

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
MATTHEW E. RICHARDSON, D.D.S.	:	
RESPONDENT.	:	<u>ORDER 0001296</u>

[Division of Enforcement Case #10 DEN 127]

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

Matthew E. Richardson, D.D.S.
1336 Creston Park Drive
Janesville, WI 53545

Division of Enforcement
Department of Safety and Professional Services
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Wisconsin Dentistry Examining Board
Department of Safety and Professional Services
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. Matthew E. Richardson, D.D.S. ("Respondent") was born on August 2, 1971 and is licensed to practice as a dentist in the State of Wisconsin (license #5726-15). This license was first granted on June 17, 2004.

2. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services is 1336 Creston Park Drive, Janesville, WI 53545.

3. At all times relevant to this action, Respondent was employed as a dentist at Agard and Lipker Dental SC, located in Janesville, Wisconsin.

4. Between September 2, 2009 and April 26, 2010, Respondent extracted a number of teeth from patient SW, a male born May 12, 1968. All extractions were completed without any complications and included teeth #2-5, #11, #13 and #30.

5. On June 18, 2010, patient SW presented to Respondent's clinic to have his remaining upper teeth extracted and receive his full upper denture. Respondent extracted teeth #6-10 and #14, without any complications. Respondent noted in the record that the extraction went smoothly and "all came out cleanly," meaning there was no attached bone or other tissue to any of the teeth. Respondent looked into patient SW's sockets and did not see anything unusual. Written and verbal post-operative instructions were given to patient SW, including sinus precautions to avoid pressure changes.

6. On June 21, 2010, patient SW presented to Respondent's clinic with concern of his denture rubbing the area where tooth #11 had been and that tooth #18 was hitting the denture. Respondent extracted tooth #18 with no complications. Respondent examined the extraction site and found everything to be normal. Respondent adjusted patient SW's denture and removed a small spicule of bone from the area where tooth #6 had been.

7. On June 25, 2010, patient SW presented to Respondent's clinic in acute pain, due to a sinus infection. Patient SW's left sinus cavity was draining mucus into his mouth and he thought he may have a sinus communication between an empty tooth socket and his maxillary sinus. Respondent did not see or record any swelling or unusual redness in patient SW's mouth. Respondent administered the "plug (the nose) and blow" test on patient SW to determine if any movement or bubbles appear. The area appeared to have a full clot and no bone or air bubbles were visible. Respondent did not prescribe any antibiotics for patient SW or take a radiograph to determine if there was communication between the empty tooth socket and the maxillary sinus.

8. On June 26, 2010, patient SW called Respondent's clinic after hours, reporting that his sinus infection had worsened. Dr. L, another dentist, prescribed 500mg amoxicillin for patient SW's sinus infection and instructed him to make a follow-up appointment.

9. Patient SW's pain persisted through July 3, 2010, when he went to the hospital for his sinus infection. A CT scan confirmed that patient SW had an empty tooth socket that directly communicated with the maxillary sinus. Patient SW had oral surgery to close the oroantral fistula.

10. Respondent did not make a radiographic examination to rule out an oral-antral fistula, but relied on a test that does not independently, definitively rule out an oral-antral fistula.

CONCLUSION 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. The conduct described above constitutes unprofessional conduct as defined by Wis. Admin. Code § DE 5.02(5) and subjects Respondent to discipline pursuant to Wis. Stat. § 447.07(3)(a).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Matthew E. Richardson, D.D.S. (license #5726-15) is hereby REPRIMANDED.

IT IS FURTHER ORDERED that:

2. Respondent shall, within ninety (90) days from the date of this Order, pay to the Department of Safety and Professional Services a forfeiture in the amount of ONE THOUSAND DOLLARS (\$1,000.00).

3. Respondent's license to practice dentistry is LIMITED by the condition that, within ninety (90) days from the date of this Order, Respondent shall obtain and successfully complete a minimum of six (6) hours of education in post maxillary extraction complications, diagnosis and treatment.

- a. Respondent shall locate and have the Board or its designee pre-approve the educational program(s) prior to Respondent completing them.
- b. Within 30 days after Respondent has completed each educational program, Respondent shall submit to the Department Monitor proof of his attendance and that he has successfully completed each educational program.
- c. Respondent cannot apply these six hours of education to the biennial continuing education requirements. If Respondent obtains more than six hours of education to fulfill the requirements of this Order, then Respondent can use any of the hours of education obtained in excess of six hours towards the biennial continuing education requirements.
- d. The limitation shall be removed from Respondent's license after he has satisfied the Board or its designee that he has successfully completed all of the ordered education.
- e. Requests for pre-approval of education and proof of successful completion shall be submitted to the Department Monitor at the address below.

f. Respondent is responsible for all costs of compliance with this Order.

4. Respondent shall, within ninety (90) days from the date of this Order, pay costs of this proceeding in the amount of \$500.00 (five hundred dollars). Payment shall be made payable to the Wisconsin Department of Safety and Professional Services, and mailed to:

Department Monitor
Division of Enforcement
Department of Safety and Professional Services
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

5. 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 provide evidence of satisfactory completion of the continuing education, or pay the costs or forfeiture as set forth above in a timely matter, the Respondent's license (#5726-15) may, in the discretion of the board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with this Order.

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

WISCONSIN DENTISTRY EXAMINING BOARD

By: 
A Member of the Board

1-4-12
Date