

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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FILE COPY

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	FINAL DECISION
	:	AND ORDER
SUN HWAN CHI, M.D.,	:	
RESPONDENT.	:	

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

Sun Hwan Chi, M.D.
3650 Gettysburg Avenue South #90
St. Louis Park, MN 55426

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

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The Wisconsin Medical Examining Board received a Stipulation submitted by the parties to the above-captioned matter. The Stipulation, a copy of which is attached hereto, was executed by Terrance J. Larpenteur and Esther Chi, Conservators for Respondent, James M. Crist, Attorney for Respondent's Conservators, and Judith Mills Ohm, attorney for Complainant, Department of Regulation and Licensing, Division of Enforcement. The Board has considered the Stipulation, finds it acceptable and adopts it.

Accordingly, the Board makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. Sun Hwan Chi, M.D., Respondent herein, date of birth July 26, 1937, is a physician licensed and currently registered to practice medicine and surgery in the State of Wisconsin pursuant to license number 18252, which was granted on April 12, 1973.
2. Respondent has not practiced medicine in any state or country since sometime before January 1990.
3. Terrance J. Larpenteur and Esther Chi were appointed by the Hennepin County District Court, Fourth Judicial District of the State of Minnesota, as Conservators for Sun Hwan Chi, M.D., in May 1990.

4. In January 1990, the Wisconsin Medical Examining Board received notification that Respondent may not be competent to practice medicine and surgery because he may be suffering from a form of dementia. An investigation into this allegation was commenced, investigative file number 90 MED 13.

5. Respondent, through his Conservators and their attorney, has agreed to voluntarily surrender his license to practice medicine and surgery in the State of Wisconsin, in order to resolve the pending investigation, 90 MED 13.

CONCLUSIONS OF LAW

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

2. The Wisconsin Medical Examining Board is authorized to enter into the attached Stipulation pursuant to secs. 227.44(5) and 448.02(5), Wis. Stats.

ORDER

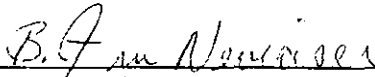
NOW, THEREFORE, IT IS HEREBY ORDERED that the attached Stipulation is accepted.

IT IS FURTHER ORDERED, that the Wisconsin Medical Examining Board accepts the voluntary surrender of Dr. Sun Hwan Chi's license to practice medicine and surgery in the State of Wisconsin.

IT IS FURTHER ORDERED, that Dr. Sun Hwan Chi shall not apply for relicensure to practice medicine and surgery in the State of Wisconsin at any time in the future. If Dr. Chi ever applies for relicensure in the State of Wisconsin, the Medical Examining Board may summarily deny his application. Such action shall not be considered a denial under sec. 227.01(3)(a), Wis. Stats., and Dr. Chi shall not be entitled to a hearing on the Board's decision.

IT IS FURTHER ORDERED, that the Wisconsin Medical Examining Board closes pending investigative file number 90 MED 13.

Dated at Madison, Wisconsin this 19 day of February, 1992.



B. Ann Neviase, Secretary
Wisconsin Medical Examining Board

JMO:pp
ATY-1914

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE LICENSE :
TO PRACTICE MEDICINE AND SURGERY OF :
 : STIPULATION
SUN HWAN CHI, M.D. :

It is hereby stipulated between Sun Hwan Chi, M.D., by his Conservators, Terrance J. Larpenteur and Esther Chi and their attorney, James M. Crist, and Judith Mills Ohm, attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. Sun Hwan Chi, M.D., 3650 Gettysburg Avenue South, #90, St. Louis Park, Minnesota, is a physician duly licensed and currently registered to practice medicine and surgery in the State of Wisconsin pursuant to license #18252, which was granted on April 12, 1973.

2. Terrance J. Larpenteur and Esther Chi were appointed by the Hennepin County District Court, Fourth Judicial District of the State of Minnesota, as Conservators for Sun Hwan Chi, M.D., in May 1990.

3. Dr. Chi has not practiced medicine in any state or country since sometime before January 1990.

4. An investigation of Dr. Chi is pending before the Wisconsin Medical Examining Board, investigative file #90 MED 13. The investigation concerns allegations that Dr. Chi is no longer competent to practice medicine and surgery because he has a form of dementia.

5. Dr. Chi, through his conservators and their attorney, is aware of and understands each of his rights, including the right to have a disciplinary complaint issued against him; the right to a hearing on the allegations against him, at which time the state has the burden of proving the allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify in his 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 a rehearing; the right to appeal a final decision to the Wisconsin court system; and all other rights afforded him under the United States Constitution, the Wisconsin Constitution and the Wisconsin Statutes and Administrative Code. Dr. Chi, through his conservators and their attorney, freely, voluntarily and knowingly waives each and every one of these rights.

6. Dr. Chi hereby voluntarily surrenders to the Wisconsin Medical Examining Board his license to practice medicine and surgery and agrees not to apply for relicensure at any time in the future.

7. The Wisconsin Medical Examining Board may accept the voluntary surrender of Dr. Chi's license to practice medicine and surgery in the State of Wisconsin. Upon acceptance of the voluntary surrender of Dr. Chi's license and all other terms of this Stipulation, the Medical Examining Board shall close the pending investigation, investigative file #90 MED 13, and no formal action shall be commenced as a result of this investigation.

8. The parties to this Stipulation and the Board Advisor may appear before the Board in support of this Stipulation.

9. The parties to this Stipulation understand that if the Medical Examining Board adopts the Stipulation, information regarding the attached Final Decision and Order will be reported to the National Practitioner Data Bank. The parties also agree that copies of the Final Decision and Order will be sent to the Federation of Medical Examiner Boards and to the Minnesota Board of Medical Examiners.


10. If any term or condition of this Stipulation is not approved by the Medical Examining Board, then no term of this Stipulation shall be binding in any manner on any party.

Dated this 3rd day of February, 1992.

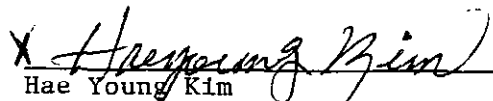


Terrance J. Larpenteur
Conservator for Sun Hwan Chi, M.D.

Dated this 1st day of February, 1992.

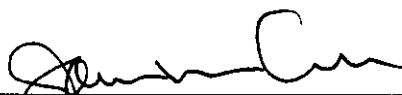


Esther Chi
Conservator for Sun Hwan Chi, M.D.

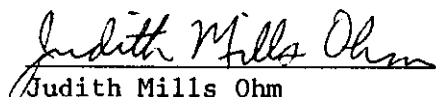


Hae Young Kim
Conservator for Sun Hwan Chi, M.D.

Dated this 27th day of JANUARY 1992.


James M. Crist
Attorney for Conservators
for Sun Hwan Chi, M.D.

Dated this 18th day of February, 1992.


Judith Mills Ohm
Attorney
Department of Regulation and Licensing
Division of Enforcement

JMO:pp
ATY-1910

5881

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 February 24, 1992.