

## 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

WILLIAM E. KORTSCH, D.D.S.,  
RESPONDENT.

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FINAL DECISION AND ORDER

**0002931**

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Division of Legal Services and Compliance Case Nos. 13 DEN 005, 13 DEN 006

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

William E. Kortsch, D.D.S.  
2400 N. Farwell Avenue  
Milwaukee, WI 53211

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 William E. Kortsch, D.D.S., (dob October 1926) is licensed in the State of Wisconsin to practice dentistry, having license number 4000964-15, first granted on September 1, 1953, and current through September 30, 2015. Dr. Kortsch's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 2400 N. Farwell Avenue, Milwaukee, Wisconsin 53211.

2. The Division of Legal Services and Compliance is investigating two consumer complaints that Dr. Kortsch performed less than satisfactory root canal treatments on several teeth.

3. Dr. Kortsch has decided to retire from the practice of dentistry, effective January 31, 2014, and has tendered the surrender of his license to practice dentistry in Wisconsin, effective February 1, 2014.

4. 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).

#### ORDER

1. The attached Stipulation is accepted.

2. Dr. Kortsch's SURRENDER of his license to practice dentistry in Wisconsin is ACCEPTED, effective February 1, 2014.

3. Respondent is on notice that having retired effective February 1, 2014 and pursuant to the parties' agreement, Respondent may not, as of February 1, 2014, engage in the practice of dentistry in the State of Wisconsin, nor may he hold himself out as one so licensed or otherwise authorized to practice dentistry in this state.

4. This Order is effective on February 1, 2014.

WISCONSIN DENTISTRY EXAMINING BOARD

by:



A Member of the Board

1-8-14

Date

STATE OF WISCONSIN  
BEFORE THE DENTISTRY EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

WILLIAM E. KORTSCH, D.D.S.,  
RESPONDENT.

STIPULATION

000293 1

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Division of Legal Services and Compliance Case Nos. 13 DEN 005, 13 DEN 006

Respondent William E. Kortsch, 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. Respondent is represented by W. Patrick Sullivan.
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.

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 or Respondent's attorney, 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.

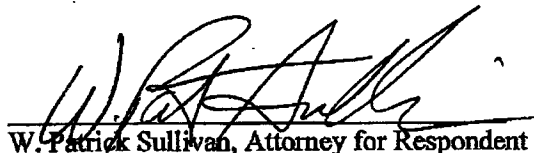
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.



William E. Kortsch, D.D.S., Respondent  
2400 N. Farwell Avenue  
Milwaukee, WI 53211  
License no. 4000964-15

11/29/13  
Date



W. Patrick Sullivan, Attorney for Respondent  
Siesennop & Sullivan  
200 N. Jefferson Street, Ste 200  
Milwaukee, WI 53202-5900

12/2/13  
Date



James E. Polewski, Attorney  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190

Nov 27, 2013  
Date