

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

IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS AGAINST : **FINAL DECISION AND ORDER**
 :
 :
 :
 :
DILIP P. PATEL, M.D., : LS0510123MED
RESPONDENT. :
 :

05 MED 26

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

Dilip P. Patel MD
3741 Pleasant Ln.
Racine, WI 53405

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

PROCEDURAL HISTORY

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 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. Respondent Dilip P. Patel (dob 11/16/45) is and was at all times relevant to the facts set forth herein a physician and surgeon licensed in the State of Wisconsin pursuant to license #24238, first granted on 10/23/81. Respondent practices emergency medicine, and is certified by the American Board of Emergency Medicine, and was recertified on 6/15/01.
2. On 3/25/99, Respondent was disciplined by the Board in file 97 Med 254. In that case, a patient presented to the emergency department with a severe headache of 5 days duration, and reported a history of cryptic arteriovenous malformation which had resulted in a left frontal intracerebral bleed leading to the patient’s hospitalization on 11/26/94. This left frontal intracerebral bleed had resolved without surgical intervention. Respondent discharged the patient from the emergency room on 9/6/95 without seeking a further evaluation of the patient by his treating neurologist or another competent neurologist, without obtaining a CT scan of the patient’s head and without admitting the patient to the hospital for further evaluation and observation. Respondent advised the patient to see his neurologist the next day. The patient made the appointment for the next following day, 9/8/95, but had a major subarachnoid hemorrhage with significant edema in the left frontal lobe and a left to right shift on the morning of 9/8/95, and died. Respondent was required to take and complete 30 hours of category 1 continuing medical education courses in the evaluation of patients presenting with acute neurological events.
3. On 12/27/04, Respondent treated patient A.N., a 35 year old man who reported to the nurse that he had difficulty breathing “feels like I’m breathing in fiberglass,” pain running down his left arm “like pinched nerve,” and a history of recent “heart palpitations.” Respondent listened to the patient’s heart and breath sounds with his stethoscope and ordered a chest x-ray, which was negative; the patient did not repeat his complaint of left arm pain to Respondent. Respondent then diagnosed shortness of breath--resolved, and recommended that the patient stop smoking, use a humidifier, and apply bacitracin to his nose 3-4 times per day. There is no charted indication that Respondent considered heart conditions in his differential diagnosis, or asked about family history of heart problems; if he had done so he would have been informed that the patient’s father, mother, and three paternal uncles and one paternal aunt, all had major heart problems. The patient was discharged to home,

and suffered a fatal heart attack (thrombotic occlusion in the left circumflex coronary artery) sometime in the following nine hours.

CONCLUSIONS OF LAW

A. The Wisconsin Medical Examining 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).

B. The conduct described in ¶3, above, violated Wis. Adm. Code § Med 10.02(2)(h). Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes.

ORDER

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

IT IS FURTHER ORDERED, that Dilip P. Patel, M.D., is REPRIMANDED for his unprofessional conduct in this matter

IT IS FURTHER ORDERED, that the license to practice medicine and surgery of Respondent is LIMITED as provided in Wis. Stat. §448.02(3)(e), and in the following respect: no later than 12/31/05, Respondent shall take and successfully complete 16 hours of category 1 continuing medical education in cardiovascular emergencies.

IT IS FURTHER ORDERED, that respondent shall pay the COSTS of investigating and prosecuting this matter of \$500, within 30 days of this Order.

IT IS FURTHER ORDERED, that pursuant to Wis. Stats. §227.51(3) and §448.02(4), 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 license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit any payment of the costs as set forth above, the Respondent's license SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

Dated this October 12, 2005.

WISCONSIN MEDICAL EXAMINING BOARD

by: Alfred L. Franger, MD
a member of the Board