

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF THE LICENSE OF	:	
	:	FINAL DECISION AND ORDER
	:	FOR REMEDIAL EDUCATION
EJLAL J. ALALAWI, D.M.D.,	:	
LICENSEE.	:	ORDER 0008320

Division of Legal Services and Compliance Case No. 22 DEN 023

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

Ejlal J. Alalawi, D.M.D.
Franklin, WI 53132

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. Ejlal J. Alalawi, D.M.D. (Licensee), (Year of Birth 1980) is licensed in the state of Wisconsin to practice dentistry, having license number 6477-15, first issued on December 29, 2009 and current through September 30, 2023. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Franklin, Wisconsin 53132.

2. Licensee specializes in oral and maxillofacial surgery and practices dentistry at an oral surgery clinic located in Oak Creek, Wisconsin.

3. Wisconsin Prescription Drug Monitoring Program (PDMP) data identified Licensee as a top opioid prescriber by volume among her peers in the state of Wisconsin between April 1, 2021 and June 30, 2021.

4. Licensee's practice is limited to oral and maxillofacial surgery. She routinely removes non-restorable teeth and malposed wisdom teeth, places dental implants, removes hard and soft tissue to rule out cancers, performs bone contouring to enable the proper fitting and function of future prosthetic devices, and performs other orthodontic surgical procedures. These procedures often require the prescribing of opioids for pain management.

5. Given the nature of Licensee's practice, the volume of her opioid prescribing was not determined to be significantly reckless.

6. Licensee stated that due to the volume of the patients that she sees, she does not run a PDMP query on every patient prior to prescribing controlled substances. However, she does run a PDMP query on every patient that has multiple comorbidities or that she believes is a poor historian.

7. Wisconsin Admin. Code § CSB 4.105(1) requires practitioners, absent exceptions which are inapplicable in this case, to review the PDMP prior to prescribing controlled substances to a patient.

8. On March 2, 2022, Licensee provided a copy of her PDMP metrics report. From February 26, 2021 through February 26, 2022, Licensee wrote 249 prescription orders for PDMP-tracked controlled substances (excluding orders for a 3-day supply or less). During that time, Licensee and/or any delegate queried the PDMP 147 times. This is a 59.04% compliance rate.

9. For the 100 days prior to the February 26, 2022 update of Licensee's PDMP metrics report, several Patient History Alerts were present in the system:

- a. 22 patients had alerts for concurrent benzodiazepine and opiate prescriptions.
- b. 8 patients had alerts for multiple prescribers or pharmacies.
- c. 15 patients had alerts for early refills.
- d. 4 patients had alerts for high current daily doses of opioids.
- e. 3 patients had alerts for long-term opioid therapy with multiple prescribers.
- f. 1 patient had an alert for multiple same-day prescription or dispensing events.

10. A review of ten of Licensee's patient records and Licensee's PDMP query history between June 1, 2020, and June 30, 2021, showed that, on multiple occasions, Licensee prescribed opioid controlled substances for pain management to patients without first performing a PDMP query. On multiple occasions, Licensee failed to properly document prescription orders in patient records. Specifically, problems were found in the following seven patients:

- a. Patient A.A. On January 11, 2021, Licensee saw Patient A.A. who was suffering from a mandible fracture involving tooth 17. On January 23, 2021, Licensee performed a closed reduction of Patient A.A.'s mandible and extracted teeth # 17 and 18. On January 11 and January 23, 2021, Licensee prescribed Patient A.A. oxycodone-acetaminophen 10-325 mg for longer than three days without first performing a PDMP query.
- b. Patient S.C. On April 20, 2020, Licensee extracted tooth # 11. On April 24, 2021, Licensee prescribed Patient S.C. oxycodone-acetaminophen 5-325 mg for longer than three days without first performing a PDMP query. On April 28, 2021, Licensee prescribed Patient S.C. acetaminophen-codeine 300-30 mg and did not record the prescription order in the patient's record.
- c. Patient K.K. On April 12, 2021, Licensee extracted teeth # 14, 16, 18, 26, and 27. On April 16, 2021, Licensee prescribed Patient K.K. oxycodone-acetaminophen 5-325 mg and did not record the prescription order in the patient's record.
- d. Patient T.S. On February 26, 2021, Licensee extracted teeth # 14 and 15. On March 2, 2021, Licensee prescribed Patient T.S. oxycodone 5 mg for longer than three days without first performing a PDMP query.
- e. Patient C.S. On June 1, 2021, Licensee extracted teeth # 5-12, 14, 17-20, 22-28, and 30-32. On June 1, 2021, Licensee prescribed Patient C.S. oxycodone-acetaminophen 10-325 mg and did not record the prescription order in the patient's record.
- f. Patient E.W. On May 22, 2021, Licensee extracted tooth # 16. On May 24, 2021, Licensee prescribed Patient E.W. acetaminophen-codeine 300-30 mg and did not record the prescription order in the patient's record. On June 3, 2021, Licensee prescribed Patient E.W. hydrocodone-acetaminophen 10-325 mg for longer than three days without first performing a PDMP query. On June 8, 2021, Licensee prescribed Patient E.W. hydrocodone-acetaminophen 10-325 mg and did not record the prescription order in the patient's record.
- g. Patient S.W. On March 23, 2021, Licensee extracted teeth # 21 and 32. On April 2, April 26, May 22, and May 27, 2021, Licensee prescribed Patient S.W. oxycodone-acetaminophen 5-325 mg for longer than three days without first performing a PDMP query. On May 3, May 18, and June 30, 2021, Licensee prescribed Patient S.W. hydrocodone-acetaminophen 5-325 mg for longer than three days without first performing a PDMP query. On May 22, and May 27, 2021, Licensee prescribed Patient S.W. oxycodone-acetaminophen 10-325 mg for longer than three days without first performing a PDMP query.

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 Dentistry Examining Board is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

ORDER

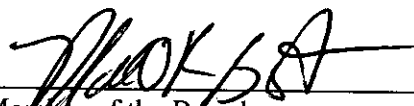
1. The attached Stipulation is accepted.
2. Within six (6) months of the date of this Order, Licensee shall at her own expense take and successfully complete two (2) hours of education on the use of the Wisconsin PDMP and two (2) hours of education on patient record documentation as follows:
 - a. Each course attended in satisfaction of this Order must be pre-approved by the Board or its designee. Licensee shall be responsible for locating course(s) satisfactory to the Board and for obtaining the required approval of the course(s) from the Board or its designee. Licensee must take and pass any exam offered for the course(s).
 - b. All education completed pursuant to this Order shall be taken in person. The Board's monitoring liaison may approve course(s) to be taken via webinar, online, or otherwise remotely, in response to a request from Licensee.
 - c. Licensee shall submit proof of successful completion of the education in the form of verification from the institution providing the education to the Department Monitor at the address stated below. 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 may not be used in any future attempt to upgrade a credential.
 - d. The Board's monitoring liaison may change the number of credit hours and/or education topics in response to a request from Licensee. The monitoring liaison may consider the topic availability and/or hours of education when determining if a change to the ordered education should occur.
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) 266-2112; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

Licensee may also submit this information online at: <https://dspsmonitoring.wi.gov>.

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

WISCONSIN DENTISTRY EXAMINING BOARD

By: 
A Member of the Board

1/4/2023
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF
EJLAL J. ALALAWI, D.M.D.,
LICENSEE.

:
:
:
:
:

STIPULATION

ORDER 0008320

Division of Legal Services and Compliance Case No. 22 DEN 023

Ejlal J. Alalawi, D.M.D. (Licensee) 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.

4. Licensee agrees to the adoption of the attached Final Decision and Order for Remedial Education by the Wisconsin Dentistry 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

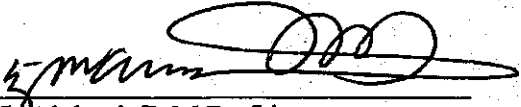
of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

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. Licensee is further informed that should the Board adopt this Stipulation, the Board's Final Decision and Order for Remedial Education will be reported as required by the National Practitioner Databank (NPDB) Guidebook and as otherwise required by any licensure compact or any other state or federal law.

9. 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.


Ejlal J. Alalawi, D.M.D., Licensee
Franklin, WI 53132
License No. 6477-15

11/01/2022
Date


Lesley McKinney, Prosecuting Attorney
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

11.2.2022
Date