

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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BEFORE THE STATE OF WISCONSIN
MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

SANTIAGO CARIN, M.D.,
RESPONDENT.

AFFIDAVIT OF SERVICE

Glenda Nelson, being first duly sworn on oath deposes and states that she is in the employ of the Department of Regulation and Licensing, and that on November 16, 1990 she served the following upon the respondents attorney:

FINAL DECISION AND ORDER dated November 15, 1990

by mailing a true and accurate copy of the above-described document, which is attached hereto, by certified mail with a return receipt requested in an envelope properly addressed to the above-named respondents attorney:

James E. Seltzer
Attorney at Law
Watergate Tower
2200 Powel Street
Emeryville, CA 94608
Certified P 568 986 224

Glenda Nelson
Glenda Nelson
Department of Regulation and Licensing

Subscribed and sworn to before me
this 16th day of November, 1990.

Guinn J. Sandph
Notary Public
Dane County, Wisconsin
My Commission Expires 02/07/93

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

SANTIAGO O. CARIN, M.D.,
RESPONDENT.

FINAL DECISION
AND ORDER

The parties to this action for the purposes of Wis. Stats. sec. 227.53 are:

Santiago O. Carin, M.D.
864 Camden Court
Benicia, CA 94510-3634

Wisconsin Medical Examining Board
P.O. Box 8935
Madison, Wisconsin 53708-8935

Department of Regulation & Licensing
Division of Enforcement
P.O. Box 8935
Madison, Wisconsin 53708-8935

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 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

1. Santiago O. Carin, M.D., Respondent herein, date of birth February 19, 1937, is duly licensed to practice medicine and surgery in the State of Wisconsin pursuant to license # 17051, which was granted December 12, 1969. Respondent's registration to practice medicine and surgery in the State of Wisconsin expired November 1, 1989. Respondent's last address reported to the Wisconsin Department of Regulation and Licensing is 864 Camden Ct., Benicia, California 94510-3634.

2. That on July 28, 1987, Respondent was convicted in the United States District Court for the Eastern District of Oklahoma of a criminal violation of Title 18, United States Code, Sec. 643. The conviction was based upon Respondent receiving and retaining a check from Blue Cross and Blue Shield of Oklahoma, which Respondent was not authorized to retain, knowing that the check represented reimbursement for medical services rendered to Mary L. Samuel while she was a patient at W.W. Hastings Hospital, when Respondent knew that the check was to be deposited in the U.S. Treasury.

3. That on August 3, 1987, the Oklahoma State Board of Medical Licensure and Supervision issued a Complaint and Citation against Respondent which charged Respondent with obtaining his Oklahoma Medical License by fraud

or misrepresentation and further charged Respondent with the criminal conviction referred to in paragraph 2 above.

4. That on September 11, 1987, the Oklahoma State Board of Medical Licensure and Supervision issued a Final Order in which the Oklahoma Board accepted Respondent's voluntary surrender of his license to practice medicine in the State of Oklahoma in lieu of proceeding through a formal hearing on the complaint.

5. That on April 13, 1988, the Missouri State Board of Registration for the Healing Arts filed a disciplinary complaint against Respondent, in case No. HA-88-0482, based upon Respondent's conviction set out in Finding of Fact number 2 above.

6. That on September 21, 1988, the Missouri Board of Registration for the Healing Arts accepted Respondent's voluntary surrender of his license to practice the Healing Arts in the State of Missouri in full resolution of case HA-88-0482.

7. That Respondent has agreed to voluntarily surrender his license to practice medicine and surgery in the State of Wisconsin effective immediately.

CONCLUSIONS OF LAW

1. That the Wisconsin Medical Examining Board has jurisdiction over this matter pursuant to sec. 448.02(3), Wis. Stats.

2. The Wisconsin Medical Examining board has authority to enter into this stipulated Resolution pursuant to secs. 227.44(5) and 448.02(5), Wis. Stats.

3. That Respondent having voluntarily surrendered his license to practice medicine in the states of Oklahoma and Missouri as part of disciplinary proceedings in those states constitutes Respondent having had a license to practice medicine and surgery granted by another state subjected to disciplinary action by the licensing authority thereof and constitutes unprofessional conduct as defined by sec. 448.02(3), Wis. Stats. and Wis. Adm. Code sec. MED 10.02(2)(q).

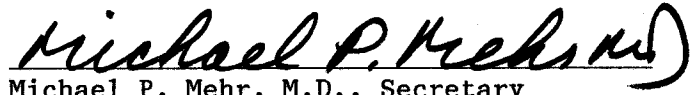
ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the voluntary surrender of Santiago O. Carin, M.D.'s license to practice medicine and surgery in the State of Wisconsin is hereby accepted, effective immediately.

IT IS FURTHER ORDERED that Santiago O. Carin, M.D. may reapply for licensure to practice medicine and surgery in the State of Wisconsin one year after the effective date of this Order. In the event of such a request for licensure, Dr. Carin shall appear before the Wisconsin Medical Examining Board and provide proof satisfactory to the Board that it is not contrary to the interests of the people of the State of Wisconsin for him to be licensed to practice medicine and surgery.

IT IS FURTHER ORDERED that in the event that Santiago O. Carin, M.D. does request relicensure that the Medical Examining Board may impose reasonable limitations upon any license which is granted, for a period of four years.

Dated at Madison, Wisconsin this 15th day of November, 1990.


Michael P. Mehr, M.D., Secretary
Wisconsin Medical Examining Board

JZ:ej
ATY-1223

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

SANTIAGO O. CARIN, M.D.,
RESPONDENT.

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STIPULATION

It is hereby stipulated and agreed, by and between, Santiago O. Carin, M.D., Respondent; James E. Seltzer, attorney for Respondent; John R. Zwieg, attorney for Complainant, Department of Regulation & Licensing, Division of Enforcement; and, the Wisconsin Medical Examining Board, as follows:

1. That this Stipulation may be submitted directly to the Wisconsin Medical Examining Board and need not be submitted to Ruby Jefferson-Moore, the hearing examiner appointed in this matter.
2. That the Final Decision and Order attached to this Stipulation may be made and entered in this matter by the Wisconsin Medical Examining Board, without prior notice to any party.
3. That in the event that any portion of this Stipulation or proposed Findings of Fact, Conclusions of Law, Order or Final Decision is not accepted by the Wisconsin Medical Examining Board, that the entire Stipulation and Final Decision and Order shall be void and have no effect. In the event that the Wisconsin Medical Examining Board does not accept this stipulated resolution of this matter, the parties agree not to contend that the Board was biased in any manner by the presentation of these documents in this attempted resolution.
4. That the attorneys for the parties may appear before the Wisconsin Medical Examining Board and argue in favor of acceptance of this Stipulation and the entry and issuance of the attached Final Decision and Order.
5. That the Wisconsin Medical Examining Board has jurisdiction over this matter pursuant to sec. 448.02(3), Wis. Stats.
6. That Respondent has agreed to voluntarily surrender his license effective the date of the attached Order.

7. That the Wisconsin Medical Examining Board has authority to enter into this stipulated resolution of this matter, without hearing, pursuant to secs. 227.44(5) and 448.02(5), Wis. Stats.

Dated this 30th day of October, 1990 Santiago O. Carin, M.D.
Santiago O. Carin, M.D., Respondent

Dated this 30th day of October, 1990 James E. Seltzer
James E. Seltzer
Attorney for Respondent

Dated this 25th day of October, 1990 John R. Zwieg
John R. Zwieg, Attorney for Complainant
Department of Regulation & Licensing
Division of Enforcement

Dated this 15th day of November, 1990 Michael P. Mehr, M.D.
Michael P. Mehr, M.D., Secretary
Wisconsin Medical Examining Board

JRZ:eaj
ATY-1224

NOTICE OF APPEAL INFORMATION

(Notice of Rights for Rehearing or Judicial Review,
the times allowed for each and the identification
of the party to be named as respondent)

The following notice is served on you as part of the final decision:

1. Rehearing.

Any person aggrieved by this order may petition for a rehearing within 20 days of the service of this decision, as provided in section 227.49 of the Wisconsin Statutes, a copy of which is attached. The 20 day period commences the day after personal service or mailing of this decision. (The date of mailing of this decision is shown below.) The petition for rehearing should be filed with the State of Wisconsin Medical Examining Board.

A petition for rehearing is not a prerequisite for appeal directly to circuit court through a petition for judicial review.

2. Judicial Review.

Any person aggrieved by this decision has a right to petition for judicial review of this decision as provided in section 227.53 of the Wisconsin Statutes, a copy of which is attached. The petition should be filed in circuit court and served upon the State of Wisconsin Medical Examining Board.

within 30 days of service of this decision if there has been no petition for rehearing, or within 30 days of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30 day period commences the day after personal service or mailing of the decision or order, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing of this decision is shown below.) A petition for judicial review should be served upon, and name as the respondent, the following: the State of Wisconsin Medical Examining Board.

The date of mailing of this decision is November 16, 1990.

WLD:dms
886-490