

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

ANTHONY G. CONRARDY, M.D.,
RESPONDENT.

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FINAL DECISION AND ORDER

0005670

Division of Legal Services and Compliance Case No. 14 MED 288

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

Anthony G. Conrardy, M.D.
W139N6966 Bay Ridge Lane
Menomonee Falls, WI 53051

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 Anthony G. Conrardy, M.D. (DOB January 30, 1956) is licensed in the state of Wisconsin to practice medicine and surgery, having license number 43809-20, first issued on September 20, 2001, and expired on October 31, 2017, with appurtenant right to renew his license. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is W139N6966 Bay Ridge Lane, Menomonee Falls, WI 53051.

2. Respondent graduated from medical school in 1996 and completed a residency in anesthesiology at the Medical College of Wisconsin in 2003. Respondent passed the written examination of the American Board of Anesthesiology (scoring in the 97th percentile) but not the oral exam and is not board certified.

3. In 2014, Respondent was contacted by a recruiting firm to fill a position at a pain management clinic (Clinic) in Ypsilanti, Michigan. Respondent maintains that he did not know at that time that the Clinic was under investigation by federal authorities for numerous illegal prescribing practices.

4. In February 2014, Respondent began performing services at the Clinic as an independent contractor of the recruiting company. He was paid a flat salary and earned \$369,562 in the year he was employed at the Clinic. Prior to working at the Clinic, Respondent had never practiced as a pain management specialist treating patients with chronic pain.

5. In September 2014, the Department opened Division of Legal Services and Compliance Case No. 14 MED 288 for investigation after receiving a complaint which alleged unprofessional conduct in Respondent's prescribing practices.

6. In March of 2015, Respondent was indicted in U.S. District Court for the Eastern District of Michigan case number 2:15-cr-20144 on multiple felony charges including, but not limited to, Unlawful Distribution of Controlled Substances in violation of 21 U.S.C. § 841(a)(1). The Clinic's owner, office manager, two other physicians were also indicted. The charges against Respondent were grounded in Respondent's prescribing of controlled substances to patients between February 2014 and March 2015 at the Clinic.

7. On March 18, 2015, U.S. Magistrate Judge David Grand issued bond conditions for Respondent which included a condition prohibiting Respondent from prescribing controlled substances.

8. In a First Superseding Indictment filed April 21, 2016, Respondent was charged with one (1) felony count of Conspiracy to Distribute Controlled Substances in violation of 21 U.S.C. § 846 and thirteen (13) felony counts of Unlawful Distribution of Controlled Substances and Aiding and Abetting in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2.

9. On March 21, 2017, a federal jury found Respondent guilty of five (5) felony counts of Unlawful Distribution of Controlled Substances in violation of 21 U.S.C. § 841(a)(1) as follows:

- a. Count 11 21 U.S.C. § 841(a)(1) Unlawful Distribution of Controlled Substances, Schedule II Oxycodone (Percocet) 10 mg on March 11, 2014 to patient B.M. at 100 units;
- b. Count 14 21 U.S.C. § 841(a)(1) Unlawful Distribution of Controlled Substances, Schedule II Oxycodone (Percocet) 10 mg on June 18, 2014 to patient M.H. at 90 units;
- c. Count 15 21 U.S.C. § 841(a)(1) Unlawful Distribution of Controlled Substances, Schedule II Oxycodone (Percocet) 15 mg on July 1, 2014 to patient B.M. at 90 units;
- d. Count 16 21 U.S.C. § 841(a)(1) Unlawful Distribution of Controlled Substances, Schedule II Oxycodone (Percocet) 10 mg on August 22, 2014 to patient M.H. at 75 units; and
- e. Count 18 21 U.S.C. § 841(a)(1) Unlawful Distribution of Controlled Substances, Schedule II Hydromorphone (Dilaudid) 4 mg on September 3, 2014 to patient D.A. at 90 units.

10. On August 29, 2017, Respondent was sentenced to thirty (30) months in federal prison followed by thirty-six (36) months of supervised release.

11. Respondent reported to the minimum-security Federal Correctional Institution in Morgantown, West Virginia on October 3, 2017 and has remained confined there since.

12. Respondent has allowed his U.S. Drug Enforcement Administration registration to lapse, and may not legally prescribe, order, administer, or distribute controlled substances in any state.

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

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 448.02(5).

2. By the conduct described in the Findings of Fact, Respondent engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(3)(i) by a conviction of federal law that is substantially related to the practice of medical and surgery.

3. As a result of the above conduct, Anthony G. Conrardy, M.D., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The Board accepts the VOLUNTARY SURRENDER by Anthony G. Conrardy, M.D., of his license (license no. 43809-20) to practice medicine and surgery in the State of Wisconsin, and any appurtenant registration or right to renew that registration, effective the date of this Order.

2. If Respondent ever seeks any credential under Wis. Stat. chs. 440-480, he shall as a prerequisite to application pay COSTS of this matter in the amount of \$5594.00.

3. In the event Respondent petitions the Board to reinstate his license to practice medicine and surgery in the State of Wisconsin, the Board shall have sole discretion to grant or deny Respondent's petition, or to grant it subject to any limitations or conditions it deems appropriate.

4. If Respondent ever petitions the Board to reinstate his license to practice medicine and surgery in Wisconsin, the petition may include copies of any documents, evidence, and transcripts from the U.S. District Court for the Eastern District of Michigan, case number 2:15-cr-20144 and shall specifically include the following:

- a. Indictment, March 17, 2016, ECF No. 1;
- b. First Superseding Indictment, April 21, 2016, ECF No.86;
- c. Defendant Conrardy Sentencing Memorandum, August 18, 2017, ECF No. 168;
- d. Government Sentencing Memorandum, August 18, 2017, ECF No. 169, including Exhibits A-H;
- e. Defendant Conrardy Submission with Respect to Sentencing Factors, August 18, 2017, ECF No. 171; and
- f. Judgment in a Criminal Case, August 29, 2017, ECF No. 173.

5. 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

ANTHONY G. CONRARDY, M.D.,
RESPONDENT.

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STIPULATION

0005670

Division of Legal Services and Compliance Case No. 14 MED 288

Respondent Anthony G. Conrardy, 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. Respondent is represented by Attorney John R. Zwieg.

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.

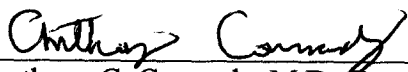
Stipulation for Final Decision and Order
In the matter of disciplinary proceedings against
Anthony G. Conrardy, M.D. 14 MED 288

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.

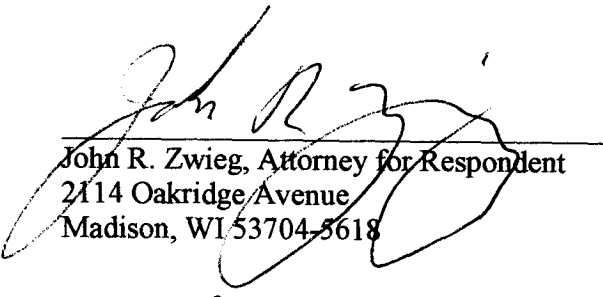
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.



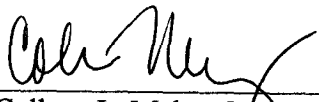
Anthony G. Conrardy, M.D., Respondent
W139N6966 Bay Ridge Lane
Menomonee Falls, WI 53051
License no. 43809-20

2-15-18
Date



John R. Zwieg, Attorney for Respondent
2114 Oakridge Avenue
Madison, WI 53704-5618

January 31, 2018
Date



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

02/26/2018
Date