

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
NICHOLAS C. CARO, M.D.,	:	
RESPONDENT.	:	ORDER 0001436

Division of Enforcement Case No. 10 MED 124

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

Nicholas C. Caro, M.D.
4145 W. Peterson Avenue, Suite 200
Chicago, IL 60646

Division of Enforcement
Department of Safety and Professional Services
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Wisconsin Medical Examining Board
Department of Safety and Professional Services
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 this Stipulation and considers it acceptable.

Accordingly, the Board adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Nicholas C. Caro, M.D., Respondent (D.O.B.: May 4, 1954), is licensed and currently registered by the Wisconsin Medical Examining Board to practice medicine and surgery in the state of Wisconsin pursuant to license number 36250-20. Respondent's license was first granted on October 13, 1995, and expires October 31, 2011.

2. Respondent's last address reported to the Department of Safety and Professional Services is 4145 W. Peterson Avenue, Suite 200, Chicago, IL 60646.

3. On February 19, 2010, Respondent and the Illinois Department of Financial and Professional Regulation, Division of Professional Regulation ("the Department"), entered into a Consent Order based on allegation of unprofessional conduct and negligence with regard to Respondent's treatment of patients with refractive surgery. The consent Order provided for the imposition of the following conditions:

- a. Respondent's Illinois physician and surgeon license shall be suspended for a period of 30 (thirty) days and shall thereafter be placed on Indefinite Probation for a minimum period of 3 (three) years;
- b. Respondent shall pay a Fine in the amount of \$10,000 (ten thousand dollars), due within 10 (ten) days of the effective date of the Consent Order;
- c. Respondent shall not perform or engage in the practice of refractive surgery or procedures in Illinois;
- d. Respondent shall not perform or practice intraocular surgery or procedures in his office and shall only perform those procedures in a hospital or surgical center;
- e. Respondent shall provide quarterly reports to the Department regarding contact information, performance evaluations; job duty descriptions; copies of incident reports; and information regarding any arrests, criminal or civil actions filed; and
- f. Respondent shall obtain a practice monitor who will submit quarterly reports to the Department on performance and chart reviews.

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).

2. Respondent by having had disciplinary action taken against his Illinois license to practice medicine and surgery by the Illinois Department of Financial and Professional Regulation, Division of Professional Regulation, as set out above, has committed unprofessional conduct as defined by Wis. Admin. Code § Med 10.02 (2)(q), and is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The VOLUNTARY SURRENDER by Nicholas C. Caro, M.D., of his license to practice medicine and surgery in the state of Wisconsin and his right to renew that license is hereby ACCEPTED.

2. IT IS FURTHER ORDERED that Respondent shall not petition the Medical Examining Board to permit application to the Board for any credential sooner than six (6) months from the effective date of this order. If Respondent ever makes application to the Board for any credential:

a. Respondent shall provide proof sufficient to the Board that he can practice medicine and surgery with reasonable safety and skill.

b. Whether to grant a license and whether to impose any limitations or restrictions on any license granted shall be in the sole discretion of the Board

c. Respondent shall, prior to becoming licensed, pay to the Department of Safety and Professional Services costs of this proceeding in the amount of \$350.00 pursuant to Wis. Stat. § 440.22(2).

3. Payment of costs shall be mailed or delivered to:

Department Monitor
Department of Safety and Professional Services
Division of Enforcement
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935
Telephone: (608) 267-3817
Fax: (608) 266-2264

4. This Order is effective on the date of its signing.

MEDICAL EXAMINING BOARD

By

A Member of the Board

Date

3/21/12