

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
ERNESTO V. ESTOR, JR., M.D., :
RESPONDENT. : **ORDER 0006349**

Division of Legal Services and Compliance Case No. 16 MED 427

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

Ernesto V. Estor, Jr., M.D.
6007 N. Sheridan Rd., Unit 15K
Chicago, IL 60660

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 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 Ernesto V. Estor, Jr., M.D. (DOB September 2, 1974), is licensed in the state of Wisconsin to practice medicine and surgery, having license number 51956-20, first issued on July 17, 2008, with registration expired on October 31, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 6007 North Sheridan Road, Unit 15K, Chicago, Illinois 60660
2. Respondent has not practiced medicine in Wisconsin during the pendency of this matter and currently has no plans to do so. Respondent let his Wisconsin medical license expire on October 31, 2017, but retains the appurtenant right to renew it until October 31, 2022.

3. In October 2016, the Illinois Department of Financial and Professional Regulation (IDFPR) temporarily suspended Respondent's Illinois medical license and his Illinois Controlled Substances License based on allegations that he inappropriately prescribed controlled substances to patients he knew were abusing and/or diverting them.

4. Respondent filed a petition to restore his Illinois medical license and his Illinois Controlled Substances License, and that process concluded with a Consent Order dated June 28, 2019 (IL Order).

5. The IL Order reinstates Respondent's Illinois medical license to a status of indefinite probation for a minimum of five years. Respondent's Illinois Controlled Substances License remains suspended for a minimum of six months, at which time he can petition to have it reinstated by showing successful completion of pre-approved medical education on prescribing controlled substances.

6. The IL Order prohibits Respondent from solo practice for a minimum of two years, and from working in a home-care setting or any place of employment owned and operated by an Illinois medical licensee with any professional discipline.

7. The IL Order also requires Respondent to, *inter alia*, do the following:

- a. Submit quarterly reports of information related to employment, privileging, court actions, and any actions or investigations by licensing authorities, insurance companies and any state or federal agencies;
- b. Practice under a mentor who shall conduct quarterly chart reviews and submit reports thereof to the IDFPR;
- c. Successfully complete an annual minimum of ten credits of continuing medical education on internal medicine, which may be counted towards annual CME requirements imposed by IDFPR; and
- d. Provide the IL Order to his employer(s) and ask that each employer provide the IDFPR with report which describes Respondent scope of practice, work locations, and requires employer reporting of any inappropriate behavior, professional misconduct, or other concerns/violations related to his practice of medicine.

8. In resolution of this matter, Respondent 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 Wis. Stat. § 448.02(3), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Respondent Ernesto V. Estor, Jr., M.D., engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(3)(c)

by having any credentialing pertaining to the practice of medicine and surgery or any act constituting the practice of medicine and surgery become subject to adverse determination by any agency of this or another state, or by any federal agency or authority.

3. As a result of the above conduct, Ernesto V. Estor, Jr., M.D., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.
2. The license to practice medicine and surgery in Wisconsin of Ernesto V. Estor, Jr., M.D. (license number 51956-20) is LIMITED as follows:
 - a. Respondent is to maintain full and complete compliance with all terms, limitations, and conditions imposed against his Illinois medical license by the IDFPR.
 - b. Respondent shall provide the Board with a copy of any document issued by the IDFPR which alters the conditions of Respondent's continued practice of medicine in Illinois, including any document advising reinstatement of full licensure.
 - c. A determination by the IDFPR that Respondent has violated any term, limitation, and/or condition imposed on his Illinois medical license, is deemed a violation for purposes of the Board.
 - d. Upon Respondent providing proof sufficient to the Board, or its designee, that he has successfully complied with all terms and conditions of the IL Order and his license has been restored to full, unrestricted status, the Board or its designee shall issue an Order removing the limitation on Respondent's Wisconsin license.
3. In the event Respondent wishes to renew his license to practice medicine in the state of Wisconsin while any terms, limitations, and/or conditions remain imposed against his Illinois medical license by the IDFPR, Respondent shall, no less than 90 days prior to the Wisconsin license renewal, provide the Board, or its designee, with the practice name, location, scope, and name of his immediate supervisor at every proposed workplace in Wisconsin.
4. Upon providing the Board with the information required under para. 3, Respondent agrees the Board may, in its discretion, condition the renewal of his Wisconsin medical license by imposing the same or similar terms imposed on Respondent's Illinois medical license at the time, and any other terms the Board deems necessary to protect the patients and public of Wisconsin.
5. Within 180 days from the date of this Order, Ernesto V. Estor, Jr., M.D., shall pay COSTS of this matter in the amount of \$1,245.00.

6. Any submissions required under this Order and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be 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

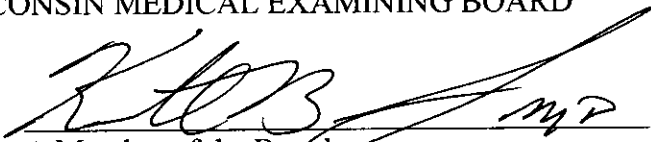
You may also submit payment online via DSPS' Monitoring Case Management System, here: <https://app.wi.gov/DSPSMonitoring>

7. In the event Respondent violates any term of this Order, Respondent's license (no. 51956-20), or Respondent's right to renew his license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of the Order. The Board may, in addition and/or in the alternative refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

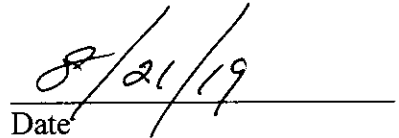
8. This Order is effective on the date of its signing.

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

ERNESTO V. ESTOR, JR., M.D.,
RESPONDENT.

:
:
:
:
:
:
STIPULATION
ORDER 0006349

Division of Legal Services and Compliance Case No. 16 MED 427

Respondent Ernesto V. Estor, Jr., 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 has been provided an opportunity to obtain legal counsel before signing this Stipulation. Respondent is represented by Attorney Jackie Stein.

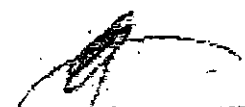
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Medical Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent 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 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 or assigned as an adviser in this investigation may appear before the Board in open or closed session, without the presence of Respondent or Respondent's attorney, 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 adviser may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

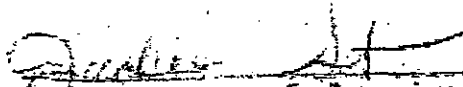
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.


Ernesto V. Espar, Jr., M.D., Respondent
6047 N. Sheridan Rd., Unit 15E
Chicago, IL 60660
License no. 51956-20


Date

8/2/2019


Aquatic Stein, Attorney for Respondent
Michael V. Farin & Associates
1745 W. Algona Ave., Suite 202
Rolling Meadows, IL 60008

Date

8/5/2019


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

Date

8/5/19

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 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 or Respondent's attorney, 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.

Ernesto V. Estor, Jr., M.D., Respondent
6007 N. Sheridan Rd., Unit 15K
Chicago, IL 60660
License no. 51956-20

Date

Jackie Stein, Attorney for Respondent
Michael V. Favia & Associates
3315 W. Algonquin Road, Suite 202
Rolling Meadows, Illinois 60008

Date

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

Date