

## 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

ANDREW S. ONELA, D.D.S.,  
RESPONDENT.

:  
:  
: FINAL DECISION AND ORDER  
:  
: ORDER 0002247

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Division of Legal Services and Compliance<sup>1</sup> Case No. 11 DEN 107

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

Andrew S. Onela, D.D.S.  
7115 N 86th Street  
Milwaukee, WI 53224

Wisconsin Dentistry Examining Board  
P.O. Box 8935  
Madison, WI 53708-8935

Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 8935  
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin Dentistry Examining Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Andrew S. Onela (dob February 4, 1970) is licensed in the State of Wisconsin as a dentist, having license number 15-5102, first issued on March 15, 1999 and current through September 30, 2013. Dr. Onela's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 7115 N 86th Street, Milwaukee, WI 53224.

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<sup>1</sup> The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

2. At all times relevant to this proceeding, Respondent was working as a dentist at Milwaukee, Wisconsin.

3. On December 2, 2011, the department received notification from Respondent's insurance carrier that an indemnity payment had been made on behalf of Respondent for an incident which occurred in 2005. A copy of the National Practitioner Databank malpractice payment report was included with the notification.

4. The department investigator contacted Respondent and requested copies of the patient records from the incident in question.

5. Respondent failed to provide the records as requested despite the investigator's repeated requests for the records.

6. The department investigator asked Respondent to provide verification that he had completed the continuing education requirements required for renewal of his license to practice dentistry.

7. During a personal interview at his dental practice, Respondent admitted to the investigator that he did not have records to verify his continuing education credit hours and that he did not complete the 30 hours required for renewal of his license.

#### CONCLUSIONS OF LAW

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

2. By the conduct described in the Findings of Fact, Andrew S. Onela, violated Wis. Admin. Code § DE 5.02(25), by failing to cooperate in a timely manner with the boards investigation of complaints against the applicant.

3. By the conduct described in the Findings of Fact, Andrew S. Onela, violated Wis. Admin. Code § DE 13.03(1), by failing to complete 30 credits of continuing education related to the practice of dentistry or the practice of medicine.

4. By the conduct described in the Findings of Fact, Andrew S. Onela, violated Wis. Admin. Code § DE 13.03(10), by failing to maintain a written record of the continuing education required for renewal of the license to practice dentistry for not less than 6 years after completion of each credit.

5. As a result of the above violations, Andrew S. Onela is subject to discipline pursuant to Wis. Stat. § Wis. Stat. § 447.07(3).

#### ORDER

1. The attached Stipulation is accepted.

2. Respondent Andrew S. Onela is REPRIMANDED.
3. The license to practice dentistry issued to Andrew S. Onela (license number 15-5102) is LIMITED as follows:
  - a. Within **20 days** of the date of this Order, Respondent shall successfully complete **30 hours** of continuing education, including at least **3 hours of ethics** offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the courses.
  - b. Respondent shall submit proof of successful completion of the education in the form of verification from the institution providing the education to the Department Monitor at the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Board or Department, and also may not be used in future attempts to upgrade a credential in Wisconsin.
  - c. Respondent shall submit proof within 20 days of the date of this Order of current proficiency in cardiopulmonary resuscitation, including the use of an automated external defibrillator through instruction provided by an individual, organization or institution of higher education approved under s. 46.03(38) to provide such instruction.
  - d. This limitation shall be removed from Respondent's license and Respondent will be granted a full, unrestricted license after satisfying the Board or its designee that Respondent has successfully completed all of the ordered education.
4. Within 90 days from the date of this Order, Andrew S. Onela shall pay a forfeiture in the amount of \$1,000.00 and costs of this matter in the amount of \$1,700.00.
5. Proof of successful course completion and payment of forfeiture and costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 8935, Madison, WI 53708-8935  
Telephone (608) 267-3817; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

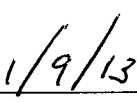
6. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of the forfeiture and costs as

ordered or fails to submit proof of successful completion of the ordered education as set forth above, Respondent's license (no. 15-5102) 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 forfeiture and costs and completion of the education.

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

WISCONSIN DENTISTRY EXAMINING BOARD

by:   
A Member of the Board

  
Date