

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	FINAL DECISION AND ORDER
	:	
ROBERT A. BREVARD, D.D.S.,	:	LS0905064DEN
RESPONDENT.	:	

Division of Enforcement Case #08 DEN 040

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

Robert A. Brevard, D.D.S.
N493 County Road F
Montello, WI 53949

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

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 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 this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Robert A. Brevard, D.D.S., (DOB 12/26/1943) is duly licensed as a dentist in the state of Wisconsin (license #5000879-15). This license was granted on May 26, 1971.
2. Respondent’s latest address on file with the Department of Regulation and Licensing is N493 County Road F, Montello Wisconsin 53949.
3. On or about April 15, 2008, Respondent was notified in writing by the State of Wisconsin, Department of Corrections that he was being discharged from employment as a dentist, effective April 15, 2008.
4. In that letter it states that while employed at the New Lisbon Correctional Institution, Respondent admits to failing to respond to Dental Service Requests, shredding Dental Service Requests and failing to document treatment provided in the Dental Record.

5. On or about May 1, 2008 and May 30, 2008, a representative of the Department wrote to Respondent requesting a response to allegations in paragraph 4, above. No response was ever received from Respondent which is a violation of Wis. Admin. Code § DE 5.02(25).
6. Respondent has retired from the practice of dentistry and stipulates to this resolution only for purposes of resolving this matter expediently and without the need for a hearing.

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).

ORDER

IT IS ORDERED:

1. The stipulation of the parties is approved.
2. The Dentistry Examining Board accepts the surrender of Respondent's license to practice dentistry.
3. In the event that Respondent petitions the Board for licensure in the future, the Board may require him to appear before it and prove, to the Board's satisfaction, his competence to practice dentistry. If licensure is permitted, the Board may impose any limitations on Respondent's license as it deems necessary to protect the public.
4. If Respondent believes that any Board order refusing to permit licensure or imposing any limitation is inappropriate, Respondent may seek a class 1 hearing pursuant to Wis. Stat. § 227.01(3)(a), in which the burden shall be on Respondent to show that Board's decision is arbitrary or capricious. The Board's order shall remain in effect until there is a final decision in Respondent's favor on the issue.
5. Prior to re-registration, Respondent shall pay costs of this proceeding in the amount of one hundred dollars (\$100.00). Payment of costs 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

6. This Order shall become effective upon the date of its signing.

Dated at Madison, Wisconsin this 6th day of May, 2009.

DENTISTRY EXAMINING BOARD

By: Lori R Barbeau, D.D.S.
Member, Wisconsin Dentistry Examining Board

5/6/09
Date