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STATE OF WISCONSIN

BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF

DISCIPLINARY PROCEEDINGS AGAINST

NICHOLAS F. GEIMER, M.D.,

ORDER GRANTING EXTENSION

Respondent

On January 29, 1999, 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 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 psychotherapy a minimum of four times each month, and that he participate in program of random witnessed monitoring for controlled substances and alcohol in his blood or urine on a frequency of not less than four times per month.

By letter dated March 8, 1999, respondent requested a further three month stay of the suspension of his license, and the board granted the request by its Order dated June 2, 1999.

On February 24, 2000, the board considered evidence that Dr. Geimer had failed to request a further stay of the suspension of his license since the last previous stay was granted on June 2, 1999. Moreover, the board was notified that upon receipt of the result of drug testing carried out in the intervening period, it was found that respondent had failed to submit to weekly drug screens as required by the board's Order, and that a screen conducted on February 11, 2000, was positive for opiates. Dr. Geimer appeared before the board on February 24, along with Attorney Franklyn Gimbel, in support of his petition for a further stay of the suspension of his license, and the board considered the matter on that date. The board granted the stay by it Order Dated March 3, 2000. The board's Order also withdrew its approval of Cedar Creek Counseling Center as Dr. Geimer's treatment provider.

On May 17, 2000, August 24, 2000, December 21, 2000, and March 22, 2001, the board granted Dr. Geimer's requests for further three month stays of the suspension.

On April, 2001, the board considered Dr. Geimer's request for a further stay of the suspension of his license. The board also considered evidence of the use of controlled analgesics by Dr. Geimer which, while apparently taken pursuant to prescriptions, nonetheless raised questions relating to the quantity and timing of the prescriptions. The board therefore extended the stay for a period of one month, and invited Dr. Geimer to appear before the board at its meeting of May 16, 2001, to address these issues.

Dr. Geimer appeared before the board on May 16, 2001, and requested that the stay be extended for a further three month period. The board granted the request by its Order dated May 24, 2001.

On August 22, 2001, the board considered Dr. Geimer's request for a further three month stay of the suspension of his license. The board also considered the report of Dr. Stephen Robbins, regarding Dr. Geimer's recovery from the lumbar laminectomy performed on May 25, 2001, and the quarterly report submitted by Don D. Rosenberg, M.S., in which he correctly infers that Dr. Geimer's supervising health care provider is required to be a physician. Based upon all information of record, the board orders as follows:

ORDER

NOW, THEREFORE, IT IS ORDERED that the stay of the suspension of Dr. Geimer's license is extended for a period of three months. Dr. Geimer may request further three month stays of the suspension, which shall be granted upon submission of satisfactory evidence of full compliance with the terms and conditions on his license during the preceding three month period.

IT IS FURTHER ORDERED that Dr. Geimer is requested to appear at the board's November, 2001, meeting to report on his progress in his recovery. Dr. Geimer is also requested to provide to the board at that time a report prepared by Dr. Robbins addressing Dr. Geimer's ongoing care and treatment for pain, if any.

IT IS FURTHER ORDERED that Dr. Geimer shall acquire a physician to act as his supervising health care provider. The suggested arrangement set forth in the July 25, 2001, letter from Don D. Rosenberg, M.S., whereby the Medical Director of Mr. Rosenberg's clinic is identified as Dr. Geimer's Supervising Health Care Provider working in collaboration with Mr. Rosenberg, is acceptable to the board.

Dated this 22nd day of August, 2001.

STATE OF WISCONSIN

MEDICAL EXAMINING BOARD

Sidney E. Johnson, M.D.

Secretary