

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	:	
	:	FINAL DECISION AND ORDER
CLIFFORD A. KOBRIGER, D.D.S.,	:	88 DEN 042
RESPONDENT.	:	

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

Clifford A. Kobriger, D.D.S.
118 East Brooklyn Street
Chilton, WI 53014

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. Clifford A. Kobriger (D.O.B. 08/06/24) is duly licensed in the state of Wisconsin as a dentist (license #015 4000857). This license was first granted on October 22, 1952.

2. Dr. Kobriger's latest address on file with the Department of Regulation and Licensing is 118 East Brooklyn Street, Chilton, WI 53014.

3. Over a period of years, Dr. Kobriger obtained controlled substances other than in the course of legitimate dental practice in Wisconsin, to-wit: obtained opium tincture and codeine base for transport to foreign countries, for use in mission activities.

CONCLUSIONS OF LAW

By the conduct described above, Clifford A. Kobriger 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), (f) and (1), and Wis. Adm. Code DE5.02(5) and (6).

NOW, THEREFORE, IT IS HEREBY ORDERED that :

1. The voluntary surrender of the license of Clifford A. Kobriger, D.D.S., to practice dentistry in the State of Wisconsin is hereby accepted.
2. In the event the Respondent applies for reinstatement of his license to practice dentistry in the State of Wisconsin, proof shall be required that the Respondent is capable of safely returning to the practice of dentistry and that reinstatement of his license to practice will be in the public interest. Such proof shall include taking and passing all examinations then required for original licensure in Wisconsin.
3. In the event that reinstatement of the licensure of the Respondent is ever considered by the Board, such licensure may be under such limitations and conditions as may be determined by the Board.

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".

This Order shall become effective 0 () days following the date of its signing.

By: Thomas G. Brandt D.D.S.
A Member of the Board

Sept 2, 1992
Date

STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF THE
DISCIPLINARY PROCEEDINGS AGAINST

CLIFFORD A. KOBRIGER, D.D.S.,
RESPONDENT

STIPULATION
88 Den 42

It is hereby stipulated between Clifford A. Kobriger, D.D.S. (Respondent) personally on his own behalf, and the Department of Regulation, Division of Enforcement by the undersigned attorney as follows:

1. This stipulation is entered into as a result of a pending investigation of Respondent's licensure by the Division of Enforcement (88 DEN 42) . Respondent consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.
2. Respondent is aware of and understands his rights with respect to disciplinary proceedings, including the right to a statement of the allegations against him, the right to a hearing at which time the State has the burden of proving those allegations, the right to confront and cross-examine the witnesses against him, the right to call witnesses on his behalf and to compel attendance of witnesses by subpoena, the right to testify himself, 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 him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.
3. Respondent voluntarily and knowingly waives the rights set forth in paragraph 2 above, on the condition that all of the provisions of this stipulation are approved by the Board.
4. Respondent is aware of his right to seek legal representation and has been provided the opportunity to obtain legal advice prior to the execution of this stipulation.
5. With respect to the attached Final Decision and Order, Respondent admits the facts set forth in the Findings of Fact, and further agrees that the Board may reach the conclusions set forth in the Conclusions of Law. Respondent agrees to voluntarily surrender his license to practice dentistry in the State of Wisconsin upon entry of the attached Final Decision and Order by the Dentistry Examining Board, and further agrees that he will not apply for reinstatement of such license to practice in the State of Wisconsin.


Respondent agrees that the Board may enter the attached Order accepting the voluntary surrender of his license to practice dentistry in the State of Wisconsin based upon the representations made by Respondent in this stipulation.

6. If the terms of this stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this stipulation or the proposed Final Decision and Order, and the matter shall be returned to the Division of Enforcement 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.

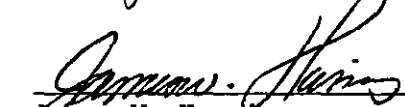
7. If the Board accepts the terms of this stipulation, the parties consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties.

8. The parties to this stipulation agree that the attorney for the Division of Enforcement may appear before the Dentistry Examining Board for the purpose of speaking in support of this agreement and answering questions that members of the Board may have in connection with their deliberation concerning the stipulation.

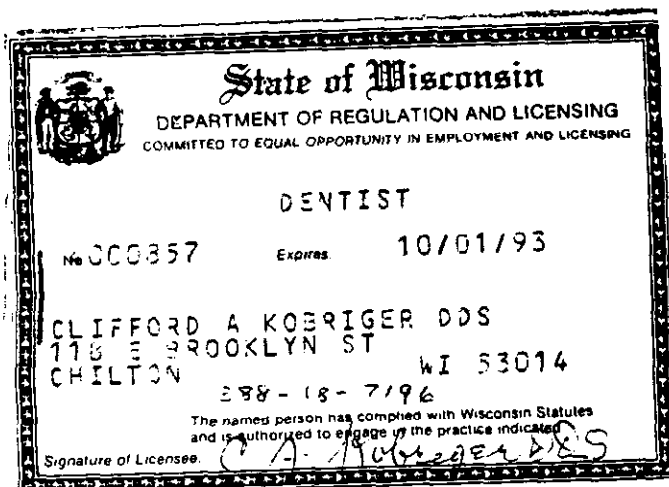
9. The Division of Enforcement joins Dr. Kobriger in recommending that THE Dentistry Examining Board adopt this stipulation and issue the attached Final Decision and Order.


Clifford A. Kobriger, D.D.S.

7-11-92
Date


James W. Harris
Division of Enforcement

7-16-92
Date



NOTICE OF APPEAL INFORMATION

**(Notice of Rights for Rehearing or Judicial Review,
the times allowed for each, and the identification
of the party to be named as respondent)**

The following notice is served on you as part of the final decision:

1. Rehearing.

Any person aggrieved by this order may petition for a rehearing within 20 days of the service of this decision, as provided in section 227.49 of the Wisconsin Statutes, a copy of which is attached. The 20 day period commences the day after personal service or mailing of this decision. (The date of mailing of this decision is shown below.) The petition for rehearing should be filed with the State of Wisconsin Dentistry Examining Board.

A petition for rehearing is not a prerequisite for appeal directly to circuit court through a petition for judicial review.

2. Judicial Review.

Any person aggrieved by this decision has a right to petition for judicial review of this decision as provided in section 227.53 of the Wisconsin Statutes, a copy of which is attached. The petition should be filed in circuit court and served upon the State of Wisconsin Dentistry Examining Board,

within 30 days of service of this decision if there has been no petition for rehearing, or within 30 days of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30 day period commences the day after personal service or mailing of the decision or order, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing of this decision is shown below.) A petition for judicial review should be served upon, and name as the respondent, the following: the State of Wisconsin Dentistry Examining Board.

The date of mailing of this decision is September, 4, 1992.