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IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

: FINAL DECISION AND ORDER

MICHAEL W. BEASLEY, DDS, : LS0211251DEN
RESPONDENT. :

Division of Enforcement

02 DEN 071

The parties to this proceeding for purposes of Wis. Stat. sec. 227.53 are:

Michael W. Beasley, DDS

1855 S. Nevada Ave.

Colorado Springs, CO 80906

Wisconsin Dentistry Examining Board
1400 E. Washington Ave.

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

Department of Regulation and Licensing

Division of Enforcement

1400 E. Washington Ave.

P.O. Box 8935

Madison, WI 53708-8935

The Wisconsin Dentistry Examining Board received a Stipulation submitted by the parties to the above captioned matter. The Stipulation, a copy of which is attached hereto, was executed by Michael W. Beasley, DDS, personally, and by Gilbert C. Lubcke, attorney for the Department of Regulation and Licensing, Division of Enforcement. Based upon the Stipulation of the parties, the Wisconsin Dentistry Examining Board makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Michael W. Beasley, DDS, 1855 South Nevada Avenue, Colorado Springs, Colorado 80906, was born on 11/11/50 and has been licensed and registered to practice dentistry in the state of Wisconsin since 2/19/90, license #4118.

2. Michael W. Beasley, DDS, at all times relevant to this disciplinary proceeding, was licensed to practice dentistry in the state of Colorado.

3. Michael W. Beasley, DDS, is currently practicing dentistry in Colorado Springs, Colorado.

4. On 2/14/01, the State Board of Dental Examiners for the state of Colorado entered a Stipulation And Final Agency Order against Michael W. Beasley, DDS, taking disciplinary action against him. A copy of this Stipulation And Final Agency Order is attached hereto and incorporated herein.

5. Michael W. Beasley, DDS, pursuant to the terms of the Stipulation And Final Agency Order entered by the State Board of Dental Examiners for the state of Colorado, is presently participating in the Dentists Peer Assistance Program under the terms of a 3 year minimum Rehabilitation Contract which Dr. Beasley entered into on 4/20/01. The terms of this Rehabilitation Contract include the following:

- a. Weekly contact with the Program Manager for the Dentists Peer Assistance Program or her designee, decreased to monthly after the first six months.
- b. Outpatient treatment with relapse prevention planning specific to anger management.
- c. Medication management at a frequency determined by a physician and the Dentists Peer Assistance Program.
- d. On demand, for cause, random urine drug screens, full panel, observed, at an approved collection site, utilizing Norchem Laboratories.
- e. Breath, body fluids, hair analysis PRN.
- f. Attendance at a Peer Support Group a minimum of twice monthly.
- g. Self status reports.
- h. Practice Monitor site visits by a trained and approved Practice Monitor, a Colorado licensed dentist with an unrestricted license and no marital or financial relationship to Dr. Beasley.
- i. All persons involved in Dr. Beasley's program are required to provide the Program Manager for the Dentists Peer Assistance Program with reports monthly, initially, and subsequently, quarterly.
- j. All persons involved in Dr. Beasley's program are required to provide

the Program Manager for the Dentist Peer Assistance Program with reports of noncompliance immediately.

6. Michael W. Beasley, DDS, is in full compliance with the terms of the Rehabilitation Contract.

CONCLUSIONS OF LAW

1. The Wisconsin Dentistry Examining Board has jurisdiction in this proceeding pursuant to Wis. Stat. sec. 447.07.
2. The Wisconsin Dentistry Examining Board has the authority to resolve this proceeding by stipulation without an evidentiary hearing pursuant to Wis. Stat. sec. 227.44(5).
3. Michael W. Beasley's conduct as described in paragraph 4 of the Findings of Fact was unprofessional conduct contrary to Wis. Stat. sec. 447.07(3)(a) and Wis. Admin. Code sec. DE 5.02(14) in that his license to practice dentistry in the state of Colorado was subject to disciplinary action.
4. The Wisconsin Dentistry Examining Board has the authority pursuant to Wis. Stat. sec. 440.22 to assess the costs of this proceeding against Dr. Beasley.

ORDER

NOW, THEREFORE, IT IS ORDERED that the Stipulation of the parties is approved.

IT IS FURTHER ORDERED that Michael W. Beasley's license to practice dentistry in the state of Wisconsin is limited under the following terms and conditions:

1. Michael W. Beasley, DDS, will provide the Wisconsin Dentistry Examining Board with a current copy of his Rehabilitation Contract with all modifications and amendments thereto, and all documents referenced therein, within 10 days of the date of this Final Decision And Order.
2. Michael W. Beasley, DDS, will provide the Wisconsin Dentistry Examining Board with copies of all modifications and amendments to the Rehabilitation Contract made after the date of this Final Decision And Order within 10 days of the date on which the modifications or amendments were made.
3. Michael W. Beasley, DDS, will comply with all of the terms of the Rehabilitation Contract and all modifications and amendments thereto.
4. Michael W. Beasley, DDS, will provide all authorizations and consents necessary to permit the Dentists Peer Assistance Program for the state of Colorado to submit to the Wisconsin Dentistry Examining Board all reports prepared by the Dentists Peer Assistance Program detailing his participation in the program and describing his compliance or noncompliance with the terms of the Rehabilitation Contract. Dr. Beasley will provide all authorizations and consents necessary to permit Dr. Beasley's therapists to submit their reports directly to the Wisconsin Dentistry Examining Board. Dr. Beasley will be responsible for assuring that all of these reports prepared by the Dentists Peer Assistance Program or by Dr. Beasley's therapists are submitted to the Wisconsin Dentistry Examining Board within 10 days of preparation by the Dentists Peer Assistance Program or by Dr. Beasley's therapists.

5. Michael W. Beasley, DDS, will personally notify the Wisconsin Dentistry Examining Board immediately of any violations of his Rehabilitation Contract.

6. Upon satisfactory completion of the Rehabilitation Contract and all modifications and amendments thereto, the Wisconsin Dentistry Examining Board will restore to Michael W. Beasley, DDS, a full and unrestricted license to practice dentistry in the state of Wisconsin.

IT IS FURTHER ORDERED that all documents to be filed with or notices given to the Wisconsin Dentistry Examining Board be mailed, faxed or delivered to:

Department Monitor
Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935
FAX: (608) 266-2264
TEL: (608) 267-3817

IT IS FURTHER ORDERED that Count I of the Complaint is dismissed.

IT IS FURTHER ORDERED that Michael W. Beasley, DDS, will pay the costs of this proceeding in the amount of \$200.00 to the Department of Regulation And Licensing, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin, 53708-8935, within 30 days of the date of this Final Decision And Order.

The rights of a party aggrieved by this Final Decision And Order to petition the Wisconsin Dentistry Examining Board for rehearing and to petition for judicial review are set forth in the attached "Notice of Appeal Information".

Dated at Madison, Wisconsin, this 5th day of March, 2003.

WISCONSIN DENTISTRY EXAMINING BOARD

Bruce Barrette
Member, Wisconsin Dentistry Examining Board