

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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FILE COPY

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST

MARK M. BENSON, M.D.,

Respondent

ORDER RENEWING THE LICENSE AND DENYING PETITION

On July 24, 1996, the Medical Examining Board issued its Final Decision and Order in the above-captioned matter. By the terms of the board's order, respondent's license to practice medicine and surgery in Wisconsin was suspended for a period of not less than five years, with provision for consecutive three-month stays of the suspension conditioned upon compliance with certain conditions and limitations on the license. These include that Dr. Benson continue successful participation in an acceptable drug and alcohol treatment program, and that as a part of the program, he submit to random, monitored screening of his blood or urine for alcohol and drugs on a twice-weekly basis.

By letter dated August 29, 1996, Dr. Benson, by Attorney Paul R. Erickson, requested that the stay of suspension be renewed for three months, and petitioned as well for a reduction in the number of required urine screens from two to one per week. The board considered the matter at its meeting of September 25, 1996, and orders as follows:

ORDER

NOW, THEREFORE, IT IS ORDERED that the stay of the suspension of the license of Mark M. Benson, M.D., be and hereby is, renewed for a period of three months.

IT IS FURTHER ORDERED that the petition of Dr. Benson for a reduction in the number of required drug and alcohol screens from two per week to one per week is denied.

DISCUSSION

The request for a reduction in the number of screens came just one month after the entry of the board's Final Decision and order. That is far too short a period under the board's monitoring

program to justify any modification to the Order, and the petition must therefore be denied.

Dated this 1st day of October, 1996.

STATE OF WISCONSIN
MEDICAL EXAMINING BOARD

by W.R. Schwartz, M.D.
W.R. Schwartz, M.D.
Secretary

BEFORE THE STATE OF WISCONSIN
MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

MARK M. BENSON, M.D.,
RESPONDENT.

AFFIDAVIT OF SERVICE

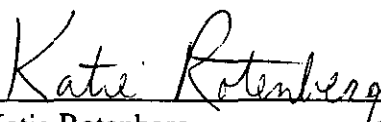
Katie Rotenberg, being first duly sworn on oath deposes and states that she is in the employ of the Department of Regulation and Licensing, and that on October 3, 1996, she served the following upon the respondent:

Order Renewing the License and Denying Petition dated October 1, 1996

by mailing a true and accurate copy of the above-described document, which is attached hereto, by certified mail with a return receipt requested in an envelope properly addressed to the above-named respondent at:

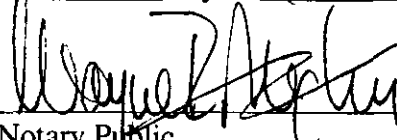
2323 N. Mayfair Road #507
Wauwatosa, WI 53226
Certified P 213 148 607

an address which appears in the files and records of the Medical Examining Board as the respondent's last known address.


Katie Rotenberg
Department of Regulation and Licensing

Subscribed and sworn to before me

this 3rd day of October, 1996.


Notary Public
Dane County, Wisconsin
My Commission is Permanent