

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF THE LICENSE OF

LORI L. BROOKS, M.D.,  
LICENSEE.

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FINAL DECISION AND ORDER  
FOR REMEDIAL EDUCATION

ORDER 0008369

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Division of Legal Services and Compliance Case No. 22 MED 172

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

Lori L. Brooks, M.D.  
Milwaukee, WI 53221

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 Lori L. Brooks, M.D., (Year of Birth 1963) is licensed in the state of Wisconsin to practice medicine and surgery, having license number 32557-20, first issued on August 22, 1991, with registration current through October 31, 2023. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Milwaukee, Wisconsin 53221.

2. At all times relevant to this proceeding, Licensee practiced as a physician specializing in physical medicine and rehabilitation at a medical clinic located in Milwaukee, Wisconsin.

3. The Controlled Substances Board referred Licensee to the Board after Prescription Drug Monitoring Program (PDMP) data identified Licensee as a top opioid prescriber by volume among Wisconsin physicians during the fourth quarter of 2021. Following the referral DLSC Case No. 22 MED 172 was opened.

4. The Department's investigation involved reviewing PDMP reports regarding patients treated by Licensee from January 1, 2021, through December 31, 2021, and reviewing medical records for a sample of 10 of those patients.

5. The Board's Opioid Prescribing Guidelines advise that there is no evidence base to support efficacy of opioid doses over 90 morphine milligram equivalent (MME) and there are dramatically increased risks with such dosing; therefore, dosing above this level is strongly discouraged, and appropriate documentation to support such dosing should be present in the chart.

6. The records reviewed by the Department reflect that Licensee prescribed doses of opioids to all 10 patients which exceeded the maximum amount recommended by the Board's Opioid Prescribing Guidelines (ranging from 260 to 590 MME). Respondent represents that all 10 sampled patients were established long term pain management patients.

7. The standard of minimal competence requires that a physician who prescribes opioid doses over 90 MME document the use of an opioid risk tool or risk assessment tool prior to prescribing opioids and continue to document the use of an opioid risk tool or risk assessment as necessitated by changes in circumstances. The records reviewed for 10 patients in 2021 did not contain any documentation of the use of an opioid risk tool or risk assessment during that time period. Respondent claims that she routinely utilized recognized opioid risk tools and would have used such tools on all 10 patients prior to the sampled time frame, and continued to utilize the tool factors in her subsequent assessments albeit without specific documentation.

8. Licensee also prescribed benzodiazepines to several of the 10 patients, without charting a clear clinical rationale for the co-prescription, or documenting a discussion with the patients regarding the risks of such co-prescription, at any point in 2021. Respondent states that one patient was suffering from terminal cancer and oncology wanted Respondent to manage her anti-anxiety medication as well as her pain control, and another patient was prescribed anti-anxiety medication one time prior to an MRI study. The standard of minimal competence requires that a physician who prescribes opioids in conjunction with benzodiazepines or other respiratory depressants to a patient, document a clear clinical rationale for such co-prescriptions, as well as discussion with patients regarding the risks, at least yearly and more often as necessitated by changes in circumstances.

9. Licensee prescribed opioids to several patients without seeing them at least every three months in 2021. Of those reviewed, one patient was seen 20 days late, two patients were seen 13 days late, two patients were seen 6 days late, and one patient was seen 4 days late. The standard of minimal competence requires that high-risk patients on opioid medication be seen at least every three months.

10. Licensee stopped practicing pain management effective December 31, 2021, and now practices at a Wound Care and Hyperbaric Oxygen Therapy Center where her practice is

entirely focused on wound care. The use of prescribed analgesics is very limited in Licensee's current wound care practice.

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 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 her own expense take and successfully complete six (6) hours of education on the topic of appropriate prescribing of opioids and 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. 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.
- c. The Board or its designee may change the number of credit hours and/or education topics in response to a request from Licensee. The Board or its designee 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://dpsmonitoring.wi.gov>.

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

WISCONSIN MEDICAL EXAMINING BOARD

By: Clarence Chau (M.D.)  
A Member of the Board

11/15/2023  
Date

STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF THE LICENSE OF

LORI L. BROOKS, M.D.,  
LICENSEE.

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STIPULATION

**ORDER 0008069**

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Division of Legal Services and Compliance Case No. 22 MED 172

Licensee Lori L. Brooks, 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 Mark Larson.

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 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 or Licensee'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 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.

  
Lori L. Brooks, M.D., Licensee  
Milwaukee, WI 53221  
License No. 32557-20

10/25/23  
Date

  
Mark Larson, Attorney for Licensee  
Gutglass Erickson Larson and Schneider, S.C.  
735 N. Water St., Ste 1400  
Milwaukee, WI 53202

10/30/23  
Date

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

10/30/2023  
Date