

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



## Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

### Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DRL website:** An individual who believes that information on the website is inaccurate may contact the webmaster at [web@drl.state.wi.gov](mailto:web@drl.state.wi.gov)

STATE OF WISCONSIN  
BEFORE THE DENTISTRY EXAMINING BOARD

---

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	<b>FINAL DECISION AND ORDER</b>
	:	
THOMAS J. LARKIN, D.M.D.,	:	LS0403031DEN
RESPONDENT.	:	

---

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

Thomas J. Larkin, DMD  
1420 Silverstone Tr.  
DePere, WI 54115

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. Respondent Thomas Joseph Larkin III (dob 5/4/47) is and was at all times relevant to the facts set forth herein a dentist licensed in the State of Wisconsin pursuant to license #5092, first granted on 12/21/98.
2. Respondent practiced in Illinois for many years, and moved to Wisconsin to practice in 1998. On December 14, 1998, respondent surrendered his DEA registration as a result of a DEA investigation into his prescribing practices, which revealed that he had prescribed and dispensed hydrocodone products on an ongoing basis for his mother beginning in 1996, for diabetic peripheral neuropathy, a non-dental condition which was well documented and which was painful. Respondent had also failed to keep required records of his ordering, storage, and dispensing. All this occurred while respondent was living and working in Illinois, and he and his mother were residing together. Respondent also self-prescribed both hydrocodone and benzodiazepine products for dental and non-dental conditions. On 9/20/99, respondent applied for a new DEA registration in Wisconsin, truthfully disclosing all relevant facts; this registration was approved on or about 11/1/99.
3. On January 17, 2001, respondent agreed to have his Illinois license to practice dentistry placed on probation for one year and to obtain 12 hours of continuing education in the area of recordkeeping; his Illinois controlled substance permit was indefinitely suspended for a minimum of two years. This agreement was approved, and the order issued, on 6/15/01, and respondent has completed the required continuing education. His Illinois license to practice dentistry is no longer on probation, although his Illinois controlled substance permit is still suspended.
4. The Board was first informed of the above two disciplinary matters in September, 2002.

CONCLUSIONS OF LAW

- A. The Wisconsin Dentistry Examining Board has jurisdiction to act in this matter pursuant to §447.07(3), Wis. Stats. and is authorized to enter into the attached Stipulation pursuant to §227.44(5), Wis. Stats.
- B. The conduct described in ¶¶2-3, above, violated § DEN 5.02(3) and (14), Wis. Adm. Code. Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

IT IS FURTHER ORDERED, that Thomas J. Larkin, III, D.M.D., is REPRIMANDED for his unprofessional conduct in this matter.

IT IS FURTHER ORDERED, that respondent shall, upon request of the Board, Department of Regulation and Licensing, or any agent or employee of either, forthwith provide a sample of his urine, blood, saliva, or hair (as determined by the requesting person or entity) for the purpose of determining whether he has ingested any unprescribed mood-altering substance. This paragraph shall not constitute a limitation upon the license of respondent.

IT IS FURTHER ORDERED, that respondent shall pay the COSTS of investigating and prosecuting this matter of \$700 within 30 days of this Order.

Dated this 3<sup>rd</sup> day of March, 2004.

WISCONSIN DENTISTRY EXAMINING BOARD

Bruce Barrette  
A Member of the Board