

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

JOHN P. WALL, M.D.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:

ORDER 0008365

Division of Legal Services and Compliance Case No. 22 MED 314

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

John P. Wall, M.D.
Milwaukee, WI 53217

Wisconsin Medical Examining Board
P.O. Box 8366
Madison, WI 53708-f8366

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. John P. Wall, M.D. (Respondent), (Year of Birth 1967) is licensed in the state of Wisconsin to practice medicine and surgery, having license number 48694-20, first issued on October 19, 2005, with registration current through October 31, 2023. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Milwaukee, Wisconsin 53217.

2. At all times relevant to this proceeding, Respondent practiced family medicine at a medical clinic located in Milwaukee, Wisconsin.

3. On May 31, 2022, the Wisconsin Controlled Substances Board referred Respondent to the Board after Wisconsin Prescription Drug Monitoring Program (PDMP) data identified him

as a top opioid prescriber by volume among all Wisconsin physicians during the fourth quarter of 2021.

4. The Department's investigation involved reviewing medical records and PDMP reports regarding patients treated by Respondent from January 1, 2021, through December 31, 2021.

5. On multiple occasions between January 1, 2021, and December 31, 2021, Respondent prescribed a combination of opioids and benzodiazepines to Patients BF, DK, LN, and JS. Patient records do not contain documentation of whether risks and benefits were discussed with the patient concerning concurrent use of opioids and benzodiazepines.

6. On multiple occasions between January 1, 2021, and December 31, 2021, Respondent failed to check the Wisconsin Prescription Drug Monitoring Program (PDMP) prior to issuing a prescription order for controlled substances for Patients AD, JD, BF, BG, DJ, DK, LN, AR, RS and JS.

7. On multiple occasions between January 1, 2021, and December 31, 2021, Respondent prescribed opioids in excess of 90 morphine milligram equivalent (MME) up to 525 MME per day, for six of the patients whose records were reviewed for this case.

8. The Wisconsin Medical Examining Board Opioid Prescribing Guideline dated January 16, 2019, provides:

Prescribing of opioids is strongly discouraged in patients taking benzodiazepines or other respiratory depressants. Benzodiazepines triple the already high increases in respiratory depression and annual mortality rates from opioids. If they are used concurrently, clear clinical rationale must exist.

Given that there is no evidence base to support efficacy of doses over 90 MMEs, with dramatically increased risks, dosing above this level is strongly discouraged, and appropriate documentation to support such dosing should be present on the chart.

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

CONCLUSIONS OF LAW

1. The Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 448.02(3) and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. Wisconsin Admin. Code § CSB 4.105(1) requires a prescriber to review the PDMP history report about a patient before issuing a prescription order for controlled substances to the patient. This section contains several exceptions which do not apply to the case at hand.

3. By the conduct described in the Findings of Fact, Respondent engaged in unprofessional conduct as defined in Wis. Admin Code § Med 10.03(2)(c) by prescribing,

ordering, dispensing, administering, supplying, selling, giving, or obtaining any prescription medication in any manner that is inconsistent with the standard of minimal competence.

4. By the conduct described in the Findings of Fact, Respondent engaged in unprofessional conduct as defined in Wis. Admin. Code § Med 10.03(3)(i) by violating Wis. Admin. Code § CSB 4.105(1) which is substantially related to the practice of medicine and surgery.

5. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.
2. Respondent is REPRIMANDED.
3. Respondent's license and registration to practice medicine and surgery in the state of Wisconsin (license no. 48694-20), is LIMITED as follows:
 - a. Within six (6) months from the date of this Order, Respondent shall at his own expense, take and successfully complete the *Intensive Course in Controlled Substance Prescribing* Continuing Medical Education (CME) course offered by Case Western Reserve University School of Medicine for a total of 23.5 AMA PRA Category 1 Credits.
 - b. Respondent 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 also may not be used in future attempts to upgrade a credential in Wisconsin.
 - c. The Board's monitoring liaison may change the number of credit hours and/or education topics in response to a request from Respondent. The monitoring liaison may consider the topic availability and/or hours of education when determining if a change to the ordered education should occur.
 - d. This limitation shall be removed from Respondent's license and registration after satisfying the Board or its designee that Respondent has successfully completed all the ordered education.
4. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$954.00.
5. Any requests, petitions, payments of costs (made payable to Department of Safety and Professional Services), and other information required by this Order shall be submitted to:

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

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

6. In the event Respondent violates any term of this Order, Respondent's license and registration (no. 48694-20), or Respondent's right to renew his license and registration, 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 MEDICAL EXAMINING BOARD

By: *Stephen A. Wacker, MD*
A Member of the Board

1/18/2023
Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JOHN P. WALL, M.D.,
RESPONDENT.

STIPULATION

ORDER 0008365

Division of Legal Services and Compliance Case No. 22 MED 314

John P. Wall, M.D. (Respondent), 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 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.

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

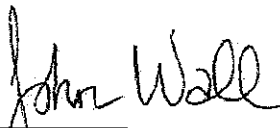
of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

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. Respondent is further informed that should the Board adopt this Stipulation, the Board's Final Decision and Order 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 Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



John P. Wall, M.D., Respondent
Milwaukee, WI 53217
License No. 48694-20

12/15/22

Date



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

12/15/2022

Date