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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	FINAL DECISION AND ORDER
	:	
DAVID L. ROQUE, M.D.,	:	ORDER 0000 556
RESPONDENT.	:	

Division of Enforcement Case No. 10 MED 115

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

David L. Roque, M.D.
3861 W. Pratt Avenue
Lincolnwood, IL 60712

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

Medical Examining Board
Department of Regulation and Licensing
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 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. David L. Roque, M.D., Respondent herein, (DOB August 5, 1964), 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 38340, which was first granted September 27, 1996.
2. Respondent's most recent address on file with the Wisconsin Medical Examining Board is 3861 W. Pratt Avenue, Lincolnwood, Illinois 60712.
3. Respondent's specialty is in family medicine and at all time relevant to this matter he was practicing medicine in the state of Illinois where he is also licensed to practice.

4. On March 3, 2010, the Illinois State Medical Disciplinary Board issued a Consent Order reprimanding Respondent and ordering him to pay a fine of five hundred dollars (\$500.00). This is the only discipline of Respondent in Illinois and the discipline was based on:

a. On November 27, 2004, Respondent saw a patient who had swelling in his right big toe and diagnosed gout. Respondent wrote the patient a prescription for .6 mg tablets of colchicine. The prescription's directions "were poorly written and should have been more detailed".

b. The pharmacist filled the prescription order without seeking clarification from the physician and provided written directions that the patient should "take two tablets by mouth every 1 hour until loose stool, then take every 2 to 4 hours as directed."

c. The usual dose of colchicine to relieve an attack of gout is 1 to 2 tablets, followed by 1 tablet every hour or 2 tablets every two hours, until pain is relieved or until diarrhea ensues. The drug should be stopped if there is gastrointestinal discomfort or diarrhea.

d. The patient followed the written directions received from the pharmacist and took 44 tablets, not stopping when his stools became loose. As a result, on November 29, the patient was admitted to an Evanston Illinois hospital, went into respiratory failure followed by cardiac arrest and died.

e. The \$500 fine was for Respondent failing to respond to the Illinois Board's requests in a timely manner.

CONCLUSIONS OF LAW

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

2. Respondent by having had disciplinary action taken against his Illinois license to practice medicine and surgery by the Illinois State Medical Disciplinary Board, as set out above, has committed unprofessional conduct as defined by Wis. Admin. Code § Med 10.02(2)(q) and is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. David L. Roque, M.D., Respondent, is hereby REPRIMANDED for the above conduct.

2. Respondent shall, within 90 days of the date of this Order, pay to the Department of Regulation and Licensing the costs of this proceeding in the amount of \$250.00 pursuant to Wis. Stat. § 440.22(2).

3. All payments, notices or requests required by this Order made to:

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

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 limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of the costs as ordered, Respondent's license may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs.

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

MEDICAL EXAMINING BOARD

By: Skailor MD MBA
A Member of the Board

17 / Nov / 10
Date