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State of Wisconsin
Before the Dentistry Examining Board

In the Matter of Disciplinary Proceedings Against

Bruce G. Newman, DDS
Respondent
LS0405101DEN

Final Decision and Order

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

Bruce G. Newman, DDS
414 W. Bradley Road, Suite 214
Milwaukee WI 53209

Wisconsin Dentistry Examining Board
Department of Regulation and Licensing
P.O. Box 8935
Madison WI 53708

Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison WI 53708

The parties having agreed to the attached stipulation, the Board makes the following

Findings of Fact

1. Bruce G. Newman, DDS (“Respondent”) was born on July 18, 1944, and is licensed to practice dentistry in the state of Wisconsin pursuant to license number 5000809, first granted on May 29, 1970.
2. On October 22, 2001, Respondent began endodontic treatment of teeth #5 and # 11 on Patient R.B., a woman born April 1, 1933.
3. Respondent filled one canal in tooth #11 with eugenol on November 19, 2001, and built up the core for a crown.
4. Respondent filled two canals in tooth #5 with eugenol on November 30, 2001, and built up the core for a crown.
5. Respondent did not take both intra-operative and post-operative radiographs of each tooth in the course of his endodontic treatment of teeth #5 and #11.
6. The radiographs Respondent did take in the course of his endodontic treatment did not show the apex of the teeth.
7. On January 4, 2002, Respondent prepared both #5 and #11 for crowns.
8. On January 17, 2002, Respondent cemented crowns on both #5 and #11.
9. On April 4, 2002, Patient R.B. returned to Respondent, complaining of persistent pain in tooth #5.

10. Respondent took a radiograph, and diagnosed “something caught between #4 and #5” as the cause of the persistent pain.

11. On June 21, 2002, Patient R.B. went to Dr. Jan Slotnick for an examination and second opinion of the work performed by Respondent. Dr. Slotnick formed the opinion that the endodontic treatment on both #5 and #11 was less than acceptable because the canals were not completely filled.

12. On June 25, 2002, part of tooth #5 and the crown fell out of Patient R.B.’s mouth while she was brushing her teeth in preparation for an examination by Dr. Ronald D. Meyers, an endodontist.

13. Dr. Meyers, an endodontist, examined Patient R.B. on June 25, 2002, and diagnosed unacceptably short fills in the canals of both #5 and #11. He reported to Dr. Slotnick that both teeth needed to be retreated, but that #5 was probably unrestorable.

Conclusions of Law

1. The Dentistry Examining Board has jurisdiction in this matter pursuant to s. 447.07(3), Stats.
2. Respondent’s failure to take both intra-operative and post-operative radiographs while performing the endodontic treatment on teeth #5 and #11 for Patient R.B. is unprofessional conduct within the meaning of s. 447.07(3)(h), Stats.
3. Respondent’s failure to take dental radiographs that depict the apices of Patient R.B.’s teeth on which he was performing root canal treatments is unprofessional conduct within the meaning of s. 447.07(3)(h), Stats.

Order

Now, therefore, the license previously granted to Bruce G. Newman, DDS, is **limited** by the condition that he may not perform any endodontic procedure other than pulp capping and emergency pulpotomy. The procedures that Dr. Newman shall not perform are described more specifically in codes D3230 through D3999 under IV. ENDODONTICS in *Current Dental Terminology-Third Edition (CDT-3)* published by the American Dental Association 211 E. Chicago Ave. Chicago, IL 60611. Dr. Newman may perform the endodontic procedures under CDT -3 codes D3110, D3120, and D3221 described as *pulp cap - direct (excluding final restoration)* and *pulp cap - indirect (excluding final restoration)*, and *gross pulpal debridement*, respectively.

It is further ordered that Dr. Newman shall pay the costs of the proceeding in the amount of \$1212.53 to the Department of Regulation and Licensing within thirty days of the date of this order.

It is further ordered that Dr. Newman shall pay a forfeiture of \$500.00 to the Department of Regulation and Licensing within sixty days of the date of this order.

Wisconsin Dentistry Examining Board

Bruce Barrette
A Member of the Board

11-3-04
Date