

# 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

JAMES C. DREWITZ, D.D.S.,  
RESPONDENT.

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FINAL DECISION AND ORDER  
90 DEN 99

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

James C. Drewitz, D.D.S.  
3527 West Oklahoma Avenue  
Milwaukee, WI 53215

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. James C. Drewitz (DOB: ) is duly licensed in the State of Wisconsin to practice dentistry (license number 0154001049). This license was first granted on August 25, 1954.
2. Dr. Drewitz's latest address on file with the Department of Regulation and Licensing is 3527 West Oklahoma Avenue, Milwaukee, Wisconsin 53215.
3. On 3/4/86, Dr. Drewitz observed that the existing bridgework covering teeth numbered 6-9 and individual crowns on teeth numbered 10 and 11 exhibited signs of age and wear on patient BS along with gingival recession root exposure and loose contact between teeth numbers 9-10-11.
4. On 7/1/86, preparation for a new fixed partial denture for patient BS was accomplished by Dr. Drewitz.

5. On 7/10/86, the new fixed partial denture was placed by Dr. Drewitz into the mouth of patient BR.

6. Thereafter, the patient BR complained of pain and sought treatment from another dentist.

7. In June 1987, an examination revealed defective areas on the abutment crowns of the fixed partial denture and it was concluded that the fixed partial denture placed by Dr. Drewitz was inadequately fabricated, and required replacement.

#### CONCLUSIONS OF LAW

By the conduct described above, James C. Drewitz, D.D.S., is subject to disciplinary action against his license to practice dentistry in the State of Wisconsin, pursuant to Wis. Stats., sec. 447(3)(h) and sec. Wis. Adm. Code DE 5.02(5).

#### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the license of James C. Drewitz, D.D.S. to practice dentistry in the State of Wisconsin shall be limited as follows:

Dr. Drewitz shall refrain from the practice of prosthodontics until he has demonstrated to the Dentistry Examining Board that he has successfully completed at least twenty (20) hours of continuing education in an approved course in the fundamentals of crown and fixed partial denture design and construction. Upon the filing with the office of the Board of a certification of completion prepared by the educational institution providing the required training, the Board shall grant a petition by Dr. Drewitz for reinstatement of full licensure.

#### IT IS HEREBY FURTHER ORDERED:

Dr. Drewitz may petition the Board at any time to devise or eliminate any of the above conditions. Denial in whole or in part of a petition under this section shall not constitute a denial of a license and shall not give rise to a contested case within the meaning of Wis. Stats. sec. 227.01 and 227.42.

Violation of the terms of this Order may result in a summary suspension of Dr. Drewitz's license; the imposition of additional conditions and limitations; or the imposition of other additional discipline.

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

Dentistry Examining Board By:

Sept 2, 1992  
Date

Thomas G Brandt DDS  
A Member of the Board

JH:pp  
ATTY-2095

STATE OF WISCONSIN  
BEFORE THE DENTISTRY EXAMINING BOARD

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|                                   |   |             |
|-----------------------------------|---|-------------|
| IN THE MATTER OF THE DISCIPLINARY | : |             |
| PROCEEDINGS AGAINST               | : |             |
|                                   | : | STIPULATION |
| JAMES C. DREWITZ, D.D.S.,         | : | 90 DEN 99   |
| RESPONDENT.                       | : |             |

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It is hereby stipulated between James C. Drewitz, Respondent, personally on his own behalf, and the Department of Regulation and Licensing, Division of Enforcement, by the undersigned attorney as follows:

1. This Stipulation is entered into as a result of a pending investigation of the Respondent's licensure by the Division of Enforcement. Respondent consents to the resolution of this investigation by Stipulation and without the issuance of a formal complaint.
2. Respondent is aware 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 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 and enter the Order limiting his license.
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 to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties.

8. Attached to this Stipulation is the current licensure card of the Respondent James C. Drewitz. If the Board accepts the Stipulation the Respondent's license shall be reissued in accordance with the terms of the attached Final Decision and Order. If the Board does not accept this Stipulation, the Respondent's license shall be returned to him with a notice of the Board's decision not to accept the Stipulation.

9. 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 the members of the Board may have in connection with their deliberation on this Stipulation.

10. The Division of Enforcement joins Dr. Drewitz in recommending that the Dentistry Examining Board adopt this Stipulation and issue the attached Final Decision and Order.

6/25/92  
Date

James C. Drewitz  
James C. Drewitz

7/10/92  
Date

James W. Harris  
James W. Harris, Attorney  
Division of Enforcement


JWH:pp  
ATTY-2097

Ch. 440.11 WIS. STATS., REQUIRES YOU TO NOTIFY THE DEPARTMENT OF A NAME OR ADDRESS CHANGE IN WRITING IN 30 DAYS. SUBMIT TO P.O. BOX 8935, MADISON WI 53708

THIS IS YOUR POCKET IDENTIFICATION CARD  
NOT VALID UNLESS SIGNED

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40(REV 12/89)

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|                            | <b>State of Wisconsin</b><br>DEPARTMENT OF REGULATION AND LICENSING<br>COMMITTED TO EQUAL OPPORTUNITY IN EMPLOYMENT AND LICENSING |
| DENTIST  |   |
| 4001049  | Expires 10/01/93  |
| JAMES C DREWITZ DDS<br>3527 W OKLAHOMA AVE<br>MILWAUKEE WI 53215   |   |
| The named person has complied with Wisconsin Statutes and is authorized to engage in the practice indicated. |   |
| Signature of Licensee: <u>James C. Drewitz DDS</u>   |   |

## 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.