

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

MARK J. GREULICH, D.D.S.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:

0005861

Division of Legal Services and Compliance Case No. 17 DEN 001

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

Mark J. Greulich
N68 W33420 Highway K
Oconomowoc, WI 53066

Wisconsin Dentistry 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 Dentistry 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 Mark J. Greulich, D.D.S., (DOB: December 25, 1956) is licensed in the State of Wisconsin to practice dentistry, having license number 3153-15, first issued on July 5, 1983 and current through September 30, 2019. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is N68 W33420 Highway K, Oconomowoc, Wisconsin 53066.

2. At all times relevant to this proceeding, Respondent was employed as a dentist at a dental office, located in Oconomowoc, Wisconsin.

3. Between November 20, 2013, and June 14, 2017, Respondent issued at least twenty-two (22) prescriptions for controlled substances to multiple patients without documenting the need for the prescription in the corresponding patient chart .

4. The standard of care ordinarily exercised by a dentist in Wisconsin required Respondent to document the need for a controlled substance in a patient's chart.

5. Between December 6, 2016, and January 3, 2017, Respondent issued four (4) prescriptions for hydrocodone 7.5/325 mg to Patient A.R. Respondent issued the prescription even though the patient's chart was flagged indicating that the Patient A.R. was to receive "no pain meds."

6. The standard of care ordinarily exercised by a dentist in Wisconsin required Respondent to not prescribe pain medications if the patient chart is flagged to not prescribe pain medications.

7. On January 3, 2017, Respondent prescribed fifteen (15) tablets of hydrocodone/acetaminophen 7.5/325 mg to Patient J.S. This prescription is not documented in the Patient's chart.

8. On March 20, 2017, Respondent prescribed fifteen (15) tablets of hydrocodone/acetaminophen 7.5/325 mg for Patient D.G. This prescription is not documented in the patient's chart.

9. On March 29, 2017, Respondent prescribed twelve (12) tablets of hydrocodone/acetaminophen 7.5/325 mg for Patient K.N. This prescription is not documented in the patient's chart.

10. On March 31, 2017, Respondent prescribed fifteen (15) tablets of oxycodone/acetaminophen 7.5 mg for Patient A.B. This prescription is not documented in the patient's chart.

11. On April 3, 2017, Respondent prescribed twelve (12) tablets of hydrocodone/acetaminophen 7.5/325 mg for Patient D.G. This prescription is not documented in the patient's chart.

12. On May 17, 2017, Respondent prescribed fifteen (15) tablets of hydrocodone/acetaminophen 5/325 mg to Patient A.D. This prescription is not documented in the patient's chart.

13. The standard of care ordinarily exercised by a dentist in Wisconsin required Respondent to document controlled substances prescription issued to a patient in the patient's chart and the need for such prescription.

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

CONCLUSIONS OF LAW

1. The Wisconsin Dentistry Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 447.07, 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, Mark J. Greulich, D.D.S., engaged in unprofessional conduct as defined by Wis. Admin. Code § DE 5.02(1), by engaging in any practice which constitutes a substantial danger to the health, welfare or safety of a patient or the public.

3. As a result of the above violations, Mark J. Greulich, D.D.S., is subject to discipline pursuant to Wis. Stat. § 447.07(3)(a) and (h).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Mark J. Greulich, D.D.S., is REPRIMANDED.

3. The license to practice dentistry issued to Mark J. Greulich, D.D.S., (license number 3153-15) is LIMITED as follows:

- a. Within one hundred eighty (180) days of the date of this Order, Respondent shall successfully complete a four (4) hour education program on the topic of documentation regarding the prescribing of controlled substances, offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the courses.
- b. All education completed pursuant to this Order shall be taken in-person. Education such as webinar, online, or self-study shall not be approved.
- c. Respondent shall submit proof of successful completion of the ordered education in the form of verification from the institution providing the education to the Department Monitor at the address stated below.
- d. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Board or Department, and also may not be used in future attempts to upgrade a credential in Wisconsin.
- e. This limitation shall be removed from Respondent's license after Respondent petitions the Board and satisfies the Board or its designee that Respondent has successfully completed all of the ordered education.

4. Within ninety (90) days from the date of this Order, Mark J. Greulich, D.D.S., shall pay COSTS of this matter in the amount of \$1,164.00.

5. Request for approval of courses, 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. In the event that Respondent violates any term of this Order, Respondent's license (no. 3153-15) to practice dentistry in the state of Wisconsin may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of the Order. The Board may, in addition and/or in the alternative, refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

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

WISCONSIN DENTISTRY EXAMINING BOARD

by:


A Member of the Board

9-5-18
Date

RECEIVED

STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

AUG 27 2018

DEPT OF SAFETY & PROFESSIONAL SERVICES
DIV OF LEGAL SERVICES & COMPLIANCE

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

MARK J. GREULICH, D.D.S.,
RESPONDENT.

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:

STIPULATION

0005861

Division of Legal Services and Compliance Case No. 17 DEN 001

Respondent Mark J. Greulich, D.D.S., 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 Dentistry 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.

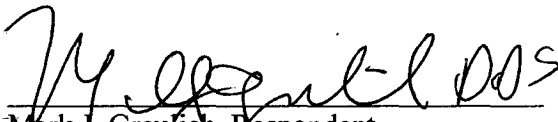
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

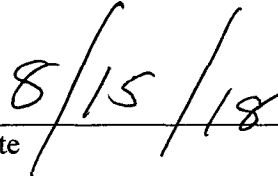
of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

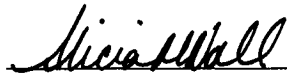
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes 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.

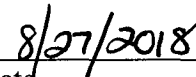
7. Respondent is informed that should the Board adopt this Stipulation, the Board's ~~Final Decision and Order~~ is a public record and will be published in accordance with standard Department procedure.

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.


Mark J. Greulich, Respondent
N68 W33420 Highway K
Oconomowoc, WI 53066
License no. 3153-15


Date


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


Date