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STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDING AGAINST :

TANWIR HUSSAIN SYED, B.D.S., :
RESPONDENT. :

FINAL DECISION AND ORDER
LS0811051DEN

[Division of Enforcement Case # 04 DEN 101]

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

Tanwir Hussain Syed, B.D.S.
6719 W. Capitol Drive
Milwaukee, WI 53216

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

Wisconsin Dentistry Examining Board
Department of Regulation & Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter, Tanwir Hussain Syed, B.D.S., Respondent herein, personally and by his attorney, Ahmed J. Quereshi, The Law Offices of Ahmed J. Quereshi, LLC, and Pamela M. Stach, Attorney for the Department of Regulation and Licensing, agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Dentistry Examining Board. The Board has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Tanwir Hussain Syed, B.D.S., Respondent herein, whose date of birth is July 9, 1944, is duly licensed and currently registered to practice dentistry in the State of Wisconsin under license number 2521, which was granted on June 18, 1980.

2. Respondent's most recent address on file with the Wisconsin Department of Regulation and Licensing is 6719 W. Capitol Drive, Milwaukee, WI 53216.

3. At all times relevant to this action, Respondent was working as a dentist in Milwaukee, Wisconsin.

4. Respondent treated Patient TB on four separate occasions between Aug 19, 2002 and July 1, 2004. On Patient TB's initial visit on Aug. 19, 2002, the patient presented with complaints of swollen gums and infection. Respondent took two bitewing radiographs and four periapical radiographs. The exam revealed that the patient had gingivitis and interdental calculus deposits. Prophylaxis treatment was performed, the patient was scheduled for periodontal scaling, and was referred to an oral surgeon for extraction of tooth # 16.

5. On January 2, 2004, Respondent examined Patient TB, took two bitewing radiographs on the left. Periodontal scaling and root planning were done on the right upper and right lower quadrants.

6. On March 15, 2004, Patient TB returned with complaints of bad breath and requested a filling. Periodontal scaling and root planning were done on the left upper and left lower quadrants, and an occlusal amalgam filling was placed in tooth # 18.

7. On July 1, 2004, Respondent saw Patient TB as an emergency walk in without appointment for a fracture of the marginal ridge of tooth # 3. Respondent examined the patient and requested she make an appointment for treatment.

8. The x-rays taken by Respondent on January 2, 2004 are not diagnostically useful because of their poor quality.

9. Respondent did not take any right bitewing radiographs on January 2 to give an accurate assessment of possible decay.

10. On July 29, 2004, Patient TB presented to another dentist for treatment of a broken tooth. The subsequent treater repaired tooth # 3, which had fractured due to decay, performed an examination and found that tooth # 5 had occlusal decay, and tooth # 28 had distal caries. The subsequent treater placed a filling on tooth # 5 occlusal at the patient's request. The decay may have developed subsequent to the treatment provided by Respondent.

11. Respondent's conduct as herein described with regard to Patient TB fell below the minimum standards of competence established in the profession in the following respects:

A. Respondent failed to produce diagnostically adequate radiographs for this patient and then inappropriately relied on these radiographs in making his diagnosis of patient's condition.

B. Respondent failed to create patient records that reflect the treatment plan and the dental care provided.

12. Respondent's conduct as herein described could have harmed Patient TB.

CONCLUSIONS OF LAW

1. The Wisconsin Dentistry Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat.

§447.07, and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. Respondent's conduct as herein described constitutes a violation of Wis. Stat. §447.07(3) (h) and Wis. Adm. Code § DE 5.02 (5).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the Stipulation of the parties is hereby accepted.

IT IS FURTHER ORDERED that:

1. The license of Tanwir Hussain Syed, B.D.S., to practice dentistry in the State of Wisconsin shall be limited to require that, within eighteen (18) months of the date of this Order, Dr. Syed shall obtain a minimum of eight (8) hours of education in the area of record keeping; a minimum of eight (8) hours of education in the area of indications for, taking of, and the evaluation of radiographs; and a minimum of eight (8) hours of education in the area of appropriate patient treatment planning.

2. Dr. Syed shall be responsible for obtaining the courses required under this Order, for providing adequate course descriptions to the Department Monitor and for obtaining pre-approval of the course from the Wisconsin Dentistry Examining Board or its delegee prior to commencement of the programs.

3. Within thirty (30) days following completion of the courses identified in paragraph one above, Dr. Syed shall file with the Wisconsin Dentistry Examining Board certifications from the sponsoring organization verifying his attendance at the required courses.

4. All costs of the educational programs shall be the responsibility of Dr. Syed.

5. Upon successful completion of the educational program and payment of the costs set forth below, the license of Tanwir Hussain Syed, B.D.S., shall be restored to unlimited status.

IT IS FURTHER ORDERED that:

6. Respondent shall, by January 15, 2009, pay costs of this proceeding in the amount of TWO THOUSAND SEVENTY-SEVEN (\$2,077.00) dollars. Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

7. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit any payment of costs as ordered or fails to comply with the ordered continuing education the Respondent's license (# 2521) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

8. This Order is effective on November 5, 2008.

State of Wisconsin
Dentistry Examining Board

By: Lori R. Barbeau
— A Member of the Board

11/5/08
Date