

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

GREGORY J. ESTLUND, M.D.,
RESPONDENT.

:
:
:
: FINAL DECISION AND ORDER
: LS 0912172 MED
:

[Division of Enforcement Case # 09 MED 404]

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

Gregory J. Estlund
730 10th Avenue
Baldwin, WI 542002

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

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

PROCEDURAL HISTORY

The disciplinary complaint and notice of hearing in this matter were filed and served on December 17, 2009. The parties agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Medical Examining Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Gregory J. Estlund, M.D., Respondent, date of birth October 28, 1949, is licensed and currently registered by the Wisconsin Medical Examining Board to practice medicine and surgery in the state of Wisconsin, pursuant to license number 28346, which was first granted June 19, 1987.

2. Respondent's last address reported to the Department of Regulation and Licensing is 730 10th Avenue, Baldwin, WI 54200, which is the address of the Baldwin Area Medical Center (BAMC), his prior place of employment. The Division has been advised that Respondent's current address is 1480 Riverside Drive, River Falls, WI 54022.

3. On November 4, 2009, Respondent was at BMAC providing professional services to patients, while he was impaired by alcohol. Nursing staff reported that he smelled of alcohol and was stumbling

4. As a result of previous incidents at BAMC, a requirement was in place that Respondent submit to random alcohol testing and that he have a 0.00 blood alcohol level while providing professional services. A test done on November 4 revealed Respondent had a blood alcohol level of 0.11. When he was confronted, Respondent did not deny the use of alcohol and said, "This is a terrible disease."

5. Respondent's privileges at BAMC were summarily suspended on November 6, 2009 and the suspension continued until his resignation of privileges at BAMC was accepted on December 3, 2009.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction over this matter pursuant to Wis. Stat. § 448.02(3), and has authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. §§ 227.44(5) and 448.02(5).

2. Respondent, by practicing under his license while unable to do so with reasonable skill and safety to patients has committed unprofessional conduct as defined by Wis. Admin. Code § Med 10.02(2)(i) and is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The SURRENDER by Gregory J. Estlund, M.D., of his license to practice medicine and surgery in the State of Wisconsin is hereby ACCEPTED.

2. If Respondent ever seeks to regain this or any other credential from the Board:

a. Respondent shall provide sufficient evidence to the Board that he does not have any psychiatric or chemical abuse or dependency condition that could interfere with his safely providing professional services to patients or the public.

b. It shall be in the sole discretion of the Board whether to grant any credential to Respondent and whether to impose limitations on any credential the Board may decide to grant.

3. Respondent shall, within 120 days of the date of this Order, pay to the Department of Regulation and Licensing the costs of this proceeding in the amount of \$450.00 pursuant to Wis. Stat. § 440.22(2).


4. All notices, petitions, requests or payments required by this Order shall be mailed, faxed or delivered to:

Department Monitor
Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935
Fax (608) 266-2264
Telephone (608) 267-3817

5. This Order is effective on the date it is signed.

Wisconsin Medical Examining Board

By:



A Member of the Board

1/20/10

Date

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