

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

0005669

IN THE MATTER OF THE LICENSE OF	:	
	:	FINAL DECISION AND ORDER
LORI L. BROOKS, M.D.,	:	FOR REMEDIAL EDUCATION
LICENSEE,	:	

Division of Legal Services and Compliance Case No. 16 MED 254

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

Lori L. Brooks, M.D.
9252 N. Green Bay Road
Brown Deer, WI 53209

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. Licensee Lori L. Brooks, M.D. (DOB October 3, 1963) is licensed by the State of Wisconsin to practice medicine and surgery, having license number 32557-20, first issued on August 22, 1991. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 9252 N. Green Bay Road, Brown Deer, Wisconsin 53209.
2. Licensee's medical specialty is physical medicine and rehabilitation.
3. In 2008, Licensee began treating a male born in 1969 for chronic back pain (Patient).

4. Licensee treated Patient from 2008 until April of 2013 and at various times prescribed Acetaminophen/Hydrocodone, Oxycodone and/or Morphine. Licensee changed clinic locations and did not provide care and treatment to Patient between May 2013 and November 2014.

5. Patient resumed care and treatment with Licensee on December 11, 2014. Licensee's medical charting reflects that Patient was discharged from a pain clinic in 2014 for testing positive for controlled substances not prescribed to him. Licensee had Patient sign a Narcotic Medication Contract, but thereafter did not subject him to urine drug screens or pill counts to address potential diversion or abuse of the controlled substances she prescribed.

6. On three occasions, Licensee authorized prescriptions to Patient after he reported that his prescribed medications were stolen or destroyed, including:

- a. On February 17, 2009, Licensee issued a prescription for Acetaminophen/Hydrocodone 10-325 mg (250 tablets) after Patient reported that medication was stolen from his work lunchbox, even though Licensee had just prescribed Acetaminophen/Hydrocodone 10-325 mg (250 tablets) on February 10, 2009.
- b. On July 23, 2009, Licensee reissued a prescription for Oxycodone 5 mg (120 tablets) after Patient reported that the paper prescription was left in his pocket and went through the laundry before he could fill it.
- c. On May 19, 2015, Licensee issued prescriptions for Oxycodone 15 mg (66 tablets) and Morphine 15 mg (69 tablets) after Patient reported that his medications were stolen from his work lunchbox and that he had filed a formal complaint with his employer. When issuing the prescriptions, Licensee failed to recall that Patient reported a similar incident in 2009.

7. On July 28, 2015, Licensee was notified that Patient attempted to criminally obtain controlled substances from two pharmacies, and she subsequently terminated her care and treatment of Patient.

8. Licensee did not renew her license by the most recent renewal date and her license expired on November 1, 2017.

9. On November 3, 2017, Licensee successfully renewed her license which is now is current through October 31, 2019.

10. Licensee successfully completed the Case Western Reserve University School of Medicine *Intensive Course in Controlled Substance Prescribing*, earning 24 AMA PRA Category 1 credits on February 5-7, 2018.

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

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

ORDER

1. The attached Stipulation is accepted.

2. The Board recognizes the aforementioned continuing education course as the equivalent of the education the Board would have otherwise required. The course attended may not be used in satisfaction of the statutory continuing education requirements for licensure.

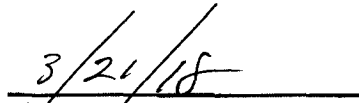
3. This Order is effective on the date of its signing.

WISCONSIN MEDICAL EXAMINING BOARD

by:


A Member of the Board

Date


Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE LICENSE OF

LORI L. BROOKS, M.D.,
LICENSEE.

0005669
STIPULATION

Division of Legal Services and Compliance Case No. 16 MED 254

Licensee Lori L. Brooks, 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. Licensee consents to the resolution of this investigation by Stipulation.

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

- the right to a hearing on the allegations against Licensee, 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 Licensee;
- the right to call witnesses on Licensee's behalf and to compel their attendance by subpoena;
- the right to testify on Licensee'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 Licensee under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Licensee is aware of Licensee'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 Mark Larson.

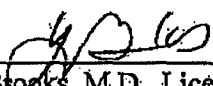
4. Licensee agrees to the adoption of the attached Final Decision and Order for Remedial Education by the Wisconsin Medical Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order for Remedial Education without further notice, pleading, appearance or consent of the parties. Licensee 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 Licensee, 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 for Remedial Education.

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


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



Lori L. Brooks, M.D., Licensee
252 N. Green Bay Road
Brown Deer, WI 53209
License No. 32557-20

2/27/18


Date



Mark Larson, Attorney for Licensee
Gutglass, Erickson, Bonville, & Larson, S.C.
735 N. Water Street, Suite 1400
Milwaukee, WI 53202

2/27/18

Date



Colleen L. Meloy, Attorney
Division of Legal Services and Compliance
Wisconsin Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

03/07/18

Date