

STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY :  
PROCEEDINGS AGAINST :  
: FINAL DECISION AND ORDER  
RONALD G. RUBIN, :  
RESPONDENT. : ORDER0020359

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Division of Legal Services and Compliance Case No. 21 MED 060

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

Ronald G. Rubin  
Mequon, WI 53092

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

A disciplinary proceeding was commenced by the Wisconsin Department of Safety and Professional Services (Department) in this matter after the Medical Examining Board (Board) found probable cause. The Department filed a Notice of Hearing and Complaint with the Wisconsin Department of Administration, Division of Hearings and Appeals (DHA), on March 16, 2023, and the Respondent filed an Answer on April 5, 2023 (DHA Case No. SPS-23-0016).

In lieu of an evidentiary hearing on the Complaint, the parties agree to the terms and conditions of the attached Stipulation and agree that the Board may issue this Final Decision and Order, subject to the approval of the 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 Ronald G. Rubin (Year of Birth 1955) is licensed in the state of Wisconsin to practice medicine and surgery, having license number 36298-20, first issued on January 27, 1995, with registration current through October 31, 2025. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Mequon, Wisconsin 53092.

2. At all times relevant to this proceeding, Respondent practiced general psychiatry and served as medical director at a clinic in Milwaukee, Wisconsin.

### Prior Discipline

3. On July 16, 2014, the Board issued Order No. 3029 reprimanding Respondent, suspending his license with an immediate stay, and imposing certain limitations for violating several rules of professional conduct, including overprescribing medications to minor patients without close monitoring or consultation, failing to maintain adequate patient health care records, and failing to respond to requests by the Department within 30 days. The Board granted Respondent full, unrestricted licensure on December 19, 2018.

### Current Case

4. On February 23, 2021, the Department received a complaint from a child psychiatrist consultant to the Pharmacy Section, Division of Medicaid Services, Wisconsin Department of Health Services (DHS) alleging that Respondent had inappropriately prescribed antipsychotic medications to Patient A, a minor male born in 2008. The current case was opened to investigate the allegations.

5. Between March 1, 2021 and January 11, 2022, the Department, on behalf of the Board, corresponded with Respondent multiple times by email, U.S. mail, and telephone requesting his response to the complaint. While Respondent communicated with the Department and attempted to submit a response in August 2021, the response he submitted was not accessible to Department staff. Respondent did not provide his response until February 9, 2022.

6. Respondent began treating and prescribing medications to Patient A on May 2, 2018. According to DHS, on August 28, 2020, the following non-controlled, antipsychotic medications were prescribed by Respondent and dispensed to Patient A:

- a. Risperidone Oral 8 mg per day.
- b. Haloperidol Oral 40 mg per day.
- c. Olanzapine Oral 20 mg per day.
- d. Lurasidone HCL Oral 180 mg per day.

7. Respondent did not chart sufficient justification or consistent diagnoses to support Patient A's prescription regimen, or order or refer Patient A for an electrocardiogram to monitor any potential cardiac side effects of his prescription regimen.

8. DHS informed Respondent that Patient A's prescribing regimen in terms of dose and the number of antipsychotics was "far beyond an acceptable regime" and recommended consulting a child/adolescent psychiatrist, getting Patient A admitted to a psychiatric hospital to assess and manage his medications, or getting an updated genetic report to help determine how to reconfigure his medications. Respondent did not follow DHS's recommendations, nor did he document his communications with DHS in Patient A's chart.

9. On March 22, 2022, Patient A's mother informed the Department that Patient A transferred out of Respondent's care.

10. On May 3, 2022, the U.S. Drug Enforcement Administration (DEA) served an Order to Show Cause and Immediate Suspension of Registration on Respondent for violating a Memorandum of Understanding (MOA) signed by Respondent on October 7, 2020. The MOA was based on Board Order No. 3029 and provided the following restrictions on Respondent's prescribing of controlled substances:

- a. Respondent "shall only be authorized to prescribe to patients in Schedule IV, specifically benzodiazepines, when acting in the usual course of professional practice."
- b. Respondent "shall not authorize any controlled substances to any minor patients, specifically patient who are under the age of 18."
- c. Respondent "shall maintain...clearly legible log(s) of all controlled substances" he prescribes. The logs shall contain the "date, name, and address of the patient, as well as the name, quantity, and medical purpose for the controlled substance(s)" that he prescribes.

11. Respondent failed to report this MOA to the Board.

12. According to the DEA's Order to Show Cause, Respondent violated the MOA by issuing prescriptions for a Schedule II stimulant to two patients, issuing at least 21 prescriptions for controlled substances to six minor patients, and failing to provide a controlled substance log when requested by the DEA.

13. On September 23, 2022, in lieu of a hearing, Respondent agreed to surrender his DEA Certificate of Registration and is no longer authorized to order, manufacture, distribute, possess, dispense, administer, prescribe, or engage in any other activities with controlled substances.

14. Respondent transferred all his minor patients to other providers and no longer treats minor patients.

15. Since this case was opened, Respondent has provided proof of completion of the following 21 credit hours of education from the Lippincott Continuing Education Institute:

- a. October 9, 2022: *Pharmacologic Management of Autism Spectrum Disorder*, 1 credit hour.
- b. October 10, 2022: *Managing the Metabolic Side Effects of Antipsychotic Agents*, 2 credit hours.
- c. October 10, 2022: *Update on Pediatric Psychopharmacology*, 2 credit hours.
- d. December 24, 2022: *Cognitive Behavioral Therapy for Challenging Patients*, 2 credit hours.

- e. December 24, 2022: *Novel Treatments for Mood Disorders*, 2 credit hours.
- f. December 24, 2022: *ADHD and Substance Abuse in Adults and Adolescents*, 2 credit hours.
- g. December 24, 2022: *Novel Antipsychotics/Conversion Disorders*, 2 credit hours.
- h. April 14, 2023: *Risks and Benefits of Benzodiazepines*, 2 credit hours.
- i. May 21, 2023: *Assessing Risk for Violence*, Part 1, 2 credit hours.
- j. July 9, 2023: *Update on Pediatric Psychiatry*, 2 credit hours.
- k. July 9, 2023: *Management of Treatment-Resistant Depression*, 2 credit hours.

16. Respondent maintains that his prescribing regimen to Patient A was within the standard of care, but 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. Based on the Findings of Fact, Respondent engaged in unprofessional conduct as defined in Wis. Admin. Code § Med 10.03(2)(b) by departing from or failing to conform to the standard of minimally competent medical practice which creates an unacceptable risk of harm to a patient or the public whether or not the act or omission resulted in actual harm to any person.

3. Based on 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. Based on the Findings of Fact, Respondent engaged in unprofessional conduct as defined in Wis. Admin. Code § Med 10.03(3)(b) by failing, within 30 days, to report to the Board any adverse action taken by the Drug Enforcement Administration against the licensee's authority to prescribe controlled substances.

5. Based on the Findings of Fact, Respondent engaged in unprofessional conduct as defined in Wis. Admin. Code § Med 10.03(3)(g) by failing to cooperate, after a request by the Board, in a timely manner with the Board's investigation of a complaint filed against a license holder.

6. 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 number 36298-20) are SUSPENDED for six (6) months, beginning ten (10) calendar days from the date of this Order, as follows:
  - a. During the first sixty (60) days from the date of this Order, Respondent's license and registration are suspended, and Respondent cannot practice medicine and surgery in the state of Wisconsin. Respondent can continue to provide general instruction and teaching in his role as medical director but cannot advise, assess, review, collaborate, supervise, or instruct on any individual patient cases.
  - b. Beginning sixty (60) days from the date of this Order and continuing for four (4) months thereafter, the suspension of Respondent's license and registration is STAYED **only** for the purpose of allowing Respondent to serve in a collaborating and/or supervising role with providers (APNPs, PAs, etc.) and conducting chart review, subject to the limitations below. Respondent shall not treat or prescribe to patients.
4. Respondent's license and registration to practice medicine and surgery in the state of Wisconsin (license number 36298-20) are LIMITED as follows:

### Treatment of Minor Patients

- a. As of the date of this Order, Respondent shall not treat minor patients (under the age of 18 years) going forward. This includes providing any medical services to minor patients, including evaluating, assessing, reviewing charts, prescribing, and serving in a supervising and/or collaborating role with a provider who treats minor patients. This is a permanent limitation on Respondent's license and registration.

### Professional Mentor

- b. Beginning six (6) months from the date of this Order, Respondent shall obtain a Professional Mentor acceptable to the Board. The Professional Mentor shall have no prior or current business or personal relationship with Respondent, or other relationship that could reasonably be expected to compromise the ability of the Professional Mentor to render fair and unbiased reports to the Board. The Professional Mentor shall hold an active and unencumbered license in the state of Wisconsin, practice in the field of psychiatry with an expertise in psychopharmacology, and shall have read this Final Decision and Order and agree to be Respondent's Professional Mentor.
- c. The Professional Mentor shall monitor Respondent's care of his ten (10) most complex patient cases for one year. Monitoring shall include monthly meetings with Respondent, review of the ten (10) patient charts selected by Respondent, and any other

actions deemed appropriate by the Professional Mentor to determine if Respondent is practicing, prescribing, and charting in a professional and competent manner. Respondent shall obtain all necessary releases and/or consents to facilitate the Professional Mentor's review.

- d. Respondent shall arrange for the Professional Mentor to submit formal written reports to the Department Monitor on a quarterly basis, as directed by the Department Monitor. These reports shall assess Respondent's work and practice performance as directed in paragraph d. above. The Professional Mentor shall immediately report to the Department Monitor any conduct or condition of Respondent's that may constitute unprofessional conduct, a violation of this Order, or a danger to the public or his patients.
- e. If the Department receives a report from the Professional Mentor that indicates Respondent displays poor performance or practice or is in any way a danger to public safety, the Board may impose appropriate corrective limitations or reinstitute the suspension of Respondent's license and registration in its discretion.
- f. In the event the Professional Mentor is unable or unwilling to continue to serve as Respondent's Professional Mentor, Respondent shall propose a new Professional Mentor and receive approval from the Department Monitor. The Professional Mentor shall have no duty or liability to any patient or third party; the Professional Mentor's sole duty is to the Board.
- g. Respondent shall be responsible for any costs associated with complying with this limitation.

#### Education Requirement

- h. The Board recognizes and accepts Respondent's successful completion of the 21 hours of education described in paragraph 15 of the Findings of Fact as the equivalent of the education it would have otherwise ordered.
- i. Within six (6) months from the date of this Order, Respondent shall at his own expense, successfully complete a total of fifteen (15) additional hours of education as follows: ten (10) hours of education on prescribing in psychiatric cases, including polypharmacy, and five (5) hours of education on the topic of appropriate medical documentation offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the courses.
- j. 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.
- k. None of the education completed pursuant to this Order, including the education described in paragraph 15 of the Findings of Fact, may be used to satisfy any continuing education requirements that have been or may be instituted by the Board or Department.

1. 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.

5. Within 120 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$12,745.00. If costs are not paid within 120 days from the date of this Order, interest shall accrue at the statutory rate of 12% per annum, pursuant to Wis. Stat. § 440.22(2).

6. 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>.

7. In the event Respondent violates any term of this Order, Respondent's license and registration (number 36298-20), 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.

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

WISCONSIN MEDICAL EXAMINING BOARD

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

11/20/24  
Date

STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY :  
PROCEEDINGS AGAINST :  
 : STIPULATION  
RONALD G. RUBIN, :  
RESPONDENT. :

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Division of Legal Services and Compliance Case No. 21 MED 060

Respondent Ronald G. Rubin 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. Respondent is represented by Attorney Kristen Nelson.

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.



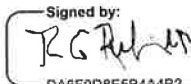
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by 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.

Signed by:  
  
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Ronald G. Rubin, Respondent  
Mequon, WI 53092  
License No. 36298-20


10/23/2024

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Date

  
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Kristen Nelson, Attorney for Respondent  
Von Briesen & Roper, S.C.  
411 E. Wisconsin Ave., Suite 1000  
Milwaukee, WI 53202

10/23/24

\_\_\_\_\_  
Date

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

10 / 24 / 2024

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Date