

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 & ORDER
DOUGLAS DAVIES, D.D.S.	:	LS0407071DEN
RESPONDENT.	:	

Division of Enforcement

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

Douglas Davies, D.D.S.
306 N. East Avenue
Waukesha, WI 53186

Wisconsin Dentistry Examining Board
1400 East Washington Ave.
P.O. Box 8935
Madison, WI 53708-8935

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

The parties in this matter, Douglas Davies, D.D.S., personally and Pamela M. Stach, Attorney for the Department of Regulation and Licensing, agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin Dentistry examining 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. Douglas Davies, D.D.S., 306 North East Avenue, Waukesha, Wisconsin 53186, whose date of birth is June 26, 1953, is currently licensed to practice dentistry in the State of Wisconsin under license #3596 which was granted on February 11, 1986.
2. An investigation entitled 03DEN080 is pending before the Wisconsin Dentistry Examining Board. The investigation includes issues of sanitary conditions.
3. On August 14, 2003 an inspection of the dental office of the Respondent revealed the following: failure to disinfect the lead apron between uses, failure to have soap or towels by the sinks in either the lab or sterilization area, failure to put all of the instruments into bags for sterilization to prevent post-sterilization contamination, failure to use the ultrasonic on all instruments, failure to wear masks or protective glasses with side shields, failure to use gloved hands to transfer contaminated instruments from the front of the building (the opertory) to the sterilization room in the back of the building and the general office appearance being cluttered, unkempt and unclear.
4. Douglas Davies, D.D.S. has cooperated in the investigation and has voluntarily agreed to the resolution of the matters contained herein.

CONCLUSIONS OF LAW

1. The Wisconsin Dentistry Examining Board has jurisdiction in this proceeding pursuant to Wis. Stats. § 447.04.
2. The Wisconsin Dentistry Examining Board has the authority to resolve this matter by stipulation without an evidentiary hearing pursuant to Wis. Stats. § 227.44(5).
3. Respondent's practice as set forth in paragraph #3 of the Finding of Fact is unprofessional conduct as defined by Wis. Adm. Code § DE 5.02(5)

ORDER

NOW, THEREFORE, IT IS ORDERED that the Stipulation of the parties, as attached hereto, is accepted.

IT IS FURTHER ORDERED, that the license of Douglas Davies, D.D.S. to practice dentistry shall be LIMITED on the following terms and conditions:

1. Within six months of the effective date of this Order, Respondent shall participate in and successfully complete a course in proper infection control practices and dental office sanitation, which shall include, but not be limited to, instruction in: disinfecting the lead apron between uses, the necessity for availability of soap and towels by the sinks, proper instrument sterilization practices, the necessity for use of ultrasonic on instruments, the necessity to wear masks or protective glasses with side shields, the necessity to use gloved hands to transfer contaminated items and general office sanitation. Evidence of successful completion in the course "Dental Annual Occupational Safety and Health Training" on October 8, 2004 at Northeast Wisconsin Tech College would satisfy this requirement and no further education would be required under this condition.

2. A description of the course contents and parameters shall be submitted to the Dentistry Examining Board or its designee for approval prior to commencement of the programs.

3. Respondent will be responsible for paying for the full cost of attendance at this course.

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

5. Respondent will within 60 days of completion of this educational requirement file an affidavit with the Wisconsin Dentistry Examining Board stating under oath that he has attended in its entirety each of the courses approved for satisfaction of this requirement along with supporting documentation of attendance from the sponsoring organizations. This affidavit and the supporting documentation of attendance will be filed with:

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

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

6. Respondent will submit to four (4) quarterly unannounced inspections by the Dentistry Examining Board or its designee within one year of the effective date of this Order to determine compliance with sanitary requirements. Respondent will be responsible for paying for the full cost of the required inspections.

IT IS FURTHER ORDERED that Respondent shall pay a forfeiture in the amount of Two hundred fifty dollars (\$250.00) payable to the Department of Regulation and Licensing, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

IT IS FURTHER ORDERED that Respondent shall pay costs in the amount of Five hundred dollars (\$500) payable to the Department of Regulation and Licensing, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

IT IS FURTHER ORDERED that the pending investigation of 03DEN080 is closed without further proceedings.

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 7th day of July, 2004.

WISCONSIN DENTISTRY EXAMINING BOARD

Bruce Barrette
A Member of the Board