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FINDINGS OF FACT

1. Lisa R. Piontek, DDS, Respondent herein, date of birth 6/24/67, is duly licensed as a dentist in the state of Wisconsin, license # 4647-15. This license was first granted on 10/18/94.
2. Respondent's most recent address on file with the Wisconsin Dentistry Examining Board and the Wisconsin Department of Regulation and Licensing is 926 Diversity Drive, De Pere, Wisconsin 54115
3. At all times relevant to this action, Respondent was working as a dentist in Cambridge, Wisconsin.
4. On 3/15/06, M.M., the patient herein, date of birth 6/13/00, presented to Respondent for a regularly scheduled dental examination and cleaning of her teeth. At this appointment, the patient's teeth were cleaned, 2 bitewing x-rays were taken and the Respondent performed a routine dental examination of the patient. The Respondent concluded following the clinical examination and a review of the x-rays that the patient's teeth were clinically sound, that there were no signs of infection and that there was some chipped enamel adjacent to a pre-existing restoration in tooth "L". The Respondent recommended that the chipped enamel be treated by extending the restoration in tooth "L" lingually but made no other recommendations for treatment of any other existing dental conditions at that time. The patient's mother elected to not have the recommended treatment of tooth "L" performed at the time of this appointment.
5. On 4/13/06, the patient's mother took the patient to Anthony Hernandez, DDS for a second opinion. At this appointment with Dr. Hernandez, Dr. Hernandez was provided with the 2 bitewing x-rays that had been taken at Respondent's office on 3/15/06. Dr. Hernandez examined the patient and reviewed the 2 bitewing x-rays. He noted from his review of the x-rays that the patient had radiographic evidence of abscesses associated with tooth "S" and tooth "L". He also noted from his clinical examination that the patient had a soft tissue abscess associated with one of these teeth. The abscesses were sufficiently severe that tooth "S" and tooth "L" had to be extracted on 4/18/06.
6. On 3/15/06, Respondent failed to diagnose the abscesses associated with tooth "S" and tooth "L" resulting in the delay of appropriate treatment for the infections associated with these abscesses and creating unacceptable risks of harm to the patient including exacerbation of the infections and potential loss of the teeth.

CONCLUSIONS OF LAW

1. The Wisconsin Dentistry Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 447.07(3), and is authorized to enter into the attached Stipulation and Final Decision and Order, pursuant to Wis. Stat. § 227.44(5).

2. The conduct described in paragraphs 4 through 6, above, constitutes a violation of Wis. Stat. § 447.07(3)(a) and Wis. Admin. Code § DE 5.02(5) in that Respondent failed to diagnose and initiate timely treatment of the abscesses associated with tooth "S" and tooth "L" thereby engaging in conduct which was a substantial departure from the standard of care ordinarily exercised by a dentist and which created an unacceptable risk of harm to the patient.

3. The Wisconsin Dentistry Examining Board has the authority pursuant to Wis. Stat. § 440.22 to assess the costs of this proceeding against the Respondent.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Lisa R. Piontek, DDS is REPRIMANDED.

IT IS FURTHER ORDERED that:

2. The license of Lisa R. Piontek, DDS to practice as a dentist in the state of Wisconsin is limited as follows:
 - a. Lisa R. Piontek, DDS shall within 9 months of the effective date of this Final Decision and Order take and satisfactorily complete a minimum of 8.0 credit hours of continuing education in the diagnosis and treatment of pulpal disease and pulpal abscesses in pediatric patients. The continuing education courses taken in satisfaction of this requirement shall be pre-approved by the Wisconsin Dentistry Examining Board or its designee. Lisa R. Piontek, DDS shall attend each of the courses taken in satisfaction of this requirement in its entirety.
 - b. Lisa R. Piontek, DDS shall within 60 days of completion of the required continuing education courses provide evidence satisfactory to the Wisconsin Dentistry Examining Board or its designee that she has attended each of the approved courses in its entirety. This evidence shall include:
 - i. Certification of attendance from the sponsoring organization, and
 - ii. Affidavit given under oath by Lisa R. Piontek, DDS verifying that she has attended each of the approved courses in its entirety.
 - c. Lisa R. Piontek, DDS shall pay all costs of attending the approved courses and of verifying attendance at the courses.

IT IS FURTHER ORDERED that:

3. Respondent shall, within 60 days from the date of this Final Decision and Order, pay costs of this proceeding in the amount of \$1,212.73. 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

4. All requests for approval of the continuing education courses and all documents or correspondence submitted pursuant to the terms of this Final Decision and Order shall be mailed, faxed or delivered 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

5. After all of the terms of this Final Decision and Order have been satisfied, including the payment of costs as imposed by paragraph 3 of this Order, the Department Monitor may restore Lisa R. Piontek's license to practice as a dentist in the state of Wisconsin to full and unrestricted status.

6. Violation of any of the terms of this Final Decision and 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 payment of the costs or fails to comply with the ordered continuing education as set forth above, the Respondent's license # 4647-15 may, in the discretion of the Board or its designee, be **SUSPENDED**, without further notice or hearing, until Respondent has complied with payment of the costs or completion of the continuing education.

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

Wisconsin Dentistry Examining Board

By: Joni R. Barbeau, DSS
A Member of the Board

1/6/10
Date

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