

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
: FINAL DECISION AND ORDER
AMIT AGARWAL, M.D., :
RESPONDENT. : 0003991

Division of Legal Services and Compliance Case No. 15 MED 003

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

Amit Agarwal, M.D.
8627 Oleander Avenue
Niles, IL 60714

Wisconsin Medical Examining Board
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin Medical Examining Board (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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Amit Agarwal, M.D. (dob September 12, 1983), is licensed in the state of Wisconsin to practice medicine and surgery, having license number 63318-20, first issued on November 24, 2014, with registration current through October 31, 2015. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 8627 Oleander Avenue, Niles, Illinois 60714.

2. Respondent is also licensed as a physician in the state of Illinois. His practice specialty is family medicine.

3. In January 2015, an investigation was commenced in response to an informal complaint filed with the Department alleging that respondent engaged in unprofessional conduct.

4. The investigation has not yet been completed. However, Respondent elects to surrender his Wisconsin license to practice medicine and surgery because he has no plans to relocate or practice in the state of Wisconsin, and to avoid the expense and uncertainty of litigation.

5. Respondent denies failing to meet any professional code of conduct.

6. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

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).

ORDER

1. The attached Stipulation is accepted.

2. The Board accepts the VOLUNTARY SURRENDER of Amit Agarwal, M.D.'s Wisconsin license to practice medicine and surgery (license no. 63318-20) and any appurtenant right to renew that license, effective the date of this Order.

3. Respondent may petition the Wisconsin Medical Examining Board for reinstatement of licensure to practice medicine and surgery. Whether to grant a license and whether to impose any limitations or restrictions on any license granted shall be in the discretion of the Board, who may also require Respondent to submit to any inquiry, evaluation, or other conditions prior to considering Respondent's petition for reinstatement of licensure. Alternatively, the Board may, in its full discretion, enter an order denying such application without further notice or hearing.

4. If Respondent ever seeks any license under Wis. Stat. chs. 440-480, he shall, as a prerequisite to application, pay COSTS of this matter in the amount of \$1845.92. If Respondent never again seeks licensure in Wisconsin, the Department waives the above-stated costs.

5. If applicable, payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address below:


Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

Final Decision and Order
In the matter of disciplinary proceedings against
Amit Agarwal, M.D., Case no. 15 MED 003


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

WISCONSIN MEDICAL EXAMINING BOARD

by:



A Member of the Board



Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

AMIT AGARWAL, M.D.,
RESPONDENT.

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STIPULATION

0003991

Division of Legal Services and Compliance Case No. 15 MED 003

Respondent Amit Agarwal, M.D., and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's 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; and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and is represented by Attorney James B. Goldberg.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Medical Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

Stipulation

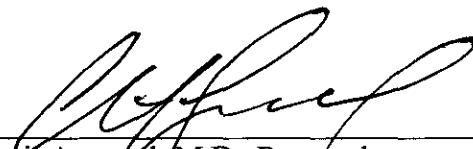
In the matter of disciplinary proceedings against
Amit Agarwal, M.D., Case No. 15 MED 003

of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

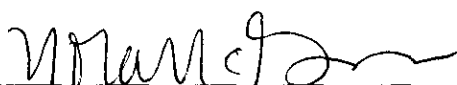
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



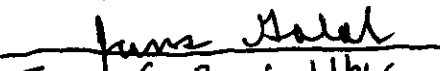
Amit Agarwal, M.D., Respondent
8627 Oleander Avenue
Niles, IL 60714
License No. 63318-20

5/3/15
Date



Yolanda McGowan, Prosecuting Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

5/12/15
Date



James B. Goldberg
200 S. Walker Drive
Chicago, IL 60606
312 735-1185

5/4/15
Date