

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE CHIROPRACTIC EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
GREGORY M. BLAU, D.C.	:	LS0409271CHI
RESPONDENT.	:	

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[Division of Enforcement Case 01 CHI 032]

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

Gregory M. Blau, D.C.  
14625 W. Lisbon Road  
Brookfield WI 53005

Division of Enforcement  
Department of Regulation and Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

Chiropractic Examining Board  
Department of Regulation & Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Chiropractic Examining Board. The Board has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Gregory M. Blau, D.C. (“Respondent”) was born on February 16, 1956, and is licensed to practice chiropractic in the state of Wisconsin pursuant to license #1560, first granted on July 30, 1980.
2. On August 10, 1998, patient M.R. presented to Respondent with new complaints of back pain.
3. Respondent’s records of Patient M.R. do not include an adequate patient history on the new complaints of back pain.
4. Respondent’s records of Patient M.R. do not include documentation of an examination or evaluation of the patient’s condition on the August 10, 1998, complaints of back pain.
5. Respondent’s records of Patient M.R. do not include a treatment plan to address the August 10, 1998, complaints

of back pain.

6. Respondent's records of Patient M.R. do not include documentation of re-evaluations of the patient's condition sufficient to indicate whether treatment was effective over the period August 10, 1998 through May 17, 2001.

7. Respondent's records of Patient M.R. for the period August 10, 1998 through May 17, 2001, show thirty-seven office visits.

8. Respondent's treatment notes for thirty-five of those thirty-seven office visits consist of the same four sentences in the same order asserting findings at four vertebrae in at least three areas of the spine.

9. Respondent admits that he has six standard daily notes which he uses for all patients, identified by number one through six; that the standard notes differ only by which four vertebrae are listed, and that his office assistant enters one of the six form notes in the computerized patient file when he tells her which form number to use.

10. Respondent's records of Patient M.R. for the period August 10, 1998 through May 17, 2001, do not meet the requirements of ss. Chir 11.03 and 11.04, Wis. Admin. Code.

### CONCLUSIONS OF LAW

1. The Wisconsin Chiropractic Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. §446.03, and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. Respondent's conduct in maintaining inadequate records for Patient M.R. for the multiple office visits during the period August 10, 1998 through May 17, 2001, constitutes multiple violations of s. Chir 6.02(25), Wis. Admin. Code.

### ORDER

NOW, THEREFORE, RESPONDENT GREGORY BLAU, D.C., IS REPRIMANDED.

IT IS FURTHER ORDERED THAT

The license previously granted to Gregory Blau, D.C., is LIMITED by the following conditions:

1. Four times during the one year period beginning on the day following the date of this Order, the Division of Enforcement may send an investigator or other agent to Dr. Blau's chiropractic practice to randomly select up to ten patient files for review.

a. Dr. Blau shall provide the Division's agent with access to his clinic appointment log and billing records for the period beginning one month prior to the appearance of the Division's agent at his chiropractic practice.

b. Dr. Blau shall immediately produce the patient files requested by the Division's agent, for the agent's immediate inspection, and shall provide the agent with photocopies of any part of those patient files for any date or dates after the date of this order. In the event that it would not be possible to identify the patient from the entries in the patient file on or after the date of this order, Dr. Blau shall cooperate with the Division's agent in documenting the identity of the patient to whom the photocopied portion of the records relate.

c. In the event that Dr. Blau is unable to provide photocopies of the records chosen by the Division's agent at the time the agent requests the records, Dr. Blau shall release the files to the Division's agent for the agent to make the photocopies in such manner as the Division's agent deems expedient.

d. The Division's agent shall deliver the photocopies of the records to an attorney within the Division, or a chiropractor chosen by the Division, for evaluation of Dr. Blau's compliance with the standards and regulations

pertaining to the regulation of his practice of chiropractic.

2. Within one year of the date of this Order, Dr. Blau shall successfully complete one or more continuing education courses on chiropractic documentation with emphasis on clinical and legal implications of patient records.

a. The course or courses shall provide 8 hours of continuing education contact hours. Dr. Blau shall obtain pre-approval from the Department Monitor for any course he intends to take to comply with this Order before he takes the course; the Department Monitor may approve less than all of any course nominated by Dr. Blau for compliance with this Order, and Dr. Blau shall take as many courses as necessary to reach 8 contact hours.

b. Dr. Blau is solely responsible for all costs associated with obtaining the required continuing education under this Order, and no part of the credits earned in a course or courses required by this Order may be credited to any other continuing education requirement that may apply to Dr. Blau.

c. In the event Dr. Blau fails to timely complete the required continuing education, his license (#1560) SHALL BE SUSPENDED without further notice or hearing until he has complied with the terms of this Order.

All materials and reports relating to continuing education under this Order shall be sent to:

Department Monitor  
Wisconsin Department of Regulation and Licensing  
Division of Enforcement  
P.O. Box 8935  
Madison WI 53708  
Fax: 608/266-2264  
Telephone: 608/267-3817

IT IS FURTHER ORDERED THAT

3. Dr. Blau shall pay the costs of this proceeding in the amount of \$4,750.00 to the Department of Regulation and Licensing within ninety days of the date of this Order. In the event Dr. Blau fails to timely submit any payment of costs, Dr. Blau's license (#1560) SHALL BE SUSPENDED without further notice or hearing, until Dr. Blau has complied with the terms of this Order.

4. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order.

5. This Order is effective on the date of its signing.

Wisconsin Chiropractic Examining Board

James Weber  
By a Member of the Board

4-20-05  
Date