

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
DANIEL A. LARSON, D.D.S., : LS0901072DEN
RESPONDENT. :

Division of Enforcement Case # 07DEN117; 08DEN080

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

Daniel A. Larson, D.D.S.
317 East Kimberly Ave.
Kimberly, WI 54136

Division of Enforcement
Department of Regulation and Licensing
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 to 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 Wisconsin 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. Daniel A. Larson, D.D.S., Respondent herein, date of birth 12/26/47, is duly licensed as a dentist in the state of Wisconsin, license # 5001350-15. This license was first granted on 6/25/74 and remains current and active through 9/30/09.
2. Respondent's most recent address on file with the Wisconsin Dentistry Examining Board is 317 East Kimberly Avenue, Kimberly, Wisconsin 54136.
3. At all times relevant to this action, except as hereinafter stated, Respondent was working as a dentist at 317 East Kimberly Avenue in Kimberly, Wisconsin.
4. Investigations 07DEN117 and 08DEN080 are pending before the Wisconsin Dentistry Examining Board. The allegations of these investigations focus on the quality of dental care provided by Respondent to patients and his competence to perform dental procedures.
5. Respondent has a medical condition which limits his ability to practice dentistry. Respondent, because of this medical condition, has retired from the practice of dentistry and has not practiced dentistry since 9/20/08.
6. Respondent, in consideration of his retirement from the practice of dentistry, has agreed to voluntarily surrender his license to practice dentistry in the state of Wisconsin effective on the date of this Final Decision and Order and has further agreed that he will not practice or attempt to practice dentistry or make application for a license or for renewal of his license to practice dentistry in the state of Wisconsin at any time in the future. Respondent has waived all rights to a hearing on the denial of any application for renewal or reinstatement of his license to practice dentistry in the state of Wisconsin.

CONCLUSIONS OF LAW

1. The Wisconsin Dentistry Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. § 447.07, [\[smg1\]](#) and is authorized to enter into the attached Stipulation and Final Decision and Order, pursuant to Wis. Stat. § 227.44(5).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The voluntary surrender of the license of Daniel A. Larson to practice dentistry in the State of Wisconsin is hereby accepted effective on the date of this Final Decision and Order.

IT IS FURTHER ORDERED that:

2. Daniel A. Larson will not practice or attempt to practice dentistry in the state of Wisconsin when not currently licensed.
3. Daniel A. Larson will not renew or make application for a license to practice dentistry in the state of Wisconsin at any time in the future. Any attempt by Daniel A. Larson to renew his license or to make application for a license to practice dentistry in the state of Wisconsin will be summarily denied and Daniel A. Larson will not have a right to a hearing on the denial of his application for a license or for renewal of his license to practice dentistry in the state of Wisconsin.
4. The pending investigations, 07DEN117 and 08DEN080, are closed without further proceedings.
5. This Order is effective on the date of its signing.

Wisconsin Dentistry Examining Board

By: Lori R. Barbeau, DDS
A Member of the Board

1/7/09
Date

STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	STIPULATION
DANIEL A. LARSON, D.D.S.,	:	LS# _____
RESPONDENT.	:	

Division of Enforcement Case # 07DEN117; 08DEN080

It is hereby stipulated between Daniel A. Larson, D.D.S.; and Gilbert C. Lubcke, for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of pending investigations of Daniel A. Larson’s licensure to practice dentistry in the state of Wisconsin by the Division of Enforcement, case # 07DEN117 and 08DEN080. Daniel A. Larson consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.
2. Daniel A. Larson understands that by signing this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, 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; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; 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 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. Daniel A. Larson has been provided an opportunity to obtain advice of legal counsel prior to signing this Stipulation.
4. Daniel A. Larson agrees to the adoption of the attached Final Decision and Order by the Wisconsin Dentistry Examining 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. Daniel A. Larson waives all rights to any appeal of the Board's order, if adopted in the form as attached.
5. The parties waive all costs of this proceeding.
6. If the terms of this Stipulation are not acceptable to the Board, 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 Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by consideration of this attempted resolution.
7. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Wisconsin Dentistry Examining Board ever assigned as a case advisor in this investigation may appear before the Board in open or closed session, without the presence of Daniel A. Larson or his attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with the Board’s deliberations on the Stipulation. Daniel A. Larson understands that the attorney or other agent for the Division of Enforcement or the case advisor, in responding to questions asked by the Board, may be required to provide information to the Board which may be construed by the Board as not weighing in favor of accepting this proposed Stipulation and Final Decision and Order. Daniel A. Larson will not contend that any responses made by the attorney or other agent for the Division of Enforcement or by the case advisor in response to questions posed by the Board constitute a failure by the attorney or other agent for the Division of Enforcement or by the case advisor to speak in support of this agreement. Additionally, any such case advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

8. Daniel A. Larson is informed that should the Board adopt this Stipulation, the Board’s Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

9. The Division of Enforcement joins Daniel A. Larson in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

Daniel A. Larson, D.D.S.
317 East Kimberly Avenue
Kimberly, WI 54136

Date

Gilbert C. Lubcke, Attorney
Division of Enforcement
Wisconsin Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935

Date

Case # 07DEN117; 08DEN080
Costs: \$0.00
Forfeiture: \$0.00
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[\[smg1\]](#) This should be deleted/ changed to a blank