

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/wscca>.
- 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
WILLIAM D. BETHKE, D.D.S., : LS0909021DEN
RESPONDENT. :

[Division of Enforcement Case # (05 DEN 116)]

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

William D. Bethke, D.D.S.
3313 Stein Boulevard
Eau Claire, WI 54701

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 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 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. William D. Bethke, D.D.S., (DOB August 29, 1959) is duly licensed as a dentist in the state of Wisconsin (license # 3548). This license was first granted on September 12, 1985.
2. Respondent's most recent address on file with the Wisconsin Dentistry Examining Board is 3131 Stein Blvd., Eau Claire, WI 54701
3. At all times relevant to this action, Respondent was working as a dentist at his clinic located in Eau Claire, Wisconsin.
4. Respondent treated patient H from 1998 – 2002. Patient H had a phobia of dental treatment, and had been referred to Respondent because Respondent performed procedures while patients were under IV sedation.

5. On November 6, 1998, Respondent performed extensive restoration on patient H while she was under IV sedation, including root canal therapy on tooth # 20, and core buildups and crown preparations on teeth # 7, 8, 9, 10, 12, 14, 15, 17, 18, 20, 23, and 24. Restorations were placed distal and lingual on tooth # 11, occlusal on tooth # 21, and mesial on tooth # 22.
6. On November 18, 1998, Respondent seated crowns for teeth # 7, 8, 9, 10, 12, 17, 18, 20, 23, and 24, but returned the crowns for #14 and #15 to the laboratory because there was no occlusion with their opposing teeth.
7. On November 24, 1998, Respondent seated the revised crowns for teeth # 14 and 15.
8. On December 4, 1998, Respondent provided extensive restoration to patient H while she was under IV sedation, including completing a root canal on tooth # 29, and doing core buildup and crown prep on teeth # 2, 3, 4, 25, 29, 30 and 31. An old crown was removed from tooth # 26 and the tooth was prepped for a new crown. Restorations were placed distal and occlusal on tooth # 5, distal and lingual on tooth # 6, and distal and occlusal on tooth # 28.
9. On December 17, 1998, Respondent cemented crowns on teeth # 2, 3, 4, 25, 26, 29, 30 and 31.
10. On March 25, 1999, patient H complained of cold sensitivity on tooth # 30. Respondent applied a desensitizing agent, PF and zarosen. Respondent's notes include recognition of the possibility that the crown on #30 might need to be re-done if the symptoms do not subside.
11. On April 5, 1999, after a regular cleaning, Respondent applied PF to # 15 Bu and # 30 L for sensitivity.
12. On June 2, 1999, crowns for teeth # 16 and 30 were placed with fynal by the Respondent for previous tooth sensitivity.
13. On November 10, 1999, Respondent recemented # 16 because it had come off. Tooth # 30-lingual had an ulcerated sore.
14. On November 16, 1999, Respondent replaced the crown on tooth # 20.
15. On May 17, 2000, Respondent applied fluoride varnish to full mouth for root sensitivity. Tooth # 20 was PVC prepared. The Respondent's typed notes indicated that tooth #20 was re-done due to open margins.
16. On May 31, 2000, Respondent seated the replacement crown on #20.
17. On July 13, 2005, patient H returned to Respondent to discuss the quality of the restorative work he had done, and to request that Respondent pay for revisions to the restorative work he had done. Respondent offered to re-do the crowns on #20 and #31 at no charge, because of open margins.
18. On February 22, 2006, Dr. F examined patient H, and diagnosed open margins and deep decay under the existing crown on tooth # 30.
19. Radiographs taken by Respondent of his work on patient H demonstrate open margins on the crowns on teeth #2, #3, #4, #20, #29, #30, and #31.
20. Respondent notes that because patient H was under IV sedation at the time the impressions were taken for the crowns he placed, and was therefore not fully capable of protecting her own airway, he used gauze to prevent anything from falling into her throat. Respondent believes that the gauze interfered with obtaining impressions of the quality he routinely achieved with fully conscious patients.

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 of not recognizing and promptly correcting defective crowns, as described above, constitutes a violation of Wisconsin Administrative Code § DE 5.02(5).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. William D. Bethke, D.D.S. is hereby REPRIMANDED for his unprofessional conduct in this matter,

IT IS FURTHER ORDERED that:

2. Respondent shall, within six (6) months from the date of this Order, successfully complete a minimum of six (6) hours of continuing education in the area of crowns.

3. Respondent shall, within six (6) months from the date of this Order, successfully complete a minimum of six (6) hours of continuing education in the area of ethics of dentistry practice.

4. Respondent shall be responsible for locating any continuing education program. The Board or its designee must approve all continuing education programs prior to Respondent enrolling in, attending, or completing a continuing education program. Respondent shall send a Certificate of Completion for each continuing education program to the Department Monitor upon successful completion of each continuing education program. Respondent shall be responsible for any and all costs of any continuing education program.

5. Respondent shall, within ninety (90) days from the date of this Order, pay costs of this proceeding in the amount of TWO-THOUSAND (\$2,000) 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

6. In the event Respondent fails to timely pay costs, or fails to successfully complete any of the continuing education as ordered, the Respondent's license (# 3548) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has paid them in full, including any accrued interest, and has successfully completed all required continuing education.

7. This Order is effective on the date of its signing.

Wisconsin Dentistry Examining Board

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

9/2/09
Date