

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
EDWARD J. MCGRATH, D.D.S.,	:	
RESPONDENT.	:	<u>ORDER 0001297</u>

[Division of Enforcement Case #11 DEN 093]

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

Edward J. McGrath, D.D.S.
Mid-Towne Dental Associates
1730 7th Street S
Wisconsin Rapids, WI 54494

Division of Enforcement
Department of Safety and Professional Services
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Dentistry Examining Board
Department of Safety and Professional Services
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 Dentistry 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. Edward J. McGrath, D.D.S., ("Respondent") was born on January 27, 1975, and is licensed to practice dentistry in the state of Wisconsin pursuant to license number 015-5538. This license was first granted on August 8, 2002.

2. Respondent's most recent address on file with the Wisconsin Dentistry Examining Board is 1730 7th Street S, Wisconsin Rapids, Wisconsin 54494.

3. At all times relevant to this proceeding, Respondent was working as a dentist at Wisconsin Rapids, Wisconsin.

4. Respondent began abusing hydrocodone intermittently while a student in college, and continued the abuse with greater frequency while in dental school. Between his graduation from dental school in 2002 and October 2009, he continued to abuse hydrocodone.

5. Respondent obtained hydrocodone by providing prescriptions for hydrocodone to other persons, other than in the course of legitimate practice of dentistry, in exchange for part or all of the tablets he prescribed to those other persons.

6. In October 2009, Respondent began to extricate himself from his abuse of hydrocodone and his relationships with the other persons involved in the illegitimate prescription plan.

7. In or about May 2010, one of the persons with whom Respondent had been involved in the illegitimate traffic in hydrocodone informed law enforcement authorities about Respondent's activities.

8. In June 2010, law enforcement authorities interviewed Respondent. Respondent admitted his illegitimate prescribing of hydrocodone, surrendered his DEA license, and forfeited his automobile, a 2008 Infinity, because it had been used in several instances as the place for other persons involved to pick up the illegitimate prescriptions.

9. On July 25, 2011, Respondent entered an AODA treatment program for professionals in Chicago, Illinois. He completed the in-patient portion of that program on September 28, 2011.

10. On October 13, 2011, Respondent plead guilty to Federal criminal offenses related to his illegitimate prescribing practices, and was immediately taken to jail to await sentencing on December 9, 2011.

CONCLUSIONS OF LAW

1. The Wisconsin Dentistry Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. §447.07(3) and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. The conduct described in paragraphs 2 - 10 above, constitutes violation of Wisconsin Administrative Code §§ DE 5.02(4), (6) and (15).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The license of Edward J. McGrath, D.D.S., to practice dentistry in the State of Wisconsin is hereby SUSPENDED until further order of Board.

a. No earlier than one month before his release from incarceration under his Federal sentence, Respondent may petition the Board to lift the suspension and re-instate the license under such conditions and limitations as the Board in its sole discretion then considers appropriate for the protection of public health, safety and welfare.

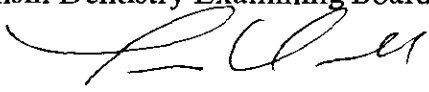
IT IS FURTHER ORDERED that:

2. Respondent shall, within ninety days from the date of this Order, pay costs of this proceeding in the amount of TWO HUNDRED FORTY (\$240.00) dollars. Payment shall be made payable to the Wisconsin Department of Safety and Professional Services, and mailed to:

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

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

Wisconsin Dentistry Examining Board

By: 
A Member of the Board

1-4-12
Date