

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
JAMES J. THORPE, D.M.D.,	:	
RESPONDENT.	:	ORDER 0001917

Division of Enforcement Case # 11 DEN 041

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

James J. Thorpe, D.M.D.
104-3 Club House Drive
Oregon, WI 53575

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. James J. Thorpe, D.M.D., (DOB January 10, 1954) is duly licensed as dentist in the state of Wisconsin (license # 3140). This license was first granted on June 29, 1983.

May 25 2012

2. Respondent's most recent address on file with the Wisconsin Dentistry Examining Board is 104-3 Club House Drive, Oregon, WI 53575.

3. At all times relevant to this proceeding, Respondent was employed by the Wisconsin Department of Corrections.

4. In November 2010, Patient A, an inmate at Oakhill Correctional Institution, presented to Respondent to have impressions made for lower and upper dentures.

5. On November 30, 2010, Patient A returned to Respondent to have mock-ups placed in his mouth. Patient A told Respondent the dentures did not fit properly, but no changes were made.

6. In December 2010, Patient A presented to Respondent reporting that the dentures still did not fit properly. Respondent placed the uppers without making any adjustments. Respondent told Patient A that he could put in another request to be put on the routine waiting list in order to have them adjusted.

7. In January 2011, Patient A presented to the institution dental clinic, and was seen by a dentist covering for Respondent. The dentist was not satisfied with how the upper dentures fit so new upper dentures were ordered.

8. In February 2011, Patient A presented to Respondent for placement of the new upper dentures. Respondent placed the dentures and told the patient he was "done."

9. Upon leaving the appointment, Patient A recalled being told he would first receive wax molds before his acrylic dentures would arrive. Patient A removed the dentures and realized they were wax. Patient A returned to Respondent and explained he had received wax dentures. Respondent insisted the dentures were acrylic until he removed the dentures and broke off a piece of the wax denture.

10. Respondent failed to listen to Patient A's concerns, failed to recognize the poor fit of the dentures and failed to identify the wax dentures.

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 above constitutes a violation of Wis. Admin Code §§ DE 5.02(2) and (5) and subjects Respondent to discipline pursuant to Wis. Stat. § 447.07(3)(a).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. James J. Thorpe, D.M.D., (license # 3140) is REPRIMANDED.

IT IS FURTHER ORDERED that:

2. Respondent shall, within ninety (90) days of the date of this Order, pay costs of this proceeding in the amount of Nine Hundred Dollars (\$900.00). 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

3. 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 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 pay the costs as set forth above in a timely matter, Respondent's license (# 3140) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has paid costs and submitted evidence of satisfactory completion of the education.

4. This Order shall be effective on the date of its signing.

WISCONSIN DENTISTRY EXAMINING BOARD

By: Berni Mattsson for Lyndsay Knoll 7-11-12
A Member of the Board Date