

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF THE LICENSE OF	:	FINAL DECISION AND ORDER
	:	LS0906202MED
ALEJANDRO M. VINLUAN, M.D.	:	
	:	

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[DOE Case # 09 MED 002]

The parties to this proceeding for purposes of Wis. Stat. 227.53 are:

Alejandro M. Vinluan, M.D.  
756 N. 35<sup>th</sup> St. Ste. 101  
Milwaukee, WI 53208

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

Medical Examining Board  
Department of Regulation & Licensing  
1400 East Washington Avenue  
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 Medical Examining Board. The Board has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Alejandro M. Vinluan, M.D., (DOB December 29, 1931) is duly licensed to practice medicine and surgery in the state of Wisconsin under license # 14421. This license was first granted on August 22, 1962.
2. Dr. Vinluan’s most recent address on file with the Wisconsin Medical Examining Board is 756 N. 35<sup>th</sup> St. Ste. 101, Milwaukee, WI 53208.
3. Dr. Vinluan’s registration to practice medicine and surgery in the State of Wisconsin under his current license was renewed by the Department in October 2007 and will remain active until October 31, 2009.
4. As of January 1, 2009, Dr. Vinluan has retired from the practice of medicine due to a serious medical condition. A copy of an affidavit from John Broderick, M.D. a board certified neurologist, which addresses this condition and Dr. Vinluan’s inability to practice medicine and surgery at this time, is attached hereto as Exhibit A.

5. Due to Dr. Vinluan's current medical condition, Shirley Vinluan has power of attorney to resolve this matter.

6. An investigation is pending before the Medical Examining Board, under file number 09 MED 002, which involves allegations that Dr. Vinluan failed to respond in a timely manner when a patient was advising him by telephone of severe shortness of breath and chest pain. During the conversation the telephone land line disconnected and Dr. Vinluan did not attempt to recontact the patient or an emergency operator for 911. The patient was later found to have died at her home.

7. Since the time the informal complaint which forms the basis for 09 MED 002 has been pending, Dr. Vinluan has not been in a medical condition which would allow him to respond to the allegations. Accordingly, for purposes of this Order, the allegations are considered denied by Dr. Vinluan. No determination has been made at this time regarding the validity of the allegations contained in this investigation.

8. On November 1, 2009, Dr. Vinluan's license status will change from active to inactive.

9. In the interest of resolving this matter and in consideration of his medical condition, Dr. Vinluan agrees not to reregister to practice medicine and surgery in the State of Wisconsin any time after October 31, 2009 and will not exercise his rights to practice medicine and surgery in the State of Wisconsin in the interim between the date of this Order and October 31, 2009.

10. In the event Dr. Vinluan's medical condition improves and he wishes to reenter the practice of medicine at a future date, he agrees to petition the Board for reinstatement. He agrees that he shall appear before the Board in support of his petition and satisfy the Board of his competence to practice medicine and surgery in the State of Wisconsin at that time. In considering the petition, Dr. Vinluan agrees that the Board may further review and consider the underlying investigative file which is the basis of this action and Respondent's agreement not to reregister in the future. In addition, the Board may consider the previous Order entered against Dr. Vinluan captioned LS0709195MED. The Board may deny the petition or grant reinstatement on whatever terms the Board deems necessary including the payment of the accrued costs of the Department in this matter.

11. There have been no findings of any violations at this time and this order does not constitute a disciplinary action with regard to Dr. Vinluan's license.

### CONCLUSIONS OF LAW

1. 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 and Order, pursuant to Wis. Stat. 227.44(5).

### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the Stipulation of the parties is hereby accepted.

IT IS FURTHER ORDERED that:

1. Alejandro Vinluan, M.D., in consideration of his medical condition, will not practice medicine at any time between now and October 31, 2009.

2. That the license status of Alejandro Vinluan, M.D., will change from active to inactive on November 1, 2009.

3. That Alejandro Vinluan, M.D., shall not register for an active license to practice medicine and surgery in the State of Wisconsin after October 31, 2009.

4. That in the event Alejandro Vinluan, M.D., wishes to resume the practice of medicine If Dr. Vinluan's medical condition improves and he wishes to reenter the practice of medicine at a future date, he agrees to petition the Board for reinstatement. Prior to any reinstatement, he shall appear before the Board in support of his petition and satisfy the Board of his competence to practice medicine and surgery in the State of Wisconsin at that time. In considering the petition, the Board may further review and consider the underlying investigative file which is the basis of this action and Respondent's agreement not to reregister in the future. In addition, the Board may consider the previous Order entered against Dr. Vinluan captioned LS0709195MED. The Board may deny the petition or grant reinstatement on whatever terms the Board deems necessary including the payment of the accrued costs of the Department in this matter.

IT IS FURTHER ORDERED that 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 to practice medicine and surgery. The Board, in its discretion, may in the alternative impose additional conditions and limitations for a violation of any of the terms of this Order.

IT IS FURTHER ORDERED that this Order is effective on July 15, 2009.

STATE OF WISCONSIN  
MEDICAL EXAMINING BOARD

BY: Gene Musser M.D.  
A Member of the Board

6/20/09  
Date