

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ANELIN FEILEN, D.D.S.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:

0002735

Division of Legal Services and Compliance¹ Case No. 12 DEN 113

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

Anelin Feilen, D.D.S.
1502 S. Cherry Lane
Holmen, WI 54636

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 (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 Anelin Feilen (dob June 21, 1983) is licensed in the State of Wisconsin as a dentist, having license number 6661-15, first granted on April 12, 2011, and with registration current through September 30, 2015. Anelin Feilen's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1502 S. Cherry Lane, Holmen, Wisconsin 54636.

2. On May 12, 2011, Respondent extracted teeth 20, 31, and 32 from Patient A. Most of the clinical crown of #31 was missing as a result of long term decay, and the extraction

¹ The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

was difficult, requiring the roots to be separated with a dental handpiece and the roots extracted using a dental elevator and forceps. Respondent used a curette to examine the socket for root tips, found none, and sutured the socket. Respondent did not take a radiograph to insure that she had removed the entire tooth.

3. On May 13, 2011, Patient A returned to Respondent for a post-operative appointment, and reported no issues.

4. On May 15, 2011, Patient A was admitted to Marshfield Clinic for an odontogenic facial infection involving the masticator space, submandibular, submental, and sublingual spaces on the right side. Patient A was taken to the operating room for intraoral/extraoral incision and drainage. The same procedure was repeated on May 17, 2011.

5. On May 20, 2011, Patient A was released from the hospital following identification and removal of the retained distal root of tooth #31.

6. Respondent's failure to insure that she had removed all of tooth #31 did not meet the standard of care ordinarily exercised by a dentist.

7. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS 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 pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Anelin Feilen, D.D.S., violated Wis. Admin. Code § DE 5.02(5) by failing to identify the presence of the retained distal root of tooth #31.

3. As a result of the above violation, Anelin Feilen, D.D.S., is subject to discipline pursuant to Wis. Stat. § 447.07(3)(a).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Anelin Feilen, D.D.S., is REPRIMANDED.

3. The dentistry license issued to Anelin Feilen, D.D.S., (license number 6661-15) is LIMITED as follows:

a. Within 90 days of the date of this Order, Respondent shall successfully complete four hours of education in oral surgery, two hours of education in dental patient records, two hours of education in dental radiology, and four hours of continuing dental education in dental practice clinical risk management offered by a provider pre-approved by the Board's monitoring liaison, including taking and

passing any exam offered for the courses. The instructor must be physically in the same room as the students for all courses taken in compliance with this order.

b. Respondent shall submit proof of successful completion of the ordered 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. This limitation shall be removed from Respondent's 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, Anelin Feilen, D.D.S., shall pay COSTS of this matter in the amount of \$ 380.00.

5. Requests for approval of courses, proof of successful course completion and payment of 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:

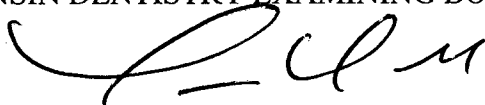
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

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 costs as ordered or fails to submit proof of successful completion of the ordered education as set forth above, Respondent's license (no. 6661-15) 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 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

11/6/13

Date

STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ANELIN FEILEN, D.D.S.,
RESPONDENT.

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STIPULATION

0002735

Division of Legal Services and Compliance¹ Case No. 12 DEN 113

Respondent Anelin Feilen, D.D.S., and the Division of Legal Services and Compliance,
Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.
2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:
 - the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
 - the right to confront and cross-examine the witnesses against Respondent;
 - the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
 - the right to testify on Respondent's own behalf;
 - the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
 - the right to petition for rehearing; and
 - all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.
3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Dentistry Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

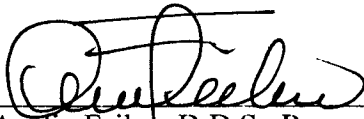
¹ The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Anelin Feilen, D.D.S., Respondent
1502 S. Cherry Lane
Holmen, WI 54636
License no. 6661-15

9/9/13

Date



James E. Polewski, Attorney
Division of Legal Services and Compliance
P.O. Box 8935
Madison, WI 53708-8935

August 28, 2013

Date