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State of Wisconsin
Before the Dentistry Examining Board

In the Matter of the Disciplinary Proceedings Against

THOMAS G. ROOKER, D.D.S.,

FINAL DECISION AND ORDER

Respondent

LS0109055DEN

The parties to this proceeding for purposes of s. 227.53, Stats., are:

Thomas G. Rooker, D.D.S.

116 E. Milwaukee St.

Jefferson, WI 53549

Dentistry Examining Board

Department of Regulation and Licensing

P.O. Box 8935

Madison WI 53708

Division of Enforcement

Department of Regulation and Licensing

P.O. Box 8935

Madison WI 53708

The parties having agreed to the attached stipulation, the Wisconsin Dentistry Examining Board makes the following:

FINDINGS OF FACTS

1. Thomas G. Rooker, D.D.S., 116 E. Milwaukee St., Jefferson, WI 53549, was born on 3/1/1946 and has been licensed as a dentist in the state of Wisconsin since 6/6/1976, license # 5001647.

2. On 11/12/1993, respondent saw and examined patient R.S. Respondent placed a ceramic crown on tooth # 5, placed a ceramic pontic on tooth # 4, and took impressions and bite representations for a fixed bridge for teeth # 3 - # 5.

3. On 12/2/1993, respondent saw patient R.S. for the installation of a fixed bridge for teeth # 3 - # 5. Respondent test fitted the bridge. The bridge fit so tightly that the respondent was unable to remove the bridge for cementing so the respondent left the bridge in uncemented. The respondent told patient R.S. that he did not remove the bridge because he did not want to damage the abutment teeth by trying to remove the tight bridge and that he would cement the bridge when it became loose.

4. Respondent saw and treated patient R.S. numerous times from 12/22/1993 through 12/29/1995 for dental work including routine exams and bitewing x-rays, amalgam fillings, and prophylaxis. At no time during these appointments did the respondent remove the fixed bridge for teeth # 3 - # 5 and cement it in place or install and cement in place a new fixed bridge for teeth # 3 - # 5. There is no record of the Respondent performing any

periodontal exams or oral health assessments or any treatment planning at any time during these appointments. After the 12/12/1995 appointment, the respondent did not see patient R.S. again until 6/27/1997.

5. On 6/27/1997, patient R.S. returned to the respondent complaining of pain under his maxillary right bridge whenever he bit down on it. Respondent diagnosed caries on the palatal roots below the crown margins of teeth # 3 and # 5, caries on mesial below the crown margins of teeth # 14 and # 15, caries on distal of teeth # 18 and # 20, and mobility problems with tooth # 23.

6. On 8/26/1997, patient R.S. returned to see the respondent. Respondent noted in his progress note that "bridge was never cemented –tight and would not come off when tried on." Respondent removed the fixed bridge for teeth # 3 - #5 and observed that there were extensive caries present under the crowns of tooth # 3 and tooth # 5, and extensive caries on tooth # 14 and tooth # 15. Respondent placed a temporary crown on tooth # 4 and recommended that an oral surgeon remove teeth # 3, # 5, # 14, and # 15. After the extraction of the teeth, the respondent recommended a maxillary partial denture, the completion of the remaining restorations, and to deal with mobility of the anterior teeth.

7. On 9/11/1997, patient R.S. wanted a second opinion so he went to Dr. T. Dr. T. observed gross caries in tooth # 5, caries on distal margin of tooth # 13, gross caries circumferentially on tooth # 14, gross caries mesially on tooth # 15, gross distal gingival caries on teeth # 18, and # 20. Dr. T. referred patient R.S. to an oral surgeon to have teeth # 3, # 5, # 14, and # 15 extracted.

8. On 9/19/1997, Dr. N., an oral surgeon, removed teeth # 5 and # 14, surgically extracted tooth # 15, and surgically removed residual roots in tooth # 3.

CONCLUSIONS OF LAW

1. The Wisconsin Dentistry Examining Board has jurisdiction in this proceeding pursuant to sec. 447.07, Wis. Stats.

2. The Wisconsin Dentistry Examining Board has the authority to resolve this disciplinary proceeding by Stipulation without an evidentiary hearing pursuant to sec. 227.44(5), Wis. Stats.

3. Dr. Rooker's conduct as described in the Findings of Fact was conduct in violation of sec. 447.07(3)(a), Wis. Stats. and Wis. Admin. Code sec. DE 5.02(5). Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes.

ORDER

NOW, THEREFORE, IT IS ORDERED that the Stipulation of the parties is approved.

IT IS FURTHER ORDERED that Thomas G. Rooker, D.D.S. is REPRIMANDED for his unprofessional conduct in this matter.

IT IS FURTHER ORDERED that Thomas G. Rooker, D.D.S. will, within twelve months of the date of this Final Decision and Order, take and complete a total of fifty-four (54) hours of continuing education instruction in the following five areas: 1. Twelve (12) hours of instruction will be in crown and bridge preparations, placement and complications. 2. Twelve (12) hours of instruction will be in basic periodontic theory, disease prevention, and treatment. 3. Six (6) hours of instruction will be in dental record keeping. 4. Twelve (12) hours of instruction will be in dental examination and treatment planning. 5. Twelve (12) hours of instruction will be in dental radiology.

For each of these five required continuing education instruction areas:

a. Dr. Rooker will be responsible for locating courses satisfactory to the Wisconsin Dentistry Examining Board or its designee and for obtaining the required approval of the courses from the Wisconsin Dentistry Examining Board. Dr. Rooker shall obtain the Board's approval of the program before he embarks upon it. The program design shall specify which portions of the program will be completed by lecture, which portions will be completed by supervised clinical practice, and which portions will be completed by participation in non-clinical technical educational opportunities.

b. Dr. Rooker shall obtain the Board's pre-approval of each educational opportunity he wishes to count towards proof of attained competence in the required continuing education instruction areas. Dr. Rooker is responsible for getting the information about each educational opportunity he wants the Board to approve to the Department Monitor, P.O. Box 8935, Madison, WI, 53708, no later than 30 days before the Board's regularly scheduled meeting.

c. For each educational opportunity Dr. Rooker asks the Board to approve, Dr. Rooker will state the aspect of the

required continuing education instruction area he intends the educational opportunity to address, and he shall further state the degree to which he intends the educational opportunity to fully complete his remediation in that required continuing education instruction area. The Board shall not be bound to accept Dr. Rooker's estimation of the degree to

which successful completion of any one educational opportunity demonstrates minimal competency in any aspect of the required continuing education instruction area.

d. The Board shall not unreasonably withhold approval of any educational opportunity nominated by Dr. Rooker; however, the Board will not approve any educational opportunity unless it is recognized by the American Dental Association Continuing Education Recognition Program or is sponsored or provided by an institution accredited by the Council on Dental Education of the American Dental Association. Dr. Rooker will be responsible for all costs associated with attending these courses.

e. Further, the Board may reject in whole or in part any educational opportunity which is nominated by Dr. Rooker when, in the Board's judgment, the syllabus or description of the course or other educational opportunity is insufficient to fulfill the purpose for which Dr. Rooker nominates it by reason of the educational opportunity's scope, content, method of instruction, or degree of participation required of students. If the Board approves an educational opportunity in fulfillment of less than the entire purpose for which Dr. Rooker nominates it, Dr. Rooker may either accept the Board's limited approval, or forego the opportunity entirely.

IT IS FURTHER ORDERED that Thomas G. Rooker, D.D.S. will file with the Wisconsin Dentistry Examining Board certifications from the sponsoring organization of his attendance at the required courses and his personal written certification that he has attended each course in its entirety. The certifications of attendance from the sponsoring organization and Dr. Rooker's certification will be filed with the Wisconsin Dentistry Examining Board within 60 days of the date upon which the courses are concluded.

IT IS FURTHER ORDERED that certifications, reports or other documents required to be filed with the Wisconsin Dentistry Examining Board be filed with:

Department Monitor

Department of Regulation and Licensing

Division of Enforcement

P.O. Box 8935

1400 E. Washington Ave.

Madison, WI 53708

All certifications, reports or other documents required to be filed with the Wisconsin Dentistry Examining Board will be deemed filed with the Dentistry Examining Board upon receipt by the Department Monitor.

Dated at Madison, Wisconsin, this 5th day of September, 2001.

WISCONSIN DENTISTRY EXAMINING BOARD

Bruce Barrette

Member, Wisconsin Dentistry Examining Board