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IN THE MATTER OF

DISCIPLINARY PROCEEDINGS AGAINST

ANTHONY P. DALTON, M.D.

Respondent

ORDER GRANTING STAY

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 in support of the petition on February 22, 1996, and 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, and denied the request by its Order dated February 3, 1997.

By letter dated March 3, 1997, Dr. Dalton once more petitioned for stay of the suspension of his license, and he once more appeared before the board in support of the petition at the board's meeting of April 23, 1997. The board considered the petition on that date and denied the petition by its Order dated May 5, 1997.

Dr. Dalton next appeared before the board seeking reinstatement of his license on July 24, 1997; this time represented by Attorney Jeff Scott Olson. Also appearing in support of Dr. Dalton was Dean E. Whiteway, M.D., Dr. Dalton's therapist. The board considered the petition for reinstatement of the stay on that date, and denied the stay by its Order dated July 31, 1997.

Dr. Dalton appeared before the board on December 18, 1997, to once again request a stay of the suspension of his license. Also appearing on Dr. Dalton's behalf was Attorney Robert Krambs. The board considered the matter on that date, and granted the request. A further stay was granted by the board's Order dated May 6, 1998.

On July 23, 1998, the board considered Dr. Dalton's request for another three month extension of the stay. At that time the board considered evidence that Dr. Dalton had relocated to the State of Tennessee, and had failed to file quarterly reports due July 1, 1998. Accordingly, by its Order dated August 3, 1998, the board denied renewal of the stay.

On August 26, 1998, the board considered evidence that Dr. Dalton had come into compliance with the requirements of his limited license, and considered as well his request that the board accept the Tennessee Medical Foundation's Physician's Health Program in satisfaction of the requirement in the board's December 14, 1995, Final Decision and Order that he participate in a drug and alcohol treatment program satisfactory to the board. The board granted the request by its Order dated September 4, 1999.

Dr. Dalton appeared before the board for his annual appearance on February 24, 1999. Based upon that appearance, the board orders as follows:

NOW, THEREFORE, IT IS ORDERED that the board's Order of September 4, 1998, by which respondent's participation in a drug and alcohol treatment program, as required under paragraph #2 of the Order set forth in the Final Decision and Order in this matter dated December 14, 1995, is satisfied by his participation in the Tennessee Medical Foundation's Physician's Health Program, remains in full force and effect.

IT IS FURTHER ORDERED that Dr. Dalton shall again appear before the board at its meeting of February, 2000.

Dated this 5th day of February, 1999.

STATE OF WISCONSIN MEDICAL EXAMINING BOARD

by _____

Ronald Grossman, M.D., Secretary

