

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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# FILE COPY

STATE OF WISCONSIN  
BEFORE THE DENTISTRY EXAMINING BOARD

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|                                   |   |                          |
|-----------------------------------|---|--------------------------|
| IN THE MATTER OF THE DISCIPLINARY | : |                          |
| PROCEEDINGS AGAINST               | : |                          |
|                                   | : | FINAL DECISION AND ORDER |
| BRUCE G. NEWMAN, D.D.S.,          | : | 92 DEN 054               |
| RESPONDENT.                       | : |                          |

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

Dr. Bruce G. Newman, D.D.S.  
3966 North 68th Street  
Milwaukee, WI 53216

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. Bruce G. Newman (D.O.B. 7/18/44) is duly licensed in the state of Wisconsin as a dentist (license # 5000809). This license was first granted on May 29, 1970.
2. Respondent's latest address on file with the Department of Regulation and Licensing is 3966 North 68th Street, Milwaukee, WI 53216.
3. Respondent engaged in the dental care and treatment of patient SD over a period of years extending back to 1976.
4. In November, 1982, Respondent extracted a wisdom tooth and patient SD experienced paresthesia following the extraction.

5. On 3/29/90 patient SD was seen by Respondent for an examination and x-rays. An abscess on tooth number 17 was diagnosed.

6. On 4/02/90 Respondent extracted tooth number 17 from patient SD, after administering an anesthetic. Following the extraction patient SD suffered permanent loss of sensation, both tactile and gustatory, in the anterior two-thirds of the left tongue.

7. Respondent did not obtain a medical history of patient SD. Respondent did not obtain an informed consent of the patient prior to the extraction, and did not retain x-rays for the permanent file of the patient.

#### CONCLUSIONS OF LAW

By the conduct described above, Bruce G. Newman 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(1), and Wis. Adm. Code sec. DE 5.02(1) and (5).

NOW, THEREFORE, IT IS HEREBY ORDERED that :

1. The stipulation of the parties is accepted.
2. Bruce G. Newman is hereby REPRIMANDED for his unprofessional conduct in this matter.
3. The license of Respondent to practice as a dentist in the state of Wisconsin is LIMITED, until certification of successful completion of a course of training in modern dental record keeping of at least 10 hours is filed with the Dentistry Examining Board. The course outline must be pre-approved by the Board not later than two months following the date of this Order. No outline will be approved unless Respondent discloses the name of the institution offering the instruction, the name of the instructor, and the content of the course. The required course work must be completed by Respondent within six months of the date of this Order.
3. Respondent shall pay the costs of investigation and prosecution of this disciplinary action in the sum of \$400.00 to the Department of Regulation and Licensing within 60 days of the date of this Order.

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 upon the date of its signing.

WISCONSIN DENTISTRY EXAMINING BOARD

By: Thomas G. Braudt DDS 1-5-94  
A Member of the Board Date

JH

STATE OF WISCONSIN  
BEFORE THE DENTISTRY EXAMINING BOARD

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|                                  |   |             |
|----------------------------------|---|-------------|
| IN THE MATTER OF                 | : |             |
| DISCIPLINARY PROCEEDINGS AGAINST | : | STIPULATION |
| BRUCE G. NEWMAN, D.D.S.,         | : | 92 DEN 054  |
| RESPONDENT                       | : |             |

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It is hereby stipulated between Bruce G. Newman, personally on his own behalf and James W. Harris, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows that:

1. This Stipulation is entered into as a result of a pending investigation of 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 understands that by the signing of this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, 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 him; the right to call witnesses on his behalf and to compel their attendance 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 is aware of his right to seek legal representation and has been provided the opportunity to seek legal advice prior to signing this stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Dentistry Examining 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 be returned to the Division of Enforcement for further proceedings. In the event that this 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 for the Division of Enforcement may appear before the Dentistry Examining Board for the purposes of speaking in support of this agreement and answering questions that the members of the Board may have in connection with their deliberations on the stipulation.

7. The Division of Enforcement joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

Bruce G. Newman  
Bruce G. Newman

Dec 10, 1993  
Date

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

DECEMBER 13, 1993  
Date

jh

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## NOTICE OF APPEAL INFORMATION

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**Notice Of Rights For Rehearing Or Judicial Review, The Times Allowed For Each, And The Identification Of The Party To Be Named As Respondent.**

**Serve Petition for Rehearing or Judicial Review on:**

STATE OF WISCONSIN DENTISTRY EXAMINING BOARD

1400 East Washington Avenue

P.O. Box 8935

Madison, WI 53708.

**The Date of Mailing this Decision is:**

JANUARY 6, 1994.

### 1. REHEARING

Any person aggrieved by this order may file a written petition for rehearing within 20 days after service of this order, as provided in sec. 227.49 of the *Wisconsin Statutes*, a copy of which is reprinted on side two of this sheet. The 20 day period commences the day of personal service or mailing of this decision. (The date of mailing this decision is shown above.)

A petition for rehearing should name as respondent and be filed with the party identified in the box above.

A petition for rehearing is not a prerequisite for appeal or review.

### 2. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in sec. 227.53, *Wisconsin Statutes* a copy of which is reprinted on side two of this sheet. By law, a petition for review must be filed in circuit court and should name as the respondent the party listed in the box above. A copy of the petition for judicial review should be served upon the party listed in the box above.

A petition must be filed within 30 days after service of this decision if there is no petition for rehearing, or within 30 days after service of the order finally disposing of a petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30-day period for serving and filing a petition commences on the day after personal service or mailing of the decision by the agency, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing this decision is shown above.)