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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST

NICHOLAS F. GEIMER, M.D.,

Respondent

ORDER GRANTING STAY
AND MODIFYING CONDITIONS

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 its 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. The board ordered that the stay of the suspension of Dr. Geimer's license be extended for a period of three months, that he acquire a physician to act as his supervising physician, and that he appear at the board's November, 2001, meeting.

Dr. Geimer appeared before the board at its November 14, 2001, meeting in support of his request for a further three month stay of the suspension. The board granted the stay by its Order dated November 26, 2001.

On February 20, 2002, the board considered a further three month stay of the suspension of Dr. Geimer's license. The board also considered evidence that Dr. Geimer is out of compliance with his Order in that the drug screen panel does not and has not for some period of time included some drugs included in the board's Order. The board stayed the suspension for one month and requested that Dr. Geimer appear before the board at its meeting of March 20, 2002.

Dr. Geimer appeared before the board on March 20, 2002, and discussed his current circumstances with the board. The board thereafter granted a three month stay by its Order dated March 29, 2002.

On May 22, 2002, the board considered Dr. Geimer's request for a further three month stay of the suspension. The board also considered evidence that Dr. Geimer is again not in full compliance with the board's Order in having failed to submit a therapy report. The board therefore denied the stay, and invited Dr. Geimer to appear at the board's June, 2002, meeting in support of any further request for a stay.

On June 19, 2002, Dr. Geimer appeared before the board and explained the circumstances surrounding his failure to fully comply with the board's Order. The board thereafter granted the three month stay.

On September 25, 2002, the board granted Dr. Geimer's request for a further three month stay of the suspension.

On December 18, 2002, the board considered Dr. Geimer's request for a further three month stay and his therapist's recommendations for modification of the conditions on Dr. Geimer's license. Based upon all information of record herein, the board orders as follows:

ORDER

NOW, THEREFORE, IT IS ORDERED that the request for a stay of suspension of the license of Nicholas Geimer, M.D., is hereby granted.

IT IS FURTHER ORDERED that the number of required urine screens is hereby reduced to two per month.

IT IS FURTHER ORDERED that the number of required therapy sessions is hereby reduced to two per month.

Dated this 6th day of January, 2003.

STATE OF WISCONSIN
MEDICAL EXAMINING BOARD

Virginia S. Heinemann
Secretary