

# 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 THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	FINAL DECISION
	:	AND ORDER
THOMAS K. CAIN, D.D.S.,	:	LS0501192DEN
RESPONDENT	:	

---

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

Thomas K. Cain, D.D.S  
P.O. Box 8220  
Janesville, WI 53547

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

Department of Regulation and Licensing  
Division of Enforcement  
1400 E. Washington Avenue  
P.O. Box 8935  
Madison, WI 53708

The parties in this matter 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. Thomas K. Cain, D.D.S., P.O. Box 8220, Janesville, Wisconsin 53547, whose date of birth is April 14, 1953, is currently licensed to practice dentistry in the State of Wisconsin under license #5002110 which was granted on June 27, 1978.
2. An investigation entitled 01DEN105 is pending before the Wisconsin Dentistry Examining Board. The investigation includes issues of sanitary conditions and proper control practices in dentistry. Dr. Cain takes issue with the investigation.
3. An inspection of the Respondent's dental office was done on February 4, 2003. Dr. Cain was not furnished with a copy of the report of the inspection.
4. Thomas K. Cain, D.D.S., has cooperated in the investigation and has voluntarily agreed in the resolution of the matters contained herein.

**CONCLUSION 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

**ORDER**

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

IT IS FURTHER ORDERED, that:

1. Within sixty (60) days of the date of this order, Elise Sampson, D.D.S., of Marquette University Dental School shall inspect the office sanitation and infectious measures of the Cain Dental Office located 2233 Cranston Road, Beloit, Wisconsin, during regular business hours while patient care is being provided.
2. Respondent shall ensure that Dr. Sampson conducts the investigation within 60 days of the date of this Order and submits a written report to the Dentistry Examining Board setting forth her findings within 15 days of completion of the inspection. This report will be filed with:

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

All 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.

3. Respondent is responsible for payment of all costs associated with Dr. Sampson's inspection and report.
4. Respondent will ensure that all of Dr. Sampson's recommendations following her inspection are fully implemented and complied with at Cain Dental Office.
5. Respondent shall conform to the CDC Guidelines for Infection Control in Dental Health Settings (dated December 19, 2003) commencing on the effective date of this Order.
6. Respondent will submit to one (1) unannounced inspection by the Dentistry Examining Board or its designee within six (6) months of the effective date of this Order to determine compliance with the standards set forth in the CDC Guidelines for Infection Control in Dental Health Care Settings and any recommendations contained in Dr. Sampson's report. Respondent will be responsible for paying for the full cost of the required inspection and shall be furnished with copies of any and all reports or documents generated as a result of such inspection within 15 days of completion of the inspection.
7. Respondent shall voluntarily pay costs 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, within 15 days after this Order is entered and copy sent to Attorney James D. Wickhem.

IT IS FURTHER ORDERED that the pending investigation of 01DEN105 is closed without further proceedings.

Dated at Madison, Wisconsin, this 19<sup>th</sup> day of January, 2005.

WISCONSIN DENTISTRY EXAMINING BOARD

Bruce Barrette  
A Member of the Board