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STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

DONALD E. LINNEMAN, D.D.S.,
RESPONDENT.

:
:
:
:
:
:

FINAL DECISION AND ORDER

ORDER 0000372

[Division of Enforcement Case # 07 DEN 133]

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

Donald E. Linneman, D.D.S.
1601 E. Cumberland Boulevard
Whitefish Bay, WI 53211

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 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. Donald E. Linneman, D.D.S., (D.O.B.: October 18, 1952) is duly licensed as dentist in the state of Wisconsin (license # 5002018). This license was first granted on June 9, 1978.

2. Respondent's most recent address on file with the Wisconsin Dentistry Examining Board is 1601 E. Cumberland Boulevard, Whitefish Bay, WI 53211.

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

4. On March 8, 2004, Patient G.S. presented to Respondent to establish care. In the dental records prepared by the Respondent for the initial evaluation of Patient G.S. on that date, the Respondent did not document that the patient had missing teeth and restorations and did not document advanced periodontal disease, bone loss and bleeding. The Respondent did accurately note the work that he performed on tooth #19.

5. On April 21, 2004, Patient G.S. returned to Respondent's office for additional treatment. The Respondent noted in the records that he issued Patient G.S. an antibiotic on that date but he failed to provide a diagnosis and justification for issuing the medication.

6. On October 12, 2004, Patient G.S. again presented to the Respondent's office for treatment. The Respondent noted in the records that he issued Patient G.S. an antibiotic but he failed to provide a diagnosis and justification for issuing the medication.

7. On May 29, 2005, Patient G.S. presented to the Respondent's office. The Respondent noted in the records that he installed an upper partial dentition, but he failed to document the timing of the installation or a justification for the upper partial.

8. On all of the above dates of treatment, the Respondent failed to document any diagnoses for Patient G.S.'s dental problems; he failed to document that he explained the patient's problems and offered her a dental treatment plan; and he failed to document that Patient G.S. refused the dental treatment plan offered.

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 Order, pursuant to Wis. Stat. § 227.44(5).

2. The conduct described in paragraphs 4-8, above, constitutes a violation of Wis. Stat. § 447.07(3)(1)(a), and Wis. Admin. Code § DE 5.02(5).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Donald E. Linneman, D.D.S. is hereby REPRIMANDED.

IT IS FURTHER ORDERED that:

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

3. Respondent shall, within six (6) months from the date of this Order, successfully complete the CNA risk management course.

4. Respondent shall, within ninety (90) days from the date of this Order, pay COSTS of this proceeding in the amount of FIVE HUNDRED DOLLARS (\$500). 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

5. 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.

6. 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 payment of the costs as set forth above, the Respondent's license (# 5002018) 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.

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

Wisconsin Dentistry Examining Board

By: Joni R. Barbeau DAS
A Member of the Board

9/1/10
Date