

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE DENTISTRY EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY :  
PROCEEDINGS AGAINST :  
 :  
 : FINAL DECISION AND ORDER  
DENNIS G. BAUS, D.D.S. :  
RESPONDENT. :  
 : ORDER 0000946

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[Division of Enforcement Case # 09 DEN 116]

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

Dennis G. Baus, D.D.S.  
21 S. Bruns Avenue  
Plymouth, WI 53073

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

Wisconsin Dentistry Examining Board  
Department of Regulation and Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708

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.

FINDINGS OF FACT

1. Dennis G. Baus, D.D.S., Respondent (d/o/b March 5, 1947) is currently licensed as a dentist in the State of Wisconsin (license # 5001131-15). This license was first granted on June 20, 1975.

2. Respondent's most recent address on file with the Wisconsin Dental Examining Board is 21 S. Bruns Avenue, Plymouth, Wisconsin 53073.

3. At all times relevant to this proceeding, Respondent was employed as a dentist at his clinic in Plymouth, Wisconsin. Respondent is a general dentist.

4. At all times relevant to this proceeding, PW was an unlicensed person, employed by Respondent as a dental assistant at his clinic.

5. On January 17, 2006, Patient RH presented for a routine exam and prophylaxis at Respondent's clinic. Four bite-wing radiographs were taken. Respondent did not note radiographic radiolucency indicative of decay in the radiographs during this visit. Patient RH was discharged without notification of any dental concerns requiring immediate treatment.

6. At this appointment, Employee PW examined and evaluated Patient RH's crown on tooth #14 which had been previously placed by the Respondent on August 10, 2004. Employee PW then adjusted the crown based on her examination and evaluation.

7. In this examination and treatment of Patient RH, Employee PW evaluated the condition of Patient RH's dental health and applied techniques of dental science in her treatment.

8. The Respondent admits that he was not present at the time of Employee PW's examination, evaluation and adjustment of Patient RH's crown. Neither the Respondent nor Employee PW noted the examination, evaluation or adjustment in Patient RH's dental records.

9. The delegation of the unsupervised examination, evaluation and adjustment of a patient's crown to an unlicensed employee violated minimum standards of the practice of dentistry.

10. On September 12, 2008, Dr. JN evaluated the crown on tooth # 14 and noted that the distal margin was rough and eligible for replacement.

11. On October 18, 2006, Patient RH was subsequently diagnosed by the Respondent with a severe dental caries under an inlay in tooth # 31 which had progressed to the pulp.

12. Respondent admits that he failed to properly recognize the decay evident on the radiographs taken on January 17, 2006. Respondent admits revising the patient records to note the decay from the January 17, 2006 appointment after the October 18, 2006 appointment.

13. The failure to diagnose Patient RH's dental caries evident in the radiograph taken on January 17, 2006 and the subsequent revisions of Patient RH's dental records deviated from standard practice and minimum competence in general dentistry.

14. Respondent, realizing his error in failing to timely diagnose the dental caries on January 17, 2006, excavated and restored the patient's dental caries free of charge.

CONCLUSIONS OF LAW

1. The Wisconsin Dentistry Examining Board has jurisdiction over this matter pursuant to Wis. Stat. § 447.07 and authority to enter into this stipulated resolution pursuant to Wis. Stat. § 227.44(5).

ORDER

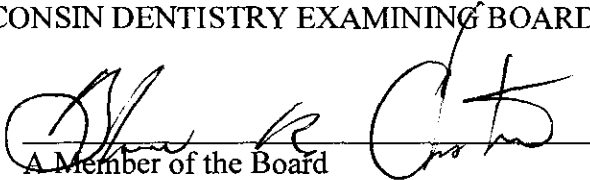
NOW, THEREFORE, IT IS HEREBY ORDERED that the stipulation of the parties is approved.

IT IS FURTHER ORDERED that the Respondent will not reapply for licensure to practice Dentistry in the State of Wisconsin at any time in the future and that the Department of Regulation and Licensing will not process any application for renewal of the license of the Respondent, from the date of this Order.

1. This Order shall become effective on the date of its signing.

WISCONSIN DENTISTRY EXAMINING BOARD

By:

  
A Member of the Board

Date

