

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE LICENSE OF

KWESI K. GRANT-ACQUAH, M.D.,  
LICENSEE.

:  
:  
: FINAL DECISION AND ORDER  
: FOR REMEDIAL EDUCATION  
:

**0005962**

Division of Legal Services and Compliance Case No. 17 MED 053

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

Kwesi K. Grant-Acquah, M.D.  
3443 Menomonee River Parkway  
Wauwatosa, WI 53222

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 Kwesi K. Grant-Acquah, M.D. (DOB December 16, 1977), is licensed by the State of Wisconsin to practice medicine and surgery, having license number 64548-20, first issued on September 9, 2015, with registration current through October 31, 2019. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 3443 Menomonee River Parkway, Wauwatosa, Wisconsin 53222.

2. At all times relevant to this matter, Licensee practiced family medicine at a clinic in Milwaukee, Wisconsin (the Clinic).

Patient A

3. From February 8, 2016 through May 12, 2016, Licensee treated Patient A, a male born in 1961, for complaints of injury-related chronic back pain.

4. Licensee had Patient A sign a Medication Agreement at the initial visit on February 8, 2016, which included oxycodone as the medication to be prescribed. No other controlled substances were added to Patient A's Medication Agreement.

5. On March 28, 2016, Licensee diagnosed Patient A with anxiety and provided Patient A with a prescription for Xanax<sup>®</sup>.<sup>1</sup> Licensee did not document any new complaints, subjective findings, or physical examination findings to justify a medical basis for prescribing Xanax<sup>®</sup>. Licensee states that Patient A reported the death of a close family member.

6. An April 21, 2016 urine drug screen report reflects that Patient A tested positive for heroin and for an opiate-based medication that was not being prescribed to Patient A.

7. Licensee saw Patient A for a Medication Counseling visit on April 27, 2018. There is no documentation of a conversation with Patient A regarding the results of the April 21, 2018 urine drug screen, and no referral for substance abuse consultation or counseling. Licensee discontinued prescribing controlled substances to Patient A.

Patient B

8. At various times from March 2016 through December 2016, Licensee treated Patient B, a male born in 1985, for complaints of injury-related chronic back pain.

9. On March 9, 2016, Licensee assessed Patient B as having articular disc disorder of temporomandibular joint. There is no medical documentation of Licensee's review of systems, reported history, or physical examination to support this assessment.

10. On March 14, 2016, Licensee included insomnia in Patient B's medical history and assessment and provided Patient B a new prescription order for Ambien<sup>®</sup>.<sup>2</sup> Licensee did not document any new complaints, subjective findings, or physical examination findings to justify prescribing Ambien<sup>®</sup>.

11. Licensee had Patient B sign a Medication Agreement on March 9, 2016 which included oxycodone and Oxycontin<sup>®</sup> as medications to be prescribed. No other controlled substances were added to Patient B's Medication Agreement.

12. Patient B saw Licensee's physician assistant for an office visit on October 14, 2016. A drug screen was ordered, but not documented in the patient record. A note in Patient B's health care record documented that Patient B was discharged due to noncompliance with pill counts. However, Patient B continued to receive treatment and prescriptions for controlled

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<sup>1</sup> Xanax<sup>®</sup> is the brand name for alprazolam, a Schedule IV controlled substance.

<sup>2</sup> Ambien<sup>®</sup> is a brand name for zolpidem, a Schedule IV controlled substance.

substances. Licensee represents that his physician assistant erroneously reinstated Patient B and resumed providing care.

13. On October 31, 2016, Patient B again saw Licensee's physician assistant for an office visit. The results of the October 14, 2016 drug screen reflected that Patient B tested positive for morphine, codeine, and a metabolite of heroin. Licensee had not prescribed morphine, codeine or any drug which would produce a metabolite of heroin. Patient B was warned and counseled against the inappropriate use of narcotic medications and dangers of using illicit drugs.

14. A December 12, 2016 urine drug screen report reflects that Patient B tested positive for morphine and codeine. Licensee had prescribed neither controlled substance to Patient B. Patient B failed to test positive for metabolites of the opioids that Licensee had prescribed to him.

15. On December 23, 2016, Licensee documented his plan for Patient B's drug abuse, which was to discharge Patient B from further treatment with any controlled substances.

16. At one or more visit with Patient B, Licensee did not adequately document physical examination results, and results of pill counts or drug screens.

#### CONCLUSION 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. Within six (6) months of the date of this Order, Licensee shall at Licensee's own expense take and successfully complete four (4) hours of education on the topic of medical documentation.

a. Each course attended in satisfaction of this Order must be pre-approved by the Board or its designee. Licensee shall be responsible for obtaining the course(s) required under this Order, for providing adequate course descriptions to the Department Monitor, and for obtaining pre-approval of the course from the Wisconsin Medical Examining Board, or its designee, prior to commencement of the course. Licensee must take and pass any exam offered for the course(s).

b. Within 30 days of completion of each educational component, Licensee 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.

c. 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.

3. Requests for course approval and proof of successful course completion shall be sent by Licensee 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

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

WISCONSIN MEDICAL EXAMINING BOARD

by: T. W. O. T. H. K. E.  
A Member of the Board

11/14/18  
Date

STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE LICENSE OF

KWESI K. GRANT-ACQUAH, M.D.,  
LICENSEE.

STIPULATION

0005962

Division of Legal Services and Compliance Case No. 17 MED 053

Licensee Kwesi K. Grant-Acquah, 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. Licensee is represented by Attorney James H. Hall, Jr.
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

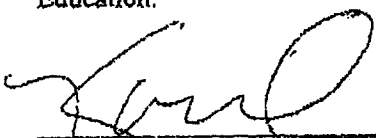
Stipulation  
In the matter of the license of  
Kwesi K. Grant-Acquah, M.D., Case No 17 MED 053

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.

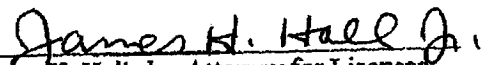
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Licensee, for purposes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

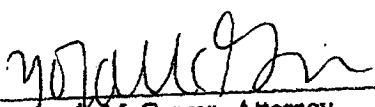
8. The Division of Legal Services and Compliance joins Licensee in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order for Remedial Education.

  
Kwesi K. Grant-Acquah, M.D., Licensee  
3443 Menomonee River Parkway  
Wauwatosa, WI 53222  
License no. 64548-20

10/8/18  
Date

  
James H. Hall, Jr., Attorney for Licensee  
Hall, Burce & Olson, S.C.  
759 N. Milwaukee Street, Suite 410  
Milwaukee, WI 53202-3795

10/8/18  
Date

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

10/8/18  
Date