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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF
THE APPLICATION OF

ORNA ALPERT, M.D.,

ORDER DENYING REQUEST

Respondent

On or about August 25, 1995, Dr. Alpert filed her application for a license to practice medicine and surgery in Wisconsin, along with her application to sit for Part III of the United States Medical Licensing Examination.

On September 20, 2001, the board considered Dr. Alpert's request that the provisions of § Med 1.06(3)(b), Code be waived so as to permit her to complete Step III of the examination more than seven years after having completed the first step of the examination. The basis for the request is that multiple medical problems, along with other circumstances, prevented her from completing the last step of the application within that period. The provision in question reads as follows:

Med 1.06 Panel review of applications; examinations required. . . (3). . . (b) Commencing January 1, 1994, the board accepts the 3-step USMLE sequence as its written examination and administers step 3 of the sequence. Minimum standard passing scores for each step shall be not less than 75.0. Applicants shall complete all 3 steps of the examination sequence within 7 years from the date upon which the applicant first passes a step, either step 1 or step 2. Applicants who have passed a step may not repeat the step unless required to do so in order to comply with the 7-year time limit. If the applicant fails to achieve a passing grade on any step, the applicant may apply for and be reexamined on only the step failed according to the reexamination provisions of s. Med 1.08 (1).

While the board sympathizes with Dr. Alpert in terms of the basis for her request, the board must deny the request based upon the provisions of § 227.10(3)(c), Wis. Stats., which states that "[e]ach person affected by a rule is entitled to the same benefits and is subject to the same obligations as any other person under the same or similar circumstances." Accordingly, it is ordered as follows:

NOW, THEREFORE, IT IS ORDERED that the request of Orna Alpert, M.D., that the requirements of § Med 1.06(3)(b), Wis. Admin. Code, be waived, be, and hereby is, denied.

Dated this 21st day of September, 2001.

STATE OF WISCONSIN
BOARD OF NURSING

Sidney E. Johnson, M.D.

Secretary