

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

KENECHI E. ANULIGO, M.D.,
RESPONDENT.

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FINAL DECISION AND ORDER

00047 23

Division of Legal Services and Compliance Case No. 14 MED 412

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

Kenechi E. Anuligo, M.D.
Greenheck Health & Wellness Center
734 Ross Avenue
Schofield, WI 54476

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 Kenechi E. Anuligo, M.D. (DOB May 21, 1969), is licensed in the state of Wisconsin to practice medicine and surgery, having license number 53995-20, first issued on February 2, 2010, with registration current through October 31, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is Greenheck Health & Wellness Center, 734 Ross Avenue, Schofield, Wisconsin 54476.

PATIENT A

2. On January 21, 2014, Patient A, a male born in 1975, presented to Respondent with complaints of chronic back pain. Patient A's pain was described as "dull" but "well controlled with current medication regimen." Respondent did not provide a diagnosis for Patient A's chronic back pain complaints.

3. Respondent saw Patient A on nine occasions between January 21, 2014 and October 5, 2014. At each visit, Respondent's medical charting for Patient A noted that the patient was seen for chronic back pain which was well controlled by medication, and the patient was instructed to continue with the current medication regimen.

4. On October 5, 2014, Respondent performed a pill count of Patient A's controlled substance medications which was documented as "accurate...within expected parameters" (393 methadone and 94 Percocet[®] pills were noted).

5. Urine drug screen (UDS) were conducted on Patient A on two occasions during Respondent's care and treatment. On February 23, 2014, Patient A's UDS results were positive for methadone, oxycodone, and "faintly positive with opiates – consistent with high dose of oxycodone." On October 5, 2014, Patient a's UDS results showed methadone, oxycodone, and "weakly, opiates."

6. On February 23, 2014, Respondent noted in Patient A's medical chart that Patient A signed a controlled substance agreement. However, no agreement was contained in the records Respondent provided to the Department.

7. Respondent's medical charting for Patient A was deficient. It does not document referrals to any other providers, informed consent, nor a discussion of risks or benefits of taking opiate prescriptions.

8. The medications Respondent prescribed for Patient A throughout his care and treatment included methadone¹ (10 mg, 4 tablets, 4x/day) and Oxycodone² (20 mg, 1 tablet, 4x/day).

PATIENT B

9. On March 18, 2014, Patient B, a female born in 1975, presented to Respondent for a follow up visit regarding complaints of neck pain.

10. Respondent saw Patient B on eight occasions between March 18, 2014 and October 14, 2014. In addition to neck pain, Patient B's patient chart reflects a history of depression.

¹ Methadone is a Class II controlled substance often used to treat pain or used as part of addiction detoxification and maintenance.

² Oxycodone[®] is a Class II controlled substance often used to treat moderate to severe pain.

11. Respondent's medical charting for Patient B reflects that her depression and chronic neck pain were "well controlled" and the patient was instructed to "continue current medication regimen."

12. Respondent did not conduct any pill counts or UDS of Patient B during Respondent's care and treatment, despite charting that a random urine screen would be conducted.

13. Respondent's medical charting for Patient B is deficient. It does not contain an informed consent discussion or a controlled substance agreement.

14. The medications Respondent prescribed for Patient B throughout her care and treatment included methadone (10 mg, 8x/day; then 10 mg, 2 tablets, 3x/day), hydromorphone³ (4 mg, 1 tablet, 3x/day), and Wellbutrin SR[®] (200 mg, 2x/day).

15. Respondent's prescribing practices relative to Patients A and B failed to conform to minimal standards of competency as Respondent prescribed opiate/opioid pain medications:

- a. without conducting or ordering appropriate testing, including imaging studies, to determine the source of Patient A's non-specific complaints of back pain and Patient B's non-specific complaints of neck pain;
- b. without objective findings supporting his prescribing;
- c. without discussing and/or ordering alternate non-opioid treatments; and
- d. without a pain management agreement.

16. On October 27, 2014, Respondent responded to the Department's request for Patients A and B's healthcare records. Review of those records reflects that on the overwhelming majority of the record entries, Respondent electronically signed the chart notes the same day of the production to the Department (October 27, 2014).

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 Kenechi E. Anuligo, M.D., engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(2)(b) (Oct. 2013) by failing to conform to the standard of minimally competent medical practice which creates an unacceptable risk of harm to a patient or the public whether or not the act or omission resulted in actual harm to any person.

³ Hydromorphone is a Class II controlled substance often used to treat moderate to severe pain.

3. By the conduct described in the Findings of Fact, Respondent Kenechi E. Anuligo, M.D., engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(2)(c) (Oct. 2013) by prescribing, ordering, dispensing, administering, supplying, selling, giving, or obtaining any prescription medication in any manner that is inconsistent with the standard of minimal competence.

4. By the conduct described in the Findings of Fact, Respondent Kenechi E. Anuligo, M.D., engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(2)(j) (Oct. 2013) by performing an act constituting the practice of medicine and surgery without required informed consent under s. 448.30, Stats.

5. By the conduct described in the Findings of Fact, Respondent Kenechi E. Anuligo, M.D., engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(3)(e) (Oct. 2013) by failing to establish and maintain timely patient health care records, including records of prescription orders, under s. Med 21.03, or as otherwise required by law.

6. As a result of the above conduct, Kenechi E. Anuligo, M.D., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

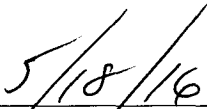
1. The attached Stipulation is accepted.
2. Respondent Kenechi E. Anuligo, M.D., is REPRIMANDED.
3. The medicine and surgery license issued to Kenechi E. Anuligo, M.D., (license number 53995-20) is LIMITED as follows:
 - a. Respondent shall not prescribe opiates/opioids, including tramadol, to any patient until he has successfully completed the following:
 - 1) Within nine (9) months of the date of this Order, Respondent shall successfully complete a minimum of 5 hours of education on the topic of safe and appropriate prescribing of opioids, 3-5 hours on the topic of ethics, and 2-4 hours on the topic of medical record keeping.
 - 2) Respondent shall be responsible for obtaining the courses required under this Order, for providing adequate courses descriptions to the Department Monitor, and for obtaining pre-approval of the courses from the Wisconsin Medical Examining Board, or its designee, prior to commencement of the courses. Prescribing and record keeping courses offered in either of the following settings are pre-approved and require no other authorization or approval to complete:
 - Safe and appropriate prescribing of opioids from the Federation of State Medical Boards, Boston University, or Vanderbilt University;

- Medical Record Keeping Course sponsored by UC San Diego PACE Program; and
 - Medical Record Keeping Course sponsored by Professional Boundaries, Inc.
- 3) The Board or its designee may reject any course and may accept a course for less than the number of hours for which Respondent seeks approval.
 - 4) Within thirty (30) days of completion of each educational component, Respondent shall file an affidavit with the Department Monitor stating under oath that he has attended, in its entirety, the course(s) approved for satisfaction of this requirement along with supporting documentation of attendance from the sponsoring organizations.
 - 5) Respondent is responsible for all costs associated with compliance with this educational requirement.
 - 6) None of the education completed pursuant to this requirement may be used to satisfy any other continuing education requirements that have been or may be instituted by the Board or Department.
4. Within ninety (90) days from the date of this Order, Kenechi E. Anuligo, M.D., shall pay COSTS of this matter in the amount of \$933.00.
5. Proof of successful course completion 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 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 or fails to submit proof of successful completion of the ordered education as set forth above, Respondent's license (no. 53995-20) 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 and completion of the education.

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

WISCONSIN MEDICAL EXAMINING BOARD

by: 
A Member of the Board


Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

KENECHI E. ANULIGO, M.D.,
RESPONDENT.

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STIPULATION

00047 23

Division of Legal Services and Compliance Case No. 14 MED 412

Respondent Kenechi E. Anuligo, M.D., 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.

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

Stipulation

In the matter of disciplinary proceedings against
Kenechi E. Anuligo, M.D., Case No. 14 MED 412

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, 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.

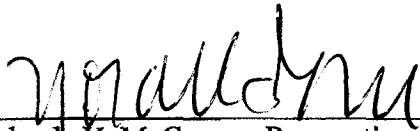
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Kenechi E. Anuligo, M.D., Respondent
Greenheck Health & Wellness Center
734 Ross Avenue
Schofield, WI 54476
License no. 53995-20

5/5/16

Date



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

5/5/16

Date