

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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FILE COPY

STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF  
DISCIPLINARY PROCEEDINGS AGAINST

ANTHONY P. DALTON, M.D.

Respondent

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ORDER DENYING PETITION

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On December 14, 1995, 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 four years, with provision for successive three-month stays of the suspension conditioned upon compliance with certain conditions and limitations on the license. Among these were that respondent participate in a recognized program for the treatment of chemical dependency, that he participate in individual and/or group therapy a minimum of once each month, that he submit to random urine screens for the presence of alcohol and controlled substances, and that he provide for quarterly written reports from his supervising physician or therapist and the monitoring program. The effective date of the board's Order was December 14, 1995.

On January 24, 1996, the board found probable cause to believe that on December 30, 1995, respondent was arrested in La Crosse, Wisconsin for operating a motor vehicle while intoxicated, and that he had thereby violated the terms of the Final Decision and Order of the December 14, 1995, Order. It was therefore ordered that the stay of suspension of the license be terminated, and his license was suspended, effective January 30, 1996.

By letter dated February 8, 1996, respondent petitioned the board for reinstatement of the stay of suspension of his license. Respondent appeared before the board on February 22, 1996. The board denied the petition by its Order dated March 1, 1996.

By letter dated January 9, 1997, respondent again requested reinstatement of the stay of suspension of his license, and he appeared before the board at its meeting of January 23, 1997, in support of his request. The board considered the matter on that date.

Based upon all information of record herein, the board orders as follows:

### ORDER

NOW, THEREFORE, IT IS ORDERED that the petition of Anthony P. Dalton, M.D., for a stay of the suspension of his license be, and hereby is, denied.

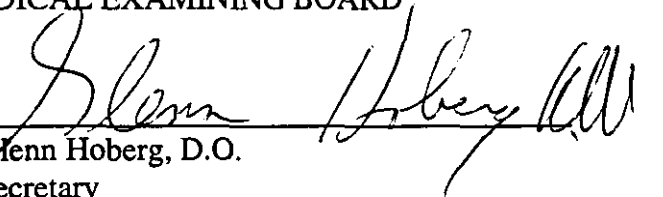
### DISCUSSION

In denying Dr. Dalton's last previous petition for a stay, the board concluded: "Dr. Dalton must demonstrate some significant period of compliance with the program required by the board's December 14, 1995, Final Decision and Order before it will be comfortable in reissuing a stay of suspension." One of the requirements of that Order is that Dr. Dalton participate in a program of random, witnessed monitoring of his urine, blood or hair for the presence of alcohol and controlled substances. At his appearance before the board, Dr. Dalton disclosed that since the board's Order Imposing Suspension dated January 30, 1996, he has not submitted to a single urine screen. Accordingly, his petition must be denied.

Dated this 3 <sup>February</sup> day of ~~January~~, 1997.

STATE OF WISCONSIN  
MEDICAL EXAMINING BOARD

by

  
Glenn Hoberg, D.O.  
Secretary

STATE OF WISCONSIN  
DEPARTMENT OF REGULATION AND LICENSING  
BEFORE THE MEDICAL EXAMINING BOARD

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In the Matter of the Disciplinary Proceedings Against

Anthony P. Dalton, M.D.,

AFFIDAVIT OF MAILING

Respondent.


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STATE OF WISCONSIN    )  
                                  )  
COUNTY OF DANE        )

I, Kate Rotenberg, having been duly sworn on oath, state the following to be true and correct based on my personal knowledge:


1. I am employed by the Wisconsin Department of Regulation and Licensing.
2. On February 10, 1997, I served the Order Denying Petition dated February 3, 1997 upon the Respondent Anthony P. Dalton, M.D. by enclosing a true and accurate copy of the above-described document in an envelope properly stamped and addressed to the above-named Respondent and placing the envelope in the State of Wisconsin mail system to be mailed by the United States Post Office by certified mail. The certified mail receipt number on the envelope is P 201 377 307.
3. The address used for mailing the Decision is the address that appears in the records of the Department as the Respondent's last-known address and is:

Anthony P. Dalton, M.D.  
507 S. Main Street  
Viroqua WI 54665

  
\_\_\_\_\_  
Kate Rotenberg  
Department of Regulation and Licensing  
Office of Legal Counsel

Subscribed and sworn to before me

this 10<sup>th</sup> day of February, 1997.

  
\_\_\_\_\_  
Notary Public, State of Wisconsin  
My commission is permanent.