

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST

PAUL GOCHIS, M.D.,

Respondent

ORDER GRANTING PETITION

On February 22, 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 suspended for a period of not less than five years with provision for granting successive three-month stays of the suspension upon submission of proof satisfactory to the board that Dr. Gochis has continued his sobriety, that he has continued to successfully participate in a treatment and rehabilitation program satisfactory to the board, and that he is able to safely and reliably practice as a physician and surgeon.

At its meeting of October 24, 1996, the board considered Dr. Gochis' request, through his attorney, Michael Schaalman, that he be granted a stay of the suspension. Also considered was a letter dated August 29, 1996, from Dr. Charles J. Engel, of the Professional Recovery Network, reporting on Dr. Gochis' progress in recovery. The board granted the request and, by its Order dated November 5, 1996, stayed the suspension of the license for a period of three months.

By letter dated January 24, 1997, Dr. Gochis petitioned for an additional three month stay of suspension, and petitioned as well for a reduction in the number of urine screens to one per week and the number of therapy sessions to one every two weeks. That petition was supported by Dr. Engel. The board considered the request at its meeting of February 26, 1997, and granted the petition by its Order dated March 12, 1997.

By letter dated June 4, 1997, Dr. Gochis requested a renewal of the stay of suspension. He also notified the board that he was relocating to accept a residency program in Michigan. He therefore requested that his limited license be modified to permit him to prescribe, dispense and administer controlled substances; to permit a change in his drug monitoring program consistent with the procedures established by the Michigan Medical Board; and to permit him to change his supervising health care provider. The board considered the requests at its meeting of June 25, 1997, and, by Order dated July 7, 1997, denied the request to permit Dr. Gochis to prescribe and dispense controlled substances, but granted the remaining requests.

On August 21, 1997, November 19, 1997, the board granted Dr. Gochis' requests for further renewals of the stay of suspension of his license.

On February 25, 1995, the board considered a request by Dr. Gochis for a further renewal of the stay of suspension of his license, and renewed the stay by its Order dated March 12, 1998.

Dr. Gochis appeared before the board on May 21, 1998, as required by the board's order. At that time, Dr. Gochis requested that the number of required urine screens be reduced to two screens per month with an additional screen required in each quarter. The board considered the request that meeting, and orders as follows:

ORDER

NOW, THEREFORE, IT IS ORDERED that the number of required urine screens be reduced to two screens per month. One additional random urine screen shall be conducted in each three month period.

Dated this 28 day of May, 1998.

STATE OF WISCONSIN
MEDICAL EXAMINING BOARD

by Wanda Roever
Wanda Roever
Secretary

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

In the Matter of Disciplinary Proceedings Against

Paul Gochis, M.D.,

AFFIDAVIT OF MAILING


Respondent.

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 June 2, 1998, I served the Order Granting Petition dated May 28, 1998, upon the Respondent Paul Gochis, 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 221 158 940.
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:

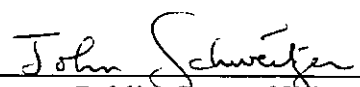
Paul Gochis, M.D.
25570 W. Twelve Mile Road
Southfield MI 48034



Kate Rotenberg
Department of Regulation and Licensing
Office of Legal Counsel

Subscribed and sworn to before me

this 2nd day of June, 1998.



Notary Public, State of Wisconsin
My commission is permanent.

NOTICE OF RIGHTS OF APPEAL

TO: PAUL GOCHIS MD

You have been issued a Final Decision and Order. For purposes of service the date of mailing of this Final Decision and Order is 6/2/98. Your rights to request a rehearing and/or judicial review are summarized below and set forth fully in the statutes reprinted on the reverse side.

A. REHEARING.

Any person aggrieved by this order may file a written petition for rehearing within 20 days after service of this order, as provided in section 227.49 of the Wisconsin Statutes. The 20 day period commences on the day of personal service or the date of mailing of this decision. The date of mailing of this Final Decision is shown above.

A petition for rehearing should name as respondent and be filed with the party identified below.

A petition for rehearing shall specify in detail the grounds for relief sought and supporting authorities. Rehearing will be granted only on the basis of some material error of law, material error of fact, or new evidence sufficiently strong to reverse or modify the Order which could not have been previously discovered by due diligence. The agency may order a rehearing or enter an order disposing of the petition without a hearing. If the agency does not enter an order disposing of the petition within 30 days of the filing of the petition, the petition shall be deemed to have been denied at the end of the 30 day period.

A petition for rehearing is not a prerequisite for judicial review.

B. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in section 227.53, Wisconsin Statutes (copy on reverse side). The petition for judicial review must be filed in circuit court where the petitioner resides, except if the petitioner is a non-resident of the state, the proceedings shall be in the circuit court for Dane County. The petition should name as the respondent the Department, Board, Examining Board, or Affiliated Credentialing Board which issued the Final Decision and Order. A copy of the petition for judicial review must also be served upon the respondent at the address listed below.

A petition for judicial review must be served personally or by certified mail on the respondent and filed with the court within 30 days after service of the Final Decision and Order if there is no petition for rehearing, or within 30 days after service of the order finally disposing of a petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing. Courts have held that the right to judicial review of administrative agency decisions is dependent upon strict compliance with the requirements of sec. 227.53 (1) (a), Stats. This statute requires, among other things, that a petition for review be served upon the agency and be filed with the clerk of the circuit court within the applicable thirty day period.

The 30 day period for serving and filing a petition for judicial review commences on the day after personal service or mailing of the Final Decision and Order by the agency, or, if a petition for rehearing has been timely filed, the day after personal service or mailing of a final decision or disposition by the agency of the petition for rehearing, or the day after the final disposition by operation of the law of a petition for rehearing. The date of mailing of this Final Decision and Order is shown above.

The petition shall state the nature of the petitioner's interest, the facts showing that the petitioner is a person aggrieved by the decision, and the grounds specified in section 227.57, Wisconsin Statutes, upon which the petitioner contends that the decision should be reversed or modified. The petition shall be entitled in the name of the person serving it as Petitioner and the Respondent as described below.

SERVE PETITION FOR REHEARING OR JUDICIAL REVIEW ON:

STATE OF WISCONSIN MEDICAL EXAMINING BOARD

1400 East Washington Avenue

P.O. Box 8935

Madison WI 53708-8935