER ORDERED, that respondent shall pay the costs of investigating and prosecuting this matter in the amount of \$1000, within 30 days of this order.

IT IS FURTHER ORDERED, that this order does not modify any part of the Board's order in 86MED 475.

Dated this: *20th day of March, 1997*

WISCONSIN MEDICAL EXAMINING BOARD

by: 

a member of the Board

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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

STEVEN B. GREENMAN, M.D.,
RESPONDENT.

STIPULATION
93 MED 59

It is hereby stipulated between the above Respondent and the undersigned prosecuting attorney for the Division of Enforcement of the Department of Regulation and Licensing, as follows:

1. This Stipulation is entered into as a result of a pending investigation of licensure of Respondent by the Division of Enforcement. Respondent consents to the resolution of this investigation by agreement and without the issuance of a formal complaint.

2. Respondent understands that by signing this Stipulation, respondent waives the following rights with respect to disciplinary proceedings: the right to a statement of the allegations against respondent; a right to a hearing at which time the State has the burden of proving those allegations; the right to confront and cross-examine the witnesses against respondent; the right to call witnesses on respondent's behalf and to compel attendance of witnesses by subpoena; the right to testify personally; 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 respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.

3. Respondent is aware of respondent's right to seek legal representation and has obtained legal advice before signing this Stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Board. The parties consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent 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 or the proposed Final Decision and Order, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this 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 agree that an attorney for the Division of Enforcement may appear before the Board, in open or closed session, without the presence of Respondent or Respondent's attorney, for the purposes of speaking in support of this agreement and answering questions that the members of the Board and its staff may have in connection with their deliberations on the case. Respondent's attorney shall be given notice of any such meeting.

7. The Board Advisor in this matter may participate freely in any deliberations of the Board regarding acceptance of this Stipulation and the proposed Final Order, and may relate to the Board any knowledge and view of the case acquired during the investigation.

8. This stipulation is subject to approval by the Division of Enforcement's attorney-supervisor. If approved by the supervisor, the Division of Enforcement joins Respondent in recommending that the Board adopt this Stipulation and issue the attached Final Decision and Order.

9. Respondent is informed that should the Board adopt this stipulation, the Board's final decision and order is a public record and will be published in the monthly *Report of Decisions* issued by the department. A summary of the order will be published in the *Wisconsin Regulatory Digest* issued semiannually by the Board. This is standard department procedure and in no way specially directed at Respondent.

Steve B. Green M.D. 3/6/97
Respondent Date

Mary H. Michal 3/13/97
Mary H. Michal, Attorney for Respondent Date

Arthur Thompson 3/14/97
Prosecuting Attorney Date
Division of Enforcement

1001

Department of Regulation & Licensing

State of Wisconsin

P.O. Box 8935, Madison, WI 53708-8935

(608)

TTY# (608) 267-2416, hearing or speech
TRS# 1-800-947-3529, impaired only

GUIDELINES FOR PAYMENT OF COSTS AND/OR FORFEITURES

On March 20, 1997, the Medical Examining Board
took disciplinary action against your license. Part of the discipline was an assessment of costs and/or a
forfeiture.

The amount of the costs assessed is: \$1,000.00 Case #: 93MED59

The amount of the forfeiture is: _____ Case # _____

Please submit a check or a money order in the amount of \$ 1,000.00

The costs and/or forfeitures are due: April 19, 1997

NAME: Steven B. Greenman, M.D. LICENSE NUMBER: 18938

STREET ADDRESS: 3900 W. Brown Deer Road

CITY: Milwaukee STATE: WI ZIP CODE: 53209

Check whether the payment is for costs or for a forfeiture or both:

COSTS FORFEITURE

Check whether the payment is for an individual license or an establishment license:

INDIVIDUAL ESTABLISHMENT

If a payment plan has been established, the amount due monthly is:

For Receipting Use Only

Make checks payable to:

**DEPARTMENT OF REGULATION AND LICENSING
1400 E. WASHINGTON AVE., ROOM 141
P.O. BOX 8935
MADISON, WI 53708-8935**

#2145 (Rev. 9/96)

Ch. 440.22, Stats.

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NOTICE OF APPEAL INFORMATION

Notice Of Rights For Rehearing Or Judicial Review. The Times Allowed For Each. And The Identification Of The Party To Be Named As Respondent.

Serve Petition for Rehearing or Judicial Review on:

STATE OF WISCONSIN MEDICAL EXAMINING BOARD

1400 East Washington Avenue

P.O. Box 8935

Madison, WI 53708.

The Date of Mailing this Decision is:

March 21, 1997

1. REHEARING

Any person aggrieved by this order may file a written petition for rehearing within 20 days after service of this order, as provided in sec. 227.49 of the *Wisconsin Statutes*, a copy of which is reprinted on side two of this sheet. The 20 day period commences the day of personal service or mailing of this decision. (The date of mailing this decision is shown above.)

A petition for rehearing should name as respondent and be filed with the party identified in the box above.

A petition for rehearing is not a prerequisite for appeal or review.

2. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in sec. 227.53, *Wisconsin Statutes* a copy of which is reprinted on side two of this sheet. By law, a petition for review must be filed in circuit court and should name as the respondent the party listed in the box above. A copy of the petition for judicial review should be served upon the party listed in the box above.

A petition must be filed within 30 days after service of this decision if there is no petition for rehearing, or within 30 days after service of the order finally disposing of a petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30-day period for serving and filing a petition commences on the day after personal service or mailing of the decision by the agency, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing this decision is shown above.)

REINHART | BOERNER | VAN DEUREN
NORRIS & RIESELBACH, S.C.

ATTORNEYS AT LAW

March 25, 1997



SENT VIA FACSIMILE
AND U.S. MAIL

Mr. Wayne R. Austin
Department of Regulation & Licensing
1400 East Washington Avenue
Room 171
Madison, WI 53703

Dear Mr. Austin:

The following, per our discussion last week, is proposed language for the Digest:

Respondent stipulated to a reprimand for his documentation and treatment of one patient with Muenchausen's Syndrome.

Thank you for considering this language. Please let me know if you would like to discuss this further.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Mary H. Michal'.

Mary H. Michal

MADISON\17577MHM:TH

cc Steven B. Greenman, M.D.