

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

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IN THE MATTER OF A PETITION FOR AN :  
ADMINISTRATIVE INJUNCTION INVOLVING :  
 : **ADMINISTRATIVE INJUNCTION**  
HELEN E. DENTICE :  
 : LS0703302UNL  
RESPONDENT. :

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Division of Enforcement Case # 06 UNL 022

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

Helen E. Dentice  
2562 S. 7<sup>th</sup> St.  
Milwaukee, WI 53215-3406

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

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Secretary. The Secretary has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the Secretary adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Helen E. Dentice (DOB 04/23/1954) resides at 2562 S. 7<sup>th</sup> Street, Milwaukee, Wisconsin, 53215. She holds no professional credential issued by the state of Wisconsin. In or about November of 2005, Respondent was employed as an unlicensed lay midwife.

2. At all times relevant to this action, the State of Wisconsin required only Nurse Midwives to be licensed. Lay midwives were unregulated. Effective May 1, 2007, no person may use the title "licensed midwife," describe or imply that he or she is a licensed midwife, or represent himself or herself as a licensed midwife, unless the person is granted a license by the Department of Regulation and Licensing.

3. Patient B.S. had had three prior Caesarean section births, but wanted to have her fourth child at home. She paid Respondent \$2000 for her services as a midwife. Respondent told B.S. and her husband that if anything went wrong, she would not stay to answer questions, and they were to withhold her identity.

4. Patient B.S. was at risk for a possibly fatal uterine rupture during a vaginal birth in light of her prior Caesarean sections.

5. Patient B.S.'s water broke on November 24, 2005. She notified Respondent, but Respondent did not recommend going to the hospital. B.S. continued to leak fluid over the next several days.

6. Respondent should have been seen by medical personnel no more than 24 hours after her water broke because she was at risk for infection.

7. Patient B.S. went into labor on November 28, 2005. The labor was difficult. After some time, B.S. asked to go to the hospital. According to B.S.'s husband, Respondent dissuaded them from going to the hospital.

8. After several hours, the baby's head emerged. She was stuck in that position for several minutes. Respondent then performed an episiotomy with scissors.

9. When the baby was born she was non-breathing and pulseless. At that point B.S.'s husband called 911.

10. When the EMTs arrived, they noted blood on the carpeting, furniture, and bedding, and medical supplies all over the floor. One of the EMTs observed Respondent administering an injection. When they inquired what type of medication was administered, Respondent told them she had given B.S. 10 milliliters of Pitocin. Pitocin is a prescription drug which can only be legally administered by a physician or a nurse practitioner. B.S. did not have a prescription for Pitocin and Respondent was not qualified to administer it.

11. On September 11, 2006, Respondent was convicted of two counts: (1) Manufacture or Delivery of Prescription Drug, in violation of Wis. Stat. §450.11(9)(b), and (2) Practice of Medicine/Surgery without a license, in violation of Wis. Stat. § 448.03(1)(a).

### **CONCLUSIONS OF LAW**

1. Helen E. Dentice does not hold any professional license in Wisconsin.

2. Performing episiotomies and injecting Pitocin constitutes the practice of medicine in Wisconsin pursuant to Wis. Stat. §448.01(9).

3. The department has authority to issue this Administrative Injunction as a special order under Wis. Stat. § 440.21 and Wis. Adm. Code Ch. RL 3.

### **ORDER**

IT IS ORDERED, that the attached stipulation is accepted.

IT IS FURTHER ORDERED, that unless and until she is properly credentialed under Wis. Stats. Ch. 448, Helen E. Dentic enjoined and prohibited from the practice of medicine in Wisconsin. Violation of this special order may result in a forfeiture of to \$10,000 for each day of violation. See Wis. Stats. § 440.21(4)(a).

IT IS FURTHER ORDERED, that if the Secretary determines that there is probable cause to believe that respondent has violated any terms of this final decision and order, the Secretary may order that the violations covered by this decision and order referred to any appropriate prosecutorial unit for review for possible criminal charges.

Issued at Madison, Wisconsin this 30<sup>th</sup> day of March, 2007.

Celia Jackson, Secretary  
Department of Regulation and Licensing

IN THE MATTER OF A PETITION FOR AN :  
ADMINISTRATIVE INJUNCTION INVOLVING :  
 : **STIPULATION**  
HELEN E. DENTICE :  
 : LS \_\_\_\_\_  
RESPONDENT. :

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Division of Enforcement Case # 06 UNL 022

Helen E. Dentice, personally and by her attorney Michael John Steinle; and Jeanette Lytle for the Department of Regulation and Licensing, Division of Enforcement, stipulate:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Enforcement into the unlicensed practice of medicine by Respondent (case # 06 UNL 022). Respondent consents to the resolution of this investigation by stipulation and without public hearing on, or the filing of, a petition for an administrative injunction.

2. Respondent understands that by signing this Stipulation she voluntarily and knowingly waives her rights, including: the right to a hearing on the allegations against 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 her; the right to call witnesses on her behalf and to compel their attendance by subpoena; the right to testify herself; the right 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 her under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and any other provisions of state or federal law.

3. Respondent has obtained the advice of legal counsel prior to signing this stipulation.

4. Respondent agrees to the adoption of the attached Administrative Injunction by the Secretary of the Department of Regulation and Licensing. The parties to the Stipulation consent to the entry of the attached Administrative Injunction without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Secretary's Administrative Injunction, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Secretary, the parties shall not be 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 Secretary, the parties agree not to contend that the Secretary has been prejudiced or biased in any manner by consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement may appear before the Secretary, without the presence of the Respondent or her attorney, for purposes of speaking in support of this agreement and answering questions that the Secretary may have in connection with her deliberations on the Stipulation.

7. Respondent is informed that should the Secretary adopt this Stipulation, the Administrative Injunction is a public record and will be published in accordance with standard Department procedure.

10. The Division of Enforcement joins Respondent in recommending the Secretary adopt this Stipulation and issue the attached Administrative Injunction.

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Helen E. Dentice  
2562 S. 7<sup>th</sup> St.  
Milwaukee, WI 53215-3406

Date

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Michael J. Steinle, attorney for Helen E. Dentice  
Terschan, Steinle & Ness  
309 N. Water St. # 215  
Milwaukee, WI 53202-5713

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Date

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Jeanette Lytle, Attorney  
Division of Enforcement  
Wisconsin Department of Regulation and Licensing  
P.O. Box 8935  
Madison, WI 53708-8935

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Date