

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE DENTISTRY EXAMINING BOARD

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IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	FINAL DECISION
	:	AND ORDER
JOHN K. SYVERSON, D.D.S.,	:	LS0411031DEN
RESPONDENT	:	

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Division of Enforcement  
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The parties to this action for the purpose of Wis. Stats. sec. 227.53 are:

John K. Syverson, D.D.S.  
15910 W. County Lake Rd., Ste 1  
Hayward, WI 54843

Wisconsin Dentistry Examining Board  
1400 E. Washington Ave.  
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 Wisconsin Dentistry Examining Board received a Stipulation submitted by the parties to the above-captioned matter. The Stipulation, a copy of which is attached hereto, was entered into between John K. Syverson, D.D.S., his attorney, W. Patrick Sullivan, and David A. Hart, attorney for the Department of Regulation and Licensing, Division of Enforcement. 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. John K. Syverson, D.D.S., of 15910 W. County Lake Rd., Ste 1, Hayward, Wisconsin, 54843 was born on 11/4/1948 and has been licensed and currently registered to practice dentistry in the State of Wisconsin since 4/26/1976, license #5001583.

Patient D.G.

2. On 2/10/1997, patient D.G. was seen by Respondent for the first time. Respondent examined Patient D.G., and took four bitewing x-rays.

3. On 2/18/1997, Respondent provided an amalgam filling in tooth #30.

4. On 4/21/1997, Respondent provided amalgam fillings in tooth #s 19, 20, and 21. Patient D.G. was referred to Dr. B., an oral surgeon, for extraction of tooth # 16 because of decay.

5. On 5/8/1997, Dr. B. extracted tooth # 16.

6. On 7/23/1999, Respondent provided an amalgam filling in tooth #14.

7. On 8/17/1999, patient D.G. was seen for a routine dental exam and cleaning.
8. On 2/23/2000, patient D.G. was seen for a routine dental exam and cleaning.
9. On 8/8/2000, patient D.G. was seen by Respondent complaining of a broken tooth. Respondent took one bitewing x-ray and diagnosed caries in tooth #s 15, and 18.
10. On 9/8/2000, Respondent provided amalgam fillings on tooth #s 15, and 18. Respondent noted that patient D.G. needed to have tooth # 29 extracted.

Patient Z.G.

11. On 2/18/1997, patient Z.G. was seen by Respondent for the first time. Patient Z.G. is a four year-old child. Respondent examined Patient Z.G.
12. On 2/6/1998, patient Z.G. saw Respondent for a routine dental exam and cleaning.
13. On 3/16/1998, patient Z.G. was seen by Respondent. Respondent placed sealants on tooth #s 19 and 30.
14. On 2/26/1999, patient Z.G. was seen by Respondent for a routine dental exam and cleaning. Respondent placed sealants on tooth #s 3, and 14.
15. On 2/26/2000, patient Z.G. was seen by Respondent for a routine dental exam and cleaning.

Patient K.G.

16. On 7/21/1997, patient K.G. was seen by Respondent for the first time. Respondent examined Patient K.G., and took four bitewing x-rays.
17. On 8/11/1997, Respondent provided an amalgam filling in tooth # 29.
18. On 2/6/1998, patient K.G. saw Respondent for a routine dental exam and cleaning.
19. On 2/26/1999, patient K.G. saw Respondent for a routine dental exam and cleaning.
20. On 2/25/2000 patient K.G. saw Respondent complaining of tooth pain on the right side of her mouth. Respondent examined patient K.G. Respondent did not note any caries in patient K.G.'s mouth.
21. With respect to all the parties, a subsequent dentist discovered carries that had not been diagnosed by the Respondent.

CONCLUSIONS OF LAW

1. The Wisconsin Dentistry Examining Board has jurisdiction in this proceeding pursuant to Wis. Stats. sec. 447.07.
2. The Wisconsin Dentistry Examining Board has the authority to resolve this proceeding by Stipulation without an evidentiary hearing pursuant to Wis. Stats. sec. 227.44(5).
3. Respondent's failure to diagnose existing dental caries during the four years he treated patient D.G., Z.G., and K.G. constitutes unprofessional conduct contrary to Wis. Stats. sec. 447.07(3)(a), and Wis. Adm. Code. sec. DE 5.02(1) and (5).

ORDER

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

IT IS FURTHER ORDERED that John K. Syverson, D.D.S. is REPRIMANDED.

IT IS FURTHER ORDERED that John K. Syverson, D.D.S. shall, within nine months from the date of this Final Decision and Order, attend and satisfactorily complete an educational program in the area of prescribing dental radiographs at either the Marquette School of Dentistry or the University of Minnesota School of Dentistry that has been approved by the Dentistry Examining Board. Dr. Syverson will be responsible for all costs associated with attending this program.

IT IS FURTHER ORDERED that John K. Syverson, D.D.S. shall permit the individual conducting the course to submit a written report of Dr. Syverson's completion of the educational course to the Dentistry Examining Board or its designee.

IT IS FURTHER ORDERED that John K. Syverson, D.D.S., will appear before the Dentistry Examining Board, as the Dentistry Examining Board will direct, following the completion of the program to review with the Dentistry Examining Board his current procedures and practices of prescribing dental radiographs.

IT IS FURTHER ORDERED that John K. Syverson, D.D.S., shall permit a random inspection of his clinic records, including radiographs and x-rays, within six months after the signing of this Order by the Dentistry Examining Board or its designee, to ensure compliance at the time of inspection with the requirements of the American Dental Association Guidelines for prescribing dental radiographs.

IT IS FURTHER ORDERED that Dr. Syverson, shall pay COSTS in the amount of TWO HUNDRED dollars (\$200.00).

IT IS FURTHER ORDERED that Dr. Syverson shall pay a FORFEITURE in the amount of TWO HUNDRED dollars (\$200.00).

Payment shall be submitted within sixty (60) days from the date of this order. Payment shall be made by certified check or money order, payable to the Wisconsin Department of Regulation and Licensing and sent to: Department Monitor, Divisions of Enforcement, Dept. of Regulation & Licensing, P.O. Box 8935, Madison, WI 53708-8935.

IT IS FURTHER ORDERED that certifications, affidavits, 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, affidavits, 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 3<sup>rd</sup> day of November, 2004.

WISCONSIN DENTISTRY EXAMINING BOARD

Nanette Dreves  
Member, Wisconsin Dentistry Examining Board