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STATE OF WISCONSIN

BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY

PROCEEDINGS AGAINST:

MARGARET ABOAGYE, D.D.S.,

FINAL DECISION AND ORDER

RESPONDENT

LS0205012DEN

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

Margaret Aboagye, D.D.S.

400 Lake Avenue

Racine, WI 53403

Wisconsin Dentistry Examining Board

1400 E. Washington Ave.

P.O. Box 8935

Madison, WI 53708-8935

Department of Regulation And Licensing

Division of Enforcement

1400 E. Washington Ave.

P.O. Box 8935

Madison, WI 53708-8935

Based upon the Stipulation of the parties, the Wisconsin Dentistry Examining Board makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Margaret Aboagye, D.D.S., Respondent herein, 400 Lake Avenue. Racine, WI 53403, date of birth 08/24/45, is currently licensed to practice dentistry in the state of Wisconsin, license # 5001295, granted on 02/04/74.
2. Respondent is engaged in the practice of general dentistry.
3. On 7/27/01 Respondent's dental clinic filed a claim for payment with Guardian Life Insurance Company for services rendered on 7/03/01 to patient DS. Because the dental coverage of DS under the policy had terminated on 7/01/01 the claim was denied.
4. On 9/26/01 a clerical employee of Respondent's dental clinic re-filed the claim for services rendered to patient DS, but altered the date of service to 5/16/01. The claim was again denied by the insurance company. The clerical employee admitted to altering the date of service and to re-submitting the false claim. Respondent failed to have in place a system for reviewing and verifying third party payment claims.

5. Respondent failed to establish or maintain a comprehensive patient treatment record for patient DS.

CONCLUSIONS OF LAW

1. The Wisconsin Dentistry Examining Board has jurisdiction in this proceeding pursuant to sec. 447.07, 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), Stats.
3. Respondent's conduct as described in the Findings of Fact was conduct contrary to sec. 447.07(3)(1)(a), (h) and (k), Stats. and Wis. Admin. Code sec. DE 5.02(5).
4. The Wisconsin Dentistry Examining Board has the authority pursuant to sec. 440.22, Stats., to assess the costs of this proceeding against Respondent.

ORDER

NOW, THEREFORE, IT IS ORDERED:

1. The Stipulation of the parties is approved.
2. Margaret Aboagye is REPRIMANDED for her unprofessional conduct.
3. The license of Respondent to practice dentistry in the State of Wisconsin is limited under the following terms and conditions:

Respondent will participate in an education program administered by the Marquette University School of Dentistry under the supervision of the Dean of the Marquette University School of Dentistry. This education program will be developed and structured as follows:

a. The Marquette University School of Dentistry will conduct an assessment of Respondent's skills and knowledge in modern dental record-keeping. The purpose of the assessment is to assist the Marquette University School of Dentistry in developing an education program for Respondent to address this aspect of dental practice. As a part of the assessment, the Marquette University School of Dentistry will require Respondent to produce a minimum of 10 complete dental charts, including dental x-rays, of patients treated or examined by her. These complete dental charts will be selected by Marquette University School of Dentistry from a list compiled by Respondent. The list will identify each patient she examined or treated in the 2 months preceding the date of the assessment with a brief statement of the reason for contact with each patient and the length of time that the person has been a patient. The review of these selected dental charts will not be limited to examinations conducted or treatments administered within the preceding two months, but will include a review of the complete dental record for each of the patient records selected. Respondent and the Marquette University School of Dentistry will take adequate precautions to protect patient confidentiality. The Marquette University School of Dentistry will also utilize records and other documents from the investigative file compiled by the Department of Regulation and Licensing, Division of Enforcement, in support of this disciplinary action to assist with the assessment. Marquette University School of Dentistry may also utilize techniques in addition to the dental records review to perform the assessment. The dates and times for conducting the assessment will be determined by the Marquette University School of Dentistry. The assessment will be completed within 60 days of the date of this Final Decision And Order.

b. The Marquette University School of Dentistry will develop an education program in modern dental record-keeping within 30 days of completion of the assessment and will submit the proposed education program to the Dentistry Examining Board or its designee for approval prior to implementation of the education program. The education program may consist of academic instruction, clinical instruction or both. If the Marquette University School of Dentistry is unable to develop an education program for Respondent, the Marquette University School of Dentistry will so notify the Wisconsin Dentistry Examining Board and this matter will be returned to the Division of Enforcement for further proceedings.

c. Respondent will commence the education program within 45 days of the date on which the Dentistry Examining Board or its designee approves the education program. Prior to commencing the education program, the Marquette University School of Dentistry will establish a timetable for the implementation, progression and completion of the education program and submit this timetable to the Dentistry Examining Board.

d. Respondent will satisfactorily complete all components of the education program including all evaluations administered by the Marquette University School of Dentistry within 9 months of the date of this Final Decision And Order. Respondent will incorporate recommended record-keeping techniques

into her dentistry practice.

e. Upon satisfactory completion of the education program including evaluations, the Marquette University School of Dentistry will certify satisfactory completion of the education program to the Dentistry Examining Board.

f. Respondent will be responsible for the full costs of the assessment, the education program and the evaluations and will make payment to the Marquette University School of Dentistry in accordance with a payment schedule established by the Marquette University School of Dentistry.

4. All certifications, reports or other documents required to be filed with the Dentistry Examining Board under the terms of this limited license will be filed with:

Department Monitor
Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
1400 East Washington Ave.
Madison, WI 53708-8935

5. Respondent shall pay the costs of this proceeding in the amount of \$650.00 to the Department of Regulation and Licensing, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin, 53708-8935 within 60 days of the date of this Final Decision And Order.

6. If Respondent fails to comply with any of the provisions of this Final Decision And Order or fails to comply with the timetable established by the Marquette University School of Dentistry for implementation, progression and completion of the education program, her license to practice dentistry in the State of Wisconsin may be summarily suspended.

The rights of a party aggrieved by this Final Decision And Order to petition the Wisconsin Dentistry Examining Board for rehearing and to petition for judicial review are set forth in the attached "Notice of Appeal Information".

Dated at Madison, Wisconsin this 1st day of May, 2000.

WISCONSIN DENTISTRY EXAMINING BOARD

Bruce Barrette, Member

Wisconsin Dentistry Examining Board