

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	<b>FINAL DECISION AND ORDER</b>
	:	
GABRIEL A. SZEKELY, M.D.,	:	LS-0503171-MED
RESPONDENT.	:	

02 MED 56

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

Gabriel A. Szekely, MD  
8200 W. Silver Spring Dr.  
Milwaukee, WI 53218

Wisconsin Medical Examining Board  
P.O. Box 8935  
Madison, WI 53708-8935

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

PROCEDURAL HISTORY

A formal complaint has been filed and answered in this matter. The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, without a hearing, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

- Respondent Gabriel Andrew Szekely (dob 7/12/53) is and was at all times relevant to the facts set forth herein a physician and surgeon licensed in the State of Wisconsin pursuant to license #28288, first granted on 4/10/87. Respondent is a family practitioner, and is certified by the American Board of Family Practice, with a subspecialty certificate in geriatric medicine.
- For a period of time around February 11, 2002, Respondent was a contract physician and Medical Director at the Gerald L. Ignace Indian Health Center, Inc., Milwaukee, and worked there approximately 17 hours per week. At that facility Respondent permitted prescriptions intended to be for controlled substances to be signed in blank and without a date by him, to be later completed by one specific advanced practice nurse practitioner pursuant to a protocol or consultation. Some half-dozen such blanks were signed per week, for a period of one or two years. For a period of time Respondent post-dated prescriptions for later pickup by patients. Respondent was of the belief that these were acceptable practices. Respondent stopped these practices when first made aware of potential concerns.
- On or about January of 2002 Respondent stored samples of a hydrocodone product (a C-III controlled substance) in an unlocked, non-secure container within his office, and when they were stolen he did not report the theft to the DEA and the Pharmacy Examining Board.
- On one occasion in July, 2001 Respondent appropriated 8 dosage units of zaleplon, a C-IV controlled substance, from samples held by the clinic for dispensing to patients, and consumed some without a prescription from another prescriber.
- Respondent has completed a 25 hour (Category 1 CME) home-study course offered by the University of Medicine and Dentistry of New Jersey, relating to the appropriate prescribing of controlled substances, which course also contains a recordkeeping component. On his own initiative Respondent participated in the American Society of Addiction Medicine’s “Pain and Addiction: Common Threads III Training Course,” on April 25, 2002, and the American Society of Addiction

CONCLUSIONS OF LAW

A. The Wisconsin Medical Examining Board has jurisdiction to act in this matter pursuant to Wis. Stats. §448.02(3), and is authorized to enter into the attached Stipulation pursuant to Wis. Stats. §227.44(5).

B. The conduct described in ¶¶ 2 and 4, above, violated Wis. Stats. § 961.38(5), and Wis. Admin. Code § Med. 10.02(2)(p). Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

IT IS FURTHER ORDERED, that Gabriel Andrew Szekely, M.D., is REPRIMANDED for his unprofessional conduct in this matter.

IT IS FURTHER ORDERED, that respondent shall pay the COSTS of investigating and prosecuting this matter of \$3,500, within 30 days of this Order.

IT IS FURTHER ORDERED, that in the event Respondent fails to timely submit any payment of the costs, Respondent's license SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with such payment.

Dated this 17<sup>th</sup> day of August, 2005.

WISCONSIN MEDICAL EXAMINING BOARD

by: Alfred Franger MD  
a member of the Board