

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DRL website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
: FINAL DECISION AND ORDER
EDGAR K. OLIVEIRA FILHO, M.D., : LS0405195MED
RESPONDENT. :

Division of Enforcement Case No. 02 MED 346

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Edgar K. Oliveira Filho, M.D.
6716 Upton Avenue South
Richfield, MN 55423

Medical Examining Board
PO Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
PO Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Wisconsin Medical Examining 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. Edgar K. Oliveira Filho, M.D. (DOB 7/16/48) is duly licensed to practice medicine and surgery in the state of Wisconsin (license #20-36217). This license was first granted on December 16, 1994. Dr. Oliveira Filho’s specialty is in urology.
2. Dr. Oliveira Filho’s most recent address on file with the Wisconsin Medical Examining Board is 6716 Upton Avenue South, Richfield, MN 55423.
3. On July 26, 2002, the North Dakota State Board of Medical Examiners suspended the license of Edgar K. Oliveira Filho, M.D. The factual basis for the imposition of discipline against Respondent involved: 1) failing to disclose that he had clinical privileges at the Red Lake Hospital in Red Lake, Minnesota and those privileges had been suspended and disciplinary action had been commenced against him in November 2000; although that suspension was reversed following a subsequent review and his privileges were restored on December 15, 2000; 2) failing to disclose that he applied for a license to practice medicine in the state of Minnesota, which was still pending at the time of Respondent’s application for licensure in North Dakota; and 3) failing to state that he was named as a defendant in a medical malpractice claim that was, in fact, still pending at the time of his application for licensure in North Dakota, although that action was dismissed with prejudice by the court in favor of all defendants, including Dr. Oliveira, in April 2002. A true and correct copy of the North Dakota Board’s Findings of Fact, Conclusions of Law and Order is attached to this document as Exhibit A. Exhibit A is incorporated into this

document by reference.

4. On May 12, 2001, the Minnesota Board of Medical Practice denied Dr. Oliveira Filho's application for licensure. Dr. Oliveira Filho was participating in a residency program in psychiatry at Hennepin County Medical Center in Minneapolis, Minnesota. The factual basis for the denial involved: 1) prescribing narcotics without prior approval from supervisors. A true and correct copy of the Minnesota Board's Stipulation and Order is attached as Exhibit B. Exhibit B is incorporated into this document by reference.

5. In resolution of this matter, Dr. Oliveira Filho consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction to act in this matter, pursuant to sec. 448.02(3), Stats. and is authorized to enter into the attached Stipulation and Order, pursuant to sec. 227.44(5), Stats.

2. The conduct described in paragraphs 3 and 4, above, constitutes a violation of Wisconsin Administrative Code § Med 10.02(2)(q).

ORDER

NOW, THEREFORE, IT IS ORDERED that the stipulation of the parties is approved.

IT IS FURTHER ORDERED that:

1. Edgar K. Oliveira Filho, M.D. (license #20-36217) is REPRIMANDED.
2. Dr. Oliveira Filho is to maintain full and complete compliance with all terms, limitations, and conditions imposed against his medical license in the State of North Dakota and with the following LIMITATIONS:
 - a. Dr. Oliveira Filho shall compel the North Dakota State Board of Medical Examiners to submit quarterly reports, in a format acceptable to the Board, describing the status of his North Dakota medical licensure together with documentation of his compliance with the terms of his probation in North Dakota.
 - b. Dr. Oliveira Filho may not practice medicine in Wisconsin unless he obtains approval from the Board as provided for in paragraph 2.c. of this order.
 - c. If Dr. Oliveira Filho plans to practice medicine in Wisconsin he shall petition the Board for permission. The Board may request that Dr. Oliveira Filho appear in person before the Board to answer any questions that the Board may have regarding that practice.
3. The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including receiving and coordinating all reports, petitions and requests for appearances before the Board. The Department Monitor can be reached as follows:

Department Monitor
Department of Regulation and Licensing
Division of Enforcement
Post Office Box 8935
Madison, WI 53708-8935
FAX 608-266-2264
TEL. 608-267-3817

4. Dr. Oliveira Filho may petition the Board for the end of limitations on his Wisconsin medical license when he can demonstrate that he possesses unlimited licensure in the State of North Dakota.

5. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's certification or licensure pursuant to the procedures set forth in Wis. Admin. Code Ch. RL 6. The Board in its discretion may in the alternative impose additional conditions, terms, and limitations or other additional discipline for a violation of any of the terms of this Order.

6. This Order shall become effective upon the date of its signing.

MEDICAL EXAMINING BOARD

By:	Alfred Franger	5-19-04
	A Member of the Board	Date