

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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IN THE MATTER OF :  
DISCIPLINARY PROCEEDINGS AGAINST : **FINAL DECISION AND ORDER**  
 :  
KEITH G. KNUDSON, D.D.S., :  
RESPONDENT. : LS-0607211-DEN

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Division of Enforcement Case # 06 DEN 66

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

Keith G. Knudson, DDS  
P.O. Box 116  
Barneveld, WI 53507

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

### **PROCEDURAL HISTORY**

Respondent's license was summarily suspended by the Board on 7/12/06. A disciplinary proceeding was commenced in this matter by the filing of a Notice of Hearing and Complaint with the Board on 7/21/06. Before a hearing on the Complaint, the parties in this matter agreed to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Board. The Board has now reviewed this Stipulation, and approves it.

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

### **FINDINGS OF FACT**

1. Keith G. Knudson (dob: 6-4-1958) is and was at all times relevant to the facts set forth herein a dentist licensed in the State of Wisconsin pursuant to license #3494. This license was first granted 7-2-1985. Respondent is a general dentist.
2. Respondent is an alcoholic, and as one outcome, in part, of his alcohol abuse, stands charged in Circuit Court with several serious criminal violations. Respondent is also charged, in the Amended Complaint filed in this matter, with multiple counts of substandard practice and unprofessional conduct.
3. Respondent desires to focus his entire attention upon his recovery, and upon resolving the criminal charges pending against him. Respondent has agreed to surrender his license to practice dentistry in order to focus his attention on those goals..

### **CONCLUSIONS OF LAW**

- A. The Dentistry Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 447.07(3), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).
- B. The conduct described above would, if proved, violate Wis. Stat. § 447.07(3)(a), (g), (h), and (m), and Wis. Adm. Code § DE 5.02(1), (2), (4), (5), (7), and (16). Such conduct would constitute unprofessional conduct within the meaning of the Code and statutes.

## ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

IT IS FURTHER ORDERED that the SURRENDER of the license of Keith G. Knudson, D.D.S., is ACCEPTED. Respondent shall not practice dentistry in Wisconsin without a license from the Board, nor shall he be in any place of practice of dentistry, except as a *bona fide* patient, without express permission of the Board.

(1) Respondent shall:

- (a) Notify, by first class mail, all patients being served within the past year, of the surrender and consequent inability to act as a credential holder after the effective date of the surrender, and enclosing a copy of the Final Decision & Order.
- (b) Advise the patient to seek professional services of the client's or patient's own choice elsewhere, and offer to forward copies of the file or health care record to the provider designated by the patient.

(2) Respondent may not engage in the practice of the profession of dentistry or in any work activity customarily done by students studying or preparing for the profession, dental hygienists, or dental assistants, except that he may engage in work for a commercial employer not itself engaged in the practice of the profession, which work does not itself constitute the practice of the profession. Respondent may be employed in a dental laboratory which is physically separate from any dental office.

(3) Respondent shall file with the department monitor within 25 days after the effective date of the suspension, revocation, or surrender order, an affidavit showing:

- (a) Full compliance with the provisions of this Order.
- (b) All other state, federal and administrative bodies before which the credential holder holds a similar credential, and any action taken by any of them with respect to his credential.

(4) Respondent shall maintain records of the various steps taken under these procedures so that, upon any subsequent proceeding instituted by or against him, proof of compliance with the rules and these procedures is available. Proof of compliance with these procedures is a condition precedent to reinstatement.

(5) Respondent may not:

- (a) Interview patients or participate in such interviews, except that in the course of employment by a commercial employer he may interview witnesses and participate in the investigation of claims;
- (b) Prepare patient health care records;
- (c) Write reports to be signed or adopted by a credential holder in the same or similar profession; or
- (d) Perform any services for a credential holder in the same or a closely related profession as respondent's former credential either on a salary or a percentage or a fee-splitting basis, except that he may share fees for services performed prior to surrender.

IT IS FURTHER ORDERED that Respondent may petition for reinstatement of his license at any time after one year from the date of this Order. Any such petition for reinstatement shall show that:

- (1) The petitioner desires to have the petitioner's license reinstated.
- (2) The petitioner has not practiced the profession during the period of surrender.

- (3) The petitioner has complied fully with the terms of the order and will continue to comply with them until the petitioner's license is reinstated.
- (4) The petitioner has maintained competence and learning in the field, including a list of specific activities pursued.
- (5) The petitioner's conduct since the surrender has been exemplary and above reproach, and that he has engaged in such treatment as to render his physical and mental health sufficient to permit him to engage in the practice of dentistry.
- (6) The petitioner has a proper understanding of and attitude toward the standards that are imposed upon members of the profession and will act in conformity with the standards.
- (7) The petitioner can safely be recommended to the profession and the public as a person fit to be consulted by others and to serve them and otherwise act in matters of trust and confidence and in general to be able to practice with skill and safety to the client or patient and the public.
- (8) The petitioner has fully complied with the requirements of the rules regarding actions to be taken upon surrender.
- (9) The petitioner indicates the proposed use of the license if reinstated.
- (10) The petitioner has fully described all business activities during the period of surrender, and all contacts with criminal justice and other professional credentialing authorities in this state and elsewhere, and states fully all jurisdictions in which he has any professional credential.

The division of enforcement may (and, upon request of the Board, shall) investigate the eligibility of the petitioner for reinstatement and file a report and recommendation with the credentialing authority. Notice shall be given to the person listed in the department's records as the complainant, and to others who were harmed by petitioner's misconduct, if known. The notice shall contain a brief statement of the nature and date of surrender, the matters required to be proved for reinstatement and the date on which a hearing on the petition will be held before the credentialing authority.

The petitioner has the burden of demonstrating by clear and convincing evidence that the petitioner has the moral character to practice the profession in this state and that the petitioner's resumption of the practice will not be detrimental to the integrity and standing of the profession or subversive of the public interest. The petitioner shall also demonstrate by clear and convincing evidence full compliance with the terms of the order of surrender and the requirements of this Order regarding actions to be taken upon such surrender.

The Board may consider the contents of the Division's investigative file, and may take the allegations of the Amended Complaint as true for purposes of considering any petition for reinstatement. The Board may also consider events subsequent to the signing of the Stipulation in this matter, including but not limited to the outcome of any criminal proceedings concerning Respondent.

The Board may, in its sole discretion, attach such terms and conditions to Respondent's license as it deems appropriate to protect the public and continue Respondent's rehabilitation, including but not limited to treatment and/or monitoring requirements, reeducation/retraining, and professional monitoring or mentoring.

IT IS FURTHER ORDERED, that Respondent shall pay the costs of investigating and prosecuting this matter in the amount of \$7,300.

Dated this November 1, 2006.

WISCONSIN DENTISTRY EXAMINING BOARD

by: Keith D. Clemence DDS  
a member of the Board



