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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST

MARK M. BENSON, M.D.,

Respondent

ORDER RENEWING THE STAY

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 denied the request by its Order dated October 1, 1996.

By letter dated November 7, 1996, Dr. Benson petitioned for a further three-month stay, and again requested a reduction in the number of required urine screens. The board considered the matter at its meeting of November 20, 1996, and again denied the request by its Order dated January 4, 1997.

By letter dated June 17, 1997, Dr. Benson requested a further three-month stay of suspension. A subsequent letter from Dr. Engel supported a change in the number of required urine screens from two per week to one per week, and Dr. Benson appeared before the board on July 24, 1997, in support of the requests. The board considered the matter on that date and, by its Order dated July 31, 1997, reduced the number of required screens to one per week.

At its meeting of January 22, 1998, the board considered Dr. Benson's request for a further three month stay of the suspension, and granted the stay by its Order dated February 28, 1998.

By letter dated June 11, 1998, Dr. Benson requested that all limitations on his license be terminated, and he appeared before the board on July 23, 1998, in support of his request. The board considered the matter on that date.

Based upon Dr. Benson's request, and upon other information of record, the board orders as follows:

ORDER

NOW, THEREFORE, IT IS ORDERED that the request by Dr. Benson that all limitations on his license be terminated is denied.

IT IS FURTHER 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.

DISCUSSION

By letter dated June 25, 1998, Charles J. Engle, M.D., of Professional Recovery Network, who is Dr. Benson's therapist, recommends as follows:

"Dr. Benson did indicate to me that he has requested of the board that consideration be given to lifting the suspension of his medical license. I do feel that he is doing well at the present time, but by the same token, I also think that further follow up on some basis to assure the remission of his addiction is indicated."

In light of that recommendation, it would be inappropriate to grant Dr. Benson's request at this time.

Dated this 3rd day of August, 1998.

STATE OF WISCONSIN MEDICAL
EXAMINING BOARD

by Wanda Roever
Wanda Roever
Board Secretary