

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/wscqa>.
- 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

STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST : FINAL DECISION AND ORDER

NILES BAKKE, D.D.S., : LS0703072DEN
RESPONDENT. :

Division of Enforcement Case File No. 04DEN142

The Dentistry Examining Board reviewed the enforcement case of Niles Bakke, D.D.S., and the attached Stipulation at its March 7, 2007, meeting. Based on a review of the entire record the Board makes the following:

FINDINGS OF FACT

1. Dr. Bakke is licensed to practice dentistry in Wisconsin by license #2379, issued on August 31, 1979, and his address of record is 2457 N Mayfair Rd, Ste 2, Wauwatosa, WI 53226.
2. On April 2003, Niles Bakke, D.D.S., began the placement of braces on Patient BF's teeth. The contracted price of the treatment was in the amount of \$3,200.00 to be paid in installments. The treatment was successfully completed in only 14 months instead of the anticipated 20 months.
3. On June 14, 2004, Dr. Bakke removed the patient's upper braces and placed a retainer for stability. On July 21, 2004, Dr. Bakke removed the braces on #4-6 and placed a 3-3 lower fixed retainer.
4. On September 25, 2004, Dr. Bakke told the patient's mother the remaining braces would not be removed prior to payment of the remaining amount due on the account. At this point, the braces remained on teeth #22-27.
5. On November 3, 2004, the patient's grandmother made the final payment and the account was paid in full. On November 6, 2004, Dr. Bakke removed the braces.
6. Dr. Bakke entered into the attached Stipulation as a result of an informal settlement conference held on November 1, 2006. Niles Bakke, D.D.S., consents to the resolution of the enforcement investigation by Stipulation and without the issuance of a formal complaint.

CONCLUSIONS OF LAW

Based on the facts above, the Board finds that Dr. Bakke engaged in unprofessional conduct in violation of s. 447.07(3)(a), Stats.

ORDER

THEREFORE the BOARD ORDERS that:

1. Within two weeks of the date of this Order, Dr. Bakke shall pay all costs associated with this investigation, and,
2. Within six months of the date of this Order, Dr. Bakke shall take and pass the jurisprudence examination required by DE 2.04(1)(f), and provide the Department of Regulation and Licensing with satisfactory evidence that the test was taken and passed. Failure to timely comply with this requirement shall result in a one-month suspension of Dr.

Bakke's license; if imposed, such suspension shall begin six months and one day after the effective date of this order.

Dated this 7th day of March, 2007.

William R. Skarie, DDS
Member of the Dentistry Examining Board

STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST : STIPULATION

NILES BAKKE, D.D.S., : LS _____
RESPONDENT. :

Division of Enforcement Case File No. 04DEN142

It is hereby stipulated between Niles Bakke, D.D.S., personally on his own behalf; and the Dentistry Examining Board (Board) participants, as follows that:

1. This Stipulation is entered into as a result of an informal settlement conference convened to resolve a pending investigation of Dr. Niles Bakke licensure by the Division of Enforcement. Niles Bakke, D.D.S., consents to the resolution of this investigation by Stipulation and without the issuance of a formal complaint.
2. Respondent understands that by signing this Stipulation he/she voluntarily and knowingly waives his/her rights, including: the right to a hearing on the allegations against him/her at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross examine the witnesses against him/her; the right to call witnesses on his/her behalf and to compel their attendance by subpoena; the right to testify him/herself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to him/her under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.
3. Dr. Bakke is aware of his right to seek legal representation and has been provided the opportunity to seek legal advice prior to signing this Stipulation.
4. Dr. Bakke agrees to the adoption of the attached Final Decision and Order by the Dentistry Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.
5. If the terms of this Stipulation are not acceptable to the Board, the parties are not bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.
6. The parties to this Stipulation agree that the attorney for the Division of Enforcement and the member(s) of the Board who participated in the informal settlement conference may appear before the (Board) for the purposes of speaking in support of this agreement and answering questions that the members of the Board may have in connection with their deliberations on the Stipulation. The Board members who participated in the informal settlement are Marc Blum, D.D.S., and Nan Kosydar Dreves, R.D.H., M.B.A.
7. The participating members of the Board join the Respondent in recommending that the Board adopt this Stipulation and issue the attached Final Decision and Order.

Niles Bakke, D.D.S.

Date

Participating Member of the Dentistry Examining Board

Date