

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
: FINAL DECISION AND ORDER
DANIEL F. ROYAL, D.O., :
RESPONDENT. :

0004433

Division of Legal Services and Compliance Case No. 15 MED 141

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

Daniel F. Royal, D.O.
Royal Medical Group
9065 S. Pecos Road, Suite 250
Henderson, NV 89074

Wisconsin Medical Examining Board
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Medical Examining Board (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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Daniel F. Royal, D.O. (DOB July 25, 1959), is licensed in the state of Wisconsin to practice medicine and surgery, having license number 33024-21, first issued on March 26, 1992, with registration current through February 29, 2016. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is Royal Medical Group, 9065 S. Pecos Road, Suite 250, Henderson, Nevada 89074.

2. Respondent was previously board-certified in family and general practice medicine. He currently holds no board certifications.

3. At all times pertinent to this matter, Respondent was the primary and responsible physician in a medical practice located in Henderson, Nevada.

4. On April 14, 2015, the Nevada State Board of Osteopathic Medicine (Nevada Board) issued a Settlement Agreement and Order (Nevada Order) disciplining Respondent for his alleged below-standard care and treatment of pain management patients, his controlled substances and corticosteroid prescriptive practices, and his failure to maintain adequate treatment records, among other things.

5. The Nevada Board placed Respondent's license on probation for a period of two (2) years, and included, in part, the following terms and conditions:

- a. Respondent's ability to prescribe controlled substances shall be limited as set forth in the Nevada Order.
- b. Respondent shall submit to a practice monitor by, in part, providing patient files for review and conferring with the practice monitor regarding Respondent's treatment plans for his pain management patients.
- c. Respondent shall take and successfully complete twenty (20) units of continuing medical education related to pain management, addictionology, and the proper prescribing and use of controlled substances and ten (10) units of continuing medical education related to the proper use of corticosteroids.
- d. The Nevada Board will monitor Respondent's prescribing of controlled substances through random audits of his records and through review of his prescriber's profile.

6. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

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 pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Respondent Daniel F. Royal, D.O., engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(3)(c) (Oct. 2013) by having adverse action taken by another jurisdiction against his license to practice medicine and surgery.

3. As a result of the above conduct, Daniel F. Royal, D.O., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

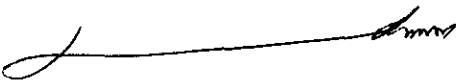
ORDER

1. The attached Stipulation is accepted.
2. Respondent Daniel F. Royal, D.O., is REPRIMANDED.
3. The medicine and surgery license issued to Daniel F. Royal, D.O., (license number 33024-21) is LIMITED as follows:
 - a. Respondent is to maintain full and complete compliance with all terms, limitations, and conditions imposed by the Nevada Board on his license to practice medicine in that state. Any violation of the Nevada Order constitutes a violation of this Order and the Board may, without further notice or hearing, impose additional limitations or summarily suspend his license to practice in Wisconsin as the Board determines is advisable.
 - b. Respondent shall, within forty-eight (48) hours of receipt, provide the Board with a certified copy of any document issued by the Nevada Board which continues, modifies, or removes the conditions of Respondent's continued practice of medicine in the state of Nevada, including any document granting or denying, in whole or in part, reinstatement of Respondent's license to practice medicine and surgery in the state of Nevada.
 - c. In the event Respondent applies for hospital privileges or seeks to practice medicine and surgery in the state of Wisconsin, he shall provide a copy of the Nevada Order and this Order along with any application he submits or request he makes pertaining to privileges or employment.
 - d. In the event Respondent plans to practice medicine and surgery in the state of Wisconsin, he shall notify the Board of his intentions and Wisconsin practice address at least thirty (30) days prior to resuming practice here.
 - e. Upon Respondent providing proof sufficient to the Board, or its designee, that he has successfully complied with all terms and conditions of the Nevada Order, or any subsequent order, the Board or its designee shall remove the limitations set out in this Order.
4. Within ninety (90) days from the date of this Order, Respondent Daniel F. Royal, D.O., shall pay COSTS of the matter in the amount of \$250.00.
5. Proof of compliance with the Nevada Order and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

6. Violation of any of the terms of this Order, including violations of the Nevada Order, failure to notify the Board in advance of return to practice, or additional acts of unprofessional conduct 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. In the event Respondent fails to timely submit payment of costs as ordered, Respondent's license (no. 33024-21) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of costs.

WISCONSIN MEDICAL EXAMINING BOARD

by: 

A Member of the Board

12/16/15

Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

DANIEL F. ROYAL, D.O.,
RESPONDENT.

:
:
:
:
:

STIPULATION

0004433

Division of Legal Services and Compliance Case No. 15 MED 141

Respondent Daniel F. Royal, D.O., and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing, and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation. Respondent is represented by Attorney Kimberly Kent.

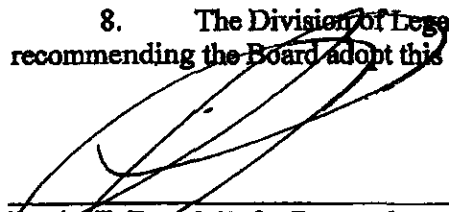
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Medical Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent or Respondent's attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

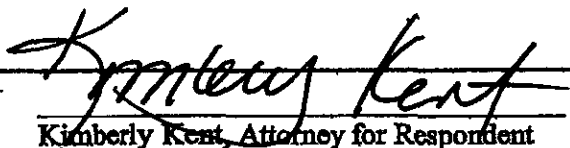
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Daniel F. Royal, D.O., Respondent
Royal Medical Group
9065 S. Pecos Road, Suite 250
Henderson, NV 89074
License no. 33024-21

11-03-15
Date



Kimberly Kent, Attorney for Respondent
Kent Law Group
341 East Camelback, Suite 100
Phoenix, AZ 85012

12/11/15
Date



Yolanda Y. McGowan, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

12-15-15
Date