

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	:	
	:	FINAL DECISION AND ORDER
REBECCA J. SWENSON, DDS,	:	LS0401073DEN
f/k/a/ REBECCA J. DOBOGAI,	:	
RESPONDENT	:	

Division of Enforcement Case file No. 98 DEN 011

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Rebecca J. Swenson, DDS
715 East Randall Street
Appleton, WI 54911

Department of Regulation and Licensing
Division of Enforcement
PO 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 the attached Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Rebecca J. Swenson (D.O.B. 05/15/1952) is duly licensed as a dentist in the state of Wisconsin (license # 3682). Her license was first granted on August 6, 1986.
2. Dr. Swenson’s most recent address on file with the Wisconsin Dentistry Examining Board is 715 East Randall Street, Appleton, WI 54911.
3. On or about March 20, 1995, Respondent saw patient CH (DOB 07/31/57). Respondent’s records for this patient include no data regarding CH’s periodontal condition. Pocket depths were not noted, nor do the records reflect any observations regarding the health of tissue, despite Respondent’s findings of generalized early periodontitis.
4. Respondent referred CH to an endodontist, who completed root canal therapy on CH for tooth #18 and tooth #19 on June 13, 1995. The endodontist created a post space for tooth #19 for this patient and informed Respondent of the creation of space.
5. On or about June 29, 1995 and July 17, 1995, CH returned to Respondent for placement of temporary crowns on tooth #18 and tooth #19. Respondent then informed CH that CH’s insurance would only pay 50% of the costs of placing the crown and that CH would need to pay Respondent’s bill in full prior to placement of the permanent crowns.
6. On or about May 21, 1996, CH returned to Respondent with payment in full, and Respondent placed the crowns on tooth #18 and tooth #19. Respondent’s placement of these crowns fell below minimal standards of dentistry in the following respects:

- a. Respondent did not install a post for tooth #19.
- b. Respondent did not ensure that the crown for tooth #19 made for CH in July 1995 covered the build-up material on prepared tooth properly. The failure to cover the build-up material resulted in open contacts.
- c. Respondent placed the crowns made for CH in July 1995 without alteration to accommodate the shifting of teeth between placement of the temporary crowns and placement of permanent crowns. The placement of the permanent crowns resulted in open contacts between tooth #18 and tooth #19 and their surrounding teeth.

7. Respondent's failure to adequately and competently fit the crown for tooth #19, and her failure to adequately and competently place the crowns for tooth #18 and tooth #19, resulted in open contacts, causing food compaction which led to or could have led to gingival infection and bone loss. The failure of Respondent to install a post in tooth #19 could have led to infection in that tooth.

8. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

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. Dr. Swenson's conduct as described above was conduct contrary to sec. 447.07(3)(a), (f), and (h), Wis. Stats. and Wis. Admin. Code sec. DE 5.02(1), (5), and (16).
4. The Wisconsin Dentistry Examining Board has the authority pursuant to sec. 440.22, Stats., to assess the costs of this proceeding against Dr. Swenson.

ORDER

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

IT IS FURTHER ORDERED that Rebecca J. Swenson, DDS is REPRIMANDED and her license to practice dentistry in the state of Wisconsin is LIMITED as follows:

1. Education:

a. Respondent shall certify to the Board the successful completion of an approved course of training of not less than 8 hours in dentistry record keeping and 16 hours of individual training in crown and bridge work, within 9 months of the date of this order. Within 2 months of the date of this Order, Respondent shall submit to the Board, or its designee, an outline of the required training for approval, which shall contain the name of the institution providing the instruction, the name of the instructor, and the content of the training.

b. Respondent shall be responsible for the cost of compliance with this Order.

2. Costs:

Respondent shall pay costs in the sum of \$2,024.09 to the Department of Regulation and Licensing. Costs may be paid in monthly installments, in the following manner: the first payment of \$500 will be due within 30 days of the date of this order; another \$500 payment will be due within 60 days of the date of this order; another \$500 payment will be due within 90 days of the date of this order; and a final payment of \$524.09 will be due within 120 days of the date of this order.

3. Compliance:

Failure by Respondent to fully and timely comply with the requirements of this Order shall result in the imposition of a summary suspension, without further notice or hearing, until such time as full compliance with the provisions of this Order has been attained.

4. **Appeals:**

The rights of a party aggrieved by this Decision to petition the Board for rehearing and to petition for judicial review are forth on the attached "Notice of Appeal Information".

5. **Effective Date:**

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

WISCONSIN DENTISTRY EXAMINING BOARD

Bruce Barrette

On Behalf of the Board

1-7-04

Date