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STATE OF WISCONSIN
BEFORE THE PODIATRISTS AFFILIATED CREDENTIALING BOARD

IN THE MATTER OF

DISCIPLINARY PROCEEDINGS AGAINST

DION PATRICK FLYNN, DPM

Respondent

ORDER GRANTING STAY AND DENYING PETITION

On June 25, 1997, the Medical Examining Board issued its *Final Decision and Order Based Upon Settlement Conference* in the above-captioned matter. By the terms of the board's order, Dr. Flynn's license to practice podiatry in Wisconsin was suspended for a period of not less than five years, with provision for successive three month stays of the suspension conditioned upon compliance by Dr. Flynn with limitations on his license during the preceding three months. Dr. Flynn was to participate in a drug and alcohol treatment program, participate in individual and/or group therapy and alcoholics Anonymous, and submit to drug and alcohol screens on a weekly basis.

By letter dated July 30, 1998, Dr. Flynn requested a further three month stay of the suspension of his license, and requested as well that the number of required urine screens be reduced. The board granted the requests by its Order dated September 4, 1998.

On November 19, 1998, the board granted Dr. Flynn's request for a further stay of the suspension of his license.

On March 22, 1999, the board considered Dr. Flynn's request for a further three month stay of the suspension of his license, and his further request that the number of required urine screens be reduced from two to one per month. The board granted the stay but denied the request for a reduction in urine screens by its Order dated March 23, 1999.

On July 20, 1999, the board considered Dr. Flynn's request for a further three month stay of the suspension of his license. The board also considered a recommendation by Dr. Flynn's supervising physician, Dr. Charles Engel, that Dr. Flynn be reinstated to full licensure. The board orders as follows:

NOW, THEREFORE, IT IS ORDERED that the request for a stay of the suspension of the license of Dion Patrick Flynn, DPM, be, and hereby is, granted.

IT IS FURTHER ORDERED that the recommendation that Dr. Flynn be restored to full licensure is not accepted.

DISCUSSION

While the board is encouraged by Dr. Flynn's progress in his recovery, the Final Decision and Order in this matter provides for a term of suspension of not less than five years. While the board is not foreclosed from reinstating the full license prior to the expiration of five years, the Order has been in effect only two years. That is an insufficient time to support a conclusion that Dr. Flynn's recovery is complete.

Dated this 27th day of July, 1999.

Podiatrists Affiliated Credentialing Board

by _____

L.G. Reinecke, DPM

Chairperson