

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN

BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY

PROCEEDINGS AGAINST

RICHARD D. RITTBERG, D.D.S.,
RESPONDENT.

FINAL DECISION AND ORDER
LS0005033DEN

93 DEN 087

The parties to this action for the purposes of Wis. Stats. sec. 227.53 are:

*Richard D. Rittberg, D.D.S.
6100 West Vliet Street
Wauwatosa, WI 53213*

*Wisconsin Dentistry 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*

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. Richard D. Rittberg (D.O.B. 01/29/52) is duly licensed in the state of Wisconsin as a dentist (license # 5001875). This license was first granted on July 5, 1977.
2. Respondent's latest address on file with the Department of Regulation and Licensing is 6100 West Vliet Street, Wauwatosa, WI 53213. Respondent is engaged in the general practice of dentistry.

3. Respondent treated the dental condition of patient BE on occasion during the period 4-12-80 to 4-09-89. A patient record entry dated 2-26-87 indicates "# 15 perio abscessed; ext; # 12 do/a; one PA; Rx Motrin 600 mg (20)." An entry dated 3-3-87 states " OEX-Prophy; FMX – discuss prognosis of remaining teeth." The patient was seen in the office on 3-10-88 for a procedure on teeth # 7 and 14, and on 10-11-88 for examination and prophylaxis. Then on 11-14-88, the record indicates "widespread facial signs of acute infection; PX Keflex 500 mg, 1 PA; #9 to be extracted as severe perio problem there." The patient was seen by Respondent on one other occasion on 4-10-89 for a procedure on tooth # 7.

4. The patient record of BE contains no documentation of tissue condition, plaque, calculus, pocket depths or tooth mobility. There is no written diagnosis (other than stated in paragraph 3 herein), treatment plan or referral concerning the periodontal condition of the patient.

5. Patient BE was examined by several periodontists in September, 1990. The diagnosis was advanced, generalized periodontitis, with a recommendation for extraction of teeth # 9, 11, 15, 19, 20, 21 and 30, due to mobility and bone loss. It was noted by the evaluators that patient BE was negligent in dental care and hygiene.

6. A review of other patient files of Respondent of individuals with a periodontal condition revealed regular spot checking for pocket depths, use of a periodontal pocket depth chart, regular X-rays and documentation of oral hygiene practices . Patients were referred to a specialist for evaluation and treatment.

CONCLUSIONS OF LAW

By the conduct described above, Richard D. Rittberg is subject to disciplinary action against his license to practice as a dentist in the state of Wisconsin, pursuant to Wis. Stats. sec. 447.07(3)(a) and (h), and Wis. Adm. Code sec. DE 5.02(5) .

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that :

1. Richard D. Rittberg is REPRIMANDED.

1. Respondent shall pay to the Department of Regulation and Licensing within thirty days of the date of this Order the costs of the investigation and prosecution of this action in the sum of Four Hundred Dollars.

3. The rights of a party aggrieved by this Decision to petition the Board for rehearing and to petition for judicial review are set forth on the attached "Notice of Appeal Information".

3. This Order shall become effective upon the date of its signing.

Mark Curran, DDS

May 3, 2000

A Member of the Board

Date