

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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FILE COPY

STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
 PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
 : (94 DEN 86)
 DAVID P. STANGL, D.D.S. :
 RESPONDENT. :

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

David P. Stangl, D.D.S.
W68 N930 Washington Avenue
Cedarburg, Wisconsin 53012

State of Wisconsin
Dentistry Examining Board
P.O. Box 8935
Madison, Wisconsin 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, Wisconsin 53708-8935

The parties in this matter, David P. Stangl, D.D.S., Respondent, personally and through his attorney, W. Patrick Sullivan, and Pamela M. Stach, Attorney for the Department of Regulation and Licensing, Division of Enforcement, agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Dentistry Examining Board. The Board has reviewed the Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. David P. Stangl, D.D.S., Respondent herein, whose date of birth is January 21, 1940, and is located at W68 N930, Washington Avenue, Wisconsin 53012, is currently licensed to practice dentistry in the State of Wisconsin under license number 244 which was granted on June 18, 1965.

2. At all times relevant hereto, Respondent provided orthodontic dental care and treatment for Patient A, a female whose date of birth is September 22, 1955.

3. Respondent failed to diagnose and recommend and/ or provide treatment for the patient's existing periodontal disease prior to initiating the orthodontic care.

4. Respondent has fully cooperated throughout the investigation and agrees to resolve this matter by participating in an educational program in the diagnosis and treatment of periodontal disease.

CONCLUSIONS OF LAW

1. The Dentistry Examining Board has jurisdiction in this proceeding pursuant to Wis. Stats. secs. 447.07 and 227.44(5).

2. Respondent's conduct as set forth in paragraph three of the Findings of Fact constitutes a violation of Wis. Stats. sec. 447.07(h) and Wis. Adm. Code 5.02(5).

ORDER

NOW THEREFORE IT IS ORDERED that the Stipulation of the parties is hereby accepted.

IT IS FURTHER ORDERED that the license of David P. Stangl, D.D.S. to practice dentistry in the State of Wisconsin is hereby limited on the following terms and conditions:

1. Respondent shall participate in and successfully complete an education course of not more than three days duration in the diagnosis and treatment of periodontal disease. Such course shall be designed and conducted by Acting Dean Thomas Rypel, D.D.S., or his designee through the Marquette University School of Dentistry. A description of the course content and parameters shall be submitted to the Dentistry Examining Board, or its designee, for approval prior to commencement of the program.

2. In the event the Marquette University School of Dentistry is unable to provide a suitable program, Respondent may select another program for approval by the Board. If no such program is selected by Respondent or is not approved by the Dentistry Examining Board, this matter shall be returned to the Division of Enforcement for further action.

3. The educational program shall be completed within nine months of the date of this Order.

4. Respondent shall permit the person/s conducting the program to provide written evaluation of Respondent's participation in and successful completion of the course.

5. Upon receipt of the written evaluation evidencing successful completion of the educational program, and review and acceptance of the report by the Dentistry Examining Board or its designee, Respondent's license to practice dentistry in the State of Wisconsin shall be restored in full.

6. All costs incurred as a result of paragraphs 1 through 5 above shall be the sole responsibility of Respondent.

Dated this 10 day of January, 1997.

STATE OF WISCONSIN
DENTISTRY EXAMINING BOARD


A Member of the Board

Initials

R:AUTOTEXT\INV9.

STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST

DAVID P. STANGL, D.D.S. :
RESPONDENT. :

STIPULATION
94 DEN 86

It is hereby stipulated between David P. Stangl, D.D.S, Respondent herein, personally and through his attorney, W. Patrick Sullivan, and Pamela M. Stach, Attorney for the Department of Regulation and Licensing as follows:

1. David P. Stangl, D.D.S., of W68 N930 Washington Avenue, Cedarburg, Wisconsin 53012, whose date of birth is January 21, 1940, is currently licensed to practice dentistry in the State of Wisconsin under license number 224 which was granted on June 18, 1965.

2. An investigation , entitled 94 Den 86, is pending in this matter before the Wisconsin Dentistry Examining Board.

3. In the interests of resolving this matter, the Respondent agrees to entry of the attached Final Decision and Order by the Dentistry Examining Board.

4. Respondent understands that by signing this stipulation, he freely, 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 witnesses against him, the right to call witnesses on him behalf and compel their attendance by subpoena, the right to testify, the right to file objections to any proposed decision and to present briefs and oral argument to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes and the Wisconsin Administrative Code.

5. Respondent is further aware of his right to seek legal representation prior to signing this stipulation and has done so.

6. The parties to this stipulation and the Board Advisor may appear before the Wisconsin Dentistry Examining Board in support of this Stipulation.

7. Violation of the terms and conditions set forth in this Stipulation and Final Decision and Order shall constitute a basis for disciplinary action by the Dentistry Examining Board.

8. The parties waive all costs which may have accrued in this matter.

9. The Final Decision and Order, if entered by the Dentistry Examining Board, shall become effective on the date of signing.

10. If any term of this Stipulation or the attached Final Decision and Order is not accepted by the Wisconsin Dentistry Examining Board, then no term of the Stipulation of Order will be binding in any manner on any party and the matter will be returned to the Division of Enforcement for further proceedings.

Dated: January 8, 1997

Pamela M. Stach
Pamela M. Stach, Attorney
Department of Regulation and Licensing

Dated: 1-3-97

W. Patrick Sullivan
W. Patrick Sullivan
Attorney for Respondent #1006235

I, David P. Stangl, D.D.S., having read the above Stipulation and attached Final Decision and Order, and having discussed it with my attorney, do hereby freely, voluntarily and knowingly enter into this Stipulation.

Dated: 12-30-96

David P. Stangl D.D.S.
David P. Stangl, D.D.S.

STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING
BEFORE THE DENTISTRY EXAMINING BOARD

In the Matter of the Disciplinary Proceedings Against

David P. Stangl, D.D.S.,

AFFIDAVIT OF MAILING

Respondent.

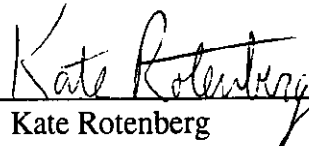
STATE OF WISCONSIN)
)
COUNTY OF DANE)

I, Kate Rotenberg, having been duly sworn on oath, state the following to be true and correct based on my personal knowledge:

1. I am employed by the Wisconsin Department of Regulation and Licensing.

2. On January 16, 1997, I served the Final Decision and Order dated January 10, 1997 upon the Respondent David P. Stangl, D.D.S.'s attorney by enclosing a true and accurate copy of the above-described document in an envelope properly stamped and addressed to the above-named Respondent's attorney and placing the envelope in the State of Wisconsin mail system to be mailed by the United States Post Office by certified mail. The certified mail receipt number on the envelope is P 201 377 254.

W. Patrick Sullivan, Attorney
700 N. Water Street
Milwaukee WI 53202-4278



Kate Rotenberg
Department of Regulation and Licensing
Office of Legal Counsel

Subscribed and sworn to before me

this 16th day of January, 1997.



Notary Public, State of Wisconsin
My commission is permanent.

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.

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 16, 1997

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.)



State of Wisconsin \ DEPARTMENT OF REGULATION & LICENSING

Tommy G. Thompson
Governor

April 7, 1997

DAVID P STANGL DDS
W68N930 WASHINGTON AVE
CEDARBURG WI 53012

Dear Dr. Stangl:

I am writing to inform you that I received notification from Marquette University that you completed the required course of instruction. With this notification you have completed the terms of the Final Decision and Order dated January 10, 1997.

If you have any questions regarding this, you can contact me at (608)267-7139.

Sincerely,

Michelle Neverman
Department Monitor

R:\AUTOTEXT\INV9.DOC

Marlene A. Cummings
Secretary

1400 E. WASHINGTON AVENUE
P O BOX 8935
MADISON, WISCONSIN 53708-8935
(608) 266-2112

Regulatory Boards

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Hannan, Siesennop & Sullivan

ATTORNEYS & COUNSELORS

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June 25, 1997

Pamela M. Stach, Esq.
State of Wisconsin
Department of Regulation & Licensing
Enforcement Division
P.O. Box 8935
Madison, WI 53708-8935

RE: David P. Stangl, D.D.S.

Dear Ms. Stach:

Dr. Stangl recently received an Administrative Complaint from the State of Michigan, Department of Consumer & Industry Services, Board of Dentistry Disciplinary Subcommittee, because he is licensed in Michigan and he did not advise that department of the Wisconsin Dentistry Examining Board's Final Decision and Order dated January 10, 1997. Dr. Stangl was unaware of any such reporting requirement.

Upon investigation I learned that it was the American Association of Dental Examiners, as part of its "clearing house" function, who advised Michigan of the Wisconsin disciplinary action. I have been advised by that entity that it sends out to the various states only the information it receives from the individual states relative to the discipline administered to that particular state's dentists. In that regard, would you please send to the American Association of Dental Examiners (312-440-7464), a copy of the Department's letter of April 7, 1997 to Dr. Stangl advising that he has completed the required course of instruction at Marquette University Dental School so as to comply with the terms of the Final Decision and Order dated January 10, 1997.

If you have any questions, or if you need additional information, please do not hesitate to call me.

Very truly yours,

HANNAN, SIESENNOP & SULLIVAN



W. Patrick Sullivan

WPS/pag

cc: Dr. David P. Stangl (Personal & Confidential)