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STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY

PROCEEDINGS AGAINST	ORDER RESCINDING
GERALD D. O'MARRO, D.D.S.,	MODIFICATION OF ORDER
RESPONDENT.	DATED SEPTEMBER 3, 1997

To: Gerald D. O'Marro, D.D.S.
3970 North Oakland Avenue
Shorewood, WI 53211

On November 6, 1996, the Wisconsin Dentistry Examining Board issued a *Final Decision and Order* in the above-captioned matter. Among other things, the decision prohibited Dr. O'Marro from prescribing, administering, or dispensing any Schedule II controlled substances. However, the *Order* provided in part:

If Respondent is granted prescribing privileges for Schedule II controlled substances, he shall not prescribe, administer or dispense more than a four (4) day supply of the drug to a patient. In the event Respondent determines additional amounts of the controlled substance is medically necessary he shall refer the patient to another licensed medical practitioner.

By a *Modification of Order* dated September 3, 1999, the board granted Dr. O'Marro's request to be permitted to prescribe, administer and dispense controlled substances. In this *Order* the board stated in part as follows:

The board granted the request, noting that the reinstatement of prescriptive authority respecting schedule II controlled substances remains limited to, among other things, providing no more than a 4-day supply to patients.

At its meeting on May 5, 1999, the board reviewed information indicating that Dr. O'Marro had not been referring at least two patients to another licensed medical practitioner when they were in apparent need of more than a 4-day supply of a schedule II controlled substance. Rather, his practice was to essentially issue consecutive schedule II prescription every few days. For example, one patient received 12 percocet on January 5, 1999, 15 more on January 13, 1999, 12 more on January 16, 1999, 12 more on January 21, 1999, and 12 more on January 29, 1999. Such conduct was in violation of the board's prior *Orders*.

Dr. O'Marro appeared at the meeting on May 5, 1999, to explain his prescribing practices to the board. He indicated that his violation of the schedule II prescribing restrictions constituted a misunderstanding of the board's *Orders*.

Upon review of Dr. O'Marro's presentation, the board did not accept either his reasoning for prescribing schedule II controlled substances to patients for such a lengthy period of time, or for not referring patients to another licensed practitioner if he believed more than a 4-day supply was medically necessary. The board does not believe that Dr. O'Marro is adequately knowledgeable regarding the proper prescribing of schedule II controlled substances in his dental practice.

Based upon the information received:

IT IS HEREBY ORDERED that the Modification of Order dated September 3, 1997 authorizing Dr. Gerald D. O'Marro to prescribe, administer and dispense schedule II controlled substances in his dental practice is rescinded. Dr. Gerald D. O'Marro shall not prescribe, administer or dispense schedule II controlled substances in his dental practice.

FURTHERMORE, IT IS ORDERED that in all other respects, the previous orders of the board in this matter remain in full force and effect.

Dated this 5th day of May, 1999.

STATE OF WISCONSIN
DENTISTRY EXAMINING BOARD

M.J. Curran, D.D.S.
Chairman

