

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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BEFORE THE STATE OF WISCONSIN
MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : AFFIDAVIT OF SERVICE
ELEUTERIO A. DEGUZMAN, M.D., :
RESPONDENT :

Kristena Hendrickson, 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 June 25, 1993 she served the following upon the respondent's attorney


Final Decision and Order LS9303012MED dated June 23, 1993

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 respondent's attorney at:

Timothy J. Strattner
Attorney at Law
15700 West Bluemound Road
PO Box 464
Brookfield, WI 53008-0464
Certified P 429 060 346

Kristena Hendrickson
Kristena Hendrickson
Department of Regulation and Licensing

Subscribed and sworn to before me
this July, 1993.


Patsy M. Strasburg
Notary Public
Dane County, Wisconsin
My Commission Expires 11/6/94

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE :
DISCIPLINARY PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
ELEUTERIO A. DEGUZMAN, M.D., :
RESPONDENT. :

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

Eleuterio A. DeGuzman, M.D.
W180 N8170 Destiny Drive
Menomonee Falls, WI 53051

Wisconsin Medical Examining Board
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Division of Enforcement
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

The rights of a party to petition the Wisconsin Medical Examining Board for rehearing and to petition for judicial review are set forth in the attached "Notice of Appeal Information".

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 Eleuterio A. DeGuzman, M.D., Respondent; Timothy J. Strattner, Attorney for Respondent; and Gilbert C. Lubcke, Attorney for the Complainant. Based upon the Stipulation of the parties, the Wisconsin Medical Examining Board makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Eleuterio A. DeGuzman, M.D., W180 N8170 Destiny Drive, Menomonee Falls, Wisconsin 53051, is a physician duly licensed and currently registered to practice medicine and surgery in the State of Wisconsin, license #14772.
2. Dr. DeGuzman is presently 63 years of age. Dr. DeGuzman has been retired from the practice of medicine and surgery since 12/1/91.
3. A formal Complaint is pending before the Wisconsin Medical Examining Board.

4. The parties have entered into a Stipulation for the purpose of resolving this matter without the necessity for a formal evidentiary hearing.

CONCLUSIONS OF LAW

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

2. The Wisconsin Medical Examining Board has the authority to resolve this matter by stipulation without an evidentiary hearing pursuant to Wis. Stats. sec. 227.44(5).

ORDER

NOW, THEREFORE, IT IS ORDERED that the attached Stipulation is approved and adopted by the Wisconsin Medical Examining Board.

IT IS FURTHER ORDERED that Eleuterio A. DeGuzman, M.D., will surrender his current registration to practice medicine and surgery in the State of Wisconsin effective on the date of this Final Decision and Order.

IT IS FURTHER ORDERED that Eleuterio A. DeGuzman, M.D., will not practice or attempt to practice medicine or surgery in the State of Wisconsin when not currently registered.

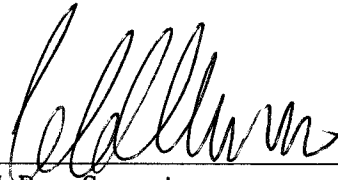
IT IS FURTHER ORDERED that Eleuterio A. DeGuzman, M.D., will pay costs to the Department of Regulation and Licensing in the amount of \$610.00 within thirty (30) days of the date of this Final Decision and Order.

IT IS FURTHER ORDERED that the formal Complaint shall be, and hereby is, dismissed.

IT IS FURTHER ORDERED that, pursuant to the authority of Wis. Stats. sec. 448.02(4) and Wis. Adm. Code Ch. RL 6, should the Medical Examining Board determine that there is probable cause to believe that Eleuterio A. DeGuzman, M.D., has violated the terms of this Final Decision and Order of the Medical Examining Board, the Medical Examining Board may order that the license of Eleuterio A. DeGuzman, M.D., to practice medicine and surgery in the State of Wisconsin be summarily suspended pending investigation of the alleged violation.

Dated at Madison, Wisconsin this 23 of Jan, 1993.

BY THE BOARD



Clark O. Olsen, M.D., Secretary
Wisconsin Medical Examining Board

GL:pw
ATTY-2508

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE :
DISCIPLINARY PROCEEDINGS AGAINST :
 : STIPULATION
ELEUTERIO A. DEGUZMAN, M.D., :
RESPONDENT. :

It is hereby stipulated between Eleuterio A. DeGuzman, M.D., personally, and by his attorney, Timothy J. Strattner; and Gilbert C. Lubcke, attorney for the Complainant, as follows:

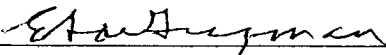
1. Eleuterio A. DeGuzman, M.D., W180 N8170 Destiny Drive, Menomonee Falls, Wisconsin 53051, is a physician duly licensed and currently registered to practice medicine and surgery in the State of Wisconsin, license # 14772.
2. Dr. DeGuzman is presently 63 years of age. Dr. DeGuzman has been retired from the practice of medicine and surgery since 12/1/91.
3. A formal Complaint is pending before the Wisconsin Medical Examining Board.
4. Dr. DeGuzman hereby voluntarily surrenders his current registration to practice medicine and surgery in the State of Wisconsin, effective on the date of the Final Decision and Order of the Wisconsin Medical Examining Board accepting this Stipulation, and further agrees that he will not make application for reregistration at any time in the future.
5. Dr. DeGuzman will not practice or attempt to practice medicine or surgery in the State of Wisconsin when not currently registered.
6. The Wisconsin Medical Examining Board, upon acceptance of the terms of this Stipulation, will dismiss the pending formal Complaint.
7. Dr. DeGuzman agrees to pay costs to the Department of Regulation and Licensing in the amount of \$610.00 within thirty (30) days from the date of the Final Decision and Order.
8. The Wisconsin Medical Examining Board may enter a Final Decision and Order not inconsistent with the terms of this Stipulation.
9. Dr. DeGuzman understands that by signing this Stipulation he freely, voluntarily and knowingly waives his rights including the right to a hearing on any allegations against him at which the State has the burden of proving the allegations against him; the right to confront and cross examine witnesses against him; the right to call witnesses on his behalf and to compel their

attendance by subpoena; the right to testify on 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 rehearing; the right to judicial review; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes and the Wisconsin Administrative Code.

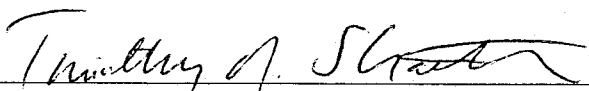
10. The parties to this Stipulation and the Board Advisor, Michael P. Mehr, M.D., may appear before the Wisconsin Medical Examining Board in support of this Stipulation. Any appearance by either party pursuant to this paragraph shall be preceded by proper and timely notice to all parties to this proceeding.

11. If any term of this Stipulation is not accepted by the Wisconsin Medical Examining Board, then no term of this Stipulation will be binding in any manner on any party, and the matter will be returned to the Administrative Law Judge for further proceedings.

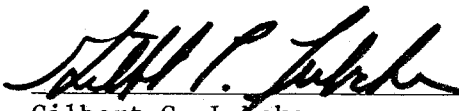
Dated: 5-6-93


Eleuterio A. DeGuzman, M.D.
Respondent

Dated: 5/6/93


Timothy J. Strattner
Attorney for Respondent

Dated: 5/3/93


Gilbert C. Lubcke
Attorney for the Complainant

GCL:pw
ATTY-2506

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 June 25, 1993.